

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

To:
Barrington Robert E & Susan M
PO Box 379
Killington, VT 05759

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): 384-119-12746 has been given careful consideration, with the following results:

Result of Grievance:		Value(s) Set by BCA	
Total Listed Value*	\$69,900	Total Listed Value*	\$60,000
Nonresidential Allocation		Nonresidential Allocation	
Homestead Allocation	\$69,900	Homestead Allocation	\$60,000
Housesite LV	\$68,800	Housesite LV	

*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 8, 2021 **BCA Hearing Notice Date:** July 16, 2021

Date, Time Place of BCA Hearing: July 27, 2021 – 6:30 p.m. – Mendon Town Office

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: Robert Barrington, Susan Barrington

Summary of Testimony/Argument By:

Appellant: The Barrington's contend that the value of their parcel is inconsistent with that of the rest of the neighborhood. The lot has an easement to another lot which restricts the location of a future building site. There is a lot in front of the Barrington's lot that has trailers, dump trucks, and miscellaneous material stored which also lessens the value of their property.

Lots 10 and 11 are in the same location with the same view and are on the market for \$49,000 each. The following comps on Cortina Country Road were offered up:

Lot 12	Sold \$20,000	August 2018
Lot 1	Sold \$35,000	November 2020
Lot 2	Sold \$67,000	April 2021
Lot 5	Sold \$35,000	May 2021
Cream Hill Rd	Sold \$35,200	March 2019

Listers: S. Potter submitted a comparable sale of Lot 2 in Robinwood which sold for \$67,000 in April 2021. It is his opinion that this sale indicates market value of property in that neighborhood.

Property Inspected By:

Lindsey MacCuaig
Betsy Reddy
Ann Singiser

**Statute requires minimum
of three members.**

Date of inspection: August 3, 2021 – 9:00 a.m.

Report of Inspection Committee: See Attached Inspection Report

Board's Decision with Reasons: This 2.16 acre lot is not level and drops steeply from the road to a flatter area at the far end of the property. Much site improvement would be needed to make the property buildable. A shared driveway easement with a neighboring lot somewhat restricts the location of a suitable building site. Lot 2, a comparable property sold for \$67,000 in April 2021. Other comparable properties, Lots 1 and 5 sold in November 2020 and May 2021 for \$35,000 each. It was determined that one of the properties that sold for \$35,000 was sold to a neighboring owner who wished to make changes to their driveway. The board agreed unanimously to reduce the value of the property by \$9,900 from \$69,900 to \$60,000.

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. Santella, Chair
Board of Civil Authority

Filed in the town clerk's office on 8/20, 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 Barrington, Robert & Susan

Date: 07/27/2021

Hearing time: 6:30 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, Robert & Susan Barrington - Appellants

Call to Order: Nancy called the meeting to order at 6:20 p.m.

Appellant Info: Robert and Susan Barrington **Parcel ID:** 08-01-06.000

Spencer, Robert and Susan are sworn in. 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 2.16 acres on Cortina Country Road, assessed at \$69,900. S. Potter hands out lister card (marked Barrington T-1).

Appellant Testimony: Robert handed out an exhibit (marked Barrington A-1). The second page was a map of the neighborhood. Robert pointed out that their value is inconsistent with the rest of the neighborhood. He said their lot has limitations to consider such as an easement to LOT 11 which restricts the location that a house could be put up. Secondly there is a lot that fronts it that has trailers and dump trucks and misc. material stored on it. He said lot's 10 & 11 are assessed together for \$89,700, they are about the same size, in the same location and have the same views and they are on the market for \$49,000 each. He said Lot 2 sold recently for \$67,000 but they consider this an outlier. He said there is another lot on Cream Hill Road that sold in 2019 for \$35,000+ which shows that lots are selling similarly since 2019.

Evidence Presented: Barrington A-1

Assessor's Response: None

BCA Questions: Ann stated that they bought the property in 2018 and paid \$20,000 for it and the assessment then was more than it is now which was \$70,300. The new assessment is actually less. Robert replied correct. Lindsey asked if they are planning on building on it. Robert replied no we bought another property with a house, Lot 7, which is our home. At the time the woman who owned the properties gave us an offer we couldn't refuse for both.

