Town of Norwich Board of Civil Authority Tax Assessment Appeals

Thursday, October 9, 2025 4:30pm Stuart & Margery Elsberg

Appellant Evidence Packet

Contents:

- 1. Appeal Letter
- 2. Norwich Meadows assessment disparities
- 3. Excerpt from Norwich Meadows Condominium Declaration
- 4. Grievance Document 7/14/25

To: Town Clerk Norwich Town Offices Tracy Hall Norwich, VT 05055

From: Stuart and Margery Elsberg 40 Norwich Meadows Drive, Unit #12 Norwich, VT 05055 sme6@cornell.edu

Re: Appeal to the Board of Civil Authority – Norwich Meadows Condominium #12, Parcel ID 15-055.012

Dear Members of the Board of Civil Authority,

We respectfully submit our appeal to the Board of Civil Authority to hear our appeal of the 2025 property tax assessment for our home at 40 Norwich Meadows Drive, Unit #12. We have appealed to the Norwich Board of Listers and having our grievance denied, now seek review by the Board under 32 V.S.A. § 4404.

Grounds for Appeal

The 2025 reassessment increased our property's value far beyond both the town-wide average and the average for similarly valued homes. The Town of Norwich's overall increase averaged 62%, while homes in our valuation bracket increased on average only 52% (see previous correspondence). Although the Board of Listers reduced our unit's valuation by \$52,900 after our grievance, the assessment increase is still 144%, twice as high as the town average. Additionally, the Board of Lister's adjustments created drastic inequities within the Norwich Meadows Condo Association properties. Identical or functionally identical units are now assessed at levels that differ by more than \$170,000—an outcome that is procedurally problematic and unfair. These outcomes result in values which appear to be arbitrary, capricious, and contrary to the principle of uniformity. The procedural inequities introduced during the re-evaluation are the basis for this additional appeal.

The Vermont Constitution's proportional contribution clause requires that "[t]axes shall be uniformly assessed on the lists of the persons taxed" (32 V.S.A. § 4601). Listers are further bound by oath to "list the same without discrimination on a proportionate basis" (32 V.S.A. § 3431). Vermont case law emphasizes that once fair market value is determined, it must be equalized so that comparable properties bear comparable tax burdens (*Kachadorian v. Town of Woodstock*, 149 Vt. 446 (1988)).

Evidence of Inequity

50

1700

Attached as **Exhibit A** are charts comparing 2024 and 2025 assessments for six units in Norwich Meadows that are either identical or functionally identical:

- Units 2, 3, 11, and 12 share the same floor plan (1,472 sq. ft., 1.5 baths). In 2024 their assessed values differed by, at most, \$4,500. In 2025, without any structural changes, increases ranged from 37% to 131%, producing differences of more than \$140,000 in valuation. Units 11 and 12 (slab construction, facing Highway 5) were historically valued at slightly less than Units 2 and 3 (with basements, not facing the highway). Unit 2 is now assessed at \$138,500 LESS than Unit 12.
- Units 6 and 7 are structurally identical in floor plan, but with basements and only sharing one wall. In 2024, Unit 7 was assessed \$60,000 more than Unit 12. In 2025, despite no structural change, Unit 7 is now assessed \$83,800 less than Unit 12; a swing of more than \$140,000.

These large disparities cannot be explained by market differences or condition. They reflect unequal treatment of like properties, in violation of Vermont law.

Attached as **Exhibit B** are Norwich Meadows Declaration of Condominium's Exhibit B supporting the allegation that the owned portions of these six units are structurally or functionally identical.

Request for Relief

Because credible evidence has been presented that Unit #12 and other identical units are not equitably assessed, the presumption of validity in the grand list no longer applies (*New England Power Co. v. Town of Barnet*, 134 Vt. 498 (1976)). The burden now rests with the Town to justify the current assessments.

As a **temporary remedy**, we respectfully request that the Board adjust Unit #12's assessment to align with the **town-wide average increase of 62%**, pending a more consistent and equitable equalization of all Norwich Meadows units. This adjustment would mitigate the most severe inequity while ensuring proportional contribution.

