



Board of Civil Authority

Tuesday, August 23, 2022 @ 6:00 p.m.

Fire Station Meeting Room (47 Bombardier Road)

MINUTES

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

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

Others Present: Edgar Clodfelter, Assessor; Todd LeBlanc, NEMRC Assessor; Patrick Wright; David Buran

5. Patrick Wright / 207 Westford Road:

Jon Hughes opened the hearing of Patrick Wright at 6:01 pm. He stated the property location of 207 Westford Road and parcel ID # 216051.002000.

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. Wright 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. Wright believes his property assessment of \$415,100 is too high. A comparable property at 161 Westford Road, less than ¼ mile away with more usable land, recently sold for \$340,000 and is assessed at \$342,000. Mr. Wright's property has 2.5 acres of unusable flood plain and the balance is solid unusable ledge. Mr. Wright has only about 1.5 – 2.0 acres of usable land, is not connected to town water, no cable, and no in-town services.

Wendell Noble clarified that Mr. Wright's appeal is not concerning the dwelling value, but only the land value. Mr. Wright confirmed, stating that he believes it is raising his property's overall assessed value.

Edgar Clodfelter discussed the comparable reports. And then he explained how this was the first appeal we have heard where the total property size is larger than 2 acres. The land value is calculated by combining the Housesite Value (dwelling plus 2 acres) and the back land, any acres beyond the first 2 acres. Mr. Clodfelter adjusted Mr. Wright's back land value by 0.5. The first 2 acres is the most valuable. Mr. Clodfelter pointed out that as an appraiser they never assume the residual land is going to be built upon. Adjustments are given based on years of experience in the field, no specific formula. He reminded us that unusable land is not worth nothing – it still holds value.

John FitzGerald clarified that the back land is currently valued at \$26,300, which is \$2,600 per acre. Mr. Wright found that a statewide average is about \$3,000 per acre for buildable property.

Mr. Wright just doesn't see there is a \$70,000 difference between his property and 161 Westford Road. Mr. Clodfelter pointed out that 161 Westford Road is 700 sq smaller (the home) and is 12 years older. There is no set value of a square foot of living space, it depends on quality.

Jon Hughes asked for inspection committee volunteers. Mr. Wright has a flexible schedule.

Jon Hughes recessed the hearing at 6:27 pm, until September 15th.

6. Tom and Suzanne Chastenay / 18 Butternut Circle:

Jon Hughes opened the hearing of Tom Chastenay at 6:48 pm. He stated the property location of 18 Butternut Circle and parcel ID # 203027.003000.

Jon administered the BCA oath to the board members present. He then administered the witness oath to the assessor (the appellant was not present).

Jon verified that Mr. Chastenay was sent the Milton BCA Rules of Procedure, yes (certified mail, return receipt), and asked the BCA to disclose any conflict of interest or ex parte communication, none.

Mr. Clodfelter explained that during the initial grievance hearing, Mr. Chastenay pointed out that even though all of the houses are practically the same in the development, his property value was assessed much higher than his neighbors'. The Assessor's office software converted from an old system to a new one, and after further review they found an embedded sketch in the program showing the square footage was higher than it should have been. The initial SF was 2619, but the correct SF is 2132. Mr. Clodfelter proposes adjusting the SF to 2132, which will reduce the assessment to \$446,200.

Jon Hughes asked for inspection committee volunteers. Kristin will contact Mr. Chastenay and ask for preferred times to visit.

Jon Hughes recessed the hearing at 6:58 pm, until September 15th.

7. David Buran / 13 Appletree Court:

Jon Hughes opened the hearing of David Buran at 7:29 pm. He stated the property location of 13 Appletree Court and parcel ID # 132001.000105.

