



TAX ABATEMENT SUB-COMMITTEE
IN CARE OF THE OFFICE OF THE ASSESSOR
City of Burlington, Vermont
City Hall, Room 17, 149 Church Street, Burlington, VT 05401
WEBSITE: www.burlingtonvt.gov/assessor

Voice (802) 865-7114
Fax (802) 865-7116

9/11/2013

Brenda Gail Bergman
605A Dalton Drive
Essex Junction, VT 05452

RE: The Committee of the Board of Tax Abatement will make the following recommendation to the full Board of Tax Abatement regarding your request for abatement of penalties, interest and / or taxes.

PARCEL ID: 024-1-004-000
LOCATION: 33 North Cove Rd
AMOUNT REQUESTED: \$4620.85

AMOUNT RECOMMENDED FOR ABATEMENT: \$4620.85

COMMITTEE'S RECOMMENDATION: Abate all taxes, penalties and interest.

MOTION MADE: Mason made motion to grant abatement request. Brennan 2nd the motion. The motion was unanimous.

COMMITTEE'S REASONS: Deemed manifestly unjust owner forced to evacuate due to flood, declared disaster by FEMA, Loss was above 50% on the home value. Home uninhabitable and will be purchased by the City through FEMA funds.

Dear Brenda Gail Bergman,

The Board of Tax Abatement will make a final decision on your request for tax abatement on **Monday, October 7, 2013**. The Board typically bases their decision on the committee's recommendation from the meetings held on September 4, 2013. You have the right to testify before the Board of Tax Abatement. The hearing will be held at **Contois Auditorium in Burlington City Hall**, during the City Council meeting.

The City Council meeting begins at 7:00 P.M.

If you are planning on attending this meeting, please contact Lori Olberg at 802-865-7136.

Sincerely,

Kenneth Nosek, Associate Assessor
For the Tax Abatement Committee

TAX ABATEMENT REQUEST FORM

Please submit one form per property tax abatement request

Additional copies of this form can be found at www.burlingtonvt.gov/CT/PropertyTax/Abatement

Submit to: Attention: Lori, Burlington City Hall, 2nd Floor—Room 20, 149 Church Street, Burlington, VT 05401

Date of this Request: 23 JULY 2013

Name, Property Owner on Grand List: BRENDA GAIL BERGMAN

Name, Applicant: BRENDA GAIL BERGMAN
(Describe the relationship of applicant to listed owner if the applicant is not the listed owner)

New Owner, Purchase Date: _____

Executor/Administrator of Estate: _____

Mailing Address: 605 A DALTON DRIVE

City, State, Zip code: ESSEX JUNCTION, VT 05452

Applicant's Email and Phone #: BRENDAGAILBERGMAN@YAHOO.COM

Location of Property: 33 NORTH COVE ROAD, BURLINGTON VT

Parcel ID Number (000-0-000-000): 021-1-004-000 or,

Account Number (PPP000000): _____ business personal property
(Can be found on the tax bill or property record card)

Dollar amount you are requesting abated: \$ 4620.85 PLUS ANY FURTHER TAXES UNTIL TRANSFERRED
TO THE CITY UNDER THE CURRENTLY APPROVED FEMA DEMOLITION + ACQUISITION GRANT

Circle abatement type requested: taxes penalties interest prior year delinquency other

Briefly describe your abatement request. You may submit a letter with more details of your request.

OUR HOME WAS FLOODED IN 2011, RENDERING IT UNINHABITABLE. WE HAVE SINCE BEEN COORDINATING WITH
STATE, CITY AND FEDERAL AGENCIES TO DETERMINE WHAT SHOULD BE DONE WITH THIS PROPERTY, AS WE LACKED THE
SUBSTANTIAL RESOURCES REQUIRED TO BRING THE HOME BACK TO A HABITABLE STATE. THE BUREAUCRATIC PROBLEMS
WE TAKEN A LONG TIME, BUT IN 2013 THE HOME WAS APPROVED FOR A DEMOLITION + ACQUISITION GRANT BY FEMA.
WITH APPROVAL, WE HAVE BEEN AWAITING THE COMPLETION OF VARIOUS STEPS PRIOR TO TRANSFER. THIS TIMING WAS BEYOND
OUR CONTROL, BUT THE PROPERTY IS NOW ABLE TO BE TRANSFERRED. PLEASE SEE THE ATTACHED HISTORICAL CORRESPONDENCE

Signature [Signature] Date 23 JULY 2013

Space below is saved for Board notes:

Date received:

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John Vickery

33 North Cove Rd

From: Brenda Gail Bergman [brendagailbergman@yahoo.com]
Sent: Tuesday, July 23, 2013 12:06 PM
To: John Vickery
Cc: Luis Verissimo
Subject: Re: 33 North Cove Rd
Attachments: Tax_Abatement_Request_2013_33_North_Cove_Road.JPG; request for abatement extension sept 2012.docx; Green tax abatement 29 July 2011.pdf

Thank you John.

