

MINUTES OF GRIEVANCE HEARINGS OF THE RUTLAND TOWN BOARD OF LISTERS 07/07/25

The Board of Listers opened grievance hearings at 9:00 a.m..

In Attendance: Marcia Chioffi, Marie Faignant, & Cathy Kapitanski, Listers

As there were no taxpayers in attendance at the start of the grievance hearings, the Listers adjourned the proceedings at 9:02 a.m. pending either the appearance of a grievant or to a hearing scheduled for 1:00 p.m. (whichever first occurred) (with a declared recess from noon to 1:00 p.m.).

The Board has received a written application to grieve which the Board will hear at day's end providing an opportunity for these persons or representatives to appear in person.

The Listers recessed for lunch between noon and 1:00 p.m. There were no morning grievance sessions.

12:59 p.m. - The Listers reconvened to reopen the afternoon session for grievance hearings.

**1:00 p.m. In Attendance: Marcia Chioffi, Marie Faignant, Cathy Kapitanski, Listers
Stuart & Mitha Friedman**

The Board assembled to hear the grievance of Stuart & Mitha Friedman relative to property owned by them at 112 Wynnridge Drive, Rutland, VT. After opening comments on the process, and oath, the Friedmans set forth their grievance as follows:

The Friedmans are requesting a reduction in value based on a) purported discrepancies in land valuation between acreage owned by them and neighbors MR and MH (all who built in the same timeframe) and b) relative to punch-list items that require correction due to failure of builder to include same. The Friedmans brought an additional inspection report from McClure Construction in supplementation of the July 2024 report from Lalancette Criterium (emailed to the listers on 9/18/24). The Board copied the McCLure estimate for consideration during deliberations. Mr. Friedman offered information that one Justus Cameron of McKernon Construction reported their stairs within their garage were not built to code, and that one of the basement air units is defective in that its placement does not allow for replacing an air filter. Mitha Friedman also reported that there is no power in the guest room.

The Friedmans also touched upon their previous arguments that the the garage does not have adequate air ventilation to be included as living space for a new build.

Questions asked and answered as to the nature of the punch list items, as well as the Friedmans' estimate of value which Stuart completed and signed (i.e., via the Application for Grievance) during the grievance hearing.

Hearing adjourned at 1:18 p.m.

LISTER NOTES ON RESULTS OF FRIEDMAN GRIEVANCE HEARING ADDED TO MINUTES:

The Board entered deliberative session.

Grievance based upon valuation of land as compared with other area homeowners denied due to lack of sufficient basis. The Friedmans' land is assessed at a lower grade and value than those of their neighbors. The grievance was approved in part with a \$50,000 reduction in assessment value due to presentation of a second report delineating the defectiveness of the stone veneer siding which accounts for approximately 32% of the home. Value reduced as siding effects overall quality and condition valuation factors of home. Property to be reinspected 2026.

1:18 PM The Board again adjourned the grievance hearings pending appearance of a grievant as there are no further grievances scheduled.

4:30 In Attendance: Marcia Chioffi, Marie Faignant & Cathy Kapitanski, Listers.

The Board reconvened and assembled to record the receipt of the grievance relative to a mailed Application for Grievance for property owned by Eleven Cousins, Ltd. & F.W. Webb located at 3091 Cold River Road. In response to their Application, a notice for grievance schedule had been sent to Eleven Cousins/FW Webb on June 23, 2023.

No in-person representative from Eleven Cousins or F.W. Webb appeared.

The written application seeks a reduced value in assessment for the 48,720 sq ft building.

LISTER NOTES ON RESULTS OF ELEVEN COUSINS GRIEVANCE ADDED TO MINUTES:

The Board entered deliberative session to review and consider the written grievance application. The taxpayer is grieving the Town's assessment of \$2,304,000.00 for the 48,720 sq ft building, asserting the proper assessment should be \$1,130,492. After reviewing the taxpayer's submission, the Board has denied the appeal in full. An explanation of the denial will be sent to the taxpayer and its representative.

4:31 The Board adjourned the hearing to 4:45 at which time they will reconvene.

4:45 In Attendance: Marcia Chioffi, Marie Faignant & Cathy Kapitanski, Listers.

The Board reconvened and assembled to record the verbal notices of intention to grieve relative to property located at 291 McKinley Avenue owned by trusts of Ingrid and Paul Gallo to which the Town had responded by sending a requested notice for grievance hearing on June 23, 2023. At no time did either of the Gallos send written request for grievance, or complete the application for grievance, nor did they appear during the day. Subsequently, no further action was taken by the Board.