

Norwich Board of Civil Authority
September 9, 2024
DRAFT MINUTES

Present at the meeting:

BCA Members: Marcia Calloway (on zoom), Fran DeGasta, Linda Gray, David Krimmel, Suzanne Leiter, Alix Manny, Arline Rotman and Lily Trajman
Listers: Ernie Ciccotelli and Cheryl Lindberg
Appellant's representatives: Tony and Michael Adams (both via zoom)
Other attendees: Town Manager Brennan Duffy

Gray called the meeting to order at 4pm.

Trajman moved to amend the agenda to include approval of draft minutes from 5/7/24 as well as draft minutes from 5/15/24. Manny seconded. Approved unanimously by roll call vote.

1. Approval of 5/7 and 5/15 minutes.

- Rotman moved to approve 5/7 minutes, seconded by Trajman.
 - Discussion: noted that the inspection team was composed of Rotman, Manny and Leiter. Clinton did not attend.
 - Minutes amended to reflect the inspection team, and approved unanimously.
- Rotman moved to approve 5/15 minutes, seconded by Leiter. No discussion. Approved unanimously.

2. Adams hearing

- Gray introduced the parcel as 03-040.000, belonging to James Adams. Parcel as listed includes 10.4 acres in Norwich, valued at \$99,100. It contains no buildings.
- Trajman recused herself from the hearing, citing *ex parte* communications in the form of the 8/28 Selectboard meeting.
- Gray swore in witnesses (Listers C. Lindberg and E. Ciccotelli, appellants Tony and Michael Adams), and confirmed that the appellants had sworn witness oaths and submitted them to the Town Clerk via email.
- Rotman moved that all submitted documents must be accepted as evidence. Second Leiter, approved unanimously.
- Appellant presentation:
 - Mike Adams spoke for the appellant:
 - The number and value of the acres are at issue. Documentation - deed and survey map - show 2.4 acres; tax map shows 10.4 acres.
 - Tony Adams spoke for the appellant:
 - The assessment jumped from 2.4 to 10.4 acres in 2007, without anything changing on the property. Tony grieved to the listers, who denied the grievance. He received the letter outlining methods of appeal after those options had expired. Adams noted that the property is considered unmarketable because of the acreage question, and also calculated that the property should be valued at \$17,050 given a 10.3% annualized rate of growth over the last 20 years.

- Listers responded to appellant:
 - Noted that the tax bill is correct under James Adams' name; property card updates have been put on hold and still reflect 2023 status since the re-appraisal has been put on hold. The increased value in 2007 was due to tax map changes.
- BCA members addressed questions to the Appellants:
 - Has Sharon been approached? No, Norwich unilaterally increased the tax assessment.
 - Does any deed mention 10.4 acres in Norwich? No, deeds state acreage is 2.4.
 - Is there a boundary line dispute in play? No, this hearing is to determine a fair assessment on the property.
- Listers presented:
 - This issue has been ongoing since 2004. Sharon Listers do not agree with the tax map boundary line; changing the acreage would change the boundary line. Statutory authority for boundary line disputes lies with the selectboard. The boundary line has not been adjudicated; the state says the boundary is a straight line. Survey from appellant states "approximate boundary line" and does not follow the line as written in the state charter.
- Appellant replied:
 - Town boundary is not at issue. This is a double taxation issue, and appellant wants double taxation removed.
- BCA Questions for Listers:
 - BCA was reminded that it can't adjudicate the boundary line.
 - Why was the acreage changed in 2007? Unimproved land throughout the town was revalued that year. The Adams parcel was the only one with a town boundary line. Listers were working with a contract assessor at the time. Documentation is lacking.
 - Who makes the boundary lines? Generally the listers rely on deed and survey data.
- Inspection committee consisting of Manny, DeGasta and Leiter will convene at 3pm on 9/19 to inspect the property.
- Rotman moved and Leiter seconded to recess to a time and date to be determined.