

**TOWN OF SHELBURNE  
BOARD OF ABATEMENT  
MINUTES OF MEETING  
August 9, 2021**

**DRAFT**

**\*Hybrid meeting held in-person and by teleconference.**

**MEMBERS PRESENT:** David Webster (Chair); Nancy Baker, Lee Suskin, Bill Deming, Rebecca Moore, Laura Gannon-Murakami, Joan Lenes, Randy Rowland, Susan Bowen, Judy Rosenstreich, Denis Barton, Luce Hillman, Sally Martel.  
**ADMINISTRATION:** Diana Vachon, Town Clerk; Linda Barker, Treasurer.  
**APPELLANT(S):** Jason Vincent.

---

**1. CALL TO ORDER**

David Webster, Chair, called the meeting to order at 7 PM and held rollcall.

**2. DISCLOSURE OF CONFLICT OF INTEREST**

None.

**3. PUBLIC COMMENT**

None.

**4. MINUTES**

*April 12, 2021*

**MOTION** by Lee Suskin, **SECOND** by Joan Lenes, to approve the minutes of 4/12/21.

**DISCUSSION:**

- **There was discussion of the comments under ‘Other Business’ pertaining to Cate Cross resigning from the Board of Abatement.**

**AMENDMENT** by Nancy Baker, **SECOND** by Laura Gannon-Murakami, to add a sentence to the discussion about Cate Cross on the Board of Abatement to read: **“The appropriate process was discussed.” VOTING on amendment: unanimous; motion carried.**

**VOTING ON MOTION AS AMENDED: unanimous; motion carried.**

**5. ABATEMENT REQUEST**

Individuals to give testimony before the Board were sworn in.

Jason Vincent, 246 Hawley Road, Shelburne

Jason Vincent appeared on behalf of the abatement request.

**APPELLANT TESTIMONY**

Jason Vincent explained their house caught fire on June 19, 2021 and burned to the ground. The goal is to rebuild almost exactly similar to what was there using the same contractor who built the original house. Work continues with the insurance company.

Presently, there is no finish date for the rebuild. The family is living in a temporary location.

#### DELIBERATION/DECISION

David Webster noted the abatement request is under 24VSA1535(a)(5) which allows abatement of taxes on real or personal property lost or destroyed during the year. The abatement of tax for the 2020-2021 year is \$253.09. The appellant's taxes were paid in full for the fiscal year when the fire occurred so the amount of \$253.09 would be a reimbursement from the town covering the time the house was destroyed by fire to the end of the fiscal year. Abatement of taxes for the 2021-2022 fiscal year is for the house only. The vacant, but improved lot, still has tax value.

**MOTION by Lee Suskin, SECOND by Laura Gannon-Murakami, to provide a refund of \$253.09 for the 2020-2021 tax year to Jason Vincent for property at 246 Hawley Road, and further, to reset consideration of the 2021-2022 property taxes for 246 Hawley Road until re-construction of the house destroyed by fire is complete.**

#### DISCUSSION:

- **There was discussion of avoiding the accrual of penalty and interest on the taxes and putting the property owner in arrears. It was suggested the first tax payment for the time period of July 1 to October 31 and the second payment for the time period of November 1 through February 28 could be abated. If the house still is not rebuilt by February then the appellant can request further abatement.**

**AMENDMENT by Joan Lenes, SECOND by Nancy Baker, to include abatement of the first and second tax payments on the lot at 246 Hawley Road.**

#### DISCUSSION OF AMENDMENT:

- **It was noted the value of the lot includes landscaping, water, and sewer service. The land value through the February 2022 tax payment is \$148,000.**
- **Comment was made that the Board should be sure an equitable remedy is being provided.**

**AMENDMENT by Judy Rosenstreich, SECOND by Joan Lenes, to specify the amount to be abated for the first two tax installments of the current fiscal year (2021-2022) for 246 Hawley Road is \$6,736.72 (\$3,368.36 per installment for two installments) and the amount to be reimbursed from the previous fiscal year (2020-2021) is \$253.09.**

**VOTING ON MOTION AS AMENDED: unanimous; motion carried.**

## **6. RULES OF PROCEDURE FOR ABATEMENT HEARINGS**

Nancy Baker reviewed the work of the subcommittee in drafting rules of procedure for an abatement hearing and information an appellant could submit to support their appeal. Minor edits were made to the documents. There was discussion of avoiding the impression abatement of taxes will occur if the listed information is provided, and whether payments from the government intended for children (dependents) should be excluded from the assessment of an appellant's income. It was noted the Board will

decide on the use of the information that the appellant chooses to submit. There was agreement the Town Attorney should review the documents drafted by the subcommittee once they are complete. The subcommittee will continue refining the documents. Board members can submit comments to Nancy Baker.

**7. OTHER BUSINESS**

None.

**8. ADJOURNMENT**

**MOTION by Lee Suskin, SECOND by Denis Barton, to adjourn the meeting.**

**VOTING: unanimous; motion carried.**

The meeting was adjourned at 8:30 PM.

*By Tape RScTy: MERiordan*