

**Town of Londonderry**  
**Listers Grievance Meeting Minutes**  
**6/7/2024**  
**100 Old School St, South Londonderry VT 05155**

**Board Members Present:** Sandra Clark, Alex Alberti (arrived at 10:30am), Patricia DelGiorno

**Other Attendees:** Jeremiah Sund, Greg Meulemans, Joseph Maiorano, James Jones, Daniel Lasser, Matthew Foley, & Royal Kinsley

**Listers Meetings called to order at 9:00am**

**Additions or deletions to the agenda**

No additions to the meeting agenda were made.

**Approve Minutes:** Listers reviewed and accepted the minutes for the organizational meeting held on 03/25/2024

**Grievance Hearing Commenced:**

**1) The first property to be discussed at 9:05 was 34 West River Street owned by the Friends of the West River Trail Parcel ID 048001.000:**

Greg Meulemans (Chairman of the board of the Friends of the West River Trail) spoke as the representative for the property. Posing the question how and why the exemption status came into question for this year?

Sandra indicated that the Town of Londonderry's District Advisor had requested the PV-317 documentation for the exempt properties in Londonderry. All the exempt files were reviewed in the office and this documentation could not be located for the Friends of the West River Trail. The Listers then reached out to get a new form to be resubmitted. The Listers reviewed the exemption status at this time as the application indicated there was a lease on the property.

Greg then submitted a letter outlining the history of the building's use and the organization purpose, indicating that the office in the building generated income that was used to offset building expenditures. The letter also indicates that "As a non-profit we operate and rely on local support. We ask that you consider maintaining the 100% exemption for the building. We very much appreciate your time and consideration."

Jeremiah then submitted the statute VSA 32 § 3802 and stated that the Lister's/Assessor had reviewed this statute and mainly section 4 of this statute when determining the properties exemption status, as we believed that this applied to this property and the way it was currently being used.

**2) The second property to be discussed at 9:30 am was 84 Rowley Circle parcel ID 026009.200.**

Joseph Maiorano stated that he had received a change notice regarding a reduction in acreage from 1.12 ac to 1.01 ac and would like an explanation for the reduction.

Jeremiah stated as part of the yearly practice of the Lister's office we review deeds and surveys when new PTTTR's are filed in the Land Records. A photocopy of the deed filed 6/19/2023 in book 97 page 712-714 was reviewed.

Joseph Maiorano then stated he was just concerned that is property lines had not be altered, as in the past being a 1-acre parcel in 3-acre zoning has given him difficulties when wanting to make additions to the property.

Jeremaih Indicated that the acreage adjustment was just regarding the accuracy in the assessment of the property and would not change the physical boundaries.

**3) The third property to be discussed at 10:00 am is 3376 Winhall Hollow Rd, Parcel ID 007005.000**

James Jones indicated that he could explain the reason for claiming 50% business use on the property. Indicating the barn and part of the house were used for business purposes.

Sandra requested that we review the property record card to show Mr. Jones the breakdown of his property's homestead.

Jeremiah stated the 50% claim was not questioned by the town and that the notice was sent as this can be grieved.

Once Mr. Jones had reviewed the property record card, he wanted clarification of how the homestead was applied and indicated that the square footage on the property record card may not be accurate.

Sandra Clark and Patricia DelGiorno indicated that for any adjustment to be made to the property record for square footage, an inspection by Lister's office would be required to confirm any change. The office would be more than willing to perform this inspection.

Mr. Jones stated that he would like time to review with his tax preparer the homestead filing and would also consider an inspection by Lister's office after he had time to measure his house.

Jeremiah stated that the Lister's had 7 days to make their decision and that any additional information needed to be given to the office within this timeframe if it were to be considered.

**4) The fourth property to be discussed at 10:38am is 507 Main Street 100 with parcel ID 101031.**

Daniel Lasser stated that he had received a change notice regarding a reduction in acreage from 2 ac to 1.91 ac and would like an explanation for the reduction.

Jeremiah Sund retrieved the 82 URS survey in the land records and the deed in book 65 page 7-8 to review why the adjustment has been made. Jeremiah indicated that he believed the survey and deed supported a more accurate acreage at 1.91 acres as opposed to the 2 acres in the 2023 grand list and the survey matched the deed description in the land records.

Daneil Lasser stated he was just concerned that is property lines had not been altered, as he did not want to be losing acreage.

Jeremiah Sund indicated that this change would just impact the assessment of the property not actually physically change the boundaries.

