

**BOARD FOR THE ABATEMENT OF TAXES**  
**May 9, 2016**

The Board for the Abatement of Taxes was called to order on May 9, at 6:00 P. M., in the Selectboard Meeting Room of the Municipal Center by Town Clerk Annette Cappy. Members present included Justices of the Peace: Jane Buckingham, Diane Cooke, Elliott Greenblott, Don Long, Lee Madden, Sharry Manning, Robert Oeser, Gail Speno, Ben Underhill, Beverly Webster and Veronica Wheelock; Lister Marshall Wheelock; Town Treasurer John O'Connor, Town Clerk Annette Cappy and Assistant Town Assessor Dan Fyffe. Also present: Sandra Harris, Linda Woods, Phoebe Chamberlin, Annette Royden, and Deb Zak.

With 14 members in attendance and a quorum achieved, the meeting proceeded.

Nominations for Chair of the Abatement Board were opened by Clerk Annette Cappy. Elliott Greenblott was nominated as Chair of the Board. There being no other nominations, Mr. Greenblott was elected Chair.

Oaths were administered to all members and appellants.

The Chair outlined the procedures of the meeting.

**ABT 16-03A, Phoebe Chamberlin**, 22 Kelly Road; Dwelling/barns & 51.46 acres. Phoebe Chamberlin and Annette Royden were present. They stated that at the time the abatement request was filed, Ms. Chamberlin had just received notice that since she was no longer able to farm the land, she would not be eligible for a farm tax stabilization deduction for her property taxes. She was under the impression that it was to be effective immediately and she would have to make up the difference in taxes for the remainder of the tax year. However, since that time she has come to realize that the change would not take place until the 2016 tax year.

It was the decision of the Board For The Abatement of Taxes deny her request for tax year 2015. The Board explained that she could come before the Board again in the 2016 tax year if there was still a need.

**ABT 16-03B, Phoebe Chamberlin**, 1589 Sunset Lake Road, Camp and 1.6 acres. Phoebe Chamberlin and Annette Royden were present. Ms Chamberlin explained that the camp that had been located on the property had been vandalized and had to be demolished. It was removed in July 2015.

It was the decision of the Board For The Abatement of Taxes to grant her request in the amount of \$198.00 for the structure only for the entire 2015 tax year based on 24 V.S.A., §1535 (a)(5) When the real or personal property that is the subject of the tax has been lost or destroyed during the tax year.

**ABT 16-01 HJK Enterprises**, 972 Putney Road, Shopping Plaza and 2.6 acres. This property was substantially damaged by flooding on September 30, 2015 when during a severe rain storm, the septic drain plug of a nearby construction worksite failed. Sandra Harris testified that all retail units in the building were effected, some more severely than others. The majority were uninhabitable for approximately three months.

It was the decision of the Board For The Abatement of Taxes to grant the request for abatement

by granting the municipal and school tax for three months of tax year 2015 in the amount of \$7,468.86 based on 24 V.S.A., §1535 (a)(5) When the real or personal property that is the subject of the tax has been lost or destroyed during the tax year.

**ABT 16-02, Linda Woods**, 891 Western Avenue, Dwelling, 2 unit/barn and .67 acres. Linda Woods was present and explained that this was her family home for more than 66 years. A few years ago her son, daughter-in-law and their two children moved in with her to help with expenses but due to high medical expenses of their own they were unable to contribute significantly. She also has another son who lives in the home part-time but does not contribute to household expenses. Her income is solely from Social Security disability and she could no longer afford to pay the taxes on the property. The property was also in need of repairs that she cannot afford.

It was the decision of the Board For The Abatement of Taxes to deny her request. The Board offered suggestions for Ms. Woods including contacting the Vermont Tax Department to inquire about the household's eligibility for the Homestead rebate payment and to also consider charging her family a set monthly rental amount for living in her home.

**ABT 16-04, Spring Elliot Valgar Limited Partnership**, 16-38 Valgar Street, Apartment Block, 12 units and .5 acres. Deb Zak was present to represent Windham Windsor Trust dba Spring Elliot Valgar Limited Partnership. Ms. Zak explained that on November 7, 2015 7 of the 12 units were substantially damaged by a suspicious fire and the tenants have yet to be returned to their apartments. Anticipated return time is the middle of May.

It is the decision of the Board For The Abatement of Taxes to grant the request for abatement by granting the municipal and school tax for of tax year 2015 in the amount of \$4,266.10 based on 24 V.S.A., §1535 (a) (5) When the real or personal property that is the subject of the tax has been lost or destroyed during the tax year.

**ABT 15-05 Town of Brattleboro Requests** – See attached requests.

It was the decision of the Board For The Abatement of Taxes to grant the request for abatement in the amount of \$7,784.17 by granting all (including interest and penalties) of the total municipal and school tax, based on 24 V.S.A., §1535 (a)(2) When a taxpayer has moved out of the state.

There being no further requests for abatement of taxes and no additional business for the evening, the Board for the Abatement of Taxes adjourned at 7:22 P. M.

Attest:

Town Clerk and Clerk, Board of Abatement