

LYNDON BOARD OF CIVIL AUTHORITY HEARING

August 11, 2014

6:30 PM

Justices

Selectboard

Clerk

Listers

Public

Joe Benning
Cathy Boykin
Kevin Calkins
Jean Charles
Cathy Boykin
Dan Daley
Ed Fregosi
Nancy Lawrence
Marianne Robotham
Sara Simpson
Al Toborg

Martha Feltus
Kermit Fisher
David Dill

Lisa Barrett

Kelly Harris

Rory O’Conor via phone

1. Preliminary Action:

The Town Clerk called the meeting to order. All members of the BCA, Lister & Rory O’Conor, appellant’s Agent, took the oath. Motion made by David Dill, seconded by Cathy Boykin, to elect Martha Feltus as the Chairperson of the Board. Motion carried unanimously.

2. Tax Appeal:

Robert Bosch Corporation, Kennemetal/Greenfield Ind. Inc. 21-0240-700
Commercial buildings, No Land, FKA: Tap & Die Factory.

Listers’ Action: 2010 assessment: \$1,646,600
2011 reappraised value: \$1,609,500
2014 appraised value: \$1,609,500

Appellant Response: Mr. O’Conor grieved the assessment stating that it was too high.

Listers’ Action: Denied: comparables from Tax Agent were not from same state. Tax Agent did not account for the cost/sf after depreciation was applied. The cost/sf is in range with the Town.

Appellant Response: Mr. O’Conor filed a tax appeal stating that the “adjusted \$ Dollar per sf of 38.11 for 50% metal building is excessive. Depreciation of 1,944,592 is 55% percent. Very low for old building. Should be 80%”.

Listers’ Testimony:

The Listers presented a packet of evidence that was emailed to Mr. O’Conor. It included A summary of the grievances of the 2014 assessment, a spreadsheet of 14 comparable properties from Lyndon in a spread sheet, the Lister Card for the property with Adjusted \$/SQ of 38.111 and the Val/SU SzAD of 19.23 highlighted, JTS Properties LLC Lister Card, 3 lister cards of the Buterfield property in Derby, VT and the aerial view. The spreadsheet included parcel id, legal reference, owners of property, year built, building style LUC (Land Use Code), NBC (Neighborhood Code), and values for acreage, building; building size and total cost per square

foot with depreciation. The Lister pointed out that she included an aerial view to show the building size of 83,052 square feet, almost 2 acres. The Lister felt the square footage values fell within the range of the comparable properties.

Appellant Testimony:

Mr. O'Connor had emailed his evidence to the Town Clerk and copies were provided to all BCA members as well as the Lister. Mr. O'Connor explained that he had met a couple years ago with the Listers. The grievance letter was sent to the company and was not forwarded in a timely manner, so they missed the filing deadline to the BCA. Mr. O'Connor feels the worth is ½ of the assessment. His evidence included a market value analysis done on the property, an analysis report from the Town of Lyndon grouped by LUC and comparable sales and asking prices from the Massachusetts area. Mr. O'Connor explained the owners would be selling the property soon and that the land has a longtime lease with Robert Bosch Corporation and the lease will go along with the sale.

BCA Action:

An inspection committee, consisting of Cathy Boykin, Kevin Calkins, Jean Charles, Marty Feltus and Nancy Lawrence, will inspect the property at 9:00 AM on Monday, August 25, 2014. The report of the inspection committee will be brought back to the full board on September 10, 2014.

Meeting adjourned at 7:27 PM to be reconvened on September 22nd at 6:30 PM.