

**Town of Williston
Board of Civil Authority
Public Hearings: BCA Appeal of Listers Decisions
Williston Town Hall
July 16, 2018**

Members Present: Andy Mikell Deb Beckett
 Joy Limoge Ted Kenney
 Ben Rose Josh Diamond
 Gordon St. Hilaire Deb Ingram
 Terri Zittrich Terry Macaig

Others Present: Bill Hinman Harold Cort
 Linda Levitt Lauren Yandell
 Peter Smejkal Ericka Canales

Ch. Andy Mikell opened the Public Hearing at 6:30 PM –

1. ***LTV Holdings, LLC 7808 Williston Road #14104.143000***

Ericka Canales, LTV Holdings LLC, explained that during a previous meeting with the Lister's office it was agreed that there were changes in the building allocation uses. The change was made in 2016 to reflect the residential portion as being 25% of use and businesses as being 75% use.

Bill Hinman, representing the Listers, explained that there was not residential use listed on the property record card. He noted that this was not a "spot" assessment as claimed by the appellant but that when a homestead declaration, HS 122, is filed it triggers that someone has a residential portion of the building. He also pointed out that this property was purchased in 2015 for \$500,000 and the current assessment of \$470,000 is a reasonable assessment. He further noted that he would nonetheless be willing to drop the assessment by \$3,000 as requested by the appellant.

He then noted that the property record card will be correct to indicate there is a residential portion to this property.

It was agreed upon by the appellant and the Listers to lower the assessment by \$3,000 to \$467,000.

On a motion by Ted Kenney and seconded by Joy Limoge it was unanimously voted to accept the agreement by the Listers and Appellant to reduce the assessment by \$3,000.

2. *IS Enterprises* *174 Avenue C #02052.140000*

Peter Smejkal, representing IS Enterprises, explained that he purchased the 32 year old building 15 years ago for \$450,000.

He then explained that the fair market value and assessment listed is not reasonable. He showed that this building could not be built today as it does not meet any building codes. There is very little insulation and no foundation and is a pre-engineered structure. The cost to build this building today would be \$22.00 per square foot. The actual value of this would be \$303,550 for the building and \$100,000 for the land for a total of \$403,550. An assessment of \$493,000 made in 2015 was ok but that the new assessment of \$677,880 is totally unrealistic.

Mr. Smejkal noted that he cannot attract tenants for this building due to factors such as the noise from planes overhead, odors from Casella waste and storm water flooding. There have been few bites on the warehouse space but that is also not working out.

Ch. Mikell recessed the public hearing and assigned an inspection team of Josh Diamond, Ben Rose and Terry Macaig.

3. *WalMart USO 2224* *863 Harvest Lane #12106.032000*

Alish Rispoli, representing Stavitsky & Associates for WalMart, requested the hearing be postponed.

Ch. Mikell recessed the hearing until 6:00 PM August 6, 2018.

The meeting was recessed at 7:15 PM

Minutes Submitted by
Deborah Beckett
Town Clerk