

**TOWN OF SHELBURNE  
BOARD OF ABATEMENT  
MINUTES OF MEETING  
July 11, 2022**

**DRAFT**

**\*Hybrid meeting**

**MEMBERS PRESENT:** David Webster (Chair); Nancy Baker, Lee Suskin, Bill Deming, Rebecca Moore, Susan Bowen, Judy Rosenstreich, Sally Martel, Jennifer Leopold, Pete Gadue.  
**ADMINISTRATION:** Diana Vachon, Town Clerk; Linda Barker, Treasurer.  
**APPELLANT(S):** Stephen and Patty Ireland.

---

**1. CALL TO ORDER**

David Webster, Chair, called the meeting to order at 7 PM. There were no changes to the agenda.

**2. DISCLOSURE OF CONFLICT OF INTEREST**

None.

**3. PUBLIC COMMENT**

None.

**4. MINUTES**

*September 13, 2021*

**MOTION by Nancy Baker, SECOND by Sally Martel, to approve the minutes of 9/13/21 as presented. VOTING: unanimous; motion carried.**

**5. ABATEMENT REQUEST**

Individuals to give testimony before the Board were sworn in.

Steven Ireland, 96 South Ridge Road, Shelburne

Stephen and Patty Ireland appeared on behalf of the abatement request. It was noted the appeal is under 24VSA1535(a)(5) – house destroyed by fire (January 31, 2022).

**APPELLANT TESTIMONY**

Steve Ireland said what is left of the house and garage will be taken down in July, the foundation done in August, and rebuilding in September 2022. Mr. Ireland mentioned there was not enough water pressure to fight the fire in Ridgfield. David Webster advised bringing the matter to the attention of the Selectboard.

David Webster asked if the appellant agreed with the memo from the tax assessor on the property. Steve Ireland said he agrees with the numbers, but does not agree that the dwelling is uninhabitable only from 2/1/22 to 6/30/22 because the house will not be rebuilt and habitable until next year. David Webster pointed out future taxes cannot be abated, only taxes that have been levied and that is what the dates reflect. Nancy Baker

suggested submitting a letter from the insurance company that the house is uninhabitable. The appellant said the insurance company is still conducting its investigation. David Webster noted insurance is not an issue of the Board of Abatement and there is the Town Assessor's memo that states the dwelling is a total loss.

#### DELIBERATION/DECISION

There was discussion of having the Town Assessor present at abatement hearings to provide sworn testimony. Nancy Baker proposed the abatement figure be determined by the Finance Director and going forward the Town Assessor and appellant agree on the number that is presented to the Board of Abatement.

**MOTION by Lee Suskin, SECOND by Judy Rosenstreich, to abate the tax for the appellant (Ireland) by \$5,032 (tax rate of .0206 multiplied by the abatement value of \$244,301) and any interest and penalties because the property has been uninhabitable from 2/1/22 to 6/30/22. VOTING by rollcall: 9 ayes (Lee Suskin, Sally Martel, Rebecca Moore, Judy Rosenstreich, Bill Deming, Jennifer Leopold, Pete Gadue, Susan Bowen, Linda Barker), one abstention (Nancy Baker); motion carried**

There was continued discussion of having the Town Assessor at abatement hearings, and the past practice of having the Town Manager or Finance Manager present. The Assessor did provide information to the Board. One suggestion was in the future the Board could require an appearance by the Assessor at the abatement hearings or to have the information submitted as sworn testimony or the Board could require a representative from the Town Manager's Office, Finance Department, or Assessor's Office provide enough information so a decision can be made by the Board.

#### 6. OTHER BUSINESS

None.

#### 7. ADJOURNMENT

**MOTION by Nancy Baker, SECOND by Judy Rosenstreich, to adjourn the meeting. VOTING: unanimous; motion carried.**

The meeting was adjourned at 7:46 PM.

*By Tape RScty: MERiordan*