Please see the completed abatement form attached, as well as historical correspondence on this property.

As these documents indicate, the property has been uninhabitable since flooding in 2011, as verified by FEMA's designation of the property as appropriate for demolition and acquisition. Over this time we have been coordinating with state, city and federal agencies to determine and work toward a course of action for the property. We request abatement through this period on the legal basis of its uninhabitable status. As the attached 2012 letter indicated, we request "an extension of tax abatement until such a time that the property is transferred or demolished, under the recognition that this property is by no means habitable".

This process of finalizing the acquisition and demolition grant by FEMA has taken a long time, but according to Scott Gustin, the process is now at a stage where the property can be transferred to the city once the tax issues are clarified. He was hoping to proceed with the transfer this month, or early in August. Thankfully, this issue will no longer be of concern for you and your colleagues once the transfer takes place. Thank you for working with us along the way.

Might there be a way to expedite the decision regarding property taxes so that the transfer to the city may proceed later this month or in early August?

Thank you again, and best regards,

Brenda

From: John Vickery <jvickery@burlingtonvt.gov>
To: Brenda Gail Bergman <brendagailbergman@yahoo.com>
Cc: Jeffrey A. Herwood <jherwood@burlingtonvt.gov>
Sent: Tuesday, July 23, 2013 9:42 AM
Subject: RE: 33 North Cove Rd

Hi Brenda,
Attached is the Tax Abatement Form.
The next meeting has not been scheduled yet. I will get a group together and try to have a meeting scheduled in late August.

John

14 September 2012

Dear committee,

I am requesting abatement of property taxes for 33 North Cove Road under the following statutory criteria:

24 V.S.A 6 § 1535(a)(5).

This property was severely damaged by flooding, to the extent that it is uninhabitable and requires extensive repairs that exceed our budget in order to reinhabit. The attached photographs provide a visual depiction. The City of Burlington submitted an application to FEMA's Hazard Mitigation Grant Program for demolition and acquisition, through Scott Gustin, who has access to the full application should this be of use. My husband and I are still awaiting a decision from FEMA on that application. We are not able to do anything with the property until FEMA provides a decision on that application. Hence it remains uninhabitable.

I was under the impression that the taxes were abated on the property in this circumstance, and became aware that I now owe taxes only when I received a letter in the mail late August. I then spoke with the Assessor's office, who informed me of the need to submit this new request. I also spoke with Jeff Herwood, and requested copies of my tax bill in order to submit this request. I am still awaiting those copies, but at this stage thought it pertinent to submit this request and to follow with the tax bill copies when they arrive.

We are unable to inhabit this property and damages exceed our current ability to repair it. We are also not able to take action on the property until FEMA provides its decision. We have lost our life savings with the loss of this property, as it was no longer under mortgage, and find it unfathomable that we would be taxed on top of this loss for a property that we cannot use. We request an extension of tax abatement until such a time that the property is transferred or demolished, under the recognition that this property is by no means habitable.

Please feel free to contact us with any questions that you may have.

Thank you.

Brenda Gail Bergman brendagailbergman@yahoo.com
Luis Verissimo lmnverissimo@gmail.com

Mr. Robert Green
Burlington City Hall
Room 17
149 Church Street
Burlington VT
05401

28 July 2011

Dear Mr. Green,

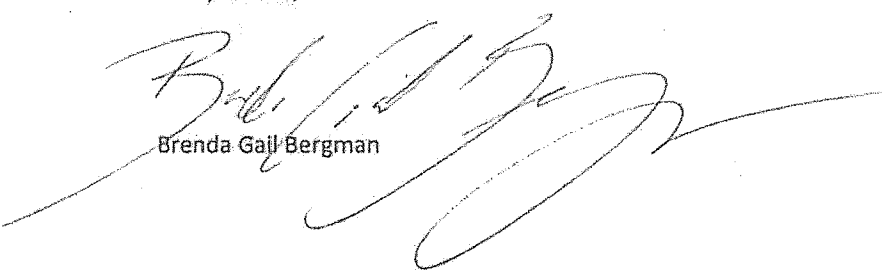
This letter is to provide supporting information regarding my previous statement that 33 north cove road is not habitable due to the fact that it has flooded. I will be in wilderness on August 18th conducting research for my graduate studies, and so unfortunately will not be able to attend the hearing in person.