We ask that the Board of Civil Authority:

- 1. Review the attached evidence and hear our appeal.
- 2. Require that assessments for identical and functionally identical Norwich Meadows units be equalized consistent with Vermont law.

3. Adjust the assessment of Unit #12 to reflect both fair market value and proportional treatment relative to peers, with a temporary adjustment to the town average until consistent equity can be achieved.

Thank you for your attention to this matter and for your service in ensuring a fair and uniform tax system for the Town of Norwich. We look forward to presenting our evidence at the hearing. Sincerely,

Stuart and Margery Elsberg

Owners, Norwich Meadows Unit #12

Attachment: Exhibit A – Norwich Meadows Assessment Disparities (Grouped Identical Units)

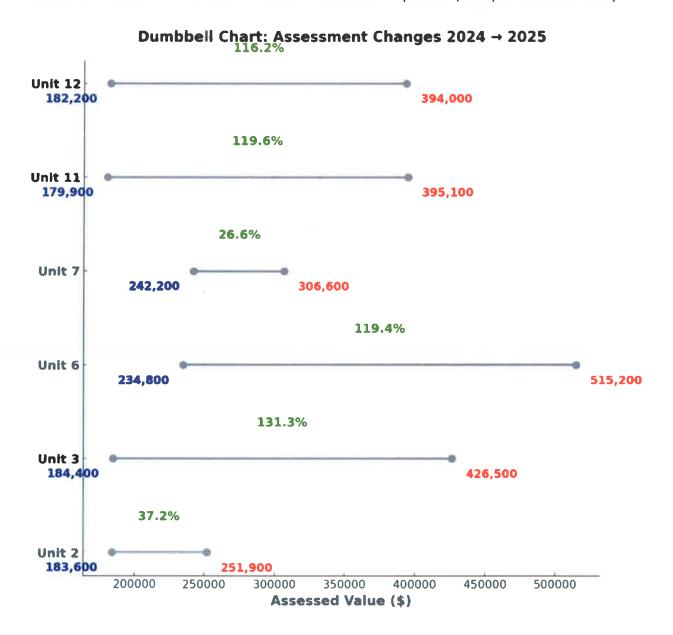


Figure 1: Assessed Values, Blue is the value in 2024, Red is the Value in the 2025 reassessment and Green is the percent change.

Side-by-Side Bar Chart: Assessments 2024 vs 2025

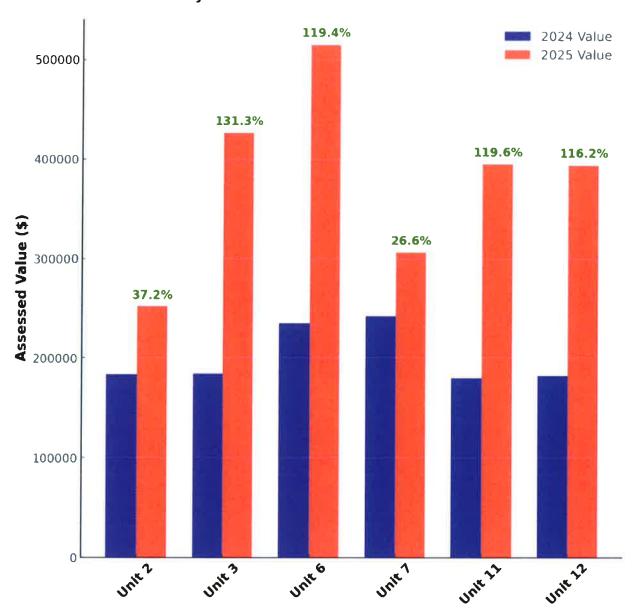
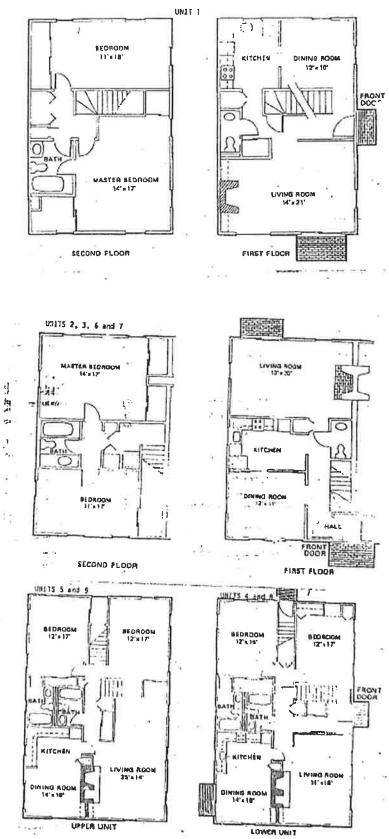


