

Minutes
Board of Civil Authority
Bradford Academy, Conference Room 10A
Thursday, July 19, 2018 at 1:00 p.m.

Present:

BCA: Lawrence Coffin, Leonard Dobbins, Walter Kohanski, Robert Nutting,
Monique Priestley, Mary Wendell and Donna Williams.

Listers: Edonila (Nila) Anaya and Robert Wing

Selectboard Members: Carole Taylor

Town Clerk: Sonya McLam

Appellants: Dr. Michelle Clough and Nick Camenker (representing Bradford Properties and Copeland's).

NEMRC Representatives: Ed Clodfelter and James DeSheue

Absent:

BCA: Ruth Bishop

Selectboard: Randy Moore, Daniel A. Perry III, Lisa Sharp and Thomas Unkles

Monique Priestley opened the meeting by reading the notice. Sonya administered oaths to the appellants, Board of Civil Authority and the Listers.

Monique asked the BCA Members if any of them had conflicts of interests. Larry Coffin stated that his family and the Copeland families meet socially but Larry felt he could hear the cases fairly. Walter Kohanski recused himself from the Bradford Properties and Copeland hearings as he is friends with the Copelands. The Board approved Larry staying on and approved Walter recusing himself.

Bob Wing introduced the property of Dr. Michelle Clough and Hope Clough. The property was assessed at \$168,700 but after grievance hearing it was lowered to \$105,200.

Dr. Michelle Clough handed out copies of comparable properties around Bradford and other area towns. She also handed out a map showing where the power lines are, water run-off, the ledges, the pond. When the interstate came through Helen Chatfield got paid for run-off water that went into a ditch on the right of way which the clough's also have a right-of-way. The run off is spilling over into where it shouldn't be. The pond is nothing but run-off water and natural water that dries up. The ledge runs through the back of the property all the way up through. The parcel is chopped up because of the ledge that runs through, the power lines and the right-of-ways. She believes it's over accessed for what it should be. There's also a EC1049 part of the right of way development where the right of way runs up Chris O'Donnell's driveway and jets out behind Hitchener's driveway.

Larry asked what the EC1049 meant. Michelle explained that it's part of the developmental plan that Mr. Moore originally used with State of Vermont to develop the five block. Mary asked what year Michelle bought the house – 2014. Michelle stated that she feels that the property should be valued at \$50,000. Michelle stated that the house is her homestead. But she has more than one homestead so that she doesn't necessarily live there. Michelle stated that what she's really disputing is the land value.

Ed, the senior appraiser from NEMRC went through the information about the property. He went through the comparables which were pretty comparable to their \$168,700. When he initially did the appraisal of the property he did not go through the house. After the grievance hearing, James went out to visit the property and found that the dwelling needed more repair than what they had originally thought. He made adjustments according the physical repairs needed. It is now appraised at \$105,200.

Monique, Larry and Mary volunteered to be on the inspection team which will go to the property on Wednesday, July 25, 2018 at 10:00.

BRADFORD PROPERTIES

Bob Wing introduced the property. The previous assessed value was \$235,000. The 2018 Assessment was \$518,500 and the proposed assessment now is \$400,100.

Nick, the representative for Bradford Properties presented his case. The assessed value of \$518,500 is up 121% increase from the previous assessed value. The owners purchased in 2015 for \$150,000 had environmental issues. He feels the 2017 assessed value was a more realistic value than what the 2018 is.

Bob stated that the \$235,000 value was a negotiated value between the Copelands and the Selectboard. The listers were not in on the meeting.

Larry asked if that settlement was in light of a possible court case?

Mary: Previous to BCA did this two years ago was the amount. What the amount was after BCA results were after the hearing two years ago.

Ed from NEMRC went through the package of information and comparable properties. He feels that the sale was a distressed sale. He feels because of the contamination issues and condition issues the value should be \$400,100. Lease rates would be between \$1.50 square foot. Three appointments of value: Cost approach \$400,100 Income approach \$400,300 Market approach is \$411,520.

Bob came back with the minutes of the BCA meeting 7/27/15 which says Copeland's assessed at one million twenty-six thousand two hundred dollars. 8/24/15 BCA did inspection report motion made to adjourn.

COPELAND PROPERTIES

Bob Wing introduced the property. The previous assessed value was \$1,090,300, the 2018 assessment is \$1,140,200.

Nick, Copeland's representative, presented his case. Average condition. He used the sales and comparable approach. Average sale is about \$10 sf. There is a sale in the industrial park at 228 industrial drive. This is a 15,000 square foot warehouse Sold \$16.67/foot. The most comparable size in the industrial park is 135 industrial drive a building that is 30,000 square foot which is assessed at \$9.82/sq foot. He feels that \$12.00/sq. foot is a reasonable rate.

Larry asked what has happened with commercial properties values since 2013 within the state. Have they gone up or gone down. Ed answered that commercial properties have gone up mostly. Depends on which part of the state. He feels that Bradford has suffered a little bit commercial wise.

Ed from NEMRC went through the package of information and comparables. Typical lease for a property this size is \$3-\$5 square foot. Using an income approach method comes to an assessed value of \$1,051,277. Using market comparison approach is 1.161 million, income approach is 1051,277 and cost approach is \$1,140,200 which is what they're using for the assessed value.

Nick felt that the sale of another commercial property on the street sold for less. Feels the cost approach is the most accurate approach.

Inspection team of the Bradford Property will consist of Monique, Donna and Robert will go on Thursday at 9:00 a.m.

Inspection team for Copeland's will consist of Monique, Carole and Leonard will go on Friday at 9:00 a.m.

Recessed the meeting at 2:21 p.m.

Reconvened on Thursday, August 16, 2018 at 1:00 p.m.

Present:

BCA: Leonard Dobbins, Monique Priestley, Mary Wendell.

Listers: Edonila (Nila) Anaya and Robert Wing

Selectboard Members: Carole Taylor

Town Clerk: Sonya McLam

Appellants: Nick Camenker (representing Bradford Properties and Copeland's).

Absent:

BCA: Ruth Bishop, Lawrence Coffin, Walter Kohanski, Robert Nutting, Donna Williams

Selectboard: Randy Moore, Daniel A. Perry III, Lisa Sharp and Thomas Unkles

Monique read the notice of the hearing.

Monique read the inspection committee for the Clough's property.

Monique read the inspection committee for the Bradford Properties.

Nick Camenker, representative for Bradford Properties commented on another comparable commercial property that had sold recently and said that he felt the appraised value should now be at \$275,000 and handed out copies of the comparable property.

Nila requested that the BCA not accept the new evidence until the listers had time to review the evidence. Discussion ensued on whether to accept the evidence or not. Monique moved to accept the motion to table the decision until the Clerk could contact the State to seek advice on whether to accept the new evidence or not. Motion passed.

Monique read the inspection report for the Copeland Properties.

Entered deliberative session to close on the Clough's property and the Copeland property at 1:45 p.m.

Came out of deliberate session at 2:10 p.m.