

TOWN OF STAMFORD
BOARD OF CIVIL AUTHORITY MEETING
July 15, 2024
(UNAPPROVED)

Present: Board of Civil Authority: Nancy L. Bushika, Douglas Wright, and Michael G. Denault, and Kurt Gamari (Selectboard)
Marta Miller, Tyna Senecal, and Sally Bohl (Justices of the Peace)
Lori A. Shepard (Town Clerk)
Assessor: John Tiffany, Assessor from New England Municipal Resource Center (NEMRC)
Appellants: Michael Hart and Dennis Hart

MOTION by Nancy Bushika to appoint Marta Miller as Temporary Chair for tonight's meeting. SECONDED by Mike Denault. All in favor. Motion APPROVED.

The meeting opened with the Pledge of Allegiance and was recorded. Michael and Dennis Hart were given the oath.

The inspection report was signed by the Inspection Committee members and a copy was given to all present and to the Clerk for the minutes.

1. Appellant: Michael Hart et als
Parcel ID #00CAMP0043.000
10.01 acre parcel of land and camp near Sucker Pond
2023 Value: \$25,800.00
2024 Value: \$189,900.00
2024 Post Lister Grievance: \$187,800.00

The Harts provided additional testimony. They provided a copy of a letter from Attorney Francis E. Morrissey dated May 12, 1995 to a former Selectboard member (Exhibit H-18) which discuss the sale of the camp land to the Harts by the National Forest. The Harts reiterated the camp's lack of municipal services, fire and emergency services, and the sixty (60) days per year use restriction.

Nancy Bushika confirmed that the only heating sources is the woodstove in the main living area and a small baseboard for electric heat in the bathroom. The Harts asked how the value was determined and feel it should be an equation of square footage and material. The assessor stated that the lack of services and usage restriction is factored into the neighborhood code and land grade when the assessment was determined. The Harts agreed that the dimensions of new camp which was built around 2020 was slightly greater and the roof pitch was changed to provide a larger room upstairs. Their value increased 7 1/2 times over their original value. It was noted that although they obtained a permit to build the new camp in 2017, it was never re-assessed when it was completed as it should have been. The assessor said the town uses the Marshall & Swift cost tables which are recognized throughout the United States. The Marshall & Swift tables are adjusted for use in Vermont and then they are adjusted again by NEMRC for the market. John Tiffany, the assessor, stated that Bennington's assessments are fifteen years old and are not accurate comparables. He said noted a smaller camp in Stamford that recently went on the market for \$250,000.00 which had more acreage with swampy areas and also had poor access. The Harts feel the assessor made a mistake in computing the value.

Marta Miller thanked Michael and Dennis Hart for coming.

2. Appellant: Peter Greenbush
Parcel ID #00SH10047L.000
0.66 acre parcel of land at 1135 Main Road
2023 Value: \$143,200.00
2024 Value: \$46,200.00
2024 Post Lister Grievance: \$26,600.00

Mike Denault asked the assessor, John Tiffany, if he compared the Greenbush property to other one or two acre lots in town without buildings. John Tiffany stated that the land was originally valued at \$46,200.00 and after the lister grievance hearing the septic and water values were removed from the property reducing it to \$26,200.00. Kurt Gamari asked if this lot was merged with the Greenbush's main property and not in the river corridor, would it bring the value of the main lot up \$26,200.00. Kurt Gamari stated that you cannot build on the property. Tyna Senecal asked about the land grade. The assessor said he probably wouldn't lower the land grade. He feels that the appellant did not produce anything in writing saying the lot is not a buildable lot.

3. Appellant: Robert and Debra Burchard
Parcel ID #00TR25008R.000
1.7 acre parcel of land at 366 Clough Road
2023 Value: \$304,800.00
2024 Value: \$348,000.00
2024 Post Lister Grievance: \$348,800.00

The site inspection committee informed the Board of Civil Authority that Debra Burchard attended the site inspection to state that she was withdrawing her grievance complaint and the inspection was terminated without any interior inspection. The board formally recognized the withdrawal.

Marta Miller thanked John Tiffany for coming.

MOTION by Nancy Bushika to enter deliberative session. SECONDED by Marta Miller. All in favor. Motion APPROVED. The board entered deliberative session at 5:00 p.m.

The board exited deliberative session at 5:30 p.m.

MOTION by Mike Denault to lower the assessment to \$21,600.00. SECONDED by Marta Miller. 6 in favor (Sally Bohl, Michael Denault, Lori Shepard, Doug Wright, Marta Miller and Tyna Senecal) 2 opposed (Kurt Gamari and Nancy Bushika). Motion APPROVED.

MOTION by Mike Denault to uphold the assessed value determined by the Assessor of \$187,800.00. SECONDED by Kurt Gamari. 7 in favor (Sally Bohl, Michael Denault, Lori Shepard, Marta Miller, Tyna Senecal, Kurt Gamari and Nancy Bushika) 1 abstained (Doug Wright). Motion APPROVED.