Figure 2: Assessed value changes. Note that before the assessment, Units 2, 3, 11 and 12 were less than \$4500 apart in assessed value. (Units 2 and 3 have basements). After the reassessment, the difference between functionally identical units is more than \$134,000. Before the assessment, Units 6 and 7 were similarly valued and valued at more than units 2,3,11 and 12. In the 2025 re-assessment, Unit 7 is now valued at \$83,800 less than Unit 12, a swing of \$140,000.

EXHIBIT B



Note: After the recording of Exhibit B, five (5) additional condominium units were constructed which are generally similar to the floor plans shown here in Exhibit B. Condominium Unit 10 is similar to that shown for Condominium 1 on the recorded floor plan. Condominium Units 11 and 12 are similar to the floor plan shown for Units 2 and 3. Condominium Units 13 and 14 are similar to the floor plan shown for Condominium Units 4 and 5.

EXHIBIT C TO DECLARATION OF CONDOMINIUM OF NORWICH MEADOWS CONDOMINIUM ASSOCIATION BYLAWS OF THE ASSOCIATION

1. Association of Owners; Bylaws.

These are the Bylaws of the Norwich Meadows Condominium Association, an unincorporated association existing under and governed by V. S. A. Title 27, Chapter 15 (hereinafter the "Act").

These Bylaws supplement the Declaration of Condominium filed in the Land Records of the Town of Norwich, Vermont, to which reference is hereby made, and the pertinent provisions of the Act. Terms which are used or defined in said Act and said declaration are intended to have the same meaning when used herein. All present and future owners or tenants, invitees, employees, and agents, and any other person using any of the Property in any manner are, and their use and enjoyment thereof is, subject to compliance with these Bylaws, Administrative Rules and regulations adopted hereunder as from time to time amended. The mere acquisition or rental or use of any unit shall be deemed to constitute acceptance of and in agreement with these Bylaws and the Regulations adopted hereunder as from time to time amended.

Association of Owners; Meetings.

- (a) Semi-annual meetings of owners shall be held during the months of January or February, or June or July, but no later than February 15 and July 15 of each year, in person, or tele-conferenced, at such time, and on such day as the Directors shall determine. The Secretary shall give each owner at least fifteen days written notice of the exact time and place of the meeting. The notice shall also contain a general outline of the meeting agenda insofar as known to the Secretary.
- (b) Special meetings of owners shall be held whenever called by the President, a majority of the Board of Directors, or the Secretary acting at the request of the owners of at least thirty-three and one-third percent of the ownership interest under the Declaration. The notice requirement applicable to semi-annual meetings shall also apply to special meetings. Special meetings shall be held at the offices of the Association, Norwich, Vermont, unless the Board of Directors designates another place.
- (c) The owners of more than fifty percent of the aggregate ownership interests shall constitute a quorum for the transaction of business at any annual or special meeting of owners. However, the owners of a majority of those ownership interests represented at any meeting, though less than a quorum, shall have the power to adjourn the meeting to a future time. The vote of more than fifty percent of the ownership interests present at the meeting in person or by proxy shall be required for the taking of any action.
- (d) Votes may be cast in person or by proxy. Proxies shall be valid only for the particular meeting designated therein and must be filed with the Secretary at or before the appointed time of the meeting. Specific approval may be given to specific action by any owner in writing, which shall be effective when filed with the Secretary and which shall be equivalent to such vote if the same had been given in person at the meeting.



