

HERON ISLAND VILLAGE IMPROVEMENT SOCIETY

v.

TOWN OF SOUTH BRISTOL

Argued June 6, 2000  
Decided June 23, 2000

Panel: WATHEN, C.J., and CLIFFORD, RUDMAN, SAUFLEY, and  
ALEXANDER, JJ.

MEMORANDUM OF DECISION

Heron Island Village Improvement Society and several individual property owners of land on Inner Heron Island (collectively HIVIS) appeal from a judgment entered in the Superior Court (Lincoln County, *Brennan, J.*) pursuant to M.R. Civ. P. 80B, affirming a decision of the Lincoln County Commissioners that denied HIVIS's request for tax abatements. Contrary to the contentions of HIVIS, the Town of South Bristol was not required to present expert testimonial evidence to rebut HIVIS's expert because HIVIS had the burden to prove the assessments were irrational, unreasonable, or the product of unjust discrimination, *see Town of Steuben v. Lipski*, 602 A.2d 1171, 1172 (Me. 1992); the Commissioners did not err when they found HIVIS had not sustained that burden, *see id.*; nor did the Commissioners act beyond their discretion when they allowed a non-attorney to participate in the hearing, *see Black v. Electronic & Missile Facilities, Inc.*, 250 A.2d 694, 695 (Me. 1969). Other contentions raised by

the parties are without merit.

The entry is:

Judgment affirmed.

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