MOTION by Marta Miller to adjourn. SECONDED by Nancy Bushika. All in favor. Motion APPROVED. The meeting adjourned at 5:40 p.m.

Respectfully submitted,

Lori A. Shepard
Clerk

/las

Francis E. Morrissey

ATTORNEY AT LAW

CERTIFIED PUBLIC ACCOUNTANT

469 MAIN STREET

P. O. BOX 50

BENNINGTON, VERMONT 05201-0050

Telephone 802 - 442-5431

COPY

May 12, 1995

Mr. William Morehouse, Jr.
Box 866, Lincoln Road
Stamford, Vermont 05352

Re: Harts' camp lands in Stamford

Dear Mr. Morehouse,

Thank you for your time last evening. We dominated a large portion of your regular meeting time and we appreciate your willingness to hear our plea and to consider our request.

The attached plan may be of use to you in considering our request. It sets out the Harts' camp relative to the "Sucker Pond Road" and also sets out the out-buildings and springs that the Harts have used for generations. For your information, the outer boundry lines were suggested by our surveyor who is alert to your zoning laws.

The Harts' request is that the Stamford Selectmen give the "go ahead" to the State of Vermont to give the Harts a deed setting out their camp lands. We provided you with copies of correspondences last evening:

1. Allen A. Elser, Commissioner of the Department of Fish and Wildlife to Michael Hart, dated December 1, 1994, stating that the Department is not opposed to a sale of lands to the Harts provided that the Stamford Selectmen agreed with the sale; and

2. Terry Hoffman, Forest Supervisor, U.S. Forest Service to Allen A. Elser, dated 27 September, 1994, confirming that the Forest Service would proceed to purchase the remaining lands owned by the State of Vermont, providing certain conditions were met, one such condition being agreement by your Board of Selectmen.

For the reasons stated last evening, the Harts are opposed to a life lease. Their family has already been on the lands for generations and the children of the present owners, ranging in ages from 8 to 24 years of age, are already steeped in and enjoy the fun of "camp life."

Also as stated last evening, the Harts believe that they can address any concerns that you may have. We were alert to previously-stated issues of municipal services - schooling, roads, year-round residences, etc., etc. Because of the nature of and uses of the camp, the Harts are not interested in municipal services and are agreeable to restrictions on such services as deed

conditions. Furthermore, the camp may violate Stamford's present zoning ordinances. The camp's existence preceeds Stamford's current zoning laws and may therefore be "grandfathered." Nevertheless, the Harts wish to be informed of your current ordinances and any violations thereof with the understanding that they will bring the camp into compliance as much as may be possible under the circumstances.

The Harts are willing to afford a survey of their lands and to have the survey recorded in your land records. And, they are certainly willing to afford municipal taxes (and other assessments as may be applicable).

Finally, as you consider the Harts' request, you may determine that you have other concerns that were not discussed last evening. Please feel free to communicate any additional concerns to me.

Thank you again for your time and consideration.

Sincerely yours,


Francis E. Morrissey

xc: ✓ Michael Hart, Dennis Hart, John Hart
Allen A. Elser, Commissioner, Vt. Dept. of Fish and Wildlife
Terry W. Hoffman, Supervisor, U.S. Forest Service
Representative Dan Kane

200

DRAFT

PRIMITIVE CAMP AFFIDAVIT

DRAFT

Before me, the undersigned authorities, on this day personally appeared Michael Hart, et. al. [ALL Grantees please], "Grantees", owners of a "primitive camp" as further described in this document herein, located off Sucker Pond Road in Stamford, Bennington County, Vermont, personally known by me to be the persons whose names are subscribed hereto, who being by me first duly sworn, on their oaths stated the following to be true and correct:

1. We are the owners of a "primitive camp" as defined under Environmental Protection Rules, Chapter 1, Wastewater System and Potable Water Supply Rules, Subchapter 4 – Water Supply and Wastewater Permits, §1-403 Exemptions for Single Family Residences on their own Individual Lots and Unimproved Lots, (a)(8), which reads as follows:

(8) primitive camps on their own individual lots with no interior plumbing consisting of more than a sink with water that are used for no more than three (3) consecutive weeks per year and no more than a total of sixty (60) days per year.

2. To the best of our knowledge our camp conforms to the primitive camp definition listed above.
3. Further it is our intention that this property, once conveyed to us, will continue to exist solely as a primitive camp as defined by Environmental Protection Rules, Chapter 1, Wastewater System and Potable Water Supply Rules.
4. We are not aware of and have not been told that the improvements on the land violate any building permit, zoning restrictions or covenants.
5. Further it is our understanding that we are in compliance with the zoning and building laws in the Town of Stamford.

