

Norwich Board of Civil Authority
May 7, 2024
DRAFT MINUTES

Present at the Meeting:

JPs: Dianne Amme, Carolyn Clinton, Linda Gray (chair), Dave Krimmel, Suzanne Leiter, Alix Manny, Arline Rotman

Selectboard Members: Marcia Calloway, Pam Smith

Town Clerk: Lily Trajman

Other participating attendees: Cheryl Lindberg and Ernie Ciccotelli for the Listers; Emily Myers, Jess Phelps and Sarah Rooker for Norwich Community Collaborative

Members of the Public: Carolyn Frye, Sheldon Novick, Robert Parker, Wendy Thompson

Called to order by Gray at 6pm.

1. Approve minutes from 12/12/23 and 2/28/24
 - Clinton moved and Rotman seconded approval of the 12/12/23 minutes as written.
 - Yes: Amme, Calloway, Clinton, Gray, Krimmel, Leiter, Smith, Trajman
 - No: none
 - Abstain: Manny, Rotman
 - Clinton moved and Rotman seconded approval of the 2/28/24 minutes as written.
 - Yes: Amme, Clinton, Gray, Leiter, Manny, Rotman, Trajman
 - No: none
 - Abstain: Calloway, Krimmel, Smith
2. Approve Town Clerk challenge of list presented
 - Trajman explained the background to challenging voters and said that the list presented was sent by the Secretary of State's office and lists voters who have registered in other states.
 - Manny moved to authorize the Town Clerk to challenge the voters as presented on the list sent from the Secretary of State's office. Rotman seconded. Motion passed unanimously.
3. Allow Town Clerk to challenge voters on a case-by-case basis
 - Trajman explained that the state requires challenges to be issued every two years on odd numbered years, but that this results in inefficient challenges as there is often no forwarding address or mail has stopped forwarding. By challenging voters as Property Transfer Tax Returns are filed Lily will be able to use mail forwarding to get challenge letters to former residents.
 - Rotman moved to authorize the Town Clerk to challenge voters on a case-by-case basis. Clinton seconded. Motion passed unanimously.
4. Norwich Community Collaborative Hearing opened at 6:10pm
 - The BCA members, Listers, and appellants introduced themselves; Gray administered the witness oath to the appellants and Listers.

- Gray asked the BCA about conflicts of interest and Clinton recused herself because she serves on the Norwich Historical Society board and the NHS has long been involved in preserving the Grange building.
- Listers stated that this hearing is for the property at 344 Main St, known as the Grange building, Parcel ID number 20-211.000, SPAN number 450-142-12414. The building is valued at \$252,300 and the land is valued at \$136,200
- Gray asked the appellants to present their case.
 - The Listers' main concern was with the second prong of the Public, Pious and Charitable Use Test that states that the "Primary use must directly benefit an indefinite class of persons who are part of the public..." Listers contended that this use was "aspirational." NCC members pointed out that they have held three events at the building: on Halloween, for the Norwich Christmas Pageant and a Maple celebration in March, and are currently using the Grange as a staging area for a community mural. More events are envisioned there, but substantial work needs to be done on the building, including building functional bathrooms. Phelps noted that they have been actively applying for grants to help with these renovations. He also noted that the Fire Marshall has given conditional approval for events. They don't envision any non-public use of the building.
- Gray asked the listers if they wanted to add anything. Lindberg reminded the BCA that the Grand List looks at things as they are on April 1st, so any use after that date or in the future should not be considered for this exemption.
- In answer to questions from the BCA, the appellant provided the following details:
 - The porch will undergo renovations starting in the fall thanks to a grant. Other sections of the building will follow as time and funds allow; they hope to do the work in phases so that the building stays open.
 - Per the fire marshal's inspection report, 49 people are allowed downstairs and 8 upstairs.
 - \$200,000 in historic preservation grants have been awarded, and NCC is hopeful that they'll receive another \$300-400,000 in the next several months.
 - NCC would be happy to return in a year to report on progress, and the exemption, if granted, could be revoked for lack of progress.
 - The building was purchased in October 2023; events held for Halloween and Christmas in 2023, for maple sugar in March 2024, and the cleanup activity. Their goal is one event each month.
 - More events would be happening in the building if not for the Fire Marshal's report and other code compliance issues, including lack of restrooms.
 - Space will be available for other groups to use, depending on the type of event
 - NCC was formed around the building.
 - A music event is scheduled outside in May, another pancake breakfast offsite in June

- Gray asked the Listers to present their case.
 - Listers testified that most of NCC's programs were aspirational and slated to take place after the Grand List cutoff of 4/1/24. Division of Property Valuation and Review stated in an email that only events prior to 4/1/24 should be considered in granting exemption status.
- In answer to questions from the BCA, Lister Cheryl Lindberg provided these details:
 - Previously the Grange had been voted exempt, so that only municipal taxes were removed. Education taxes were then spread to the other taxpayers in town. An exemption from the Listers or BCA would remove both municipal and education tax obligations from that parcel for the town.
 - A re-evaluation of exempt status partway through the year is not possible.
 - To determine Primary Use determination, use cannot be "remote or incidental" but there is no set number of public events required.
- Inspection set for Friday, May 10th at 2:30pm. Rotman, Clinton and Leiter will attend.
- Next meeting will be arranged via email.
- Rotman moved to recess the meeting at 6:55pm; seconded by Clinton. Approved unanimously.

Respectfully submitted,

A handwritten signature in black ink, appearing to be 'Lily Trajman', with a long, sweeping underline that extends to the right.

Lily Trajman
Clerk, Board of Civil Authority
May 8, 2024