

**OFFICIAL NOTICE
DECISION OF BOARD OF CIVIL AUTHORITY**

To:
Abatiell Clement J
702 Journey's End
Mendon, VT 05701

Appellant notified by certified mail on:

August 20, 2021

Your appeal to the Board of Civil Authority concerning the appraisal of your property, identified in the Grand List Book with school property account number (SPAN): 384-119-12365 has been given careful consideration, with the following results:

Result of Grievance:		Value(s) Set by BCA	
Total Listed Value*	\$614,500	Total Listed Value*	\$614,500
Nonresidential Allocation		Nonresidential Allocation	
Homestead Allocation	\$614,500	Homestead Allocation	\$614,500
Housesite LV	\$612,500	Housesite LV	\$612,500

*If the parcel is enrolled in the use value appraisal program, the BCA must establish the contributory values as required by 32 V.S.A. section 3756. Use attachment U.

Date Appeal Filed: July 06, 2021 **BCA Hearing Notice Date:** July 16, 2021

Date, Time Place of BCA Hearing: July 27, 2021 – Mendon Town Office
Appellant presented his information of August 03, 2021

BCA Members Present: Dick Wilcox, Betsy Reddy, Jim Reddy, Lindsey MacCuaig, Ann Singiser, Rich Carlson, Larry Courcelle, Nancy Gondella

Appearing for Listers: Spencer Potter – Vermont Municipal Assessor

Appearing for Appellant: CJ Abatiell

Summary of Testimony/Argument By:

Appellant: Appellant apologized for missing the date of the original hearing indicating he had written down the incorrect date. The appellant states his log home was built in 1975. It is very dark and appealing to mostly men. He discussed a comp that he had previously presented to the Assessor. The comp was a log home located in Cavendish that was almost exactly the same in both dwelling and land size that went under contract for \$394,000. His home has dated

bathrooms, as well as a gravel driveway. In fact, the road turns to gravel about 400 feet before his driveway. Mr. Abatiell presented the following comps:

785 Journey's End	Sold Jan 2021	\$442,400
258 Round Robin Rd	Sold May 2021	\$482,000
215 Cortina Country Rd	Sold Dec 2020	\$500,000
104 Old Stockbridge Path	Sold Oct 2020	\$640,000
72 Windrift Ridge Rd	Sold Sep 2020	\$561,000
148 Wright Rd	Sold Jan 2020	\$490,000

Listers: S. Potter presented a comp at 490 Esquiline Hill which sold recently for \$580,000. This is a single-family residence with 1.67 acres. He believes that this sale there should be no problem valuing the subject property at \$614,500. Mr. Potter stated that you cannot value one part of the property on its own, rather each part (land, outbuildings, dwelling) has a contributory value to the entire parcel value. He further stated that the property is in good condition and a buyer would be attracted to the parcel.

Property Inspected By:

Larry Courcelle
Lindsey MacCuaig
Betsy Reddy

**Statute requires minimum
of three members.**


Date of inspection: August 6, 2021 – 5:00 p.m.

Report of Inspection Committee: See Attached Inspection Report

Board's Decision with Reasons: The board found the subject property to be a very well-maintained log home on 2.2 acres with a large lawn, flower beds, mature trees and a private quiet setting. The home has front and side covered porches with an awning and covered deck and hot tub. In addition, there is a deck near a small pond near the bottom of the driveway. The appellant and a neighbor each own half of the pond. The home has impressive views of both Killington and Pico mountains. This is a 3- bedroom 2 ½- bath home with commercial grade kitchen appliances. There is a formal dining room, family room, and master suite that includes a private bathroom, walk-in closet and loft area which overlook the family room. The home has a mostly full basement with a designated area for lawn/tractor equipment which is accessed by an overhead garage door. In addition, there is an oversized, attached two car garage. The board reviewed the comparable property presented by the assessor (490 Esquiline Hill) which sold in December, 2020 for \$580,000 to be a good comp. The comparable has less square

footage, four bedrooms, 2 ½ baths, a covered front porch and a two-car garage, but the setting, while private, does not offer mountain views. Taking all of this information into account, the board agreed unanimously to maintain the current assessed value of \$614,500 for the subject property.

