



Board of Civil Authority

Tuesday, August 23, 2022 @ 2:00 p.m.

Fire Station Meeting Room (47 Bombardier Road)

MINUTES

BCA Members Present: Jon Hughes, Chair; Kristin Beers, BCA Clerk; Kevin Endres, JP; Mary Ann Godin, JP; Reginald Godin, JP; Christopher Mattos, JP; Dana Maxfield, JP; Leland Morgan, JP; Wendell Noble, JP; John Fitzgerald, Selectboard Member;

BCA Members Not Present: Darren Adams, Selectboard Member; Charles Barsalow, JP; Steve Burke, JP; Amy Maxfield, JP; Michael Morgan, JP & Selectboard Member; John Palasik, JP; Thomas Rowley, JP; Brenda Steady, Vice Chair & Selectboard Member; Chris Taylor, Selectboard Member

Others Present: Edgar Clodfelter, Assessor; Kevin Grassi; Pamela McDonald; Garrett Cousino; Mariann Steen; Richard Lorenz; Hal Hazen; Trevor Hazen;

1. Pamela McDonald / 37 Kingswood Drive:

Jon Hughes opened the hearing of Pamela McDonald at 2:03pm. He stated the property location of 37 Kingswood Drive and parcel ID # 222055.000000.

Jon administered the BCA oath to the board members present. He then administered the witness oath to the appellant and assessor.

Jon verified that Ms. McDonald received the Milton BCA Rules of Procedure, yes, had any questions, no, and asked the BCA to disclose any conflict of interest or ex parte communication, none.

Ms. McDonald explained that the assessor sketch originally showed S1 Porch 2 as living space, when in fact it is an unfinished space. During the grievance process the assessor agreed and corrected that. Ms. McDonald explained that her "garage" is actually a carport – it has no garage doors. She asked why it is being appraised and compared to properties that have true garages with doors. The written record is correct, but the sketch is incorrect. The appraisal was adjusted from \$274,400 to \$266,500, only a \$7,900 reduction, not fair compared to the other properties that have additions, garage doors and bigger spaces to live in.

Mr. Clodfelter responded and confirmed that the 207 sf of the S1 Porch 2 was removed from the square footage of the house. He clarified that even though the sketch shows "Garage 1", it is actually listed and assessed as a carport. The value of the carport is not affected by the presence or absence of siding.

Mr. Clodfelter showed that comps supplied by Ms. McDonald were looked at and compared. He explained that comps used during a mass appraisal process are very different than comps in the fee appraisal world.

Ms. McDonald stated that her property value doubled since the last appraisal even though no changes or improvements were made to the property. There are water and sewer issues in this development. Believes 235k – 240k would be fair.

Jon Hughes asked for inspection committee volunteers. Ms. McDonald is more available in the evening time.

Jon Hughes recessed the hearing at 2:32 pm, until September 15th.

2. Mariann Steen, Steen Revocable Living Trust / 10 Pinewood Lane:

Jon Hughes opened the hearing of Mariann Steen at 2:38 pm. He stated the property location of 10 Pinewood Lane and parcel ID # 224134.000000.

Jon administered the BCA oath to the board members present. He then administered the witness oath to the appellant and assessor.

Jon verified that Ms. Steen received the Milton BCA Rules of Procedure, yes, had any questions, no, and asked the BCA to disclose any conflict of interest or ex parte communication, none.

Ms. Steen explained that she is disputing two itemized assessments of her property. She was told by the zoning officer 20 years ago that if she built a platform less than 100 sf and did not attach it to the house, it would not be taxed. Lori, the Assistant Assessor, told Ms. Steen that this rule has changed. Ms. Steen is asking the BCA to grandfather the tax rules regarding her platform.

Ms. Steen also would like to dispute the assessment of her garage. It is more like a carport, with walls, a door and an asphalt floor – no footings or cement floor. She does not believe it should be valued the same as a full garage. She was unable to find the value of an individual garage.

Ed Clodfelter responded that whomever told her a deck or platform wouldn't be taxed is not true and never was. It may have not required a zoning permit at that time.