TOWN OF NORWICH – 2025 GRIEVANCE DOCUMENT

Property Owner: Stuart and Margery Elsberg

Property Address: 40 Norwich Meadows Drive, Unit #12, Norwich, Vermont 05055

Parcel ID: 15-055.012

Contact: 301-233-1839 / sme6@cornell.edu

Date: July 14, 2025

To: Norwich Board of Listers Norwich Town Offices Tracy Hall, Norwich, Vermont 05055

Subject: Appeal for 2025 Property Tax Assessments – 40 Norwich Meadows #12, Parcel ID 15-055.012

Dear Members of the Board of Listers,

We respectfully submit this grievance to contest the 2025 reassessment of Norwich Meadows Unit #12, which rose by 143%—more than twice the average increase across Norwich (50–70%). This dramatic increase does not reflect fair market value and violates statutory principles of equity and uniformity. I am appealing on the following grounds:

- The reassessment overstates fair market value
- The assessment is **not equitable** compared to similar units

This grievance focuses on the dwelling assessment as there is no land value associated with the condo. According to *A Handbook on Property Tax Assessment Appeals* (Merriman & Markowitz, 2009), Vermont law (32 V.S.A. § 4601) requires:

"Taxes shall be uniformly assessed on the lists of the persons taxed..."

The handbook also affirms:

"Once the fair market value of the property is established, it must be equalized to ensure that the subject property is being equitably assessed."

¹ https://morristownvt.civicpluswebopen.com/media/2706

Unit 12's reassessment exceeds that of:

- Comparable units within Norwich Meadows
- Other Norwich properties recently sold
- Similarly valued homes in the 2024 Grand List

1. Unit 12 Specifics

Unit 12 is a 1,485 sq. ft., two-story plus attic condo built in 1985, with the following features:

- 2 bedrooms, 1.5 bathrooms
- Open-plan living/dining room
- 12' x 18' wooden rear deck
- No basement (built on slab)
- Attic used for storage
- No attached garage, carport access only

2. Fair Market Value Comparison: National Association of Realtors growth vs. actual increase

While the last reassessment occurred in 2016, national data from the National Association of Realtors (NAR) suggests an average annual appreciation of **5% per year**, which would reasonably justify a 50–60% increase. However, the assessment of unit 12 has increased by **2.43 times that, or 143%**. If the assessment had followed inflation, the increased assessed amount would be \$244,035. If it had followed the 5% average NAR, it would be \$282,652. We purchased Unit 12 in August 2017 for \$210,000. If instead, Unit 12's 2017 purchase price is used as a base, the NAR 5% year on year growth would lead to an assessed value of \$325,779, or a 68% increase.

3. Inappropriate Use of Disparate Norwich Meadows Sales

During the 2022-2025 period three Norwich Meadows units have sold.

A. Unit #14 for \$392,000, end unit, 2 bedrooms, **two full bathrooms**, **separate living and dining rooms**

² National Association of Realtors, Understand Market Behavior Research and Statistics, June 2025, https://www.nar.realtor/research-and-statistics

B. Unit #1 (sold twice) first for \$387,500, then flipped for \$455,000, end unit, two bedrooms, **two bathrooms**, **separate living and dining rooms**, **full basement**

C. Unit #10 \$599,000, end unit, three bedrooms, three bathrooms, separate living and dining rooms

These units are not comparable to Unit #12 which has

- No basement
- 1.5 bathrooms
- Only two limited-privacy side windows
- Structural issues (foundation crack)
- Less privacy and fewer upgrades

4. Comparison to Town of Norwich Sales (2022–2024)

Properties sold in Norwich between \$205,000–\$470,000 saw 2025 assessments increase 15–50%, not 138%. Many of these had more land and amenities. Table 3 shows all properties with sales prices from \$205,000 to \$470,000 sold in the Town of Norwich from 2022 to 2025 listed on Zillow.

