

## **Board of Lister's Meeting Minutes**

**Town of Plymouth, Vermont**

**Thursday, May 2, 2024 @ 9:00 AM**

**Municipal Building Meeting Room**

**Listers Members Present:** Mike Coleman, Michelle Pingree, Natasha Bochkov

**Present in the Audience:** Rick Kaminski

### **Call to Order:**

Michelle Pingree called the meeting to order at 9:01 am

May 2nd, 2024. Meeting called to order at 9.01 a.m. Discussing the Money Brook Lake issue.

Michelle Pingree (MP) noted: We had a discussion at the last meeting about this and we kind of tabled it and now we're going to be making a decision on what potentially could possibly be on the lakes. My take and Mike's take on it so far is that we have not seen any negative sales at all.

I'm just going to say I'm on the same page as him but I will speak first. For instance, right now on Scott Terrace, the Doolinga property that just recently sold back in 2023 and he got \$1.2 million for it and now the listing that I currently have on it is \$1.4 million. So that obviously is a sale and the value is a little over \$500,000.

The Keating property, which is also on Lakefront, sold for \$460,000 back in 2021 and we have it valued at \$308,000.

And then the house right next to that, which just recently, it's pretty much a land sale. It's a dumpy house. So basically, it's a land sale.

We have it valued at \$174,000 and it sold for \$277,000. So, we have no negative sales on the lakes.

That's good documentation. Though we have people that are complaining because of the water quality of the lakes. It looks like you're swimming in a mud puddle.

Lakes are green and they look un-swimmable, but we just don't have enough data to back it up. That's my take.

Mike Coleman (MC) noted: Personally, I'm opposed to giving away any type of abatements or adjustments to taxes based on natural disasters. I don't think it's appropriate.

You live on a lake, it turns green. I'm sorry. It's not the town's problem.

That's really all I've got to say.

MP: I agree. You know, I've got a brook running through my property.

So, every time it rains, it mudds. So, does that decrease the value of my property? I've got a muddy brook. You've got a muddy brook? I've got three running through my property.

And one of them is actually in the Black River. So, guess what? My lower end of my property is on the Black River and I get to look at muddy water every time it rains. But you don't see me complaining.

Natasha Bochkov noted: Well, I am part of that community which was affected. So being at Hawk, we have two issues going on.

So, one issue is that the lake is cloudy now and the water quality is not right. It's not good. And the second issue is Amherst Dam, which is about to fail.

And to prevent that failure, so those, you know, the level, the height of that dam had to be lowered. So that issue was present for three years, at least for three years now. So, we lost our access to the lake.

Pretty much we lost access to Amherst Lake. So, we used to have that part of Amherst, which is Hawk Marina, and that is deeded. It's in our covenants.

We have rights to access it, to use it unfortunately...

[Rick Kaminski](#) (RK) asked: You're talking about the dam now?

NB: I'm talking about Amherst Lake access.

RK: The fishing, wildlife access, the boat ramp?

NB: No, we had separate access, the lake access, part of the shore, which is the Hawk Marina. So, it's not accessible now. We don't have docking there, and the shore is muddy.

So, it's basically because the level of the water had to be lowered, and the water quality is not good. So, living next to that lake, we haven't been using that for three years now.

RK: Is the fish and wildlife access ramp still accessible? Can you launch from there?

NB: That is not in good condition as well at this point, because of the level of the lake.

The ramp does not have enough capacity to accommodate a lot of people. There are no parking facilities.

RK: So, and that's the only access, right?

NB: That ramp is for public access. Anybody can access it. However, private Hawk marina is not accessible now. That is the access for people living in neighborhoods 1 and 2.

RK: And now it's not in good condition. Can a dock be built and ramp out to deeper water?

NB: We cannot do that. Because we are not the owners of the marina. We can use it but not build or rebuild it.

RK: Do you know of any planning issues that would prevent that?

MC: Yeah, 50 feet is the maximum you can have for a dock. Alicia Armstrong, I think, has exceeded that at her place. Yeah, 50 feet is the maximum. And the Marina land, it's a very small strip, is owned by Wildwood when they bought the valley floor and it came with it.

MP: So that's owned by Wildwood. Okay. But I will also add that there have been no negative sales at Hawk.

Everything has been selling double, triple what we have assessed. I looked at some sales and I looked at the MLS listings. So, what they're advertising is clear lakes and access.

NB: But it's not true. So, they're actually dishonest regarding that. And when the new buyers, prospective buyers, and I don't know to what extent, and probably more research has to be done on that.

So, when these new owners bought that property, were they aware of all these issues? So, we cannot say exactly why people bought it, they spent this money, right? So maybe they've been told that it will be mitigated.

RK: But the town and the listers can't be responsible for what's listed in an MLS listing by a realtor. We don't have any control over that, right? They can say whatever they want.

NB: Absolutely. This is why it cannot be our justification. This is why we cannot solely base our research on that data. It's not our business to investigate.

RK: The whole point of all this is you're lobbying or somebody is lobbying to get the appraised value reduced? And I bet you if you put a vote out to the townspeople, you'd get a 90% negative response to that question.

That would be my guess. And as Select Board we represent the whole town. We can't look at this group or that group or that group.

We have to see what's best for the whole town. So that's just a comment I wanted to share. Now the other thing that comes to mind is Michelle, do you know how long it took to clear up that lake after Irene? A couple of years.