We have thus far invested the effort in removing the water affected portions of the house in an attempt to contain the damage. This includes removal of floors, much of the walls and insulation in the lower portion of the house, and all appliances. We are in the process of reviewing, with the city of Burlington through Scott Gustin, whether the property is eligible and appropriate for a FEMA Hazard Mitigation grant. Until the determination is made, we cannot further invest funds in repairing the property, because one possible determination would be demolition and acquisition. Applications for this grant are only due in March 2012. It will therefore remain in its current state at least until we receive confirmation of the status of this grant application.

I am enclosing pictures of the current status of the property for your review.

My husband Luis Verissimo will be available by email through August 8th, should you have any further questions. His email address is lmnverissimo@gmail.com

Many thanks,



Brenda Gail Bergman

Kenneth Nosek

From: Brenda Gail Bergman <brendagailbergman@yahoo.com>
Sent: Tuesday, August 27, 2013 12:14 PM
To: knosek@burlintonvt.gov; Kenneth Nosek
Subject: Fw: 33 North Cove Rd

Dear Kenneth

It was good to talk with you. Please find below the referenced messages from Scott regarding the closing date.

As we discussed, although the property was approved for the acquisition and demolition grant from FEMA, the timeline for transfer to the City has taken a long time due to multiple layers of the bureaucratic process that are beyond our control.

I look forward to the call on September 4th. If you learn of anything else you will need from me, feel free to let me know.

Take care,

Brenda

----- Forwarded Message -----

From: Scott Gustin <SGustin@burlingtonvt.gov>
To: 'Brenda Gail Bergman' <brendagailbergman@yahoo.com>; Luis Verissimo <lmnverissimo@gmail.com>
Sent: Monday, August 26, 2013 11:06 AM
Subject: RE: 33 North Cove Rd

A final closing date remains elusive. For what it's worth, it's the multiple parties involved with multiple other things to deal with that seems to be the drag. In any event, all parties are aware of the September 15 POA expiration date, and we're working to get under that. I will keep you posted.

Scott Gustin, AICP, CFM
Senior Planner
Department of Planning & Zoning
149 Church Street
Burlington, VT 05401
Phone: (802) 865-7189
Fax: (802) 865-7195

From: Scott Gustin <SGustin@burlingtonvt.gov>
To: 'Brenda Gail Bergman' <brendagailbergman@yahoo.com>; Luis Verissimo <lmnverissimo@gmail.com>
Sent: Monday, August 19, 2013 2:57 PM
Subject: 33 North Cove Rd

Hi Brenda,
We're just about ready to close on 33 North Cove Rd. I'm meeting with the city attorney this afternoon and hope to have a closing date nailed down. I'll keep you posted. In the mean time, more paperwork continues to flow in. I'll let you know what, if anything, you need to do with it.
I hope your summer has been enjoyable and sunny!
Scott

Scott Gustin, AICP, CFM
Senior Planner
Department of Planning & Zoning
149 Church Street

Scott Gustin

From: Maureen McNeil <MMcNeil@mcneilvt.com>
Sent: Wednesday, August 14, 2013 12:15 PM
To: Scott Gustin; Kimberlee Sturtevant
Cc: John Leddy
Subject: FW: 33 North Cove Rd
Attachments: WARRANTY DEED Revised.pdf; Preliminary HUD.pdf

purchase of property to 33 North Cove

is moving forward.
w/ a 9/15/13 deadline
targeted

From: Paula LeBlanc [mailto:PLblanc@peetlaw.com]
Sent: Wednesday, August 14, 2013 12:12 PM
To: Maureen McNeil
Subject: RE: 33 North Cove Rd

Hi Maureen,

Here is a revised deed, excluding the language about recording the agreements.

