

**OFFICIAL NOTICE
DECISION OF BOARD OF CIVIL AUTHORITY**

To:
Acker Lynn D & Karl T
1567 Townline Road
Mendon, VT 05701

Appellant notified by certified mail on:
August 20, 2021

Your appeal to the Board of Civil Authority concerning the appraisal of your property, identified in the Grand List Book with school property account number (SPAN): 384-119-12080 has been given careful consideration, with the following results:

Result of Grievance:		Value(s) Set by BCA	
Total Listed Value*	\$393,500	Total Listed Value*	385,500
Nonresidential Allocation		Nonresidential Allocation	
Homestead Allocation	\$393,500	Homestead Allocation	385,500
Housesite LV	\$386,300	Housesite LV	

*If the parcel is enrolled in the use value appraisal program, the BCA must establish the contributory values as required by 32 V.S.A. section 3756. Use attachment U.

Date Appeal Filed: July 6, 20221 **BCA Hearing Notice Date:** July 16, 2021

Date, Time Place of BCA Hearing: July 27, 2021 – 5:45 p.m. – Mendon Town Office

BCA Members Present: Dick Wilcox, Betsy Reddy, Jim Reddy, Lindsey MacCuaig, Ann Singiser, Rich Carlson, Larry Courcelle

Appearing for Listers: Spencer Potter-Vermont Municipal Assessor

Appearing for Appellant: Karl Acker, Lynn Acker

Summary of Testimony/Argument By:

Appellant: Appellant states the land is on 3 acres of land of which approximately 20-25% is swampy. The property sits on a busy road and has no view. L. Acker also said that the house is cold in the winter due to subpar insulation. The basement is wet (with black mold), there is no entryway or mudroom, master bath, and the closets throughout the house are poor.

The Ackers questioned the size of the basement listed on the lister card and pointed out that the house is a cape, not a ranch. The applicant pointed out the following comps:

Rodolfy	Mendon View Drive	\$425,500 more acreage, privacy, beautiful house
McNeil	Cream Hill Road	\$441,000 more acreage, fantastic location/views
Taylor	Cream Hill	\$427,200 more acreage, great location/views
Sardelli	Tenney Road	\$364,800 1.9 acres, beautiful house and kitchen

L. Acker was a real estate agent and is familiar with what buyers are looking for. She believes this property would not attract a buyer at the current assessment.

Listers: S. Potter submitted a comp of a sale on Town Line Road (in Rutland Town) – a 3,100 square foot dwelling with 3.83 acres of land selling in September 2020 for \$350,000.

Property Inspected By:

**Statute requires minimum
of three members.**

Dick Wilcox
Larry Courcelle
Jim Reddy

Date of inspection: August 4, 2021 – 12:00 p.m.

Report of Inspection Committee: See Attached Inspection Report

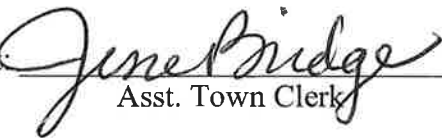
Board's Decision with Reasons: While the land fronts a busy roadway, the dwelling, with a gravel driveway leading up to it, is well back from the road. The yard is mostly flat with a drop off at the northwest corner of the lot and did not appear to be wet. An inground pool, which appears to be fully functional, is located in the back yard. A single car detached garage with an attached carport appear to be in good condition. Additionally, there is a barn on the property which appears to be in good condition.

The house itself is a single-family residence which appears to be in average condition. There are narrow closets in the knee walls that run the length of the upstairs. The basement appeared dry at the time of the inspection and the inspection committee did not note any black mold at the time. The basement itself is 896 square feet and appears to be in average condition for a house of this age. There are crawl spaces from the basement to other sections of the house. The board agrees that the property value should be reduced by \$8,000 from its current value of \$393,500 to \$385,500.

Certificate: I hereby certify that this is 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 8/20, 2021 at 11:00am.
To be recorded in the Grand List Book of April 1, 2021.

