

Wallingford Board of Civil Authority
Minutes
July 14, 2016

Present: Board members for Justice of the Peace were Chair Wendy Savery, Sue Thayer, Sandy Eddy, Judy Edmunds, Lynn Edmunds, and Tom Truex; Selectboard Nelson Tift and Rose Regula, and Town Clerk & Treasurer Julie Sharon

Others in attendance: Listers Jane Quigley and Russell Lattuca, and Town Assessor Lisa Wright Garcia

W. Savery called the meeting to order at 9:15 a.m. Nominations for chair were taken. R. Regula nominated Wendy Savery as chair. Judy Edmunds seconded the nomination. As there were no other nominations, W. Savery was elected chair by unanimous vote.

The minutes of August 4, 2015 were approved on a motion made by J. Edmunds, and seconded by Sandy Eddy. Motion carried (9-0).

Town Assessor Lisa Wright Garcia was introduced to the Board of Civil Authority.

There were no changes or additions made to the agenda.

TAX APPEAL #1 – Lee & Debra Perry – 1774 US Route 7 South (7011774)

Appellant Lee Perry and the listers and assessor were sworn in. Lisa Garcia introduced the property as the former White Rocks Inn consisting of 17.58 acres, 3 dwellings, and one outbuilding. Following the lister grievance, the assessment was lowered from \$723,400 to \$549,500 because the inn needs a lot of work but the larger barn and two cottages are in good condition and of good utility. The MLS listing started at \$980,000 and was then reduced to \$680,000 and did not sell. The purchase price of \$185,000 was a foreclosure transaction based on the auction sale. The lender-ordered appraisal came in at \$380,000.

Mr. Perry questioned why there is nearly a \$170,000 difference in value between the appraisal and the town. He discussed comps and stated that the much nicer property across the street is listed for sale at \$427,000.

Lister Russ Lattuca stated that they had done an extensive inspection of the property. The Perry's intend to live there and run it as a commercial business in the future. Questions were asked about the comps and the septic system. Lisa Garcia cautioned that the assessment has to be based on its condition as of April 1st (i.e. a foreclosure, non-working septic, water, etc.) Mr. Perry will supply copies of the appraisal (Exhibit A).

An inspection committee of R. Regula, T. Truex, and L. Edmunds will visit the property on July 18th at 10:00 a.m.

TAX APPEAL #2 – Frank Brevoort et al – 1870 Mitchell Road (0531850)

Appellant Frank Chapman could not attend. The listers and assessor were sworn in. Wendy Savery read Mr. Chapman's letters dated June 28th (and dated July 8th asking to reschedule).

Lisa Garcia introduced the property as a 35.7 acre parcel valued at \$41,600. Although the owner cites the 2015 court case decision of an adjacent property, Lisa Garcia feels that any court case is based on its own merit. She believes that the judge was given misinformation as the property is located on an ancient road with additional access.

An inspection committee of S. Eddy, W. Savery, and J. Edmunds will visit the property on July 30th at 11:00 a.m.

TAX APPEAL #3 – David & Elizabeth Eves – 634 Green Hill Lane (0780634)

Appellant David Eves and the listers and assessor were sworn in. Lisa Garcia introduced the property as 50.66 acres with a 1,348 sf house and barns. Following the lister grievance, the property value was lowered from \$411,000 to \$376,000. Owner presented an appraisal done for refinance purposes with an opinion value of \$325,000. The listers depreciated the home and outbuildings based on information on conditions and the appraisal.

Mr. Eves stated that there are many errors on the lister card and that the listers depreciated the value instead of fixing them. There is a wood stove; not a fireplace. There is a family room with sink and fridge; no apartment. The barn is 1200 sf; 1600 sf. There are not two decks on the back; only one. The deck is a porch. He doesn't believe that anything on the lister card is true nor are the listers qualified. Mr. Eves agrees with the bank appraised value of \$325,000 (Exhibit A).