More importantly, here is the preliminary HUD for a SEPTEMBER 6, 2013 closing. Since the funding has not been requested yet, I know they require a 3-week lead time. Therefore, I put 9/6 as the closing date (remember the POAs run out on 9/15).

What I need from you is your fee (unless it's POC as I have typically done for Burlington purchases). I also need to know if there is a tax proration? I believe there is no tax bill right now, so a proration is out, but I could be mistaken. Let me know.

Anything else that you need, please let me know. I am guessing you will want to forward this to Scott to get his input.

Thank you,
Paula

From: Maureen McNeil [mailto:MMcNeil@mcneilvt.com]
Sent: Wednesday, August 14, 2013 10:33 AM
To: Paula LeBlanc
Subject: FW: 33 North Cove Rd

From: Maureen McNeil
Sent: Tuesday, August 13, 2013 1:58 PM
To: 'Scott Gustin'; Kimberlee Sturtevant
Cc: John Leddy
Subject: RE: 33 North Cove Rd

Scott,

1. An Owner Policy Title Insurance Binder will be issued by us. This office is an agent for CATIC. The cost of the policy based on the \$180,000.00 purchase price, will be \$635.00.
2. I will have our Office Manager, Vicki Gilwee, prepare our bill. Fred Peet's office will prepare the HUD-1 Settlement Statement.

Let me know if either of you have any other questions.

Thank you,

Maureen T. McNeil, Paralegal

McNeil Leddy & Sheahan, P.C.

271 South Union Street

Burlington, VT 05401

(802) 863-4531

FAX (802) 863-1743

E-Mail: mmcneil@mcneilvt.com

From: Scott Gustin [<mailto:SGustin@burlingtonvt.gov>]

Sent: Tuesday, August 13, 2013 1:40 PM

To: Maureen McNeil; Kimberlee Sturtevant

Subject: RE: 33 North Cove Rd

So it sounds like we're ready to move ahead with the funding request through the mitigation grant to purchase the property. The funding request needs to include:

- 1) Title insurance binder – Maureen, I assume this will come from you. Is that correct?
- 2) Draft HUD 1 to include all settlements, closing costs, and breakdown of funding sources – I'll put this together. What's our actual closing cost? Do I get that from Fred Peet's office? I also need a bill from MLS for the title work that's been done.
- 3) Draft Deed with all FEMA deed restrictions as required – Kim, are you all set with the deed that was drafted and sent along from Fred Peet's office?
- 4) Request for funding document - I've got this.

Thank you for all of your work on this item!

Scott

Scott Gustin, AICP, CFM

Senior Planner

Department of Planning & Zoning

149 Church Street

Burlington, VT 05401

Phone: (802) 865-7189

Fax: (802) 865-7195

From: Maureen McNeil [<mailto:MMcNeil@mcneilvt.com>]

