

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

To: Andrew & Shannon Weinberg  
From: Board of Civil Authority  
Date: October 18, 2021

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 59.5-acre lot and house at 320 Old Stockbridge Path, Mendon, Vermont. The house contains a kitchen with stainless steel appliances, a living room with spectacular mountain views, a mudroom, three bedrooms, including a master bedroom with large walk-in closet and tiled bathroom, a family room, a laundry room, a mudroom, and a total of 2 ½ bathrooms. In addition, there is a three-car detached garage with second floor storage, and a storage building. There is a deck which wraps around all four sides of the house, taking advantage of the beautiful views.
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.
4. The Assessor appraised the property at a value of \$919,700 for the 2021 Grand List. Mr. & Mrs. Weinberg grieved within the proper time and the Assessor did not change their appraisal on the basis of the grievance. The appellants appealed to this board on July 8, and the board heard their appeal on September 14, at 5:45 p.m. in the Town Office. An inspection committee of Rich Carlson, Betsy Reddy, and Al Wakefield visited the property on September 22, and made their report to the board on October 5. A copy of their report is attached to this decision.
5. In support of the appraised value of \$919,700, the Assessor presented four properties – the Lindroos, Meringoff, Hartnett, and Cleary properties.

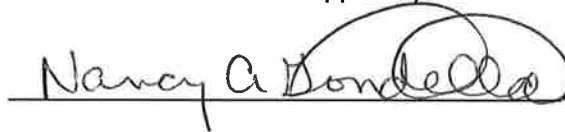
The property of Chad Lindroos, located at 104 Old Stockbridge Path, - from the same area and built at roughly the same time – sold for \$640,000 in October 2020. This property has approximately half the acreage of the subject property, and a two-car attached garage. The views are not at good from this location. The square footage of the subject property is slightly lower. We do not find the other properties submitted by the Assessor to be as comparable.

In support of a lower appraised value, the appellants stated that their property saw a 69% increase from the last appraisal, which is out of line with other properties in the area. The appellants had a difficult time finding similar properties.

6. Based on the comparables presented, we find the fair market value of the subject property is \$765,000.

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 10/18, 2021 at 2 p.m.

To be recorded in the Grand List Book of April 1, 2021.

Attest: 

INSPECTION COMMITTEE REPORT

To: Mendon Board of Civil Authority  
From: Rich Carlson, Betsy Reddy, Al Wakefield  
Date: September 23, 2021  
RE: Inspection of Property at 320 Old Stockbridge Path, owned by Andrew and Shannon Weinberg

The inspection was done on Wednesday, September 22, 2021 at 2:00 p.m. Mr. Weinberg was present and accompanied the inspection committee.

The committee observed the grounds and exterior features of the property. A gravel driveway leads to the home and a very large parking area (also gravel). Two outbuildings are a 3-bay garage with 2<sup>nd</sup> floor storage and a shipping container turned storage building with garage door. The long-range mountain views are spectacular. The exterior siding is wood clapboard, there is a deck that wraps around all four sides of the house, and the roof is standing seam. The exterior of the home and garage are primed but not yet painted. The property is off the grid, so a rooftop solar array provides electricity; there is a generator for back-up.

The interior of the home features a very open concept first floor. Upon entering there is a mudroom with storage cubbies, a walk-in closet, and a half bath nearby. The main 1<sup>st</sup> floor living space is the open concept kitchen and living room with high vaulted ceiling. The kitchen features a center island with sink, propane cooktop, double wall oven, refrigerator and dishwasher, all appliances being stainless steel. The living room takes in the fabulous mountain views and has a wood burning stove.

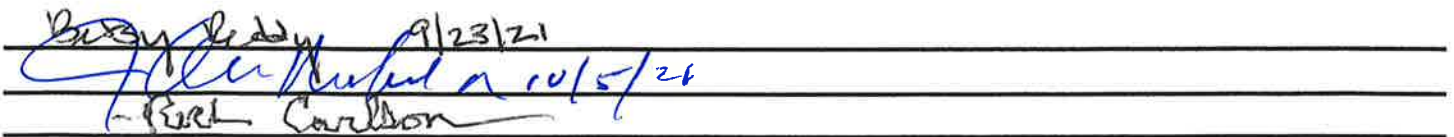
The 2<sup>nd</sup> floor is a loft master bedroom with large walk-in closet and tiled bathroom with double sinks, soaking tub and step-in shower.

The walk-out lower level features an L-shaped family room and exercise area with double sliding doors to the outside, two nicely sized bedrooms and full tiled bath with double sinks and step-in shower. A sliding door made of reclaimed barnboard hides the laundry room (washer, dryer, utility sink) and mechanicals, which include solar storage batteries, hot water heater, and electrical panel. The same barnboard lines the walls of the stairwell from the main to lower level.

The value under appeal is \$919,700. The property's previous assessment (adjusted in 2019) was \$543,000. Four properties were offered as comparables; the attached grid depicts their addresses, similarities and differences.

The best comparable is 104 Old Stockbridge Path, with the same year of construction, slightly higher square footage, a 2-car versus 3-car garage, 31.8 acres versus 59.5 acres, and not having as spectacular views. We agree that the new assessment seems high based on the percentage increase from its previous assessment (69%) being the highest we have seen of grieved assessments to date. The inspection committee recommends that the assessed value of the property be adjusted to \$695,000.

Signed by:

The signature block contains three handwritten entries on a set of three horizontal lines. The first entry is a signature that appears to be 'Betsy Reddy' with the date '9/23/21' written next to it. The second entry is a signature that appears to be 'Al Wakefield' with the date '10/5/21' written next to it. The third entry is a signature that appears to be 'Rich Carlson'.

