

BCA Hearing Minutes
Tuesday, August 3, 2021
5:30 pm

In attendance: Steve Radonis, Karen Evans, Chase Morsey, Jay Kullman, Rick Kaminski, Bruce Pauley, Mike Coleman, Paul Kowalski, and Margot Martell, and Sandie Small

Steve Radonis opened the Hearing at 5:30 am. The oath was administered.

The appellant, Kam Johnston, was not in attendance, but he had delivered his documents to the Town Clerk earlier in the day. (The BCA felt that said documents were not organized and were separated into Various appeals; it was very confusing.)

The documents Kam delivered were reviewed. Also reviewed was the document Steve Crowley, Esq., emailed to the Town Clerk that day on behalf of the Listers.

Mr. Johnston's documents referred to the PLA between him and his mother, Marjorie Johnston, as well as to Parcels 001331 and 001637.

Mike Coleman, Lister, stated that Parcel 001331 (.18 acres) is vacant land and is appraised at \$23,700, which is the same figure as the previous year. Mr. Johnston was appealing the value of the property. Steve Radonis read the document emailed from Steve Crowley, Esq. It was Mike's opinion that Mr. Johnston has not applied for a permit to subdivide the property, and the attorney also stated that the parcel is not two lots. The Lister also stated that the comps are the same as they were the previous year. There appears to be no value to Kam's paperwork.

The next Parcel 001637 was discussed. It also is on Scott's Terrace and is .06 acres and encompasses the driveway of a neighbor, Russ Hurlburt. It does have lake access (right of way/easement?) and is somewhat steep. It is appraised at \$110. Kam feels it should be reduced by 50 percent as it is not flat. It appears to be an unbuildable parcel.

The Hearing was adjourned so that a site visit could be accomplished at the time (Steve Radonis, Chase Morsey, and Karen Evans) and the Hearing will be reconvened once the inspectors returned to the Town Hall.

Exhibits: Kam Johnston's delivered documents.
Email from Steve Crowley, Esq.
Documents from Listers

Steven Radonis, Chair

Board of Civil Authority
Tax Appeal Decision

To: Kamberleigh Johnston
From: Board of Civil Authority
Date:

This is the decision, with reasons, of the Board of Civil Authority of the Town of Plymouth, after hearing the evidence in an appeal brought by you on your properties on Scott Terrace, Plymouth, VT.

1. We find that Kamberleigh Johnston is the owner of two vacant lots, Parcel 001331 and Parcel 001637. Parcel 001331 is a vacant lot of .18 acres. This property was inspected on August 3, 2021, at 6:30 pm by Steve Radonis, Chase Morsey, and Karen Evans. The owner was not present during the inspection. A copy of the inspection report is attached.
2. The Listers appraised the property Parcel 001331 at \$23,700 for the 2020 Grand List. The appellant appealed on July 6, 2021. The Listers presented verbal and documented evidence; the appellant had delivered documents to the Town Clerk on August 3, 2021.
3. The BCA after reviewing in deliberation the evidence presented by both the appellant and the Listers, including the site visit, has ruled as follows: for Parcel 001331, the BCA has supported in favor the assessed value of \$23,700.
4. Parcel 001637 was also inspected on August 3, 2021, at 6:30 pm by Steve Radonis, Chase Morsey, and Karen Evans. The owner was not present during the inspection. A copy of the inspection report is attached.
5. The Listers appraised the property Parcel 001637 for \$108 for the 2020 Grand List.
6. The BCA after reviewing in deliberation the evidence presented by both the appellant and the Listers, including the site visit, has ruled as follows: for Parcel 001637, the BCA has supported in favor the assessed value of \$108.
7. The above two parcels are currently awaiting a ruling by the Vermont Superior Court. All issue decisions by the BCA will be based on the findings of the VT Courts and remain in effect for two (2) years.
8. As for the Perpetual Lease Agreement, it is suggested that the appellant follow up with the Plymouth Planning/Zoning Boards on this issue. It is not a BCA issue.
9. The Town Clerk records the decision in, or attaches it to, the Grand List book. The value established by the BCA becomes the listed values for the year under appeal V.S.A. 32 §4404(c).

**unlike the result when the Court or State appraiser decides the value, the value established by the BCA does not remain intact necessarily for the ensuing two (2) years. Listers may reappraise the property in the following year, assuming they find a change of value in the interim.

10. The appellant has a right to appeal this decision to the Director of Property Valuation and Review or the Superior Court of the county by filing a written notice of appeal within thirty (30) days after the mailing of the notice by the Town Clerk. The fee for the appeal to the Director is \$70; the fee for an appeal to the Court is \$295.

Board of Civil Authority

Steven J. Radonis, Chair