Sent: Tuesday, August 13, 2013 8:43 AM

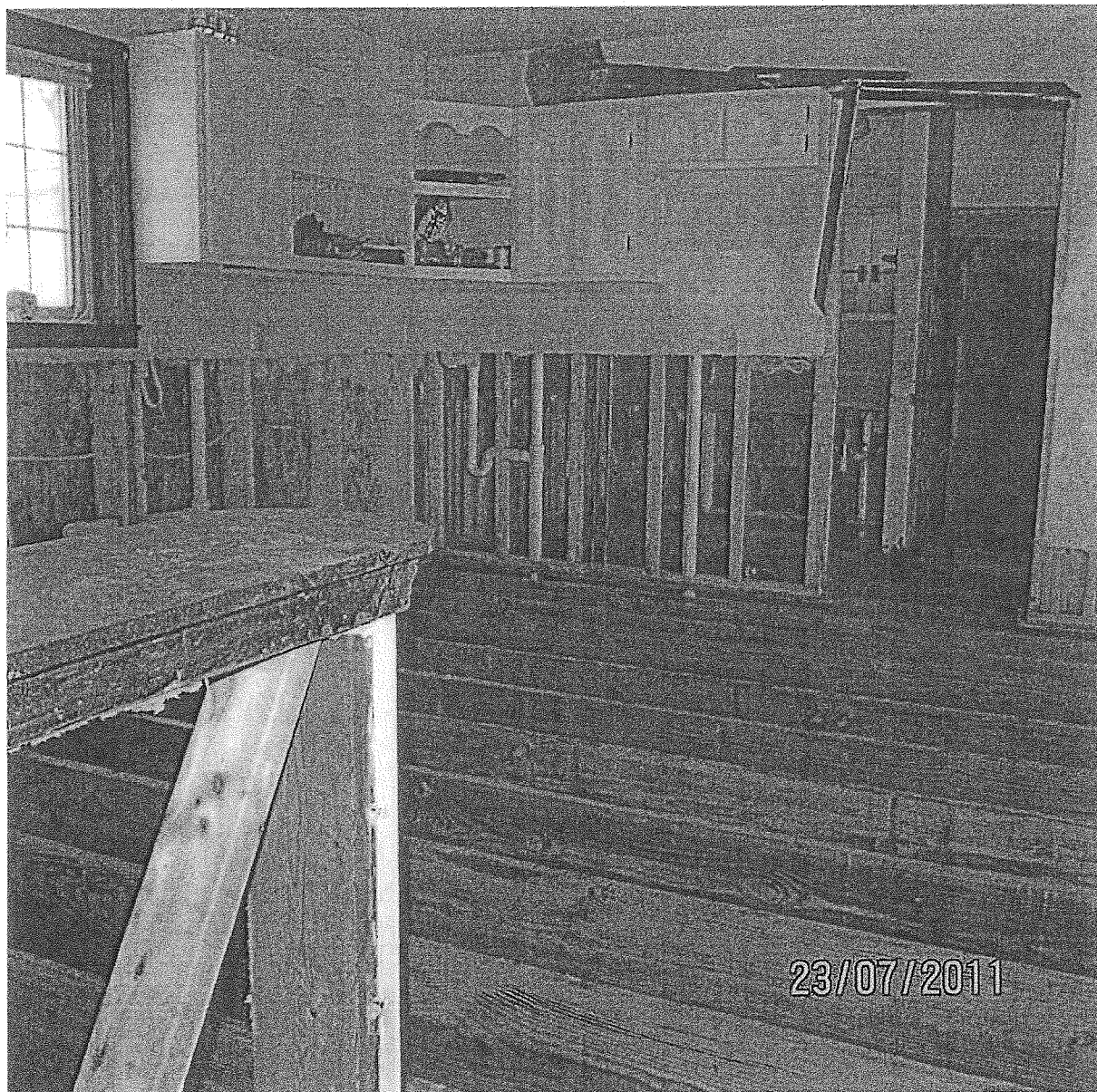
To: Scott Gustin; Kimberlee Sturtevant

Subject: RE: 33 North Cove Rd

Kim,

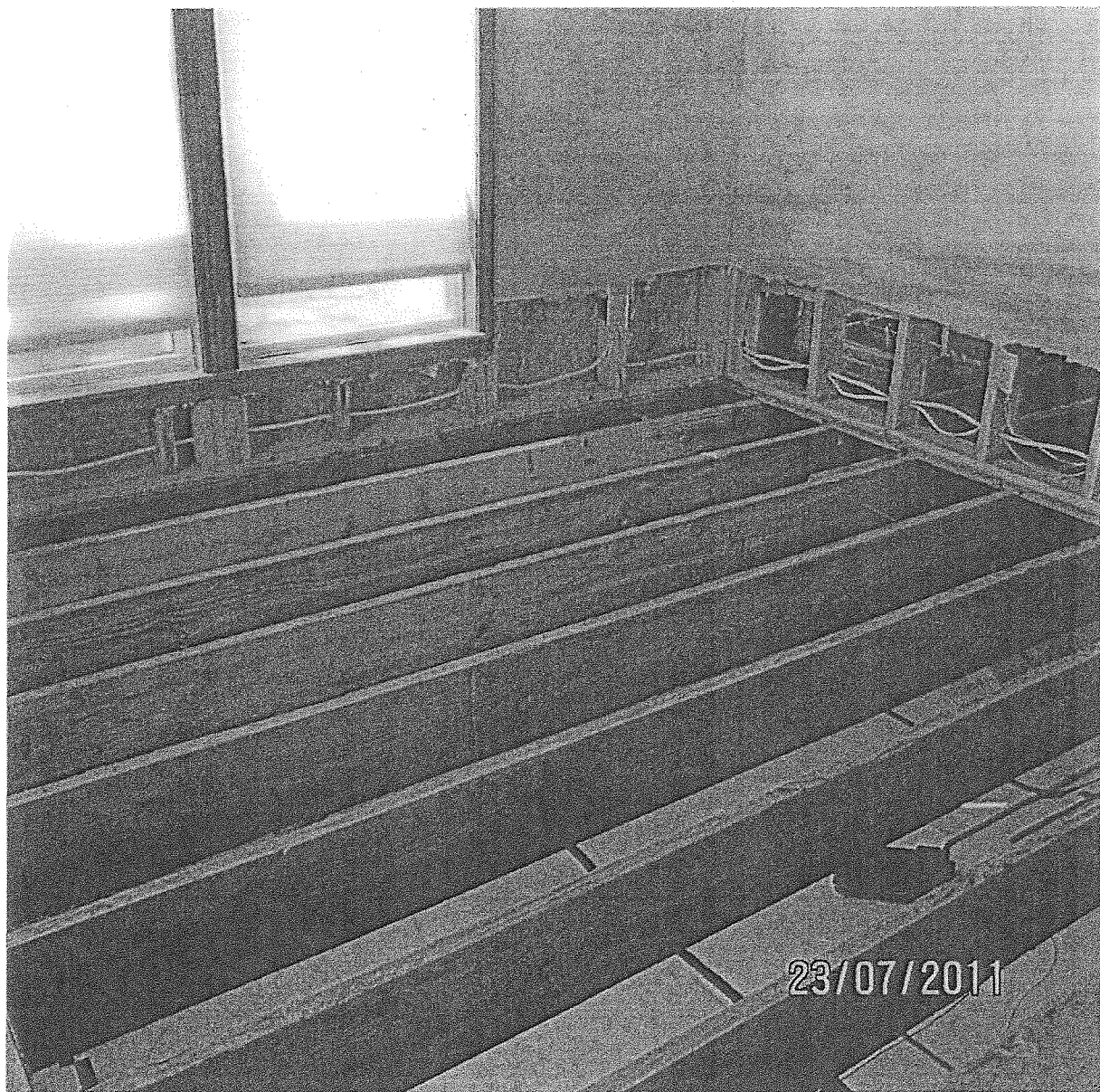
If you could have Jeanne Francis issue a compliance letter now, we should be all set to move forward. I will update and finalize our Title Opinion.

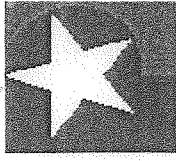
Thanks,











Patrio Properties

USER DEFINED

RAD: 10
OLD PID: 192820
State Dist: 3-01
CAD: 610
SPAN: 114-035
Prior Id #: 3
BusUse: 0
RentalUse: 0
HSC 041520
ASR Map:
Fact Dist:
Reval Dist:
Year:
LandReason:
BidReason:

IN PROCESS APPRAISAL SUMMARY

Use Code	Building Value	Yard Items	Land Size	Land Value	Total Value	Legal Description	User Acct
R1	73,800		4770.000	69,600	143,400		
Total Card	73,800		0.110	69,600	143,400	Entered Lot Size	
Total Parcel	73,800		0.110	69,600	143,400	Total Land: 4770	
