

TOWN OF MORRISTOWN
18 LOWER MAIN STREET
MORRISVILLE, VERMONT 05661-0748

BOARD OF CIVIL AUTHORITY MEETING

The Board of Civil Authority of the Town of Morristown, notified and warned to meet at the Conference Room of the Tegue Building at 43 Portland Street in said town on Thursday, the 11th day of December 2003, reconvened its meeting at 6:30 P.M.

Members present: D. Andrews, T. Breault, K. Campbell, J. Greene, T. Hirschak, P. Lambert, S. Rooney, E. Wilson, D. Yacovone, B. Greenia, M. Struhsacker, S. Bryer and M.A. Wilson.

Listers present: F. Favreau.

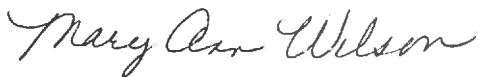
Chairman Hirschak opened the reconvened hearing at 6:31 pm.

AGENDA:

1. On a motion by D. Yacovone with a second by P. Lambert, the minutes of the meeting of 11/20/03 were approved as presented.
2. The B.C.A. members signed an oath to hear and determine all matters at issue between taxpayers and listers submitted for their decision. Oath was administered to the listers, affirming that all evidence given relative to the cause under consideration shall be the whole truth.
3. Appeal #2003-24: Michael Dunham – Parcel #13044.
 - a. Oath administered to Mr. Dunham and his letter of appeal was read to the board.
 - b. Mr. Dunham testified that his 2.2 acres on the Lower Elmore Mountain Road is hilly and wooded with a swamp on one side and a brook on the other side. It has never passed a perk test for on site septic. In FY 2003, his taxes were \$123.30. In FY2004, his taxes were calculated at \$587.24. He met with the listers during grievance hearings, and with an adjustment, his taxes were reduced to \$421.88 and a credit of \$165.36 was issued by the BCA. However, he still feels that is too much. He presented a letter from Outback Design, dated 8/15/03, stating that under current rules, there is not enough space to locate on-site sewage disposal and the replacement designation needed for a state permit. The lot does not meet the minimum conditions for approval of a house lot. (See Appellant's Exhibit I.) Mr. Dunham is concerned that the taxes on this property may force him to have to give up ownership of property in Morristown.
 - c. Francis Favreau responded for the listers. He presented Listers' Exhibit I that showed the current assessment of the property. He also presented the assessment that showed the land computation that set a value of \$4,490 under the 1990 reappraisal, the listers' card for the 2003 reappraisal that showed \$27,700, and the listers' card after grievance that showed how the assessment was reduced to \$19,900 based on Mr. Dunham's grievance and the letter from Outback Design. Mr. Favreau pointed out that the calculations to reduce the assessment were done in the same consistent manner as other properties that had failed perk testing.
 - d. An inspection committee made up of Dawn Andrews - Chair, Shaun Bryer and Mark Struhsacker was assigned.
4. M. Struhsacker moved to accept the report of the inspection committee for the airplane hangars owned by William Gordon, William Henchey Robert Wardwell and Steve Berson and located at the Morristown – Stowe Airport. Motion seconded by T. Breault, voted and carried.
5. On a motion by P. Lambert with a second by D. Andrews, the board voted to go into deliberative session at 6:55 pm. The purpose was to prepare the notices of decision on the appeals of Peter Fuss, Sally Barrows, Norman Prive and Demars Properties.

6. On a motion by T. Breault, with a second by P. Lambert, the board voted to come out of deliberative session at 7:39 pm. The board instructed the clerk to prepare the Official Notice of Decision for the appeals of Peter Fuss, Sally Barrows, Norman Prive and Demars Properties based on the information gathered in the deliberative session. (See attached *Official Notices*.)
7. Clerk Wilson read the letter of appeal of the BCA decision to Property Valuation and Review regarding the Neville Companies' assessment of Pinecrest Mobile Home Park. She will advise Tom Vickery of receipt of the letter, and forward it to the Director of PVR as prescribed.
8. On a motion by D. Andrews, with a second by T. Breault, the BCA voted to abate \$1,220.32 in taxes for 2003-2004 as listed:
 - a. Gehrig Sprague, \$57.56 for lister' error in land calculation.
 - b. David Rooney, \$189.68 for listers' error in land use determination.
 - c. Gregory Pavlovich, \$973.08 for listers' error in percentage of completion of construction.
4. Clerk Wilson presented the most recent changes to the voter checklist. Report accepted with three corrections. No action necessary.
5. With no other business to come before the BCA, upon motion, the meeting was recessed at 8:36 pm until December 18, 2003 at 6:30 pm.

Respectfully submitted,



Mary Ann Wilson
Clerk - B.C.A.