Date: _____

Date: _____

Date: _____

Date: _____

Date: _____

REPORT OF THE INSPECTION COMMITTEE
Stamford, Vermont

To: Board of Civil Authority
From: Sally Bohl, Nancy Bushika, Michael Denault, Kurt Gamari, Marta Miller, Lori A. Shepard, and
Douglas Wright, Inspection Committee
Date: July 12, 2024
Re: Inspection of camp property near Sucker Pond owned by Michael Hart et als
Parcel ID #00CAMP0043.000

The access to the property is a couple mile long, very rocky road where a four-wheel drive vehicle is necessary. The committee walked in from the gate to the Hart's camp. The area around the recently rebuilt camp was mostly flat and grassy and surrounded by forest.

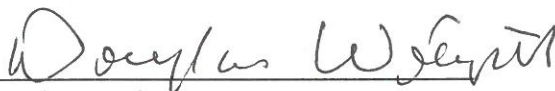
The first floor of the camp contained an open kitchen, dining and living room area with a woodstove at one end. There were four doors on the back wall containing three very small bedrooms and a small bathroom with a toilet, sink and shower. There is a dug well on the property. The Harts use the water around camp but did not feel it was drinkable water. The water and septic system was hooked up to this camp when the old camp was removed.


The stairway on the left led to an open second floor with a wash basin/sink. The walls were painted sheetrock. There was a wide wooden porch that ran the length of the camp with an unfinished ceiling and a metal grate insert in the floor at the entrance. The camp has a metal roof. There is no basement. There was ledge rock visible in some areas. The parcel is approximately ten acres which is mostly forested, but some marshy, wet areas were also noticeable. The Harts use a generator to run the lights, water and toilet.


There was also a wood shed and a smaller storage shed on the property. The camp is approximately half a mile from Sucker Pond.

The value under appeal is \$187,800.00.


Submitted by,


Douglas Wright


Nancy L. Bushika


Lori A. Shepard


Sally A. Bohl


Michael Denault


Marta Miller


Kurt Gamari

REPORT OF THE INSPECTION COMMITTEE
Stamford, Vermont

To: Board of Civil Authority
From: Sally Bohl, Nancy Bushika, Michael Denault, Kurt Gamari, Marta Miller, Lori A. Shepard,
Douglas Wright, and Natalie Yorke, Inspection Committee
Date: July 8, 2024
Re: Inspection of property at 1135 Main Road owned by Peter Greenbush
Parcel ID #00SH10047L.000


The inspection was made on July 8, 2024. The appellant, Peter Greenbush, was not present. The property is located on the westerly side of Main Road. There is a deep grass-lined ditch which runs parallel to the Main Road and a small stone wall with a couple trees which also runs parallel to the road. There is a dirt embankment with shrubbery and a partial stone wall between the northerly border and the North Branch of the Hoosac River.

The property is level, grass covered, and is a little over half an acre with no fencing. The back property line seemed apparent from the change in mowed grass. There was a covered large plastic circular tube which appeared to be a well or water source of some type on the property. There is a cracked blacktop driveway but there is no longer any building or structure on the property.

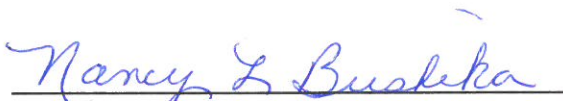
The value under appeal is \$26,600.00.

Submitted by,

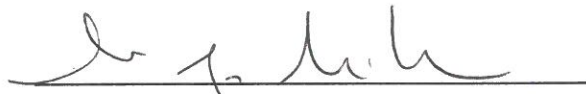
Natalie Yorke



Michael Denault




Nancy L. Bushika



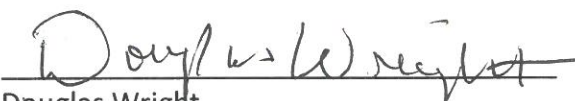
Marta Miller



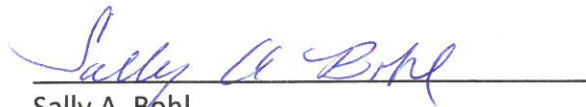
Lori A. Shepard



Kurt Gamari



Douglas Wright



Sally A. Bohl


REPORT OF THE INSPECTION COMMITTEE
Stamford, Vermont

To: Board of Civil Authority
From: Sally Bohl, Nancy Bushika, Michael Denault, Kurt Gamari, Marta Miller, Lori A. Shepard,
Douglas Wright, and Natalie Yorke, Inspection Committee
Date: July 8, 2024
Re: Inspection of property at 366 Clough Road owned by Robert and Debra Burchard
Parcel ID #00TR25008R.000

Deb Burchard arrived to inform the committee that she was withdrawing her grievance complaint. The site inspection was terminated. The committee asked for a written statement withdrawing her appeal.

Submitted by,

Natalie Yorke



Michael Denault



Nancy L. Bushika



Marta Miller



Lori A. Shepard



Kurt Gamari



Douglas Wright



Sally A. Bohl