

BOARD OF CIVIL AUTHORITY

August 27, 2015

TAX ASSESSMENT APPEAL HEARING

Town Clerk Annette Cappy at 6:03 P.M., on August 27, convened a meeting of the Board of Civil Authority in the Cosman Meeting Room of the Municipal Center. BCA members present included: Sharry Manning, Robert Oeser, Gail Speno, Veronica Wheelock and Annette Cappy. Also present: Lister Marshall Wheelock and Town Assessor Russell Rice. Appellants present: Gregory Moschetti and Connie Baxter.

BCA 15-01 Under consideration was 00050035.000, 1754 MARLBORO ROAD, DWELLING/GARAGE & 3.8 ACRES, owned by DONALD & CHERYL LAVALLEY.

While there is definitely a discrepancy between the Brattleboro Assessor's records and Mr. and Mrs. LaValley's deed, this board does not have the authority to define or adjust a boundary line. The Board's only authority is to determine a fair assessment value. Therefore, it is the decision of the Board that until the boundary discrepancy is resolved, the Board lacks documentation to change the assessment of the subject property and the request is denied.

The Board encouraged Mr. LaValley to seek legal counsel or employ the services of a surveyor to establish a definitive boundary line on his property.

BCA 15-02 Under consideration was 00060102.000, 671 KELLY ROAD, DWELLING & 39.7 ACRES, owned by MOSCHETTI BAXTER REAL ESTATE TRUST

Discrepancies were noted in the overall dimensions of three of the structures. Each structure contained less square footage than that reported on the Listers' cards.

The inspection committee discovered that there is a work shed located over the garage which was not accounted for in the Listers' cards. While the square footage of some of the outbuildings was overstated, the work shed was not taken into account at all. It is the opinion of the Board that, to a certain degree, these two errors balance the total footage.

The property has been inhabited for several years in spite of being 'off the grid'. Although this lifestyle may be undesirable for a major portion of the population, for others, this lifestyle is an attraction.

The Board considered the appellant's arguments regarding the value of the property and determined that the value placed on the property by the Board of Listers is fair and reasonable.

At 7:00 PM, there being no other business to come before the Board the Board adjourned..

Attest:

Town Clerk and Clerk
Board of Civil Authority