

**TOWN OF KILLINGTON  
BOARD OF ABATEMENT  
Hearing of October 25, 2023**

**Present:**     **Board Members:** Beverly Anderson, William Ehmann (via Zoom), Jim Haff  
Mary T. Holland, Chuck Hughes, Walter J. Findeisen, Chris Karr, Peggy Neisner,  
Judy Storch and Lucrecia Wonsor  
**Appellant:** Joel Saferstein (via Zoom)  
**Guests:** Michael Ramsey, Town Manager; Monika Legayada

Walter J. Findeisen, Chair called the meeting to order at 2:02 p.m.

**Board Re-Organization**

Walter Findeisen opened the floor for nominations for Chair. Beverly Anderson nominated Walter Findeisen. Chuck Hughes seconded. There being no further nominations, one ballot cast for Walter Findeisen as Chair.

The floor was opened for nominations for Vice Chair. Judy Storch nominated Chuck Hughes. Beverly Anderson seconded. There being no further nominations, one ballot cast for Chuck Hughes as Chair.

The floor was opened for nominations for Clerk. Walter Findeisen nominated Lucrecia Wonsor. Chuck Hughes seconded. There being no further nominations, one ballot cast for Lucrecia Wonsor as Clerk.

**Approval of Minutes**

Chuck Hughes moved to approve the Minutes of September 25, 2019 as written. Judy Storch seconded. Carried

**Hearing of Joel Saferstein** – Walter Findeisen, Chair opened the hearing at 2:05 pm. There were no conflicts of interest noted. The Chair invited the Appellant to present his case.

Appellant Joel Saferstein identified himself as the owner of Timberline Unit G3 of the Sunrise Condominiums located at 165 Timberline Road North. He is requesting an abatement under 24 VSA§ 1535 (5) *When the real or personal property that is the subject of the tax has been lost or destroyed during the tax year.* The July 9<sup>th</sup> rain storm which damaged East Mountain Road also caused water damage to the bottom level of his condominium unit. Damage to the road by the storm caused the Town to close it to vehicular traffic. When management was allowed to return, they found the water seepage in his unit that caused extensive damage. All drywall, flooring and personal furnishings, including a built-in hot tub had to be removed due to extensive mold growth. Estimates to repair the damage are approximately \$60,000, the vast majority of which is not covered by insurance and he does not have flood insurance. He has been approved for a low interest Small Business Administration Loan to cover the repairs. He is requesting an abatement of \$6,000 to cover loss of use of his unit as well as loss of \$3,800 in summer rental income.

Walter Findeisen questioned whether the entire unit was uninhabitable or if only the lower level was. Appellant advised that only the lower level was uninhabitable. Although the lower level does not have any bedrooms, it does contain the hot tub which is a major rental draw.

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**Deliberative Session** – Jim Haff moved to go into Deliberate Session at 2:14 pm. Judy Storch seconded. Carried.

The Board moved out of Deliberative Session at 2:30 pm.

**Decision** – The Board noted that granting abatement for loss of rental income does not fall within the statutory criteria of 24 VSA§ 1535. It was also noted that Bear Mountain Road is a private road and although it sustained damage, it was passable. Further, East Mountain Road (Town road) although badly damaged was open to one-way traffic for ingress and egress the next day after the storm (July 10<sup>th</sup>). As a result, there was no reason Sunrise management would not have been able to reach the property.

Motion was made by Jim Haff to deny the request for Abatement for Parcel #12580. Judy Storch seconded. Carried.

**Other Business** – None.

Jim Haff moved to adjourn at 2:30 pm. Chuck Hughes seconded. Carried.

Respectfully submitted,

Lucrecia Wonsor  
Killington Town Clerk