Source: OverRide			Total Value per SQ unit /Card:	75.63	/Parcel: 75.63	Land Unit Type: SF	

PREVIOUS ASSESSMENT

Tax Yr	Use	Cat	Bldg Value	Yrd Items	Land Size	Land Value	Total Value	Asses'd Value	Notes	Date
2013	R1	ABST	73,800	0	4,770	69,600	143,400	143,400	Change of Value Notices	5/3/2013
2013	R1	PREL	73,800	0	4,770	69,600	143,400	143,400	6.19.2013 tax billing	6/19/2013
2012	R1	ABST	73,800	0	4,770	69,600	143,400	143,400	5.04.2012 ABSTRACT 3	5/4/2012
2012	R1	FV	73,800	0	4,770	69,600	143,400	143,400	9.15.2012	9/12/2012
2012	R1	PREL	73,800	0	4,770	69,600	143,400	143,400	6.20.2012 FOR TAX BILL	6/20/2012
2011	R1	ABST	103,900	0	4,770	69,600	173,500	173,500	abstract grand list 5.04.20	5/4/2011
2011	R1	FV	73,800	0	4,770	69,600	143,400	143,400	Year End Roll Process	8/11/2011
2011	R1	PREL	73,800	0	4,770	69,600	143,400	143,400	POST BOA 6.24.2011	6/24/2011

