

Minutes of Board of Abatement Meeting
Monday October 29, 2012

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

Listers: Gussie Graves (Gussie), Tony Egan (Tony)

Guests: Marion Usher via phone

9:00 a.m. – Meeting could not be called to order due to lack of Board quorum. Board asked Mrs. Usher to call back in 10-15 minutes.

9:26 a.m. – Mrs. Usher called back and Robert Vasseur called the meeting to order. Parcel #14-058 – Michael and Marion Usher - request for tax abatement.

Mrs. Usher explained that they have owned the parcel for many years. She and her husband intended to donate the property for affordable housing, but in 2005, they discovered that the lot is unbuildable. Engineer Mark Bannon made the determination after visiting the site and conducting soil tests; however, Mr. Bannon never sent the Ushers any site visit reports. Finally, this year, Mrs. Usher pulled the whole file together and is now presenting her evidence. She requests an abatement of 2012 taxes because the lot is unbuildable.

Robert Vasseur asked why the Ushers had not taken the step of going before the Board of Listers during the grievance process. Mrs. Usher responded that they did not live here full time and that they kept missing the deadline to do so.

Gussie Graves then spoke for the Listers. She said she had talked to Marion and Michael Usher on several occasions. The lot is currently valued at 30,000.00 (see attached) which is not a buildable lot value. If it were, it would be more in the \$60,000.00 to \$65,000.00 range. Ms. Graves had suggested they let the land go through the tax sale process but the Ushers did not want to do that. Ms. Graves said she talked to the Ushers in February and told them what was needed for the grievance process but nothing was done since. She also understood that Mr. Bannon was very delinquent in his response to the Usher's request for a report.

Lisa Koitzsch asked Ms. Graves what the grade difference on the Lister card would be if it were a buildable lot. Ms. Graves answered that it would go from the current 40 to possibly 75 – 80. Ms. Koitzsch asked if Ms. Graves had determined that the lot is not buildable. Ms. Graves replied that she would not make that determination without an engineer's report stating the same. She might believe that it may not be a buildable lot but would not make that judgment without proper reports.

Ms. Koitzsch asked if the October 12, 2012 letter from Mr. Bannon to Ms. Graves was the first official report from an engineer and the answer was yes.

Mr. Vasseur noted that the BOA process is not to lower the value of the land but only to consider abatement of part or all of the taxes.

Board asked Mrs. Usher if she had started the grievance process. While no dates for that have been set, Ms. Graves does have the necessary material to begin that process when appropriate in the spring.

9:34 a.m. – Mr. Vasseur closed this part of the hearing. Ed Read made a motion to go into deliberative session to make a decision. Ms. Koitzsch seconded, all in favor, motion carried.
9:45 a.m. – Mr. Read made a motion to close deliberative session. Mr. Vasseur seconded, all in favor, motion carried.

Ms. Koitzsch made a motion that the Board grant no tax abatement on this parcel because the Ushers have not gone through the proper grievance process which may or may not affect the property value. Mr. Read seconded. Mr. Vasseur, Mr. Read, Ms. Lewis and Ms. Koitzsch voted for the motion. Mr. Bisbee voted against the motion. Motion carried by majority.

9:46 a.m. – Mr. Vasseur made a motion to close the hearing. Mr. Read seconded, no further discussion, all in favor, motion carried.

Respectfully Submitted:
Patti Lewis
Town Clerk

Approved: Robert Vasseur Date: 11 15 12