



Board of Civil Authority

Town of Hinesburg
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Meeting Minutes – August 17, 2016

- Draft -

Present at the Meeting: Gill Coates, Chair; Missy Ross, Clerk; Vicki Matthews, Mary Hurlie, Lanny Dennison, Mary Crane, and Maureen Barnard. Also Marie Gardner, Assessor's office; Glenn Enos and George Bedard, Appellants

The meeting was called to order at 7:05 p.m. Gill Coates administered the oath to the BCA members and then to the Appellant and Marie Gardner. He went over a few procedural rules. The Chair then advised Mr. Enos that he could ask Lynn Gardner to recuse himself if he felt that he might have a conflict as the husband of the assessor. Glenn said that it wasn't a problem.

Marie Gardner from the Assessor's office presented evidence first. She indicated that Mr. Enos had subdivided his property into 3 lots and had filed the mylar in the town clerk's office before April 1, meaning that the subdivision was in effect when the grand list was created for the new tax year. She read a Supreme Court decision stating that towns can add value for land that has completed subdivision and that the subdivision adds value to the property. She further stated that Hinesburg has been assessing subdivided lots that way for many, many years and didn't just start doing that. Each lot added a value of \$31,200.00 to the assessed value of Enos's property.

Mr. Enos then had the opportunity to present his case before the BCA. He took issue with the idea that the courts require the towns to assess lots with an added value. He said that he already had 3 lots as he had purchased 2 parcels over the years and added them to his property. He also said that he only got one tax bill which indicated to him that the State requires all contiguous land to be assessed as one parcel. Gardner said it was true that he would only receive one tax bill since all of his parcels are contiguous but that didn't mean the State wouldn't allow them to be assessed as separate lots after the completion of subdivision.

A site visit committee will visit the property on Monday, August 22, 2016 at 3 p.m.

George Bedard then appeared before the Board to represent the Dams who own property at 76 North Road. Chairman Coates read the oath to Bedard. Marie Gardner then presented her case which

basically stated that the Board of Civil Authority can't rule on George's issue. The State changed the rules for Current Use exclusions and that is what impacted the Dams. However, the State also gave the landowners affected by the changes the opportunity to appeal, so it is in effect a Catch 22. Bedard then took the floor and stated that he felt the value of \$151,400 shown on the assessor's card for the excluded land, which is 9.5 acres, was way too high due to the strange shape of the lot and his opinion that the DRB would never allow a house to be built on the upper portion of the lot.

A site visit committee consisting of the same 3 people who are going to the Enos property will visit the Dams property at 4:30 p.m. on August 22.

There was a motion to continue the hearing until August 23 at 7 p.m. Seconded and approved on a voice vote.

Respectfully Submitted,

Melissa B. Ross
Clerk to the Board

DRAFT