	<b>SUBJECT</b>	<b>COMP 1 (T-2)</b>	<b>COMP 2 (T-3)</b>	<b>COMP 3 (T-4)</b>	<b>COMP 4 (T-5)</b>
<b>Address</b>	320 Old Stockbridge Path	104 Old Stockbridge	776 Cream Hill	722 Woodward Rd.	105 Spencer Meadows
<b>Built</b>	2018	2018	1800	2013	1989
<b>Assessment</b>	\$919,700	\$673,200	\$674,800	\$790,200	\$747,000
<b>Acreage</b>	59.5	31.8	45.6	3	6.7
<b>Square Ft.</b>	2,752	3,022	2,805	2,878	4,134
<b>Neighborhood</b>	13	13	15	15	15
<b>Garage</b>	3-car /Det.	2-car Att.	2-car Att.	2-car Att.	3-car Att.
<b>BR/Baths</b>	3/2 ½	3/2 ½	4/3	4/3	4/3 ½
<b>Misc.</b>	Off-Grid, VIEWS	High-End Finishes View	Needs Updating View	Cash buyer No appraiser	3 Fireplaces

Note: The subject property, comps 1 and 2 all have some finished square footage that is at or below grade, which appraisers typically value at a lower figure per square foot than above grade square footage. Finished square footage for comps 4 and 5 is all above grade.

## BCA Hearing Weinberg

Date: 09/14/2021

Hearing time: 5:45 p.m.

**Present:** Betsy Reddy, Jim Reddy, Dick Wilcox, Lindsey MacCuaig, Ann Singiser, Larry Courcelle, Rich Carlson, Al Wakefield – BCA members, Spencer Potter – assessor, Nancy Gondella – Chair/Town Clerk, Jesse Bridge – Secretary/Assistant Town Clerk, Andrew (Andy) & Shannon (Sloan) Weinberg- Appellants

**Call to Order:** Nancy called the meeting to order at 5:40 p.m.

**Appellant Info:** Andrew & Shannon Weinberg, 320 Old Stockbridge Path, 06-02-11.500

Spencer Potter and appellants 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 handed out the lister card and introduced the subject property as a single-family dwelling on 320 Old Stockbridge Path, 59.5 acres, assessed at \$919,700 (marked Weinberg T-1).

**Appellant Testimony:** Andy said they purchased the land for \$41,000 in 2016 and then they built their home which was assessed at around \$400,000. Then in 2018 it was assessed for \$543,000 and they attempted to appeal but missed deadlines. They appealed again in 2019 and it was denied. Then in 2021 they saw a 69% increase from \$543,000 to \$919,700 which is \$376,000. They would like a full review of the FMV of their property. Andy said he had a hard time finding similar properties but in 2020 775 (actually 776) Cream Hill Road sold \$675,000 comparable acreage, and another one in his neighborhood 104 Old Stockbridge Path sold for \$640,000. Other properties rose 36% his rose up 69%. He realizes that the assessment was at the height of the real estate market. They also looked at some other properties and what they raised up, he found a lot of the properties in the room and he didn't see any that increased as much as his. They are looking for something fair and equitable. Sloan said they haven't even finished their home yet, they still have an unfinished bathroom, it's not painted. Sloan said their home has been reassessed twice since they have built and the town hasn't been reassessed in 16 years.

**Evidence Presented:** none

**Assessor's Response:** none

**BCA Questions:** none

**Assessor's Testimony:** Spencer presented four sales. The first is 104 Old Stockbridge Path on 30+ acres sold for \$640,000 in October 2020 (marked Weinberg T-2). The second one is 776 Cream Hill Road, a dated structure, sold in September 2020 for \$675,000. The third property is 722 Woodward Road, the house and 3 acres of land sold in June 2021 for \$775,000 (marked Weinberg T-4). The fourth is 105 Spencer Meadows sold in May 2021 for \$767,500 (marked Weinberg T-5)

**Evidence Presented:** Weinberg T-2, Weinberg T-3, Weinberg T-4, Weinberg T-5

**BCA Questions:** Jim asked if Spencer went in the house. Spencer said he did not. Ann asked why there isn't any rooms listed on the lister card. Spencer said the rooms listed won't change the value, it's just for frame of reference but if we could get that information that would be good.

**Appellant response:** Andy asked if not getting into the property affects the assessment. Spencer said he has to use his best judgement if he can't get in. He still has to come up with the best data. Betsy asked how many bathrooms and bedrooms do you have. Andy said he has three bedrooms and 2.5 bathrooms.


**Follow up:** none

**Inspection Committee Members:** Al, Betsy, Rich

**Date of Inspection:** Wednesday September 22, 2021 at 2:00pm  
There being no further business, the hearing was recessed at 6:00p.m. and will reconvene on October 5, 2021 at 6:10p.m.

**Inspection Report:** The hearing reconvened at 6:13pm on October 5, 2021. Present at the hearing were Dick Wilcox, Larry Courcelle, Al Wakefield, Rich Carlson, Lindsey MacCuaig, Ann Singiser – BCA members, Nancy Gondella – Chair/Town Clerk, Jesse Bridge, Secretary/Assistant Town Clerk, Andy Weinberg – Appellant. Al read the report which is attached to the minutes.

**Discussion:** There was no discussion and the hearing closed at 6:18pm

  
Jesse Bridge – Secretary/Asst. Clerk

  
Nancy Gondella – Chair/Town Clerk