

Town of Fayston  
Lister's Office  
866 North Fayston Road | North Fayston VT 05660

**2020 Grievance Hearings**  
**Wednesday June 17, 2020**  
**4:00 p.m. - 6:00 p.m. via Conference call**

Listers in attendance: Doug Mosle and Sarah Stavraky

**4:00 p.m.**

**06-112.004 Wishnow**

Matt joined the call at 4:00 p.m. Purchased lot in 2017, finished building in summer 2019. They did not grieve 2019 because the house was not complete at the time. Three appraisals were done for a mortgage after the house was complete. Appraisals were done in Sept/Oct in 2019. Mortgage Lenders Goldman Sachs - highest appraisal was \$915K. Matt pointed out that the lower is level not fully above grade. Matt stated that he was unable to find comps to justify town appraisal of \$1.017 million. Matt also feels that there is not a lot of evidence that properties will be selling for more money given the Covid situation.

Doug acknowledged that comps to this property are very challenging, and new homes tend to be somewhat difficult to assess in mass appraisal because they have zero depreciation. Million dollar homes do not sell with any frequency at all in Fayston, thus the difficulty in finding comps. Does Matt have any more questions?

He pointed to a comp of 69 Mad River View which sold for \$120/square foot. Does acknowledge that their (Wishnow) property might be slightly better being uphill.

Matt asked about the process - Doug described the decision timing/ mailing of results of grievance, and next steps if the decision is not to their satisfaction.

**4:15 p.m.**

**10-058 Pace**

Erik Wurster called in on behalf of Lydia & Christine Pace. Ownership changed among families at fair market value (they based FMV on a recent appraisal they had done due to the family ownership change) that appraisal came in at \$301K, \$50K lower than the town assessed value. Would ask that we would look at the appraisal which he shared with the Listers. History: the house was built by the wife's Grandparents in 1969, transferred from Grandparents to five family members as a Corporation, each with a 20% stake, one shareholder passed away, 20% share of that owner went to two daughters (Lydia & Christine), other 2 shareholders wanted out. Sisters bought 40% share of these two owners - so now two sisters share equally, Corporation dissolved. FMV that was identified to report for tax purposes and to buy out two shareholders. Erik would ask that we consider re-examining the value to the appraisal they have provided the Listers (attached) or something near to it.

Doug asked if we could visit this property - Erik suggested this weekend. Listers asked Erik if we could touch base with him on a time for a visit once all hearings have been heard.

**4:30 p.m.**

**11-046.003 Local Notions, LLC**

Heidi Spear joined the hearing on behalf of Local Notions at 4:30pm. Heidi asked if the appraisal was meant to reflect current market value? Doug explained the 3 year sales cycle and how that affects the town CLA.

Heidi spoke to the elements and formula in the assessment. Heidi asked if the formula is meant to look to 2014-2016, not 2018-2019. Heidi argued that the property could not sell for \$141K at all. It is a small, narrow lot all with frontage entirely on the road, while it is physically larger than the lot which just sold privately, it is not a superior lot. Heidi stated that there is no easy access to brook or path from the lot. The owners stated that they have received an offer of \$100K for the lot, and also stated that they would take \$110K but are not sure she'll get it.

Doug spoke to the formula for land assessment, describing the difficulty of assessing parcels within a subdivision, and that the lots are not re-assessed based on previous sales, but rather based on existing characteristics. If lots are selling for less than they are assessed for, then the owner has a chance to grieve. Heidi stated for the record that the formula isn't actually capturing a fair assessment for this lot. Heidi is fine with the listers visiting the property.

**4:45 p.m.**

**02-008 Kevin Warren**

Kevin joined us by phone at 4:47pm. Is the owner of a  $\frac{3}{4}$  share of 1/10 Acre lot. Kevin argued that the reason the lot should be devalued is that it cannot be developed. He removed the camp over a year ago, and it is his understanding that he cannot build there again. Was told that it could be built on within a year - he argued that a year has passed and has not been built so he believes that the site value should be removed. Listers stated that they were not certain if those were the zoning regulations, so they would have to confirm with the zoning administrator. It was determined that a site visit was not necessary as the Listers are familiar with the property.

