

Board of Civil Authority  
7/8/14

Board Present: Ed Read, Chair (Ed), Robert Vasseur (Robert), Tom Bisbee (Tom), Lisa Koitzsch (Lisa), Patti Lewis (Patti) and Rick Rayfield (Rick)

Listers Present: Gussie Graves (Gussie)

Appellants Present: None

Patricia and James Moynihan  
54 Stage Coach Road  
Parcel Id#06-032

9:18 a.m. Ed opened the meeting for Patricia and James Moynihan who were not present.

Lisa read the Inspection Committee Site Report. (See Attached). She further commented that Tom had sent her an email about power lines being in the line of sight from the first floor of the property and that she had not added that comment to the site report.

Gussie clarified that a 1.0 is average view while 1.5 is considered slightly above average. She noted that the change in listed value in 2010 as a result of grievance was for quality of the property not the view.

Lisa felt that the grade seems to be fair given the neighborhood and the property's proximity to a conserved farm. She and others would have liked to see the view when the leaves were off the trees.

9:22 a.m. Ed made a motion to move into deliberative session. Lisa seconded, no further discussion, all in favor, motion carried.

9:32 a.m. Rick made a motion to close deliberative session. Robert seconded, no further discussion, all in favor, motion carried.

**ACTION TAKEN:**

Robert made a motion to deny the appellants request for view grade reduction because the BCA believes the grade of the property is appropriate based on current view and neighborhood. Rick seconds, no further discussion, all in favor, motion carried.

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Board Present: Ed Read, Chair (Ed), Robert Vasseur (Robert), Tom Bisbee (Tom), Lisa Koitzsch (Lisa), Patti Lewis (Patti) and Rick Rayfield (Rick)

Listers Present: Gussie Graves (Gussie)

Appellants Present: Jill Nolan

Brian and Jill Nolan  
641 Bragg Hill Road  
Parcel ID# 05-061.001

Ed opened the meeting at 8:30 a.m.

Lisa read the Inspection Committee Report of July 2, 2014. See attached.

Ed asked Mrs. Nolan if she thought they were accurate and she replied yes except to say that the fair market value is the price paid for the property.

Ed asked Mrs. Nolan to summarize her email to the BCA dated July 6, 2014. See attached. When asked to confirm what they were asking for she said they are asking for the listed value to be \$410,000.00 which is the price they paid for the property in October 2013.

Gussie noted the listed value had been reduced from \$702,500.00 to \$499,800.00 during the grievance process. (She asked that the BCA minutes of 6/24/14 be corrected with this number.) Gussie said the State would not look favorably on sales chasing and that she felt the Listers had done a good job assessing this property.

Ed explained to Mrs. Nolan that the Board would go into deliberative session at the end of the meeting and would render a decision in writing to them within fifteen (15) days.

8:40 a.m. Lisa made a motion to go into deliberative session. Ed seconded, no further discussion, all in favor, motion carried.

9:16 a.m. Ed made a motion to close deliberative session. Rick seconded, no further discussion, all in favor, motion carried.

**ACTION TAKEN:**

Ed made a motion to deny the appellants request for reduction in listed value from \$499,800.00 to \$410,000.00, based on the fact that Vermont Statute states: "In determining estimated fair market value, the sale price of the property in question is one element to

consider, but is not solely determinative". (VSA 32, 3481). Lisa seconded the motion.  
No further discussion, all in favor, motion carried.

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Board Present: Ed Read, Chair (Ed), Robert Vasseur (Robert), Tom Bisbee (Tom), Lisa Koitzsch (Lisa), Patti Lewis (Patti) and Rick Rayfield (Rick)

Listers Present: Gussie Graves (Gussie)

Appellants Present: None

Marisa Mauro/Ploughgate Creamery (Marisa)

2021 Bragg Hill Road

Parcel ID#06-052

9:40 a.m. - Ed open the meeting. The Board and Lister discussed the following items:

That the Vermont Land Trust (VLT) and Ploughgate Creamery must have had prior knowledge of the property tax burden for this property before taking possession of the property; the effect of multiple restrictions placed on Ploughgate Creamery by VLT; the Town contributions toward the purchase of the property and its support of conserving the property; fair market value when considering restrictions; what a buyer might pay for the property even with restrictions; the possibility of reducing taxes for Marisa for a number of years until the VLT restrictions are lifted; and, the fact the bulk of the land is or will be in the current use program..

Historical note: The Bragg Farm property was purchased by VLT for \$785,000.00 and subsequently sold to Ms. Mauro for \$165,000.00. It currently has a listed value of \$423,000.00 of which \$116,000.00 is in current use.

All agreed it is one of the top three pieces of land in the Valley.

Robert noted that the State reimburses the Town for its portion of taxes lost for enrollment in the current use program but does not for the education tax portion which is the lion's share of taxes and which the rest of the tax payers have to make up. Gussie noted here that current use lowers the tax burden but not the value of the property.

9:50 a.m. – Ed made a motion to go into deliberative session. Lisa seconded, no further discussion, all in favor, motion carried.

10:20 a.m. – Rick made a motion to close deliberative session. Tom seconded, no further discussion, all in favor, motion carried.

**ACTION TAKEN:**

Ed made a motion to deny appellant's request based on the fact the Listers have already made a substantial adjustment to listed value; the Town has already made significant

monetary contributions to this farm; and the property has current use tax relief. Tom seconded, no further discussion, all in favor, motion carried.

10:22 a.m. - Rick made a motion to adjourn the meeting, Lisa seconded, no further discussion, all in favor, motion carried.