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. Buran 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. Buran read his prepared statement. He supplied two appraisals, dated 10/31/2021 and dated 7/20/2020, indicating that his property is worth \$235,000 and \$245,000. Mr. Buran proposes and requests that the board set the assessed value of his property to \$245,000. He added that his unit needs a new roof – there are missing shingles and you can see that

three of the seven other units have already replaced theirs. The two quotes obtained were for \$10,000 and \$12,000.

Mr. LeBlanc explained that the Town's Grand List is developed based on fair market value of all properties for tax purposes as of April 1, 2022. A fee appraisal is different, done for finance purposes, not for market valuation in a mass appraisal. And a fee appraisal is per a certain date, not time adjusted to April 1st. This property is a condo, which is strictly based on the structure, no land. Regarding the comparable properties, adjustments were made to the value to offset differences, like basement size, basement bedroom, basement bathroom, one story versus two story. During the grievance process, three of the six comparable properties in this development appealed, which caused the assessor to revisit the valuation and make an adjustment from \$304,200 down to \$255,100, and consequently adjust the entire neighborhood.

Mr. LeBlanc discussed the two comps provided by Mr. Buran. He pointed out differences in opinion between the different appraisers, which were conducted just a few months apart.

Mr. LeBlanc responded to Wendell Noble's question that the land of a condo is owned in common and the value is inherent in the value of the unit. It cannot be bought and sold separately.

Edgar Clodfelter pointed out that the Single Property Fee Appraisals are difficult – they must determine the fair market value, with a limited supply of sales, within a given range of time, and find truly comparable properties. They did the best they could, with the data they had.

John FitzGerald asked if the condition of the roof was taken into account during the town appraisal. Mr. LeBlanc says no. Mr. FitzGerald continued to say that one could assume the cost of a new roof maybe subtracted from a purchase price. Mr. LeBlanc reminded us that the comparable sales analysis reflects a value for Mr. Buran's property of \$291,000, but due to adjustments and efforts to be most fair in the development, the final value was recommended at \$255,100.

Jon Hughes asked for inspection committee volunteers. Mr. Buran is most available late morning or early afternoon.

Jon Hughes recessed the hearing at 8:23 pm, until September 15th.

8. Beau Cushing / 8 Corral Drive:

Jon Hughes opened the hearing of Beau Cushing at 8:29 pm. He stated the property location of 8 Corral Drive and parcel ID # 218006.111000.

Jon administered the BCA oath to the board members present. He then administered the witness oath to the assessor (the appellant was not present).

Jon verified that Mr. Cushing was sent the Milton BCA Rules of Procedure, yes (certified mail, return receipt), and asked the BCA to disclose any conflict of interest or ex parte communication, none.

John FitzGerald read Beau Cushing's prepared statement. During the initial grievance hearing process, Mr. Cushing stated that he had not done anything to his home to increase its value the \$40,000 more than the bank appraisal when he finished building the home in December of 2020, just a few months before the town reappraisal was performed. He commented that he hadn't even finished a few punch list items. The assessor asked if his

home was at least 95% complete and Mr. Cushing agreed. He did not realize that would change his property status from complete to incomplete.

Mr. Cushing is asking to have his home listed as complete again, as it was never his intention to have it listed otherwise, knowing that will increase the value some.

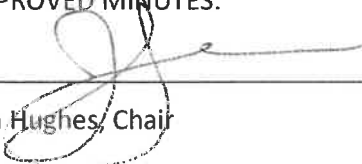
Edgar Clodfelter showed on the property record card that Mr. Cushing's property is listed as 95% complete with a value of \$416,500. Changing the status, will increase the value to \$431,400. Mr. Clodfelter advised that the BCA can inspect the property for completeness, and then recommend putting the status back to 100% or by suggesting a value.

Jon Hughes asked for inspection committee volunteers. Kristin will contact Mr. Cushing and ask for preferred times to visit.

Jon Hughes recessed the hearing at 8:49 pm, until September 15th.

*Respectfully submitted,
Kristin Beers*

APPROVED MINUTES:



Jon Hughes, Chair

Date: 9/15/22