Address of Sold Property	Sq ft.	Acreage	Sale Price (2022- 2024)	Price per Sq. ft	2024 Grand List Value	2025 Proposed Value	Percent Change
1528 US RT 5 N	1848	1	205000	\$ 111	218000	256000	15%
373 Town Farm Road	1515	6.1	275000	\$ 182	204000	407900	50%
1649 US RT 5N	1506	1.6	289000	\$ 192	231100	274100	16%
366 Union Village Rd	1802	1.6	297500	\$ 165	322500	652200	51%
27 Rigewood Hill	1740	10.1	306000	\$ 176	254200	334700	24%
859 Tigertown	1568	39	360000	\$ 230	235200	362800	35%
152 Hawk Pine	1956	1.1	375000	\$ 192	360600	460400	22%
91 McKenna Road	1732	0.4	380000	\$ 219	263100	526400	50%
74 Carpenter St	1162	0.4	380000	\$ 327	300500	514500	42%
21 Jones Circle	1273	0.2	410000	\$ 322	275300	484900	43%
571 New Boston	1194	2	410000	\$ 343	217500	288500	25%
317 Hopson	1344	1.4	417000	\$ 310	319500	374300	15%
27 Bullock Rd	1390	2	419000	\$ 301	247000	416100	41%
207 Chapel Hill Rd	2250	1	420000	\$ 187	272600	520000	48%
937 Union Village Rd	2658	4.4	450000	\$ 169	315200	434200	27%
1737 Turnpike Rd	1320	2	451000	\$ 342	224400	447100	50%
714 Upper Turnpike rd	1440	10.4	455000	\$ 316	323900	498800	35%

49 Turnpike Rd	1565	0.4	470000	\$ 300	307100	483200	36%
47 Bullock Rd	3136	12	470000	\$ 150	316600	651900	51%

Table 3: Zillow Sold Properties in the Town of Norwich 2022-2025. NOTE: All of the 2024 Grand List Values were substantially HIGHER than the \$182,200 Value for #12 Norwich Meadows.

5. Comparison to Similarly Valued Properties in 2024 Grand List

However, as all of the other sold properties listed here had a substantially higher 2024 Grand List Value than #12 Norwich Meadows, the next analysis examines these similarly valued properties.

In reviewing 37 other Norwich properties with 2024 Grand List values between \$140,000 and \$250,000—a range encompassing the \$182,200 2024 Grand List Value for our Unit #12—the average 2025 assessments increased by an average of just 52%.³ By contrast, unit 12 was assessed with an increase of 143%, highlighting a stark and unjustified discrepancy in how similarly valued properties were treated. Since then there have been few sales and market conditions have changed substantially: interest rates have risen, affordability decreased, and times are different. Yet the reassessments appear to lock in those high-water mark sales prices from an anomalous period—ignoring the current market correction.

³ As we had no access to property improvement data, outlier increases of more than one standard deviation from the mean were excluded from data analysis.

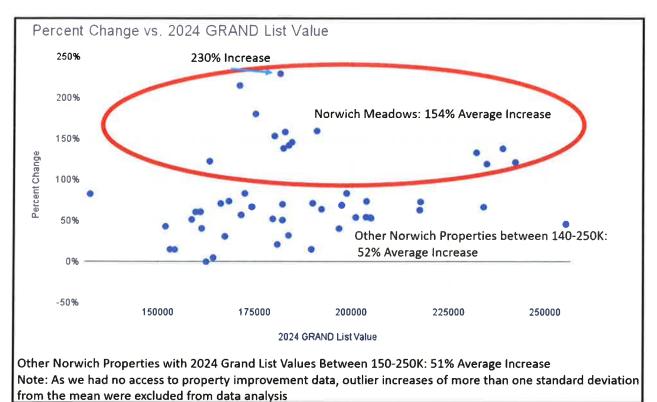


Figure 1: Percent change v. 2024 Grand List Value. Norwich Meadows average is almost three

In summary: Unit #12 is *over assessed* compared to a) similar units within the Norwich Meadows development; b) its increase in valuation is proportionally much higher than any other recent sales within the Town of Norwich; and much higher than c) similarly valued 2024 homes within the Town of Norwich. Per 32 V.S.A. § 4601, taxes must be uniformly assessed. Our property's valuation—substantially higher than those of identical or superior units—undermines this statutory obligation.

