

Wallingford Board of Civil Authority
Minutes
June 28, 2021

Board Members Present: Justice of the Peace: Sandy Eddy, Maureen Duchesne, Maria French, Kate Goetz, Tony Petrossi, Wendy Savery, Stanley Seward and Curtis Lidstone (who arrived late); Selectboard members Kathy Luzader and Bruce Duchesne, and Town Clerk & Treasurer Julie Sharon

Board Members Absent: Nelson Tift, John McClallen, Rose Regula, Tom Truex, and Nikolaus Houghton

Others Present: Assessor John Tiffany, Neil Johnson and Ralph Corbo

Town Clerk Julie Sharon called the meeting to order at 6:30 p.m. and conducted nominations for chair. Maureen Duchesne nominated Wendy Savery as chair and Kathy Luzader seconded the nomination. There were no other nominations. The nomination of Wendy Savery as chair was approved (9-0). Wendy did not vote. Wendy Savery conducted nominations for vice chair. Julie Sharon nominated Maureen Duchesne as vice chair. Kathy Luzader seconded the nomination. There were no other nominations. The nomination of Maureen Duchesne as vice chair was approved (9-0). Maureen did not vote. All BCA members had already taken and signed their Oath of Office.

No additions or deletions were made to the agenda.

The minutes of the July 29, 2020 meeting were approved on a motion made by Kathy Luzader and seconded by Kate Goetz. Motion carried (10-0).

TAX APPEAL #1 – Catherine Ferreira & Peter Roderick – 751 Ice Bed Road (#0350751)

Representative for the appellant, Neil Johnson, and Assessor John Tiffany were sworn in.

John Tiffany introduced the property owned by Ferreira & Roderick, parcel ID 0350751, on Ice Bed Road, as a mostly wooded parcel with 374.4 acres. The previous value was \$322,400, and it was lowered to \$223,200 following lister grievance. He changed the neighborhood ID to one that better fit the end of road/trail access situation.

Neil Johnson stated the value should be closer to \$200,000 as the appraisal, prepared for and by Yankee Farm Credit ACA dated 10/25/19, came in at \$176,000, which was also the purchase price. A 2002 MLS listing of the property, with a map showing 252 acres, was in the amount of \$238,500 and sold after 301 days. He reported that 6 prime acres were taken out of this parcel before the recent sale.

Mr. Tiffany stated that the town has a recorded survey showing 374.4 acres, but no recorded survey with 352 acres. He said the land grade value was determined by the soil type mapping that shows rock on the western side. However, soil testing would need to happen to determine if a septic system could be installed on the eastern side. The property sold in 2014 to Mr. Hutchins who bought it for the timber value. After he harvested the timber, he sold it for \$200,000 in 2016. Mr. Tiffany provided a list of recent land sales of 200 and larger acre parcels in southern Vermont. Sandy Eddy asked if the comps showed land grades, and Mr. Tiffany responded no. Tony Petrossi asked if the current acreage is after the 6-acre sale, and Mr. Tiffany responded yes.

Kathy Luzader asked Mr. Johnson if there were any trees left, and he replied yes, that the trees were brought down to a level C. He went on to explain that Level A means fully stocked, Level B means adequate timber, and Level C means less timber. Mr. Johnson said he does not disagree with Mr. Tiffany's statements; however, the property has a long drive to install power and that the land has traded twice in recent years.

Mr. Tiffany read the definition of Fair Market Value defined in 32 V.S.A. § 348 as well as a portion of 10 V.S.A. Chapter 151 affecting the use of land. In determining estimated fair market value, he stated that the sale price of the property is one element to consider but is not solely determinative.

Mr. Johnson submitted a copy of the appraisal along with 13 MLS listing sheets, a survey by Tinker Surveys dated August 1994 and another by Rose Land Surveying.

The hearing was closed to testimony. An inspection committee of Tony Petrossi, Sandy Eddy, and Wendy Savery will inspect the property on Thursday, July 1st at 1 p.m. (Subsequently, the inspection was rescheduled for Wednesday, June 30th at 3:15 p.m.

TAX APPEAL #2 – Ralph Corbo – 698 Maranville Road (#0290698)

Appellant Ralph Corbo and Assessor John Tiffany were sworn in.

John Tiffany introduced the property as a 1,760 sq. ft. dwelling with 8 rooms of which 5 are bedrooms, 2 baths on 18 acres with a detached garage, and a current assessment of \$210,700.

The appellant described the extensive research he had done to find this peaceful, quiet property to purchase 20 years ago. However, since October 2019, there have been military jets flying over his property, all hours of the day. This aircraft is disturbing his sleep and affecting his psychological well-being. Mr. Corbo even witnessed a dangerous, low-flying, barrel rolling maneuver. Numerous appeals to the Governor, Federal Congress and even the Selectboard has yielded no results. The appellant asked that his value be reduced to \$130,800.

Mr. Tiffany stated that he researched the internet for effects of overhead aircraft on property values and only found this on properties near airports and aircraft flight paths adjacent to airports.

He provided sales price and assessment data on 19 properties within the appellant's neighborhood that sold within the last three years.

Sandy Eddy asked the appellant if he heard of any other complaints. He replied that he has not and added that it should not have any bearing on his grievance. Kathy Luzader asked if the appellant knows the aircraft flight paths. Mr. Corbo said that this information is not accessible because of the Patriot Act passed in 2001. Curtis Lidstone asked if Mr. Corbo had any videos or had contacted the newspaper or local tv station. Mr. Corbo has contacted the media with no results and did not provide any evidence for the hearing.

The hearing was closed to testimony. An inspection committee of Kate Goetz, Stanley Seward, and Kathy Luzader will inspect the property on Friday, July 2nd at 9 a.m.

The Board will reconvene on July 20th to hear the reports of the two inspection committees.

The Board recessed for 5 minutes. The voter checklist was reviewed

Pursuant to 17 V.S.A., §2150, the Board must complete a review of the entire checklist, prior to September 15 of each odd-numbered year, and consider, for each person whose name appears on the checklist, and determine whether that person is still qualified to vote. The Board reviewed the entire Wallingford voter checklist dated 6-16-21. Kathy Luzader made a motion to accept those voters as needing to be challenged and for Julie to mail out challenge letters as noted; motion seconded by Sandy Eddy. Motion carried (11-0).

On a motion by Sandy Eddy and seconded by Maureen Duchesne, the Tax Grievance Hearings were recessed at 7:59 p.m. and will reconvene on Tuesday, July 20, 2021 at 6:30 p.m.

Julie M. Sharon, Town Clerk