

Board of Civil Authority Meeting  
Wednesday August 8, 2018 at 5:00pm  
Steele Community Room

The meeting was recorded in its entirety

BCA Members Present: Nat Fish, Liz Schlegel Stevens, Carla Lawrence, Linda Parks, Polly Sabin, David Myette, Jack Carter, Judy Barker.

Also Present: Dan Sweet, Phil Baker, Alec Tuscany.

Appellants: Jonathan Griffin, Robert Grace, Jonathan Grace.

The hearing was opened at 5:00pm.

Liz Schlegel Stevens, Chair, asked the Board and all those present to introduce themselves and reviewed how the meeting would be conducted.

**Appellant: Jonathan Griffin of 1491 Blush Hill Road (Parcel #200-1491)**

L. Schlegel Stevens brought to the Board's attention that there was a conflict of interest on the Inspection Team that looked at the property of J. Griffin on August 1<sup>st</sup>. L. Stevens stated that it was her understanding that BCA members must recuse themselves if they have a direct interest in an appeal, but the statutes state that the person must recuse themselves from all appeals for that year. One of the appeals is being brought by one of the Inspection Teams husband, so for best practice the Board should throw out the Inspection Team report and appoint a new Inspection Team to view the property. The Inspection Team appointed was N. Fish, P. Sabin, and J. Barker. They will perform the inspection on Monday August 13<sup>th</sup>.

**Appellant: Brian Tarbox of Lot 13 Evergreen Woods (Parcel #615-0404) Via Telephone**

L. Schlegel Stevens administered the oath to B. Tarbox.

D. Sweet presented information including a printout from the Town's parcel mapping system of Lot 13 of the Evergreen Woods subdivision that is an aerial photograph with contour lines, Lot 13 configuration, and a portion of the appraisal submitted by B. Tarbox during the grievance process. The appraisal shows a value of \$460,000 that is land and house value; however, the last page shows a site value of \$100,000.

The 5.03 acre parcel originated by way of a transfer from the Evergreen subdivision to a stand-alone parcel. The parcel was valued at \$125,500 based on neighborhood codes and site grades. The neighborhood code was 1.1 and the site code was 1.2; both slightly above average. D. Sweet presented some information on other parcels on Evergreen Woods. During the grievance process, the Listers visited the lot and noted that the parcel is more like lots located on Grove Lane and Spruce Grove, in that it is more of a wooded lot. There was some site clearing done after the purchase that added value. After the grievance hearing, the site grade was reduced from 1.2 to 1.0, reducing the assessed value from \$125,500 to \$106,800, close to the \$100,000 appraisal.

B. Tarbox purchased the lot for \$75,000 and explained that there were additional costs after purchasing the lot, including installing a conduit from a transformer to the proposed house site. He stated that the cost for the installation was between \$2,500 and \$3,000. B. Tarbox stated that he has approximately \$80,000 into the property and finds it difficult that it is assessed at \$106,800.

B. Tarbox stated that he took into account lots around the area to get a better benchmark of values. He found properties at lower values. He feels that the maximum price that the property would sell at is \$100,000, and that the property value should be based on what it will sell for. The highest offer he has received is \$85,000. B. Tarbox stated he looked at 475 Evergreen Woods with price per acre of \$13,000; 3 Palermo Lane with a price per acre of \$16,750; and Stagecoach Lane Lot 5 with a price per acre of \$18,375. He stated that even the highest value \$18,375 would value his 5.03 acres at approximately \$92,000. B. Tarbox stated that there is limited area on the parcel to build on due to some wetlands. He does not feel that over \$20,000 per acre is fair market value in that area.

D. Sweet clarified that the \$75,000 purchase price included the driveway culvert and that having access provides additional value and makes the lot more saleable. B. Tarbox stated that he has had a few offers on the parcel. He countered one of the offers at \$90,000 and lost the sale. B. Tarbox stated he was content with a \$100,000 value, but doesn't feel he sell the parcel for that price at this time.

L. Parks asked why the Walton lot on the comparables was not included and why it had a much lower site grade. D. Sweet responded that the Walton parcel is down in the dip on Shaw Mansion Road and has a separate access. It is separate from the Evergreen Woods parcels and is a stand-alone parcel.

The Board asked D. Sweet to pull the lister cards for the three parcels that B. Tarbox used as comparables. P. Sabin asked about the additional costs after the property was purchased. B. Tarbox responded that the total costs were \$1,558.80 and emailed the invoice to C. Lawrence.

L. Schlegel Stevens asked for an explanation of site grade versus land grade. D. Sweet explained that site grade looks at the 2 acres where house will sit. Land grade covers the remaining parcel.

Inspection Committee: L. Parks, D. Myette, and J. Barker

**Appellant: Grace Investment Properties – Jonathan Grace at 3579 Waterbury Stowe Road (Parcel #100-3579)**

D. Sweet introduced the next appeal as the former Flatow Auction Barn that burned last year. Grace Investment Properties purchased the property just after it burned. After the fire, the Listers removed all building value from the property. The prior assessment was \$297,500. Following the fire, it was adjusted to land value only with a small value for improvements for a total of \$188,400. D. Sweet presented a spreadsheet that identified all of the parcels in the Waterbury Center Route 100 area around this parcel. He noted that the neighborhood codes are very different based on whether the lot is commercial or residential and that the parcel under discussion is a commercial lot. D. Sweet stated the parcel is very much the same as parcel owned by the Aughey, and Allaire properties.

Jonathan Grace distributed packets of information and read the cover letter in its entirety (attached to these minutes). He feels the assessed value should be closer to the purchase price of \$100,000 as there were no significant upgrades done on the property.

D. Sweet stated that it would not be unreasonable to remove the site improvements valued at \$8,000. He stated that in the Lister's opinion, the purchase price took into account the debris pile. The \$100,000 price was a very good deal. Historically, when a property burns only the building value is affected, not the land value. It would set a bad precedent to consider changing the land values after buildings are destroyed. D. Sweet reiterated that J.

Grace got a great deal on property knowing that he had the big task ahead of removing the pile of debris.

L. Parks asked what the difference was between the valuation of \$188,800 and \$180,000, or what the \$8,000 represented. D. Sweet responded that the \$8,000 represented site improvements. The site improvements have not been removed at this time.

L. Schlegal Stevens asked about the neighborhood code on some of the other commercial properties that had lower values. D. Sweet responded that those other lots are small and constrained in terms of their usability as a full commercial lot. The Grace lot has full commercial usability. Some of the other lots may have some residential component to them. The neighborhood code may have something to do with access as well.

Further discussion was held with regard to changing value due to debris on the land, and what precedent that might set. D. Sweet stated that the property was on the market for \$250,000 for a very long time, and that the purchase price of \$100,000 was a good deal. L. Schlegal Stevens commented that removing debris could cause a significant improvement in the value.

D. Sweet stated that he and the Listers are tasked with determining a value as of April 1<sup>st</sup>. The land was there on April 1 with the debris pile. He received guidance from the State that there is no depreciation applied on land value.

Inspection team: J. Carter, J. Barker, L. Parks and L. Schlegal Stevens.

The next BCA meeting to hear the inspection reports on the Tarbox and Grace properties will be held on Tuesday August 28<sup>th</sup> at 5:00pm at the Steele Community Meeting Room.

The meeting adjourned at 6:15pm.

Respectfully submitted,

Carla Lawrence,  
Town Clerk