So, who's to say it won't clear up again in a couple of years?

NB: And that is why it's a relief. It's not a permanent fixture. So, we may give it right now a little bit and we will take it next year. It's more like an acknowledgement of the issue right there and we hope for the best.

RK: We do. We always do. Sure. I'm sympathetic and I hope for the best but I just don't agree with reducing property values.

MP: We just have not seen any evidence that that is affecting. Realtors don't disclose information about issues that's really not the town's responsibility. We go by legitimate sales. They're on the market. Arm's length transactions. In the town's best interest, I think right now we'll handle grievances if we get any grievances. We'll deal with it. There's not enough evidence at this time to do this. We really are sympathetic and we know that there's a problem but just we don't have enough evidence right now to do this. Granted we can handle grievances this year and then next year when Bill Kijewski comes because he's going to be coming in and starting his work next year we can just let him know. There is a problem with this brook and with the lakes just an FYI monitor your sales to see if you see a decline.

And if we do start to see a decline, maybe we can do something about it. But at this time there's just nothing.

RK: I agree.

NB: After Irene the sales went down. After Irene the houses which would sell maybe more than half a million so they went down to quarter of a million. That was the decline there due to Irene. Right now, we're kind of in that strange economic situation when post pandemic sales increased so there are influences there. We have an economic influence. There is also a disaster and a pandemic influence in place.

Why is this property going up or down? We're not studying the market fluctuation here. We could use some of the data to understand the trend. But our studies should not be solely based just on that data.

MC: I have nothing further to say.

MP: Kelly Stettner came up because she's a big advocate of the whole washout and she actually sent me test results. She did a water test that very next day after our meeting and it was very minimal.

It was like .05 parts per million or something of the cloudiness of the water. There's only a couple of townspeople that were really here to voice their, you know. To me if everybody was complaining and they were really concerned about their values they would have all been here for that meeting because we put it out on Facebook. It was everywhere. And only those seven people showed up.

NB: Right now, I am telling you what I know and researched. Also, I am a homeowner of the affected neighborhoods, and I already stated that I will recuse myself from making a decision here. I want to repeat it plain and clear. However, as a lister I found that the justification to give a relief is valid.

We all observed what happened after Irene. After the flood we had the same if not even more property and infrastructure damage in our town. There is all this information and data which was presented about the damage done to our lakes and to our rivers.

MP: But, you know, as listers, I know we have a problem, and obviously the state's not going to deal with it. But until we actually have sales that are showing a negative impact, there's really not a lot the town can do. Yeah, it doesn't sound like it's fair to the town.

No, and the town shouldn't have to stomach, you know, I don't know how many thousands of dollars we're talking about, but you know. Boy, there's so many... If you're talking lakefront property, just for instance on Scott Terrace, a .11 of an acre of lakefront property is valued at \$212,000. So, if you were to give them a minus 20, and then you take all the lakefront properties, you're talking a lot of money.

That would really, I think, hit the town hard.

NB: What is our town tax rate?

MC: We haven't set it yet. Until they know what the grand list is, we can't set the tax rate. What was that last year? 57.36. And I think this year we're really going to see a big increase.

MP: People are going to be getting hit hard in the purse as it is. 18 to 22 percent increase. I know, I know.

RK: You know, it really doesn't matter what the dollar amount is we're talking about. It's more the principle of it. It's a whole idea. That I think would be an issue. It doesn't matter if it's a little money or a lot of money. It's just the whole principle of it. Right. It doesn't sit well.

MP: So, we'll just, you know, like I said, we'll deal with the grievances if they come in. We'll make notes on if we do give them a reduction. And then next year when the team comes into the picture and starts reappraisal, we'll just let them know.

We'll give him a spreadsheet on if we do any reductions because of this. That way he's aware of it. And then that way when he's doing his valuation, those people necessarily won't get a break.

RK: If there are more studies to prove that, you know, the brook is affecting the lake sales. I appreciate you guys diving into this and having thoughtful discussion about it. And that's helpful.

MP: That's good. And if anybody does go to BCA, as you being a BCA board member, we would just be like, you know, same thing as we're talking about right now. There are no sales to indicate that, you know, there's a downfall and they go, they continue on their journey.

RK: So, the grieving process, people come in and talk to you first, right?

MP: Yes. And if they're not satisfied, then they'll take the next step. They go to BCA.

Okay. If they're not happy with BCA, they go to court. Okay.

And, you know, we have... That's the expensive part. Yeah. It starts costing you money then.

Big time. Well, we have our friend. Which requires... I've heard.

NB: You also should understand us and our job. We are an independent office. So, we're supposed to work independently and all our studies are supposed to be unbiased and independent. We should see both sides of it.

So, we're kind of like trying to speak up, yes, on behalf of all people.

MP: We are an independent office, and we do our work. You know, we're elected and whatnot. But we wanted to just bring the selectmen in on this issue just to kind of enlighten you all in case, you know, we do have some that maybe go further than list of grievances.

RK: Thank you for your efforts. Appreciate it.

MP: Thank you for showing up.

Executive session started at 9:35 am.

### **Adjourn:**

Mike Coleman made a motion to adjourn, Michelle Pingree seconded it. Meeting Adjourned at 10:00 am

Respectfully transcribed and submitted by

Natasha Bochkov