

**TOWN OF WILMINGTON
BOARD OF CIVIL AUTHORITY
MONDAY, JULY 24, 2017
MINUTES**

The meeting of the Board of Civil Authority was convened by the Town Clerk at 5:45pm.

IN ATTENDANCE: A quorum was achieved quorum was achieved with 8 members present. Selectboard – Tom Fitzgerald (also as JOP), John Gannon, Vince Rice & Ann Manwaring; Justices of the Peace – Elizabeth McEwen, Tom Consolino & Fred Houston; Town Clerk Susie Haughwout.

Absent: Sarah Fisher, Marcia Dorey, Peter Barton & Scott Moore

Also Present: Lister Jerry Osler; Consulting Appraiser – Brian DeCesare; Appellant – Ronald Shriberg

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

Motion to approve the Minutes for July 20, 2017 made by Fred Houston, seconded by John Gannon.
Voice Vote - All in favor – So Voted

2. SET DECISION MEETING SCHEDULE:

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

3. INTRODUCE BCA:

BCA members introduced themselves

4. 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.

5. ORDER OF TAX APPEALS: Ronald J & Laureen Shriberg
124 Fannie Hill Rd – Tax ID# 00201013.000

6. NO CONFLICTS OF INTEREST WERE DECLARED

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

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

8. HEARING OF TAX ASSESSMENT APPEAL:

**RONALD J & LAUREEN SHRIBERG – 124 FANNIE HILL ROAD – ID#000201013.000 - \$775,000
SPAN 762-242-12605**

APPELLANT TESTIMONY: Ronald Shriberg began by submitting two professional appraisals, one showing a value of \$600,000 and the other a value of \$617,000. Appellant believes the Listers' comparables used as basis for his property value to be improper. He feels the comparables in his 2 bank appraisals are proper. He submitted into evidence a list of 14 inconsistencies/discrepancies that he found within the Lister Appraisal Report. Additionally he pointed out errors found on first page of Lister Appraisal Report with regard to square footage, room counts, bedrooms and bathrooms, which he says subsequently altered the final valuation through the value adjustments found on page 2. There is no recreation area in the basement level. He

explained that the Lister comparables, though not appropriate, have inconsistencies, for example comparable 2 on the subject Lister card as compared to comparable 2's own property card, and then as a comp for another property on Fannie Hill. Mr. Shriberg submitted a tax map showing subject and 3 Listers comparables and a second map showing 3 comparables used in his professional field report, two of which were previously used by the Listers in the subject's 2009 appraisal – he suggests that these be used as true comparables not needing market adjustments for site value or location, twice as they are all within the Fannie Hill neighborhood.

He pointed out that when the Listers compared 529 Cold Brook Road to 124 Fannie Hill Road there was an upward adjustment of \$100,000 for location made to the subject. When the Listers compared 529 Cold Brook Road to 127 Fannie Hill Road (across the street from 124) the upward adjustment was only \$50,000 for location. He requested definitions of average, average/good, and good with regard to condition. He presented an email from the Listers Office stating there are no definitions for these terms – the determinations are based on the knowledge of the appraiser. He further showed that the comparable at 314 Mann Road showed an upward adjustment of \$16,000 for a two car garage, which his subject property does not have. He asked that the Listers' Report be reconsidered in light of the errors and inconsistencies he has noted.

Mr. Shriberg requested an assessed value of \$600,000-&615,000.

EXHIBITS: Letter from property owner; Professional Appraisal by Brian Graham; Review of Professional Appraisal by Michael Bailey; List of 14 Inconsistencies/Discrepancies found in Lister Appraisal Report for 124 Fannie Hill Rd; Copies of Lister Appraisal Report sheets with notations; Page of Realtor listing sheet; DVNews article regarding Hermitage Club; email from the Listers' office; poster board of maps and Lister Appraisal Report sheets.

LISTER TESTIMONY: The Listers agreed that the \$16,000 adjustment for the garage is an error and should be corrected. The Bank Appraisal showed a sale of \$700,000 which was actually \$660,000 on the PTTR which was recorded in the land records. He submitted the Sales Grid for Sales in Hermitage, and the List of Hermitage – Haystack Area Real Estate Sales 01/01/2015 to 06/30/2017. He stated that the Listers have reviewed these sales. He pointed out that the Fannie Hill market is very strong. He explained that as he developed the appraisal, he focused in on the Fannie Hill properties and compared gross living area, room count, finished area below grade, quality and condition. Many of the properties were purchased for \$460,000 - \$550,000 and were completely renovated, meaning that sales prices reflect pre-renovation condition. There are some minor adjustments for some minor mistakes that need to be made to the subject, as the Listers did not have access until after the grievance hearing. The Listers assert the value of the subject property is appropriate at \$775,000.

EXHIBITS: Lister Information Request form; Map; Lister Appraisal Report; Data Grid for Sales in Hermitage Area; List of Hermitage – Haystack Area Real Estate Sales 01/01/2015 to 06/30/2017

MOTION TO CLOSE HEARING made by John Gannon, seconded by Fred Houston.

Voice Vote - All in favor – So Voted

10. ASSIGN INSPECTION TEAM:

The Inspection team is comprised of Elizabeth McEwen, John Gannon, Vince Rice & Ann Manwaring

11. SET DATES/TIMES FOR INSPECTON:

Appellant and BCA agreed to Tuesday, August 1, at 5:00pm for the Inspection. Listers are not given permission to enter the property. Clerk will notify Lister Jerry Osler and Debby Kingsley.

12. OTHER BUSINESS & RECESS:

MOTION TO RECESS the BCA meeting to hear reports of inspections, and to render decisions on August 14, 2017 at 5:30pm, made by John Gannon, seconded by Tom Consolino. Voice Vote – All in favor – So Voted.

Recessed at 6:23pm.

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 24, 2017.

MINUTES PREPARED ON THURSDAY, JULY 27, 2017 & SUBMITTED TO WEBMASTER ON FRIDAY, JULY 28, 2017 AT 3:40PM.



ATTEST: _____
Susan Joy Haughwout

DATE: July 27, 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 24, 2017.

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