SALES INFORMATION

Grantor	Legal Ref	Type	Date	Sale Price	V	Tst	Verif	Assoc PCL Value	Notes
SHAPPY DEAN	834-322	WD	8/12/2003	UNDETERMINED				159900 No	

TAX DISTRICT

Grantor	Legal Ref	Type	Date	Sale Price	V	Tst	Verif	Assoc PCL Value	Notes
SHAPPY DEAN	834-322	WD	8/12/2003	UNDETERMINED				159900 No	

BUILDING PERMITS

Date	Number	Descrp	Amount	C/O	Last Visit	Fed Code	F. Descrp	Comment	Result	By	Name
3/6/2013	2-513-0772CA	Zoning I	17,500 A					Demolition of exis	6/24/2011	JV	JVICKERY
7/21/2011	2011 139197	Building	5,000 A					Interior demo of f	5/31/2011	RG	RGREEN
2/14/2011	112011 130040	Electric	1,200 A					After the Fact per	1/25/2011	RG	RGREEN
8/31/1992	93-18157		45,000 I					B Z E P M	6/3/2009	BOA	ASSESSORS

ACTIVITY INFORMATION

Date	Result	By	Name
6/24/2011	INSPECTD EX	JV	JVICKERY
5/31/2011	ADDRESS CHG	RG	RGREEN
1/25/2011	ADDRESS CHG	RG	RGREEN
6/3/2009	BOA DECISION	BOA	ASSESSORS
10/12/2004	DATA ENTRY	AF	A FRANCIS
7/27/2004	NOT HOME	RK	R KILBOURN
7/27/2004	NOT HOME-EX	RK	R KILBOURN

Sign: VERIFICATION OF VISIT NOT DATA

PROPERTY LOCATION

No.	Alt No	Direction/Street/City
33		NORTH COVE RD, BURLINGTON

OWNERSHIP

Owner 1: BERGMAN BRENDA G	Owner 2:	Owner 3:
Street 1: C/O MTU FOREST SCIENCE	Street 2: 1400 TOWNSEND DRIVE	
Town/City: HOUGHTON	St/Prov: MI	Cntry: NS
Postal: 49931		Type:

PREVIOUS OWNER

Owner 1: SHAPPY DEAN -	Owner 2: BENOIT CATHY -	
Street 1: 33 NORTH COVE ROAD		
Town/City: BURLINGTON	St/Prov: VT	Cntry:
Postal: 05401		

NARRATIVE DESCRIPTION

This Parcel contains 4770. SF of land mainly classified as Single Fam with a(n) OLD STYLE Building Built about 1940, Having Primarily VINYL Exterior and ASPHALT SH Roof Cover, with 1 Units, 2 Baths, 0 3/4 Baths, 7 Rooms Total, and 3 Bdrms.

OTHER ASSESSMENTS

Code	Descrp/No	Amount	Com. Int
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PROPERTY FACTORS

Item	Code	Descrp	%	Item	Code	Descrp
Z	U	WE		U	WE	WATER-ELE
o	t	s		t	s	NO SEWER
n	I	Exmpt		I		
Census:						
Flood Haz:						
D	B	City	100	Topo	3	SUITABLE
s	SH	Homestead	100	Street	U	UNIMPRO
t				Traffic		

LAND SECTION (First 7 lines only)

Use Code	LUC	No of Units	Depth/ PriceUnits	Unit Type	Land Type	LT Factor	Base Value	Unit Price	Adj	Neigh	Neigh Infl	Neigh Mod	Inf1	%	Inf2	%	Inf3	%	Appraised Value	Spec Land	Code	Fact	Use Value	Notes
R1	Single Fam	4770		SQ FT	SITE		0	12.5	1,168.010				Floodin	-15					69,636				69,600	

Total AC/Ha: 0.10950	Total SF/SM: 4770.00	Parcel LUC: R1	Single Fam	Prime NB Desc: NRTN AVE EXT
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Total: 69,636	SpI Credit	Total: 69,600
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Disclaimer: This Information is believed to be correct but is subject to change and is not warranted. Database: AssessPro

apro

2013

Sun Area By Label :

- WOK = 28
- SFL = 28
- FFL = 28
- CRL = 030
- OFF = 24
- D.V.H. = 24

[illegible][illegible]