

BOARD OF ABATEMENT MEETING MINUTES
FEBRUARY 29, 2012
RANDOLPH TOWN HALL
CONFERENCE ROOM B
IMMEDIATELY FOLLOWING BOARD OF CIVIL AUTHORITY MEETING

Present: Justices of the Peace: Richard Burstein, Sheila Jacobs, William Brigham, Ruth Lutz, Patricia Meyer, Jack Cowdrey, Barbara Angell and Tom Harty (arrived at 7:09 p.m.)

Selectboard: Frank Reed, Stephen Webster, Larry Richburg and Dennis Brown

Board of Listers: Donald Sweetser, and Mimi Burstein

Town Clerk & Treasurer: Joyce Mazzucco

Others: Patrick French, Town Assessor; Katrina Lumbr, Jim Lumbr, Tim Schroeder, John Pease and Audrey Pease

The Board of Abatement meeting was called to order at 7:06 p.m. by board chair Richard Burstein. Mr. Burstein proposed switching the order of the agenda and to begin this meeting with the continuation of the abatement hearings on the three requests first heard at the November 17, 2011 meeting. The board was agreeable to this change.

The first abatement request to be reviewed was from James and Katrina Lumbr, Parcel #239003.010, property located at 12 Prince Street, Suite #1. The assessed value of the Lumbr property before Tropical Storm Irene was \$189,600. After the storm, the property lost about 1/3 of its value due to damage, giving the property a value of \$125,100. Much of the damage had been repaired by the time of the Listers' visit on 02/09/2012. The rental space is still empty and needs a bit of work to repair the damage. The Listers estimate the value for the property to be 80% of its pre-Irene value, a value of \$151,700. This information was outlined in a memo from the Board of Listers to the Board of Civil Authority, which included information about the three properties whose abatement requests were first heard on 11/17/2011, along with value changes and examples of suggested abatements amounts. Stephen Webster made a motion to abate \$1,241.84 in taxes from the Lumbras' FY 2012 property tax bill (July 1, 2011 to June 30, 2012). The motion was seconded by Frank Reed. A discussion followed, with the following individuals participating in the discussion: Stephen Webster, Patricia Meyer, Richard Burstein, and Jim Lumbr. There was no further discussion. A voice vote was taken and the motion carried by majority vote, with one abstention (Richard Burstein). The Lumbras' FY 2012 property tax will be reduced by \$1,241.84.

The next abatement request to be reviewed was from Carol and William Tufts, Parcel #246015.000, property located at 566 Thayer Brook Road. Before the storm the property was valued at \$99,700. The Tufts were not present at this meeting. The property sustained damage to the leach field, severe damage to the detached garage and relatively minor damage to the mobile home. After the storm, the Listers estimate the property's value was reduced to \$73,500. The mobile home has since been sold and moved off site. A discussion followed with the following individuals participating in the discussion: Don Sweetser, Patrick French, and Richard Burstein. Dennis Brown made a motion to abate \$504.44 in taxes from the Tufts' FY 2012 property tax bill. The motion was seconded by Frank Reed. There was no further discussion. A voice vote was taken and the motion carried by majority vote, with one abstention (Richard Burstein). The Tufts' FY 2012 property tax bill will be reduced by \$504.44.

The next abatement request to be reviewed was from John and Audrey Pease, Parcel #113045.000, property located at 348 Vermont Route 14 North. Before the storm the property was assessed at \$117,700. The storm eroded the stream bank, flooded the basement and there is probable damage to the leach field. A discussion followed with the following individuals participating in the discussion: Patrick French, John Pease, Stephen Webster, Tom Harty, Audrey Pease, Barbara Angell and Richard Burstein. Mr. Pease disagreed with Mr. French's assessment about the amount of damage. He said they lost about 20 yards of land and did not know what damage the storm may have caused to the foundation and leach field. Mr. French said deductions in value were made for the damage to the land, leach field and cellar. Mr. French recalculated the suggested reduction in taxes to \$109.63, based on a reduction of \$6,900 in value. Tom Harty made a motion to abate \$109.63 in taxes for the FY 2012 property taxes. Frank Reed seconded the motion. There was no further discussion. A voice vote was taken and the motion carried by majority vote, with one abstention (Richard Burstein). The Peases' FY 2012 property taxes will be reduced by \$109.63.

The next abatement request was a new request from Jesse Sammis on behalf of MGolf LLC, for the Parcels #243024.000 and #243024.010, 88.7 acres and golf course located at 48 Randolph Avenue (in the Police District) and 73.07 acres and golf course off Route 66. Mr. Sammis is seeking 100% abatement of property taxes for the tax years 2012 and 2013 due to extensive damage to the golf course from Tropical Storm Irene. Dennis Brown recused himself from participating in the abatement process for this property because he works for Mr. Sammis. A discussion followed about golf courses in general and the difficulty in finding comparables for such properties because of the lack of sales. The board was in agreement that the abatement request can only apply to the current tax year since the loss occurred in the FY 2012 tax year. Copies of Mr. Sammis' email request and subsequent supplementary information were provided to the board. A motion was made by Tom Harty to continue the hearing of this abatement request to a later date. Stephen Webster seconded the motion. Discussion continued. Participating in the discussion were the following individuals: Patrick French, Jack Cowdrey, Pat Meyer, Larry Richburg, Stephen Webster, Don Sweetser, Mimi Burstein, Richard Burstein and Tim Schroeder. The Listers were asked when they might be able to inspect the property. Mr. Sweetser, Chair of the Board of Listers, said the Listers probably would not be able to go out and inspect the property until April or May because of the amount of work that still needs to be done to in order complete the 2012 Grand List as of April 1. Mr. Sweetser said the Listers also want to confer with some other towns where golf courses were damaged due to Tropical Storm Irene. Substantial repairs have already been made to the golf course. There was a discussion about the amount of money spent to repair Hole 18 and what the town has it assessed at. There was no further discussion. A voice vote was taken and the motion carried by majority vote with two absentions (Richard Burstein and Dennis Brown). The hearing of this abatement request will be deferred until April or May.

There was no further business to consider. Stephen Webster made a motion to adjourn the meeting. The motion was seconded by Dennis Brown. A voice vote was taken and the motion carried by majority vote. The meeting adjourned at 7:55 p.m.

Attest: _____
Joyce L. Mazzucco, Town Clerk