Certificate: I hereby certify that this is a true record of the action taken on this appeal by the Board of Civil Authority of the Town of Mendon.


Nancy A. Bondella, Chair
Board of Civil Authority

Filed in the town clerk's office on August 20, 2021 at 11:00 a.m.
To be recorded in the Grand List Book of April 1, 2021.

Attest: 
Asst. Town Clerk

32, V.S.A. § 4461. Time and manner of proposal.

If you are aggrieved by this decision you may appeal either to the Director of the Division of Property Valuation and Review or to the Superior Court of the county in which the property is situated. The appeal to either the director or the superior court is governed by Rule 74 of the Vermont Rules of Civil Procedure and is commenced by filing a notice of appeal with the town clerk within 30 days of the day this decision was mailed to you by the town clerk (date of entry noted on first page). The town clerk transmits a copy of the notice to the director or to the superior court as indicated in the notice and shall record or attach a copy of the notice in the grand list book.

Be sure your appeal indicates which avenue of appeal you wish to pursue (court or director), clearly identifies the property under appeal, and is accompanied by the correct filing fee. The appeal to the Superior Court shall be accompanied by a \$295 fee for each parcel being appealed; the fee is \$70 per parcel on appeal to the Director. If the property under appeal is enrolled in the use value appraisal program, please indicate that in your appeal. If the property under appeal contains a homestead, please include that information.

BCA Hearing Abatiell, CJ

Date: 07/27/2021

Hearing time: 5:00 p.m.

Present: Dick Wilcox, Betsy Reddy, Jim Reddy, Lindsey MacCuaig, Ann Singiser, Rich Carlson, Larry Courcelle – BCA members, Spencer Potter – assessor, Nancy Gondella – Chair/Town Clerk, Jesse Bridge – Secretary/Assistant Town Clerk

Call to Order: Nancy called the meeting to order at 5:05 p.m.

Appellant Info: Clement J Abatiell 702 Journeys End **Parcel ID:** 03-01-66.000

Spencer Potter is sworn in. Appellant was not present. Nancy asked if anyone needs to excuse themselves from the hearing due to conflicts of interest or ex parte communication, no one does.

Case Introduction: Spencer introduced the subject property as a single family home at 702 Journeys End, 2.2 acres of land, assessed at \$614,500.

Appellant Testimony: Appellant inadvertently had the wrong date in his mind and was present on 8/3/2021 at 4:15 to give his testimony. Nancy swears him in. CJ handed out a packet (marked Abatiell A-1). He explains his home is a log home built in 1975. Very dark and appealing to men mostly. CJ talks about a sale he presented to Spencer at the original meeting, a sale in Cavendish almost identical to his that went under contract for \$394,000 in May 2021. His bathrooms are dated, he is in the process of putting in a new heating system, and it has a gravel driveway and points out that Journey's End turns into gravel right before his house. It was assessed at \$425,300 and now it is \$632,600. In the packet there is listings for homes sold in the last 5 years. There is also a letter from Century 21 about what he should list it for from 4-5 years ago.

Evidence Presented: Abatiell A-1

Assessors Testimony: Spencer submitted the property lister card (marked as exhibit T-1). Following a number of questions about the abbreviations on the lister card Spencer gives explanations. Spencer handed out a comp (marked exhibit T-2) of a sale of 490 Esquiline Hill, which sold for \$580,000 recently. It's a single family residence with 1.67 acres and in his opinion it was an arm's length market sale representative of the market value. He stated that due to this sale there should be no problem valuing the subject property at \$614,500. He stated you also have to figure in another appraisal concept, it's the land contributory value which is the concept that each piece contributes to the value; the land, dwelling and outbuildings. You can't value each piece as a stand-alone piece and then add it altogether. The cost of building something (such as a barn for \$60,000) isn't going to contribute same \$60,000 value. If the property already has garage space then it's not going to contribute as much to the value. Spencer asked if Mr. Abatiell submitted anything in writing that he may want to address. Nancy states yes, there is a note on his result of grievance letter (marked Abatiell A-1). Nancy read the note. Spencer stated that in his opinion the subject does have a very desirable view and views

are marketable. Betsy asked since you did a site visit has there been any upgrades since 1979? Spencer said yes this property is in good condition and a buyer would be attracted. Rich asked when was the cutout for the valuation of these assessments? Spencer replied the cutoff date for valuation is April 1. He was still doing telephone interviews through Feb and March. Rich asked if you could use an appraisal done after April 1? Spencer replied yes that would be one of your considerations. Jim asked Spencer that it looks like you dropped the value \$10,000? Spencer responded yes I may have.