Attest: 
Asst. Town Clerk

32, V.S.A. § 4461. Time and manner of proposal.

If you are aggrieved by this decision you may appeal either to the Director of the Division of Property Valuation and Review or to the Superior Court of the county in which the property is situated. The appeal to either the director or the superior court is governed by Rule 74 of the Vermont Rules of Civil Procedure and is commenced by filing a notice of appeal with the town clerk within 30 days of the day this decision was mailed to you by the town clerk (date of entry noted on first page). The town clerk transmits a copy of the notice to the director or to the superior court as indicated in the notice and shall record or attach a copy of the notice in the grand list book.

Be sure your appeal indicates which avenue of appeal you wish to pursue (court or director), clearly identifies the property under appeal, and is accompanied by the correct filing fee. The appeal to the Superior Court shall be accompanied by a \$295 fee for each parcel being appealed; the fee is \$70 per parcel on appeal to the Director. If the property under appeal is enrolled in the use value appraisal program, please indicate that in your appeal. If the property under appeal contains a homestead, please include that information.

BCA Hearing Acker, Karl & Lyn

Date: 07/27/2021

Hearing time: 5:45 p.m.

Present: Dick Wilcox, Betsy Reddy, Jim Reddy, Lindsey MacCuaig, Ann Singiser, Rich Carlson, Larry Courcelle – BCA members, Spencer Potter – assessor, Nancy Gondella – Chair/Town Clerk, Jesse Bridge – Secretary/Assistant Town Clerk, Karl & Lyn Acker - Appellants

Call to Order: Nancy called the meeting to order at 5:45 p.m.

Appellant Info: Karl & Lyn Acker 1567 Townline Road **Parcel ID:** 08-01-06.000
Spencer Potter, Karl & Lyn are sworn in. Nancy asked if anyone needs to excuse themselves from the hearing due to conflicts of interest or ex parte communication, no one does.

Case Introduction: Spencer introduced the subject property as single family residence at 1567 Townline Road, 3 acres, assessed at \$393,500. Spencer hands out lister card (marked exhibit T-1).

Appellant Testimony: Lyn reads a letter she wrote about conditions of their home which they feel should be taken into consideration (marked Acker A-2). Also handed out is pictures of the home and the original letter to Spencer (marked Acker A-1).

Evidence Presented: Acker A-1, Acker A-2

Lister's Response: None

BCA Questions: Lindsey asked how long they have had the house. Lyn replied since 2003. Lindsey asked if they have done any updating. Lyn replied not a lot, just some painting and floors, mostly cosmetic.

Listers' Testimony: Spencer submitted a comp of a sale on Townline Road in Rutland Town, (marked as Acker T-2). Sold in September 2020 for \$350,000. 3.83 acres, 3100 sf.

Evidence Presented: Acker T-2

Appellant response: Lyn responded with some differences that stand out such as; a master suite, they don't have that they have a bedroom, they don't have cherry cabinets, they have a crappy patio, no in-law apartment, no workshop in basement with walk out door, they have two small bedrooms, they have 2.5 baths, they don't have space above their garage. If you toured both houses you would find a great deal of difference in the condition and amenities available.

Follow up: Nancy asked if their basement is finished. Lyn replied no it's not finished, it's wet, there is black mold and two sump pumps one of which is deteriorating. Jim said the drawing shows the basement is 1300sf. Lyn replied it's not, the house is 80' long,

basement is 30' long. Jim addressed Spencer about the basement being 30'x 28' which is 750sf which is a bit less. Spencer said the sketch shows the basement is not under the whole house but the data that is used is 1314sf, so when you go to inspect take a look. Lindsey asked where the 3900sf came from, are there more rooms? Lindsey replied that what was once the garage became a den, so more came from there. Betsy asked if it's one floor. Lindsey replied it's two floors. Betsy said so it's really a cape, this has it being a ranch. Spencer replied that field doesn't affect the assessment but I should change it to a cape. Lindsey asked if there are any comps. Lyn replied yes I put them in the original letter.

