

JOHNSON BOARD OF ABATEMENT
THE ELLSWORTH ROOM, WILLEY LIBRARY
VERMONT STATE UNIVERSITY – JOHNSON
TUESDAY, DECEMBER 5, 2023

Present:

Board of Abatement Members: Rosemary Audibert, Eric Osgood, Duncan Hastings, Eben Patch, Mike Dunham, Jennifer Burton, Jan Gearhart, Mark Woodward, Martha Leonard, Randy Manning, Margo Warden, Shayne Spence

Others: Justin Mason, Amanda Lacefield, Matthew Lacefield, Rene Cotnoir

Eric called the meeting to order at 6:30.

Rosemary swore in the BOA members.

Bates/Knowlton Hearing – 12 West Highland Drive

The applicants were not present. Justin said the property was sold on October 19. The owner as of April 1 is responsible for taxes for the year. Rosemary asked if he is sure the trailer that was sold was the one damaged in the flood and not another trailer that was brought onto that lot. Justin said he is not entirely sure. Eric asked if the applicants were sent notification of the hearing. Rosemary said yes. Eric closed the hearing.

Lacefield Hearing – 187 River Road West

Eric swore in Amanda and Matthew Lacefield.

No BOA members identified conflicts of interest.

The abatement request category was “taxes or charges upon real or personal property lost or destroyed during the tax year.”

Rosemary swore in Shayne Spence and Margo Warden, who had just arrived.

Amanda Lacefield said their home was flooded. There was \$253K worth of damage. It is uninhabitable. They are not living there. Matthew said the house is gutted and empty.

Eric asked, they anticipate they will not be moving back in? Amanda said no. They started to rebuild and then they were told they couldn't.

Martha asked who told them they couldn't rebuild. Matthew said it was the Town of Johnson. In August there was a meeting. They chose to apply for a buyout, which is a 2-year process. They were told not to rebuild, not to spend their money, but to come to the meeting at the elementary school, which they did. The only thing they got out of the meeting was the buyout option.

Amanda said the doors can't even be shut. The house is not livable. There are issues with the foundation.

Duncan asked where the damage cost estimate came from. Amanda said it was emailed from their insurance company. Eric asked her to email the insurance company figure to Rosemary.

A BOA member asked how much money they spent starting to rebuild. Amanda said they put a whole new back wall on. They bought light fixtures, electrical wires and a panel box. She estimates they spent about \$1000.

A BOA member asked, they have no flood insurance? Amanda said they did have flood insurance. The insurance company paid off the mortgage.

Justin asked if they ever plan to rebuild. Amanda said she doesn't know if she could ever close her eyes there again after the traumatic experience of having the house flood while they were sleeping.

Eric closed the hearing. He said the BOA is trying to get written decisions out within 30 days.

Amanda said the exact figure of the insurance company's cost for repairs was \$252,740.18. She has pictures and videos if they are needed. Rosemary suggested providing a couple of pictures.

It was moved and seconded to go into deliberations at 6:52 and the motion was passed unanimously. The board came out of deliberations at 7:00.

Bent Hearing – 60 Railroad Street

The applicant was not present. Rosemary said she had not heard from him.

The BOA reviewed the information in his application. Floodwaters affected 3 of the 4 units in his building. He claims he lost $\frac{3}{4}$ of his income. At the time of the application, 3 $\frac{1}{2}$ months ago, he was still awaiting flood insurance payments to begin reconstruction. Eric said the BOA can rule on his application based on what he submitted.

It was moved and seconded to go into executive session at 7:05 and the motion was passed unanimously. The BOA came out of executive session at 7:15.

Hoag Hearing – 93 Lower Main West

The applicant was not present. Eric said the BOA will make a decision based on the information he submitted.

Cotnoir Hearing – 33, 27, 51 and 53 Lower Main West; 21, 29 and 35 Railroad Street

Eric swore in Rene Cotnoir.

BOA members did not identify any conflicts of interest.

The abatement request category was "taxes or charges upon real or personal property lost or destroyed during the tax year."

Rene Cotnoir said he was told he could submit paperwork later. Eric asked him to talk about the damages to his property.

Rene said 53 Lower Main West has 4 units. One was commercial space. That and a downstairs apartment were affected. The apartment has been repaired and rented. The commercial space is not in a rentable state.

Eric asked when the apartment was usable. Rene said August 15. The commercial space is just the way it was left after volunteers helped with the demolition. Nothing has been done to get it back in shape.

Shayne asked if there is any cost estimate for that. Rene said they are not sure which avenue they will take with that space. It will most likely end up as housing. They would rather keep it as commercial space but he doesn't know if there is a need for it. They haven't advertised it.

Eben asked if it is heated. Rene said there is just temporary heat to keep it from freezing.

Eric asked, the top 2 units were not affected? Rene said that is right.

Rene said the downstairs of 21 Railroad Street is gutted and they have started making progress with resealing the basement. There were structural issues that needed to be addressed. They have tried to hire a couple of people but they haven't showed up so he has tried working on it himself. They applied for an SBA loan but were denied. The SBA said their finances don't support any new mortgage. There are 8 units in the building and there was a loss of 3 of them.

Duncan asked, there was structural damage to the foundation of the basement? Rene said yes. That was not determined by an engineer but some of the beams in the basement that were old took on water and humped the first floor up 8 or 9 inches. They have the second floor supported all the way down to the basement and they just recently straightened out the first floor so they can start resupporting the second floor from the first floor.

29 Railroad Street is the laundromat. It is fine. They spent thousands of dollars for electronics to get it operable. It was down for about 3 weeks.

35 Railroad Street has 2 buildings. The front building has 5 units – 4 downstairs and 1 upstairs. The back building was built in the 2000s on a slab. It has one unit downstairs and one upstairs. There are a total of 7 units on the property. The upstairs of the front building is rented and fixed up. Just the mechanics in the basement needed to be fixed for the upstairs to be usable. In the back building, the second floor is rented. Just the mechanics needed to be fixed and that took a week or 10 days. The 4 units downstairs in the front building are totally demolished. They are hoping to get an offer for a buyout but they haven't heard anything. The back building is maybe 65-75% fixed. They probably will get that ready by the beginning of the year. The 4 units in the front building are months and months away from being fixed. They did have flood insurance on the building. There was probably about \$250K worth of damage. They had \$140K of flood insurance and insurance paid them \$120K. They have applied for a buyout but haven't heard anything.

The building at 33 Lower Main West is fine. There was about a foot of water in 37 Lower Main West. It dried out after 7 or 8 weeks and it is fine. The building at 51 Lower Main West is fine. Water came to the bottom of the flooring. He is not looking for abatement for those properties.

Mark asked if all the machinery in the laundromat had to be replaced. Rene said no, just the electronics. There are still some issues with the machines.

Duncan asked about the cost for work on the furnace at the laundromat. Rene said replacing the furnace cost about \$20K.

Eric closed the hearing. He said the BOA is trying to get written notices of decisions out within 30 days but it may not be possible because there have been so many applicants.

It was moved and seconded to go into executive session at 7:59 and the motion was passed unanimously.

Minutes submitted by Donna Griffiths

UNAPPROVED