6. Absence of Appropriate Norwich Comparables

times the average Norwich increase. Unit #12 value increased 143%.

There are no comparably priced multi-family condo or townhome properties within the Town of Norwich aside from our own development. Zillow and Realtor.com list no recent sales of similar housing types in Norwich. As such, benchmarking Unit 12 against a few peak-period, heavily upgraded units within Norwich Meadows skews valuation and fails to meet equity standards.

Moreover, it appears that multi-family developments like ours have been overvalued due to structural and locational differences that should have warranted downward adjustments rather than systemic penalization.

7. Hartford Regional Comparables

While Norwich lacks internal comparables, similar multi-family condo developments exist in nearby Hartford along Route 5. These units share similar size, age, and layout characteristics, but are selling at significantly lower prices per square foot than Unit 12's assessed rate.

#	Address	Year Built	Sale Price	Beds/Baths	Sq. Ft.	Price/Sq. Ft.	Sale Date	Zillow Link
1	36 Juniper Drive #6H, Hartford, VT	1989	\$322,500	2 beds / 2 baths	1,225	\$263.27	May 2025	<u>Link</u>
2	64 Azalea Circle #15, Hartford, VT	1994	\$350,000	2 beds / 2 baths	1,013	\$345.54	Apr 2024	<u>Link</u>
3	189 Woodhaven Drive #3J, Hartford, VT	1985	\$305,000	2 beds / 2 baths	1,048	\$291.43	Jan 2025	<u>Link</u>
4	40 Heather Drive #1E, Hartford, VT	1989	\$340,000	2 beds / 2 baths	1,225	\$277.55	July 2024	<u>Link</u>
5	55 Heather Drive #7C, Hartford, VT	1989	\$315,000	2 beds / 2 baths	1,225	\$257.14	Sept 2023	<u>Link</u>
6	99 Heather Drive #8G, Hartford, VT	1989	\$309,000	2 beds / 2 baths	1,243	\$248.40	May 2023	<u>Link</u>

Table 4: Hartford Comparables to 12 Norwich Meadows. The properties on this list benefit from city water and sewer. Additionally, properties 1, 2, 4, 5 and 6 have a city road, and shared swimming pool and tennis courts.

8. Site-Specific Factors That Reduce Property Value

There are several tangible, value-reducing factors that were not sufficiently accounted for in Norwich Meadows assessments:

- Norwich Meadows is located directly on Vermont State Highway 5, a high-traffic corridor that lacks a sidewalk, making the area less safe and desirable for families, seniors, and pedestrians.
- We do not have access to municipal water or sewer services. Instead, our association
 manages its own shared well, septic system, and private access road, including ongoing
 snow removal and maintenance costs. Maintaining this aging infrastructure results in
 higher-than-average homeowner fees, compared to other multi-family developments.

 The burden of infrastructure management falls entirely on the association and its residents, unlike homeowners elsewhere in town who benefit from town-managed utilities and roads.

All of these factors raise our monthly dues (currently \$625 per month) and lower our units' market appeal and should correspondingly reduce their assessed value.

As mentioned, Unit 12 is built on a slab and has no basement. Unfortunately, it also has a large foundation crack running through the unit from settling which cannot be easily repaired.

- Unit 12 is a two-story dwelling with principally windows on two sides only.
- Poor sound insulation means that neighbors can easily be heard.

These factors affect the value and resale potential of the unit.

9. Conclusion & Legal Basis

Given the evidence above, we respectfully request that the Board of Listers:

- Reevaluate Unit 12's assessment in light of comparable market values and physical condition
- Adjust for lack of municipal services and site-based burdens
- Avoid overreliance on atypical, peak-period internal sales
- Consider regional comparables from Hartford to establish fairer benchmarks

The 143% increase for a unit without substantial upgrades or enhancements violates the principle of equitable taxation and overstates market value. Per 32 V.S.A. § 4601, taxes must be uniformly assessed. Our property's valuation—substantially higher than those of identical or superior units—undermines this statutory obligation. We urge the Board of Listers to apply principles of fairness, proportionality, and realism—as outlined in state law and guidance—in reassessing this property.

