



TOWN OF MIDDLEBURY

Board of Assessment Appeals

March 12, 2015

Meeting Minutes

Members present:

Brendan M. Browne
Stephen R. Ferrucci, III
Robert J. Flanagan, Jr.

1. Chairman Stephen R. Ferrucci, III called the Board of Assessment Appeals meeting to order at **7:03 p.m.**
2. **VOTED:** Unanimously on a motion by B. Browne and seconded by R. Flanagan that the Board of Assessment Appeals approve the minutes of the meeting of **September 22, 2014**. Each member received a copy for review.
3. The following assessment appeals were heard by the board. Each appellant was delivered the statutory oath by Chairman Ferrucci.

Appeal of: 24 Winding Trail

Present: Irene Nezhad and Manouchehr Nezhad

Reason for appeal: Dr. and Mrs. Nezhad feel their assessment should be reduced because they are senior citizens living on their retirement income. They stated they have chronic illnesses and are dealing with the expense of those medical issues.

Decision: VOTED: Unanimously on a motion by R. Flanagan and seconded by B. Browne that the board deny the appeal based on insufficient data presented.

Appeal of: 330 Three Mile Hill Road

Present: Donna Devino, Attorney George Tzezos and Paul Lagasse

Reason for appeal: Ms. Devino purchased her home on May 3, 2013 for \$360,000. She feels the current fair market value of her home is the same as the purchase price. The town's assessment of \$419,300 is excessive.

Decision: The board will visit Ms. Devino's home on Saturday, March 14, 2015. The board is waiting to make a decision at this time.

Appeal of: 479 Tranquility Road

Present: Attorney Paul Shea (authorized representative) and Jonathan Kloss, Certified Residential Appraiser

Reason for appeal: Mr. Kloss stated this is an oversized house on an oversized lot with substantial wetlands in the rear and front. A typical house is between three and four thousand square feet. This house is five thousand square feet and overbuilt for the neighborhood. Three

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comparables were used. One of the comparables has a two (2) acre lot, this house has 7.6 acres. Mr. Kloss appraised the house at \$675,000. Attorney Shea submitted a letter from Real Estate Broker Donna Bannon stating the house was on the market in September 2011 for \$850,000 and has been reduced several times since. On January 1, 2015 it was reduced to \$695,000. Attorney Shea said he would like the value of the house reduced to Mr. Kloss' appraisal amount of \$675,000.

Decision: The board is waiting to make a decision at this time.

Appeal of: 12 Woodside Avenue

Present: Gary Kurz

Reason for appeal: Mr. Kurz's annual expense report was not received by the Assessor's Office. Mr. Kurz said he files his personal property declaration every year. He does not know what happened this year. He believes he did not receive a declaration form in the mail. Mr. Kurz said it is hard to make a profit on this property and that the income amounts are the same. He said he would be satisfied if the board went back to the previous assessment.

Decision: VOTED: Unanimously on a motion by R. Flanagan and seconded by B. Browne that the board reverse the 10% (ten percent) increase in his assessment and bring it back to the previous assessment.

Appeal of: 811 South Street

Present: Maria Lagasse and Vincent Lagasse

Reason for appeal: Mr. and Mrs. Lagasse said the house they purchased in August 2014 for \$525,000 had been on the market for a long time. The town has the appraised value of the house at \$650,900 which they feel is too high. Mr. and Mrs. Lagasse presented the board with three comparables.

Decision: The board is waiting to make a decision at this time.

Appeal of: 97 Country Club Road

Present: Mary Sandra Manna, Giuseppe Manna and Attorney Robert Lubus

Reason for appeal: Attorney Lubus said Mr. and Mrs. Manna inherited the property in 2013 from her mother. They refinanced the house and the bank assigned an appraiser that valued the property at \$270,000. The property is a two story colonial built in 1918 with nine (9) acres of vacant land. There are high voltage power lines in back on the unusable property. The house sits on a busy road and there is highway noise from I-84. The property received a previous adjustment due to the highway noise. It doesn't have a garage or fireplace. Water gets in the basement in the spring. The barn and greenhouses were removed.

Decision: VOTED: Unanimously on a motion by R. Flanagan and seconded by B. Browne that the board will grant the appeal in the following manner. The board has decided the valuation of the one acre parcel of land that the house is on is

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about double what it should be, so the board will reduce the valuation of that one acre parcel from \$147,000 to \$73,500. The board will leave the \$81,000 valuation of the nine (9) acres of vacant land alone and leave the \$125,600 appraisal of the house alone. The total appraised fair market value is \$280,100 and a new assessed value of \$196,070.

4. **VOTED:** Unanimously on a motion by B. Browne and seconded by R. Flanagan that the Board of Assessment Appeals approve all routine expenses are to be paid.
5. Public Comment – None
6. **VOTED:** Unanimously on a motion by R. Flanagan and seconded by B. Browne that the meeting be adjourned at **9:47 p.m.**

A digital recording of this meeting is available in the office of the Assessor for further review.

Attest:

Nancy K. DiMeo
Recording Secretary