**5:00 p.m.**

**06-112.001 Ryan Boyd**

Ryan stated that the lot was appraised by the bank for \$185K, it is assessed by the town at \$196.5K.

Doug spoke to the way land is assessed - site and bulk land, and the sliding scale.

Doug asked if Ryan had looked at other lots when they were looking to buy, and also asked what drew them to this lot. Ryan stated that it was the only lot that they walked - they were drawn to the location, which is rural and the view (which is cleared) was easy to see the potential. Doug asked how he thought his lot compared to the one below it - Ryan thinks his is nicer, further up the road, more private and surrounded by the state forest land which is permanently protected. Owner is ok with Listers visiting the lot.

Doug asked if they are planning to build soon - answer was yes, hoped to build in the next couple years.

Ryan asked if assessed value \$196,500 is based on a scale or the sale price. Doug explained that the land schedule is what is used for assessment of undeveloped land, and that scale is based on prior sales.

Doug noted that a lot in this subdivision has sold in each of the last three years, and that the town assessment of these lots have been within \$5-7K of sale price.

**5:15 p.m.**

**07-028.003 Cary & Vivien Hardy**

Vivien and Cary joined the hearing at 5:19pm. Vivien spoke to having property in Fayston for 33 years. Bought Old Quarry Road property in 2000 and built their current home. Home assessed for \$763,800. Has followed properties sold in the price range and she has trouble finding comps that would sell for the value that their home is assessed. They would like to have the Listers visit the property.

Gave Zillow comps, which are attached.

Vivien feels that it was appraised at more than it should have been because she (the prior Lister) believed that more work was going to be done on the property, and thus assessed it for more than it should have been.

The owners would like us to visit while the owners were present (they are coming up this weekend). Doug stated that per Governor orders, those coming into Vermont are required to quarantine for 14 days, and that it has been recommended that Listers not currently do site visits. Doug stated that if Hardy's want the Listers to visit the property it would have to happen before the owners come up for the weekend. It was decided that the Hardy's would email details on how to gain access to the property without the owners present..

Cary wanted it noted that downstairs there it is a framed out for a sauna and bath - but have no intention of installing anything.

**5:30 p.m.**

**03-005 Bechtel**

Mary Bechtel joined the hearing at 5:35pm. Two separate appraisals done on the house. First appraisal \$459K- bank appraisal, second was a BPO \$520K from a realtor - it was higher due to a new septic system. Mary noted that the siding is rotting, the pool is destroyed and the house is dated - it will require a new kitchen and new bathrooms. Feels that the value on the house reflects houses that do not require work.

Another piece that was a shock to them - application to CU - confirmed it was received by the state and they are shocked that the Listers have not received their application. Listers suggested that the owners need to follow up with the State regarding their application, that this is not in the hands of the Listers until the application is approved and received by the Town Office.

**5:45 p.m.**

**03-006 John McCloy**

John McCloy joined the hearing with Mary Bechtel. His home was built simultaneously as the Bechtel's home - 51 years ago- felt that depreciation should be higher than what Listers determined.

They have one bathroom that does not work, roof rotten on part over door, rot on siding at ground level. Wood storage area also has a rotted roof. John stated that the price to build the house was just under \$100K - says that's what he would sell it for if approached. John argues that there is a lot of work that needs to be done. The owner is not requesting a further site visit, as the Listers had visited the property recently.

As far as the land goes (which they hope to have in Current Use), forest management plan was done by Hunger Mountain Forestry for CU application. Property is almost all ledge, steep, not usable as building sites or lots. Discrepancy between what he thinks the value of the land is and what it is assessed for.

Mary Bechtel then spoke to the land, all wind blown according to forester - it is all old, unhealthy, no value in foresting it, according to the appellant.

