

**TOWN OF WILMINGTON
BOARD OF CIVIL AUTHORITY
THURSDAY, JULY 20, 2017
MINUTES**

The meeting of the Board of Civil Authority was convened by the Town Clerk at 5:30pm.

IN ATTENDANCE: A quorum was achieved quorum was achieved with 10 members present. Selectboard – Tom Fitzgerald (also as JOP), John Gannon, Sarah Fisher & Ann Manwaring; Justices of the Peace – Elizabeth McEwen, Marcia Dorey, Fred Houston, Peter Barton, Scott Moore; Town Clerk Susie Haughwout.

Absent: Tom Consolino, Vince Rice

Also Present: Lister Jerry Osler; Consulting Appraiser – Brian DeCesare; Appellant – Denise Andersen (agent for William Andersen Estate)

1. CHANGES TO AGENDA – none; **PUBLIC INPUT** - none

2. NOMINATE & ELECT CHAIR:

Tom Fitzgerald nominated Elizabeth McEwen as Chair, seconded by Fred Houston
Fred moved nominations be closed – hearing no other nominations – nominations closed.
Voice Vote - All in favor – So Voted – Elizabeth McEwen elected Chair of BCA

3. SET DECISION MEETING SCHEDULE:

August 14, 2017 at 5:30pm in the Meeting Room – Andersen & Shriberg Reports & Decisions

4. INTRODUCE BCA:

BCA members introduced themselves

5. BRIEF EXPLANATION OF QUASI-JUDICIAL HEARING:

Chair gave brief explanation on composition of the BCA and its duties during tax assessment appeal hearings. Instructed that all testimony be given to the BCA, questions of any party should be directed to the Chair, and no cross-talk is allowed among parties.

6. ORDER OF TAX APPEALS: William Andersen Estate (Denise Andersen, agent)
162 Mountain View Rd – Tax ID#02322011.000

7. NO CONFLICTS OF INTEREST WERE DECLARED

8. ADMINISTER OATHS TO BCA, LISTERS, CONSULTANT, APPELLANT/AGENT:

Chair swore in the BCA. Chair swore in the Lister, Consultant, Appellant/Agent for the hearing.

9. HEARING OF TAX ASSESSMENT APPEAL:

WILLIAM ANDERSEN ESTATE (Denise Andersen, agent) – 162 MOUNTAIN VIEW ROAD – ID#02322011.000 - \$210,000 – SPAN 762-242-13328

APPELLANT TESTIMONY: Denise Andersen presented an Independent Professional Appraisal which valued the property at \$187,000, as well as a letter from Real Estate Broker Meg Streeter suggesting a present sale price in the \$180,000 range. She handed out a grid of 41 properties in Mountain View subdivision with pictures

of homes and town assessed value on the back of each picture. She testified that 162 Mountain View Road, subject property is very nice corner lot with beautiful gardens; the house is dark, dated and old; same appliances and kitchen cabinets from 40 years ago, nothing fancy; no washing machine; one of the bedrooms is a sleeping loft in which you can't stand up in some areas; mother-in-law apartment in the basement with direct access to the outside; separate garage which was built about 20 years ago. She explained that the property was listed two years ago for \$275,000 which produced no offers, then was dropped to \$249,000 with no offers, only one offer was made at \$200,000. As a result of grievance, the Listers reduced the value of the property from \$275,000 to \$210,000. Given the only offer previously received and the low value of the independent appraisal, Ms. Andersen requested an assessed value of \$200,000.

EXHIBITS: Letter of Agency; Letter from Realtor Meg Streeter; Professional Appraisal by Brian Graham; Grid of 41 properties in Mountain View Subdivision

LISTER TESTIMONY: Brian DeCesare presented 8 comparable sales in the Listers' packet and focused on three of the properties and the best comparables – 12 Mountain View Rd sold for \$225,000; 86 Mountain View Rd sold for \$142,500; 69 Mountain View Rd sold for \$145,000. He stated that 12 Mountain View Rd is the best comparable and the most similar to the subject – it has an apartment and 1 car garage and has been updated in the last few years. On the subject property, the Listers made an adjustment to the condition from good down to average when they lowered the value to \$210,000. He noted that Meg Streeter argued that 86 & 69 Mountain View are the better comps – he disagreed. He submitted MLS listing sheets for the subject and 12 Mountain View, 86 Mountain View and 69 Mountain View. He testified that 86 Mountain View has 3 bedrooms in the basement with two sides below grade; no direct access from basement to outside-must go up to next level to exit; is an inferior situation to subject. 69 Mountain View is an A-frame with a sleeping loft above main level; 3 bedrooms in the basement with limited windows; direct access to outside; not a good comp. He explained that all the adjustments the Listers made are consistent with the way adjustments are done for houses in this category. He argued that the independent appraisal used comparables from outside the neighborhood and it's better to use comps that surround the subject property when available. The Listers assert the value of the subject property is appropriate at \$210,000.

EXHIBITS: Lister Information Request form; Map; Lister Appraisal Report; MLS listing sheets on subject and 3 sold properties in Mountain View Subdivision

MOTION TO CLOSE HEARING made by Peter Barton, seconded by Marcia Dorey.
Voice Vote - All in favor – So Voted

10. ASSIGN INSPECTION TEAM:

The Inspection team is comprised of Tom Fitzgerald, Fred Houston, Sarah Fisher & Scott Moore.

11. SET DATES/TIMES FOR INSPECTION AND NEXT MEETING:

Appellant and BCA agreed to Tuesday, July 25, at 6:00pm for the Inspection. Clerk will notify Lister Jerry Osler and Debby Kingsley.

12. OTHER BUSINESS & RECESS:

MOTION TO RECESS the BCA meeting to hear further tax appeal on July 24, 2017 at 5:54pm, made by Marcia Dorey, seconded by Fred Houston. Voice Vote – All in favor – So Voted.

Recessed at 6:22pm.

TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF, THESE MINUTES ARE A TRUE AND OFFICIAL RECORD OF ALL ACTION TAKEN AT THE BOARD OF CIVIL AUTHORITY MEETING HELD, JULY 20, 2017.

MINUTES PREPARED ON FRIDAY, JULY 21, 2017 & SUBMITTED TO WEBMASTER ON MONDAY, JULY 24, 2017 AT 4:30PM.



ATTEST: _____
Susan Joy Haughwout

DATE: July 21, 2017

TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF, THESE MINUTES ARE A TRUE INDICATION OF THE BUSINESS OF THE BOARD OF CIVIL AUTHORITY MEETING HELD, JULY 20, 2017.

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