Kevin Endres asked for the criteria of a garage. Mr. Clodfelter defined a garage as four walls and a garage door. Ms. Steen brought up that all of the houses in the Flanders development have true garages of comparable quality. She'd like to know their assessed value and hopes it would be more than hers.

Mr. Clodfelter pointed out that Ms. Steen has a larger lot than the typical property in the Flanders development. They adjusted her land value to bring it more in line with a typical lot in that location.

Jon Hughes asked for inspection committee volunteers. Ms. Steen is more available in the afternoon time, 12noon to 5pm.

Jon Hughes recessed the hearing at 3:09 pm, until September 15th.

3. Richard & Jane Lorenz / 1535 Lake Road:

Jon Hughes opened the hearing of Richard Lorenz at 3:30 pm. He stated the property location of 1535 Lake Road and parcel ID # 217004.001000.

Jon administered the BCA oath to the board members present. He then administered the witness oath to the appellant and assessor.

Jon verified that Mr. Lorenz received the Milton BCA Rules of Procedure, yes, had any questions, no, and asked the BCA to disclose any conflict of interest or ex parte communication - Leland Morgan, Reginald and Mary Ann Godin all recused themselves from this hearing.

Mr. Lorenz explained that when he began the appeal process, he did not know what the actual cost of his property value increase would be. The tax bills were just recently sent out. During his grievance hearing, there was a dismissive statement that the bank appraisal he provided was too old. There was not enough time to hire an appraiser before the grievance meeting. The new town appraisal was conducted during a hyper-inflated market. The condition of the home and tennis court are as they were built in 2004, no improvements have been made. Mr. Lorenz is on a fixed income and is requesting any possible adjustments that could be made.

Ed Clodfelter mentioned that during the grievance process, adjustments were made to Mr. Lorenz property. The value of the tennis court was reduced. He also reminded everyone that as appraisers, they cannot be concerned with taxes – only the property value. Regarding the current state of the market, Mr. Clodfelter provided a list of property sales in Milton after April 1st, and the sale prices are still higher than the newly assessed values.

Discussion about withdrawing from this appeal process – pros and cons. Mr. Lorenz assured the BCA that he wishes to withdraw.

Jon Hughes recessed the hearing at 3:53 pm, until September 15th.

4. Hal Hazen / 32 Emile Drive:

Jon Hughes opened the hearing of Hal Hazen at 4:10 pm. He stated the property location of 32 Emile Drive and parcel ID # 227031.107000.

Jon administered the BCA oath to the board members present. He then administered the witness oath to the appellant and assessor.

Jon verified that Mr. Hazen received the Milton BCA Rules of Procedure, yes, had any questions, no, and asked the BCA to disclose any conflict of interest or ex parte communication, none.

Mr. Hazen read his prepared statement. He explained that he initially grieved the assessed value of his property based on both the condition of his house and its location next to a salvage yard. During the grievance process the assessed value was reduced \$27,100 based on the condition of the property. During that same grievance process, it was explained that his property value was already decreased by \$9,700 due to the proximity to the salvage yard. If Mr. Hazen were to sell his property today, he would have to disclose the operation of the unregulated salvage yard, the pollution, the noise, the odorous fumes and the fire hazard, which would surely have a substantial impact on the marketability of his property and reduce its fair market value.

Mr. Hazen said that there is no Brownfield Site designation of this salvage yard. The Agency of Natural Resources told him that a law was passed in 2007(?) giving a municipality more police power for compliance, but that the Town of Milton has been ignoring the issue.

Edgar Clodfelter says during the grievance process, they adjusted the value of Mr. Hazen's land portion down 10% and added economic obsolescence, which is when something to the

exterior of the property affects the building value of the property, about 5%. Recent, nearby sales factor into the fair market value.

Jon Hughes asked for inspection committee volunteers. Mr. Hazen suggested a visit during morning working hours, to hear the noise of the salvage yard.

Jon Hughes recessed the hearing at 4:46 pm, until September 15th.

*Respectfully submitted,
Kristin Beers*

APPROVED MINUTES:



Jon Hughes, Chair

Date: 9/15/22