**6:00 p.m.**

**03-020.002 Robert Grandfield**

Robert Grandfield joined the hearing at 6:30pm. He stated that the Listers have the property assessed at \$186K - and he feels that it is way out of whack. Robert stated that the land is steep, and feels that it can't build because of steepness. Doug asked why the property owner feels it can't be built - Robert stated that he was told that it cannot be built because it's over 15% grade. Doug spoke to state mandated nothing over 25%, Robert said that Bannon engineering says it's at 18% grade. Owner feels that there are only a couple acres that can be built on. 200 ft road frontage, goes back 200 ft before the grade starts to get steep.

Doug asked if the Listers could visit - the owner would be happy to meet us up there. Asked if there is anything from Mark Bannon explaining that it can't be built on. Doug spoke to the site and bulk land. If there is evidence that shows it absolutely cannot be built upon- then the site acreage would be reduced, if it's a matter that it can be developed, but would be difficult then that would be taken into consideration.

Times that would work for the owner - anytime other than Monday afternoon, weekends OK. Owner would prefer email.

6:11 p.m. 2020 Grievance Hearings continued to deliberation on Monday June 22nd at 3:30p.m. to accommodate the site visits that need to be scheduled.

Site visits scheduled:

- Thursday June 18 - 8:00am, 11-046.003 Local Notions
- Thursday June 18 - 8:45am, 06-112.001 Ryan Boyd
- Thursday June 18 - 4:00pm, 03-020.002 Robert Grandfield
- Friday June 19 - 3:00pm, 07-028.003 Cary & Vivien Hardy
- Friday June 19 - 3:45pm, 10-058 Lydia & Christine Pace

**Monday June 22nd, 2020 3:30pm  
Deliberative Session**

Went into deliberation at 3:30pm  
Came out of deliberation at 5:12pm

Deliberation continued to Tuesday June 23rd at 3:30pm  
Came out of deliberation at 5:25pm

Deliberation continued to Wednesday June 24 at 10:00am  
Came out of deliberation at 11:20am

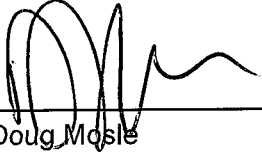
2020 Grievance hearings closed at 11:20am Wednesday June 24.

Results of grievance:

- **06-112.004** - Reduced value to \$933,100. Adjusted land grade to reflect proximity to road. Added functional depreciation for size and basement living space.
- **10-058** - Reduced value to \$321,200. Site visit was conducted on Friday June 19th. Increased depreciation to be in line with a house 51 years of age, increased functional depreciation to reflect bathrooms and bedrooms all on the lowest level, adjusted quality to average.
- **11-046.003** - Reduced value to \$117,500. Site visit was conducted on Thursday June 18th. It was determined that the lot is exposed to the main road, with steep slope down to the stream leaving the bulk of the property undevelopable, minimal possibilities for the house site location and lack of privacy. House site grade reduced to 0.9, and reduced bulk land grade to 0.5
- **02-008** - No change in value. Listers spoke with the Fayston Zoning administrator who stated that within a year the owner could have built on the same footprint of the destroyed camp without variance approval from the DRB. After a year has passed development is still possible with a setback waiver from the DRB. It was determined by the Listers that the lot meets setback requirements for development.
- **06-112.001** - No change in value. Site visit was conducted on Thursday June 18th. The listers visited the subject property and two of the three comps offered by the property owner. The subject property is considerably more private with a superior view than both adjacent parcels and felt assessment reflected FMV.
- **07-028.003** - Reduced value to \$739,400. Corrected plumbing rough-ins and corrected fireplace from 2 single to one double, added 2% function for 3rd floor bedroom and adjusted land grade.
- **03-006** - Reduced value to \$614,400. Added functional depreciation and adjusted quality.


- **03-005** - Reduced value to \$636,700. Listers reviewed appraisal provided and determined that it was appraised on 3AC - the subject property is 33.45AC. Increased physical depreciation to reflect deferred maintenance and the pool was removed as it is unusable.
- **03-020.002** - Reduced value to \$150,600. Site visited Thursday June 18. No power at the site, steep lot with poor access.

Respectfully submitted,



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Doug Mosle



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Sarah Stavraky

Fayston Listers  
June 24, 2020