

# Greensboro Selectboard

## December 17, 2012 – Special Meeting on Caspian Lake Beach Minutes

**SELECTBOARD MEMBERS PRESENT:** Marsha Gadoury, Peggy Lipscomb, Susan Wood, Warren Hill, Jr.

**SELECTBOARD MEMBERS ABSENT:** Anne Stevens

**OTHERS PRESENT:** Paul Fixx, Mike Cassidy, Anne Cassidy, Thomas Hurst, Josh Karp, Anne Harbison, Joanna Beresford, Daniel Beresford, Shelly Jungwirth, Andy Dales, Senator John Rodgers, Clive Gray, Ken Johnston, Jim Cook, Erika Karp, Janet Long, Tom Woodward, Joe Wood, Janet Johnston, Judy Dales, Bob Parrish, Wendy Parrish, Tommy Gardner

**CALLED TO ORDER:** 7:00 PM

On the agenda this evening was the ownership of the Caspian Lake Beach.

Sue gave an introduction, saying that she hoped this meeting would clear up any misinformation and confusion going around. She continued:

- The beach property was purchased by the town of Hardwick in 1939; the property had been a public beach prior to this purchase, and has been one ever since. A second parcel adjacent to the beach – the dam and outlet of Caspian Lake – is owned by the Hardwick Electric Dept. (and ultimately the town of Hardwick).
- No taxes have been paid on the beach property since Hardwick purchased it. This is due to the fact that the beach has always been used for recreational purposes by the public.
- A beach committee was formed in the mid '70s by Greensboro and Hardwick residents. The Committee oversees the maintenance of the beach facilities; it was noted that for the past ten years, Hardwick has not appointed a representative to serve on the Committee.
- An Invasive Species program was started in 2000, funded by the Greensboro Association and the town of Greensboro. This program operates a boat wash, which has been successful in keeping Eurasian Milfoil out of the lake.
- In 2012, the state informed Greensboro that it must levy property taxes on the beach, saying that the property should have tax-exempt status only if it was owned by Greensboro (i.e. the town where the property itself lies). Greensboro then assessed the beach at \$640k, resulting in a tax burden of approximately \$10k. Hardwick appealed this valuation; Greensboro looked closely at the valuation formula and felt it was not appropriate to lower the value. Hardwick is seeking a summary judgment from the VT Supreme Court, asking that the property's tax-exempt status be reinstated.

If the Court's judgement is favorable to Hardwick, the beach becomes tax exempt again and this whole issue goes away. If the judgement is unfavorable, options discussed by the Hardwick Selectboard include:

1. **Selling the beach property to the Fish & Wildlife Dept.** F. & W. would very much like to have control over the boat launch. F. & W. is apparently not so interested in the beach itself,

and has suggested to Hardwick that it buy the property and manage the boat launch, and lease the beach itself back to Hardwick. F. & W. would pay much less for the property than Greensboro says it's worth, because the State has the power to classify the parcel differently than the town listers can.

2. **Sell the beach property to a private party;** and
3. **Lease the beach property back to Greensboro for the amount of the property's taxes.** This approach has already been proposed by Hardwick, in the event that the Court's judgement is unfavorable.

- Greensboro's options include:
  1. **Accepting Hardwick's proposal that the town lease the property for the amount of the taxes each year;** and
  2. **Offering to buy the beach property from Hardwick.**

There was then an open discussion.

There were many concerns over Fish & Wildlife owning the beach, including:

- *Loss of local control.* It was felt that the State's interests will always trump local interests, making the property vulnerable to the future whims and needs of the state;
- *An improved boat launch would bring larger boats to the lake.* Such boats are faster, noisier, and larger trailers will fill up the parking lot. It was observed that F. & W. will want to control the parking lot along with the boat launch;
- *F. & W. does not operate boat washes nor does any meaningful milfoil prevention work.* State Senator John Rodgers said in no uncertain terms that Caspian will get milfoil if F. & W. controls the boat launch.
- Caspian Lake would be added to widely distributed state fishing access maps, "bringing the masses" to the lake.

It was not clear how the outlet/dam parcel fits in to all this. It was noted that the parcel is a huge maintenance liability for whoever owns it, due to the aging dam.

Andy Dales, representing the Greensboro Association, read a statement from Association president John Stone, III. It was noted that the Greensboro Association is a non-profit set up to receive donations, and could raise a considerable amount of money, if this was necessary for Greensboro to continue to have some control over the beach.

Paul Fixx observed that the town pays the Greensboro Nursing Home's education tax and forgives its municipal tax; perhaps a similar arrangement could work with the beach, but with an endowment set up to cover annual education tax payments.

Senator Rodgers said that maybe the relevant state statute could be "tweaked" to allow the beach to be tax exempt, even with Hardwick owning it. He added that this change would not be possible if large amounts of tax revenue are at stake.

It was noted that the Hardwick Selectboard is apparently unhappy that Greensboro is not helping to pay legal fees associated with the Supreme Court appeal, and that some Hardwick residents are concerned about losing access to the beach if it was sold to Greensboro.

Ken Johnston suggested that the beach be run like the Hardwick Electric Dept. The “Caspian Beach Dept.” would be governed by a Board composed of members from Greensboro and Hardwick, who would be appointed by the towns’ Selectboards. This Board would be charged with keeping the beach maintained and accessible to the public. Ken added that there could be an easement put on the beach property, restricting its use to public recreation only, easing fears that the beach could somehow be lost or closed to the public. Such an easement would also lower the value and tax bill of the property, if that remained an issue.

**ADJOURNED: 8:25 PM**

*Respectfully submitted,* Josh Karp, Selectboard Clerk