

Stone Sled Farm, LLC

v.

Town of Bow

Docket No.: 23653-08LC

ORDER

Responding to the submission from the “Town” of a copy of a “Settlement Agreement signed by both parties,” the board notified the parties on October 15, 2008 that this tax appeal docket would be closed as “settled” unless an objection was filed within ten (10) days. On October 23, 2008, the Taxpayer filed a timely “Objection” contending “the settlement agreement is void” and requesting that the docket remain open and that the appeal be heard on the merits. The Town did not file a response to the Objection.

The board will hold a limited hearing to consider the merits of the Objection on **Friday, January 23, 2009 at 9:00 a.m.** As the supreme court has noted, “Even if not expressly granted by statute, the board has the inherent authority to decide whether a case on its docket is contested or resolved.” See Appeal of Land Acquisition, 145 N.H. 492, 494 (2000) (discussing the board’s authority issues pertaining to a settlement agreement).

SO ORDERED.

BOARD OF TAX AND LAND APPEALS

Paul B. Franklin, Chairman

Michele E. LeBrun, Member

Douglas S. Ricard, Member

Albert F. Shamash, Esq., Member

CERTIFICATION

I hereby certify a copy of the above Order has been mailed this date, postage prepaid, to: James F. Raymond, Esq., Upton & Hatfield, LLP, PO Box 1090, Concord, NH 03302-1090, counsel for the Taxpayer; Chairman, Board of Selectmen, Town of Bow, 10 Grandview Rd., Bow, NH 03304; Paul T. Fitzgerald, Esq., Fitzgerald & Nichols, PA, 11 Academy Square Laconia, NH 03246, counsel for the Town; and Corcoran Consulting Associates, Inc., Bayside Village PO Box 1175 Wolfeboro Falls, NH 03896, contracted assessing firm for the Town.

Dated: November 17, 2008

Anne M. Stelmach, Clerk