

**Board of Civil Authority
Tax Appeal Decision
SPAN – 384-119-12840**

To: Andrew & Shannon Weinberg
From: Board of Civil Authority
Date: September 08, 2022

This is the decision, with reasons, of the Board of Civil Authority of the Town of Mendon, after hearing and evidence, in an appeal brought by you on your property at 320 Old Stockbridge Path.

1. We find that Andrew & Shannon Weinberg are the owners of a 53.5-acre lot and house, built in 2018, at 320 Old Stockbridge Path, Mendon, Vermont. The property offers panoramic long-range views to the distant valley and mountains. Several acres surrounding the house are cleared and mowed, with the house being beautifully landscaped with shrubbery and perennial gardens. Most of the remainder of the land is wooded. The approach to the house is a gravel driveway off a private, narrow, and fairly steep unpaved road. The open concept house consists of a main floor (1280 square feet), partially above ground basement (1280 square feet), and a sleeping loft area (832 square feet). The building materials for the house are of excellent quality. The home consists of a largely finished basement with two bedrooms, a workout space, and a living area. The upper levels consist of a mudroom, kitchen, dining, and living areas, and a large bedroom loft. A deck wraps around the entire first floor, with two small decks off each side of the bedroom area. Also on the property, are a detached three-car garage with open storage space above, and a shipping container which has been disguised as a shed with a gable roof and a covered adjacent area.
2. Although the listers valued the property using a cost approach, based on the availability of closely comparable properties, we find the market sales approach the most reliable methodology for purposes of this appeal.
3. The subject property was last sold as land only in 2016 for \$41,500. We find this sale too remote in time to the appraisal date of April 1, 2021 and do not ascribe any significance to the sale value. Additionally, six acres of this property sold in March 2022 for \$5,000.
4. The Assessor appraised the property at a value of \$749,000 for the 2022 Grand List. Mr. & Mrs. Weinberg grieved within the proper time and the Assessor changed the appraisal to \$857,600 on the basis of the grievance. The appellants appealed to this board on July 18, and the board heard their appeal on September 02, at 5:45 p.m. in the Town Office. An inspection committee of Val Taylor, Larry Courcelle, and Ann Singiser visited the property on August 12, and made their report to the board on August 30. A copy of their report is attached to this decision.
5. In support of the appraised value of \$857,600, the Assessor presented two properties – the Hartnett, and Cleary properties.

Three acres and a house on the property of William & Christine Hartnett located at 722 Woodward Road sold in June 2021 for \$725,000. The Hartnett house is a two-story colonial built in 2013, and consists of 2,878 square feet. There do not appear to be any detached buildings on the property.

The property of Valerie Cleary located at 105 Spencer Meadows consists of 6.7 acres and a house, built in 1989 and consisting of 4,134 square feet, sold for \$767,000 in May 2021.

6. In support of a lower appraised value, the appellants presented the decision of the State Appraiser from the prior year indicating the determination that \$765,000 was the fair market value of the property. The appellants also stated that since they sold a portion of their property during the year, the appraisal should have been less, not more.
7. Based on the comparables presented, as well as the information from the State Appraiser, we find the fair market value of the subject property is \$749,000.

The appellants have a right to appeal this decision to the Director of Property Valuation and Review of the Superior Court of Rutland County by filing a written notice of appeal within 30 days after the mailing of the notice by the town clerk. The fee for the appeal to the Director is \$70; the fee for an appeal to the Court is \$250. Checks should be made payable to the appropriate agency and returned to the Town Clerk with a letter stating the intent to appeal.

I hereby certify that this a true record of the action taken on this appeal by the Board of Civil Authority of the Town of Mendon.

_____, Chair

Board of Civil Authority

Filed in the Town Clerk's office on _____, 2022 at ____ .m.

To be recorded in the Grand List Book of April 1, 2022.

Attest: _____