At 11:15 am seeing there were no applicates waiting for a hearing Alex Alberti motioned to go into executive session to discuss the valuation of 34 West Street allowable under 1 V.S.A. § 313 for purposes of discussion of a grievance.

Sandra Clark seconded the motion.

The board came out of executive session at 11:20 am as there was a new applicant for grievance of assessment

**5) The fifth property to be heard at 11:20 am was 23 Old School Street, parcel 101018.**

The owner of the property Royal Kinsley questioned receiving a change notice with regards to the value and the percentage of 33% rental use for the property.

Sandra Clark remarked that the 33% for rental use was attributable to the filing of the HS-122 form and the HS 144 form and that the town receives this information from the state, and it is reflective of what Mr. Kinsley had reported. If these percentages were inaccurate then he should either resubmit these forms to the state and or call them to discuss the necessary adjustments.

Jeremiah Sund indicated that the \$32,800 adjustment was the renovation of the garage apartment.

Royal Kinsley remarked that he would review this information and get back to Lister's with any changes.

Jeremiah stated that the Lister's had 7 days to make their decision and that any additional information needed to be given to the office within this timeframe if it were to be considered.

**6) The sixth property to be heard at 11:35 am was 929 Middletown Rd with parcel ID 062009.000.**

Owner Matthew Foley indicated that he would like a better understanding of why there was a \$71,900 change made to the assessment of the property.

Jeremiah Sund indicated that the change in assessment was made because of the public information obtained in MLS under listing 4944598. The town regularly reviews publicly available information, particularly in the MLS to compare property listing information and town records to see if there are any discrepancies. In the case of 929 Middletown Rd, the listings had reported that the basement had been finished and that an additional bathroom had been added to the property. The town added this information to the property resulting in the subsequent change in value.

Sandra Clark gave Matthew Foley a copy of the property record card associated with his property.

Matthew Foley upon review of the property information indicated that there make be a discrepancy between the actual square footage and the town's information.

Patricia DelGiorno indicated that for any adjustment to be made to the property record for square footage, an inspection by Lister's office would be required to confirm any change. The office would be more than willing to perform this inspection.

Matthew Foley thanked the board for the information and noted that he would follow up if necessary, with regards to the property inspection.

Jeremiah stated that the Lister's had 7 days to make their decision and that any additional information needed to be given to the office within this timeframe if it were to be considered.

- 7) **The seventh property to be considered was a write in grievance for property 249 Flying Squirrel Lane with parcel ID 036042.000.** Jim Wilbur requested that the homestead filing be adjusted from 15% rental to 0%.
- 8) **The eighth property to be considered was a write in grievance for property 934 Winhall Hollow Rd with parcel ID 007056.000.** Steven Schmidt requested a review of the assessment by the Listers, as he or his father would be unable to attend the grievance hearing.

At 11:55 Patricia DelGiorno motioned to go into executive session to discuss the valuation of the 8 properties that were heard by the Lister's office allowable under 1 V.S.A. § 313 for purposes of discussion of a grievance.

Alex Alberti seconded the motion.

At 12:44 pm The Listers came out of executive session

#### **9) RESULTS OF GRIEVANCE**

- A) Sandra Clark moved to uphold the current Listers 80% exemption status of 34 West Street pending review by the town attorney, seconded by Pat DelGiorno. *The motion passed.*
- B) Sandra Clark moved to uphold the current acreage of 1.01 acres for 84 Rowley Circle, seconded by Pat DelGiorno. *The motion passed.*
- C) Sandra Clark moved to uphold the current business use of 50% for 3376 Winhall Hollow Road, pending an inspection of the property or alternate submission of business use, seconded by Pat DelGiorno. *The motion passed.*
- D) Sandra Clark moved to uphold the current acreage of 1.91 acres for 57 Main Street, seconded by Pat DelGiorno. *The motion passed.*
- E) Sandra Clark moved to uphold the current business use of 33% for 23 Old School Street, pending an inspection of the property or alternate submission of business use, seconded by Pat DelGiorno. *The motion passed.*
- F) Sandra Clark moved to uphold the current value of \$569,300 for 929 Middletown Road, pending an inspection of the property, seconded by Pat DelGiorno. *The motion passed.*
- G) Sandra Clark moved to remove the 15% rental use from 249 Flying Squirrel Lane, seconded by Pat DelGiorno. *The motion passed*
- H) Sandra Clark moved to uphold the current value of \$412,600 for 934 Winhall Hollow Road inspection of the property, seconded by Pat DelGiorno. *The motion passed.*

#### **10) Adjourn**

Sandra Clark moved to adjourn the meeting at 12:50 pm seconded by Alex Alberti