The listers found it hard to defend the value since they were not allowed access to the property during lister grievance. Mr. Eves said he is displeased with the BCA qualifications and prefers Ms. Garcia, adding that he wanted to see a resume from each of the Inspection Committee members.

An inspection committee of W. Savery, J. Edmunds, R. Regula and L. Garcia will visit the property on August 3rd at 12:30 p.m.

TAX APPEAL #4 – Jane Gizzi – 34 and 238 Blackwood Road and 2708 Sugar Hill Road (0880238)

Appellant Raymond Gizzi, on behalf of his wife, and the listers and assessors were sworn in. Lisa Garcia introduced the property as a 103.13 acre parcel with three building lots. The owner's home is at 238 Blackwood, the second home site (former mobile home site) is at 34 Blackwood and the third home site is at 2708 Sugar Hill Road. The third site and dwelling were purchased in 2016 for \$65,000 and combined as contiguous with this parcel. The mobile home was removed from the second site with only a shed and the mobile home slab remaining.

Adjustments were made following a site inspection that included removing the mobile home, lowering the value of the shed, foundation assessment and increasing the depreciation on the third home. The value was lowered from \$603,900 to \$568,600. Discussions at the lister grievance included whether the site improvements should also be removed from section 2. When a dwelling is removed from a property served by private water and septic, that pre-existing well and septic are grandfathered for two years from the removal of that dwelling.

Mr. Gizzi stated that he believes there is no potable water on the site and that they have no intention of developing it. He asked if he could give up his right, and the answer was unknown. Lisa Garcia stated that the BCA will have to look at the best use for the property. Mr. Gizzi explained that the property was purchased for \$65,000 but assessed for \$111,300. He had provided a letter dated June 25th from Realtor Patrick McLaughlin of Engel & Volkers Okemo-Woodstock, which stated that the property was on the market for over five years at an original price of \$139,000 with no offers. The price was lowered to \$97,700 in 2015 and shown to four prospective buyers. Mr. Gizzi's offer of \$65,000 was accepted in December 2015.

Lisa Garcia explained the values for the houses, land, site improvements, septic vs. well, etc.

An inspection committee of S. Thayer, S. Eddy, and L. Edmunds will visit the property on July 28th at 10:00 a.m.

TAX APPEAL #5 – John & Dolores Conroy – 205 Hateful Hill Road (0230100)

Appellants John & Dolores Conroy did not attend. The listers and assessor were sworn in. The BCA members read Mr. Conroy's letter dated June 24th.

Lisa Garcia introduced the property as a 143.2 acre parcel with two building lots permitted and one developed on the acreage, property improved with 2649 sf home built in 2013 and detached garage added in 2014. Subject enrolled in current land use program with two acres excluded, plus the additional 6.8 acres around house site. The "total" assessed value of \$722,600 did not change from the prior year because of the current use enrollment. Ms. Garcia and the listers feel that the Conroys do not fully understand how the current use allocation changes the land values.

The house and two acres, plus the second building lot are valued at \$377,000. The Conroy's disagree with the "land" value of \$345,600. [8.8 excluded acres = \$164,700 and 134.4 enrolled acres = \$180,900.] Ms. Garcia stated that the Town must calculate the value of the excluded acreage as if it stands alone as a separate parcel. It is noted that it was unclear from the map if the second building lot is within the 6.8 acres around the dwelling, or if it is in fact on the enrolled acreage. The Conroy's enrolled 134.4 acres in current use, which they believe is overstated as well. They feel it should be closer to \$28,350.

An inspection committee of R. Regula, T. Truex, and S. Thayer will visit the property on July 28th at 1:00 p.m.

W. Savery moved that the BCA recess the hearings until Wednesday, August 10th at 11:00 a.m. at the Wallingford Town Hall. R. Regula seconded the motion. Motion carried (9-0). There being no further business at hand, Chair Savery recessed the meeting at 11:01 a.m.

Julie M. Sharon, Town Clerk