

Hinsdale Real Estate Development, LLC

v.

Town of Hinsdale

Docket Nos.: 24344-08PT/25269-09PT

ORDER

The board denies the “Taxpayer’s” February 29, 2012 “Motion for Taxation of Costs” (“Motion”) in this tax abatement appeal.¹ An award of costs is discretionary and is governed by RSA 71-B:9 and Tax 201.39(a).² The board finds the Motion fails to mention any facts that would support an award of costs based on this statute and the board’s rules.

SO ORDERED.

BOARD OF TAX AND LAND APPEALS

Michele E. LeBrun, Chair

Albert F. Shamash, Esq., Member

¹ The Decision in these appeals was issued on January 31, 2012. One board member who was on the two-member panel who heard these appeals then retired and therefore another board member has reviewed the record and participated in deciding the Motion.

² See, e.g., Hinsdale Greyhound Racing Association, Inc. v. Town of Hinsdale, BTLA Docket No. 18629-00PT (August 21, 2003 Order (denying taxpayer’s request for costs against municipality)); cf. Balon v. Gorham Land Company and Town of Gorham, BTLA Docket No. 24009-09OS (February 25, 2010 Order (denying request for costs against municipality)).

Certification

I hereby certify a copy of the foregoing Order has this date been mailed, postage prepaid, to: Michael P. Bentley, Esq., Lane & Bentley, PC, PO Box 472, Keene, NH 03431, counsel for the Taxpayer; John J. Ratigan, Esq., Donahue, Tucker & Ciandella, PLLC, P.O. Box 630, Exeter, NH 03833, counsel for the Town; Chairman, Board of Selectmen, Town of Hinsdale, PO Box 13, Hinsdale, NH 03451; and Vision Appraisal Technology, Attn: Mike Tarello, 44 Barefoot Road, 2nd Floor, Northborough, MA 01532, Contracted Assessing Firm.

Date: March 22, 2012

Anne M. Stelmach, Clerk