Inspection Committee Members: Jim Reddy, Dick Wilcox and Larry Courcelle,

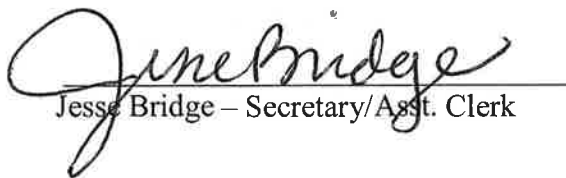
Date of Inspection: Wednesday August 4, 2021 at 12:00pm

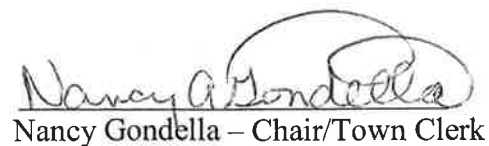
There being no further business, the hearing was recessed at 6:12 p.m. and will reconvene hearing on Thursday August 19, 2021 at 5:45pm.

Inspection Report: The hearing reconvened at 6:15pm on August 19, 2021. Present at the hearing: Dick Wilcox, Lindsey MacCuaig, Ann Singiser, Larry Courcelle – BCA members, Nancy Gondella – Chair/Town Clerk, Jesse Bridge – Secretary/Assistant Town Clerk, Karl Acker - Appellant

Discussion: Larry read the report, which is attached to the minutes. Karl said there was no mention of the swampy area on their property, as well as the fact that they are on a busy road. Karl also said he understands the original square footage of the basement was recalculated by the site visit and it is noted on the inspection report. Karl noted that the fact that the house was un-dimensionally built for framing was not brought up in the findings.

The hearing was adjourned at 6:25pm.


Jesse Bridge – Secretary/Asst. Clerk


Nancy Gondella – Chair/Town Clerk

Town of Mendon
2282 US Route 4
Mendon, Vt.05701

Report of Inspection Committee

To: Board of Civil Authority
Mendon, Vt.

From: Dick Wilcox, Jim Reddy, Larry Courcelle; Inspection Committee
August 7, 2021

RE: Inspection of property at 1567 Townline Road, Mendon, Vt. owned by Lynn D. and Karl T. Acker

We conducted an inspection of the property on August 4, 2021 at 12:00 p.m. Karl T. Acker accompanied the inspection committee. The residence is located at 1567 Townline Rd. in Mendon, Vt. The house is a single family cape style structure constructed in 1960, and sits on 3 acres of land. The current owners bought the house in 2003. The dwelling appears to be in average condition. The first floor consists of a den, a full bath and a half bath, living room, kitchen and two bedrooms. One bedroom is used for other purposes. There is a fireplace in the kitchen and in the living room. There are hardwood floors in the den, living room, and the kitchen. The second floor consists of a master bedroom and a standard size bedroom with one full bath. There are narrow closets in the knee walls that run the length of the upstairs.

The basement, which appeared to be dry at the time of the inspection, is app. 896 square feet and is in average condition for a house of this age. There are crawl spaces from the basement to the other sections of the house.

The outside of the house and detached garage appear to be in good condition. There is a carport style structure attached to the garage.

At the rear of the house there is a deck that is accessed from the living room. Also in the backyard is an inground pool that appears to be fully functional at the time of the inspection.

The private yard surrounding the dwelling is mostly flat with a drop off at the northwest corner of the lot. There are numerous apple trees on the property. A gravel driveway leads from Townline Road to the house. The barn appears to be in good condition.

The highest and best use of the property is residential, as currently used.

The value under appeal is \$393,500.00. The assessor offered a comparable property at 1478 Townline Road in Rutland Town which sold for \$350,000.00 in Sept. 2020.

Dick Wilcox



Jim Reddy



Larry Courcelle