We would welcome the opportunity to provide further documentation or meet in person.

Thank you for your consideration.

Sincerely,

Stuart M. Elsberg

Margery A. Elsberg

APPENDICES

Appendix 1: Valuation of Norwich Meadows Properties Units 1-14

Unit	2024 Grand List Value	2025 Proposed Grand List Value	Increase Amount	Percent Increase (Increase/2 024 Value) *100	Multiple
1	\$232,100	\$541,300	\$309,200	133%	2.33
2	\$183,600	\$444,600	\$261,000	142%	2.42
3	\$184,400	\$453,600	\$269,200	146%	2.46
4	\$170,900	\$539,300	\$368,400	216%	3.16
5	\$182,600	\$472,400	\$289,800	159%	2.59
6	\$234,800	\$515,200	\$280,400	119%	2.19
7	\$242,200	\$536,500	\$294,300	122%	2.22
8	\$175,000	\$491,100	\$316,100	181%	2.81
9	\$190,800	\$496,000	\$305,200	160%	2.6
10	\$238,900	\$568,900	\$330,000	138%	2.38
11	\$179,900	\$456,500	\$276,600	154%	2.54
12	\$182,200	\$434,300	\$252,100	138%	2.38
13	\$181,300	\$598,300	\$417,000	230%	3.3
14	\$163,300	\$363,600	\$200,300	102%	1.86
AVERAGE for All Norwich Meadows					
Properties	\$195,857	\$493,686	\$297,829	153%	2.52
CBI Increase	\$195,857	\$265,122	\$69,265	35%	1.35
5% Annual Real Estate Increase	\$195,857	\$300,088	\$104,231	53%	1.63

Appendix 2: Comparable Properties for Analysis

	·	•				
	Comparables to Norwich Meadows	Year Built		Sales Price		
	36 Juniper Drive #6H, Hartford, VT	rear built		Jaies Pille		https://www.zillow.com/homedetails/36-Juniper-Dr-UNIT-6H-White-River-
1	05001		1989	322, 500	2beds	Junction-VT-05001/303988992_zpid/
	SOLD May 2025				2baths	
					1,225sqft	
2	64 Azalea Circle #15, Hartford, VT		1004	¢350,000	2hada	https://www.zillow.com/homedetails/64-Azalea-Cir-UNIT-15-White-River-
2	05001		1994	\$350,000	2beas 2baths	Junction-VT-05001/217737232_zpid/
					1,013sqft	•
	189 Woodhaven Drive #3J, Hartford, VT				2,0200411	
3	05001					
						https://www.zillow.com/homedetails/189-Woodhaven-Dr-UNIT-3J-White-
	Sold Jan 2025		1985	\$305,000		River-Junction-VT-05001/115814015_zpid/
					2baths 1,048sqft	
	40 Heaather Drive #1E, Hartford, VT				1,0403410	https://www.zillow.com/homedetalls/40-Heather-Dr-UNIT-1E-White-River-
4	05001		1989	\$340,000	2beds	Junction-VT-05001/2131482467 zpid/
	Sold July 2024				2baths	
					1,225sqft	
-	FF. 11 . 11 . 17 . 1 . 1 . 1 . 1 . 1 . 1 .					https://www.zillow.com/homedetails/55-Heather-Dr-UNIT-7C-White-River-
5	55 Heather Drive #7C, Hartford, VT 05001 Sold Sept 2023		1989	\$315,000	2beds 2baths	Junction-VT-05001/115814160_zpid/
	30id Sept 2023				1,225sqft	
					Tirroadic	https://www.zillow.com/homedetails/99-Heather-Dr-UNIT-8G-White-River-
6	99 Heather Drive #8G, Hartford, VT 05001		1989	\$309,000	2beds	Junction-VT-05001/303989030_zpid/
	Sold May 2023				2baths	
					1,243sqft	

NOTE: The properties on this list benefit from city water and sewer. Additionally, properties 1, 2, 4, 5 and 9 have a city road, and shared swimming pool and tennis courts.

12		