Assessor's Testimony: Spencer submitted a comp of the sale of Lot 2 (marked Barrington T-2) for \$67,000 on April 10, 2021. In his opinion that sale indicates market value of a property in that neighborhood.

Evidence Presented: Barrington T-2

Appellant response: Robert acknowledged the sale of Lot 2 but he believes it's not consistent with the other sales in the area.

Follow up: Jim asked if there is any difference in slope in the lots. Robert said yes Lot 5 is the most sloped. From Lot 5 and over are very sloped, nice view. The lots that sit below the road don't have a view. Nancy asked about the easement on their lot. Robert replied that yes lot 11 and lot 12 will share a driveway through their property. Lindsey asked what would you sell it for? Robert replied we figured \$40,000. He doesn't know the impact of the shared driveway or adjacent lot. Ann asked what is happening with Lot 13. Robert replied it has a house on it. Lot 9 is the only other one without a house that we haven't mentioned. Robert asked Spencer how does a shared driveway impact market values in general. Spencer replied negligible in my opinion. If it was situated with setbacks and such and you couldn't find a house site, then his opinion would change. Nancy asked if you can see the lot with the trailers and such from the property. Robert replied yes when you walk it, it's very visible.

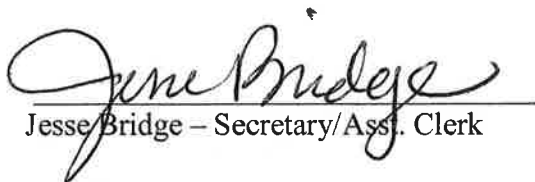
Inspection Committee Members: Lindsey, Betsy, Ann

Date of Inspection: Tuesday August 3, 2021 at 9:00am

There being no further business, the hearing was recessed at 6:43 p.m. and will reconvene hearing on Thursday August 19, 2021 at 5:45pm.

Inspection Report: The hearing reconvened at 6:25pm. Present at the hearing were Dick Wilcox, Lindsey MacCuaig, Ann Singiser, Larry Courcelle, – BCA members, Nancy Gondella – Chair/Town Clerk, Jesse Bridge, Secretary/Assistant Town Clerk, Robert & Susan Barrington – Appellants. Ann read the report which is attached to the minutes.

Discussion: There was no discussion and the hearing closed at 6:30pm.


Jesse Bridge – Secretary/Asst. Clerk


Nancy Gondella – Chair/Town Clerk



REPORT OF INSPECTION COMMITTEE

To: Board of Civil Authority
Mendon, VT
From: Lindsey MacCuaig, Jim Reddy, Ann Singiser; Inspection Committee
Re: Inspection of Barrington Property located at 0 Cortina Country Road
Date: August 4, 2021

We conducted an inspection of the property owned by Robert E. and Susan Barrington located at 0 Cortina Country Road at 9:00 a.m. on August 3, 2021. Mr. Barrington was present and accompanied the Inspection Committee.

The property is vacant Lot 12 in the development consisting of 2.16 acres. It is not level, dropping steeply from the road to a flatter area at the farther end of the property. It is densely wooded, with uneven ground and wet areas. Much site improvement would be necessary to make it buildable.

A shared driveway easement with neighboring Lot 11 restricts somewhat the location of a suitable building site. There is no view from the property at this point.

The highest and best use of property is a residential building site.

During the site visit, information about the property that was offered by Mr. Barrington when asked included that the property has underground utilities and has access to the Alpine Pipeline.

The value under appeal is \$69,900. A comparable property presented by both the town and the appellant was the Breault property Lot 2 containing 2.86 acres which sold in April 2021 for \$67,000. Two other comparable lots, Lot 1 in November 2020 and Lot 5 in May 2021, each sold for \$35,000 as presented by the appellant. We suggest that the present assessed value be reduced to \$60,000.