Evidence Presented: Abatiell T1 – Lister Card, Abatiell T-2 – Comp

Appellant response: None

Inspection Committee Members: Larry, Lindsey, and Betsy

Date of Inspection: TBD Nancy will contact CJ about an inspection date.

There being no further questions, the hearing was recessed at 5:30 p.m. and will reconvene on Thursday July 29, 2021 at 4:15 to give an update on site visit date. On Thursday July 29 Nancy discussed that she spoke with CJ and he inadvertently wrote the wrong date down and he will be present on August 3 for his testimony.

Inspection is set for August 6 at 5:00pm. Hearing on August 3 is recessed at 4:45pm and will reconvene on August 17 at 4:15pm.

Inspection Report: The hearing reconvened at 4:30pm on August 17, 2021 to hear the site inspection report. Present at the hearing: Dick Wilcox, Lindsey MacCuaig, Ann Singiser, Larry Courcelle, Betsy Reddy, Jim Reddy – BCA members, Nancy Gondella – Chair/Town Clerk, Jesse Bridge – Secretary/Assistant Town Clerk. Lindsey read the site inspection committees report which is attached to the minutes.

Discussion: There was no discussion and the hearing was adjourned at 4:35pm.


Jesse Bridge – Secretary/Asst Clerk


Nancy Gondella – Chair/Town Clerk

INSPECTION COMMITTEE REPORT

To: Mendon Board of Civil Authority
From: Larry Courcelle, Lindsey MacCuaig, Betsy Reddy
Date: August 12, 2021
RE: Inspection of Property at 702 Journeys End, owned by Clement Abatiell

The inspection was done on Friday, August 6, 2021 at 5:00 p.m. Mr. Abatiell was present and accompanied the inspection committee.

The log-style 3,197 square foot home with standing seam roof is on 2.2 acres with impressive views of Killington and Pico Mountains. The grounds are very well kept with expansive lawn, flower beds, perennials and mature trees and enjoys privacy in a quiet setting.

The 3 bedroom, 2 ½ bath house features a kitchen with large center island with granite counter and double sink, stainless steel appliances including commercial grade propane range, refrigerator, dishwasher, and wine refrigerator. The kitchen extends to a small sitting area with propane stove. Off of the kitchen is a den or office with a stone hearth/fireplace with gas insert. Two 2nd floor bedrooms are above this portion of the house and share a hall full bathroom. The bathroom is a little outdated and the wall-to-wall carpeting is older. From the kitchen we entered a formal dining room that opens to a very nice family room with VT Castings wood stove. Above the family room is the master suite that features private bathroom, walk-in closet and loft area overlooking the family room. The house has mostly a full basement, where the washer and dryer are located, and a designated area for lawn equipment, tractor, etc. accessed by an overhead garage door. There is also a small crawl space portion of the basement beneath the family room with concrete floor that is used for storage. The house has an attached oversized two-car garage.

In addition to the interior living space, the property enjoys front and side covered porches and an extensive awning-covered deck with adjacent hot tub. There is also a deck at the side of a small pond near the bottom of the driveway. Mr. Abatiell and a neighbor each own half of the pond.

The value under appeal is \$614,500. The property offered as a comparable is a home owned by Michael and Jodie McCarthy at 490 Esquiline Hill on 1.67 acres, purchased 12/18/2020 for \$580,000 with an assessed value of \$577,200. Its Property Record Card indicates 2,848 square feet with four bedrooms, 2 1/2 baths, a covered front porch and two-car garage. The neighborhood is off of Route 4 on a private road in a country setting, but does not offer mountain views.

The inspection committee recommends that the assessed value of the property remain at \$614,500.

Signed by:

Betsy Reddy 8/12/21
Lindsey MacCuaig 8/12/21
Larry Courcelle 8-12-21

