



TOWN OF MIDDLEBURY

Board of Assessment Appeals

March 16, 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 **8:07 p.m.**
2. The following assessment appeals were heard by the board. Each appellant was delivered the statutory oath by Chairman Ferrucci.

Appeal of: 115 Porter Avenue

Present: Benjamin Champagne

Reason for appeal: Mr. Champagne's home is designated in a flood zone. The assessed value is higher than any realtor or bank thinks it should be. He provided statements to the board from realtors. Mr. Champagne pays \$2,475 a year for flood insurance. He showed a map where the brook used to run between his house and his neighbor's house. The town diverted the brook to run behind his house. The town never filed with the federal government that the brook was diverted so his property is considered in a flood zone because the maps were never changed.

Decision: VOTED: Unanimously on a motion by R. Flanagan and seconded by B. Browne that the board give a 10% (ten percent) obsolescence to both the house and the property based on being in the flood plain, paying increase premiums for flood insurance and having an adverse effect on the sale of the house.

Appeal of: 293 Porter Avenue

Present: Lisa Cyr, Gregory Cyr and Catherine Konnik

Reason for appeal: Mr. and Mrs. Cyr said the flood zone designation has an adverse effect on home values. Catherine Konnik tried to sell her property and lost buyers. Flood insurance is very expensive. They submitted an insurance premium bill for \$2,180 from National Flood Insurance, USAA. Another company quoted them a price of \$3,000. Flood insurance is allowed to increase 18% (eighteen percent) a year. Mr. and Mrs. Cyr said there are more restrictions on improvements to a home in a flood plain zone. They said it would cost \$75,000 to put their house on stilts but it poses a problem to the attached garage if the house was raised.

Decision: VOTED: Unanimously on a motion by R. Flanagan and seconded by B. Browne that the board increase their obsolescence from 5% (five percent) to 10% (ten percent), reason flood plain.

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Appeal of: 303 Porter Avenue

Present: Catherine Konnik, Lisa Cyr and Gregory Cyr

Reason for appeal: Ms. Konnik had her house listed for sale. She said two realtors were going to present offers. The bank told the potential buyers it would be a bad investment. The second buyer rescinded the offer due to the cost of flood insurance. A third offer of \$240,000 had the mortgage denied by the bank due to the flood insurance premium. Ms. Konnik presented the board with copies of the contracts.

Decision: VOTED: Unanimously on a motion by R. Flanagan and seconded by B. Browne that the board give a 10% (ten percent) obsolescence to both the house and the property based on being in the flood plain, paying increase premiums for flood insurance and having an adverse effect on the sale of the house.

Appeal of: 436 Regan Road

Present: Bryan Ferrucci

Reason for appeal: Mr. Ferrucci did not need flood insurance when he bought his home in 2008. His house is now in the AE extended flood zone. His mortgage company requires him to carry flood insurance. He pays \$2,485 a year for flood insurance. Mr. Ferrucci's house is a raised ranch. He said flood insurance will not cover the lower level. He estimates the assessed value of his property to be \$156,000.

Decision: Motion by R. Flanagan and seconded by B. Browne that the board give a 10% (ten percent) obsolescence to both the house and the property based on being in the flood plain, paying increase premiums for flood insurance and having an adverse effect on the sale of the house.

B. Browne and S. Ferrucci abstained.

Appeal of: 376 Regan Road

Present: Donald E. and Jill Fisher

Reason for appeal: Mr. and Mrs. Fisher have lived in their home for forty years. They showed the board a map indicating the property is in a flood zone. Mrs. Fisher acquired a flood insurance quote for \$2,885. They currently do not have flood insurance. Mr. Fisher estimates his property to be worth \$150,000 fair market value.

For the record:

S. Ferrucci: "Premium is \$2,885 that is with Hartford Insurance Company of the Midwest Processing Center."

Decision: VOTED: Unanimously on a motion by R. Flanagan and seconded by B. Browne that the board give a 10% (ten percent) obsolescence to both the house and the property based on being in the flood plain, paying increase premiums for flood insurance and having an adverse effect on the sale of the house.

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Appeal of: 334 Regan Road

Present: Joseph Flanagan

Reason for appeal: Mr. Flanagan said his home and property has decreased in value due to flood insurance. He has lived in his house for seventeen years. Currently the property is designated in flood zone AE. Originally it was in flood zone C. Mr. Flanagan’s flood insurance premium is \$1,039 with Geico.

For the record:

S. Ferrucci: “We’re being shown the original was flood zone C as in Charlie and currently flood zone is AE . . . flood insurance provided by Geico, annual premium of \$1,039 for coverage of \$103,400 for the building.”

Decision: VOTED: Unanimously on a motion by R. Flanagan and seconded by B. Browne that the board give a 10% (ten percent) obsolescence to both the house and the property based on being in the flood plain, paying increase premiums for flood insurance and having an adverse effect on the sale of the house.

Appeal of: 406 Regan Road

Present: Carol Galvin and William Galvin

Reason for appeal: Mr. and Mrs. Galvin said they would like to see 15% (fifteen percent) taken off of their assessment. Their house is in a flood zone which has an adverse effect on the sale price.

For the record:

S. Ferrucci: “We have a flood insurance policy here with Middlesex Mutual Insurance Flood Insurance Processing Center saying the total premium is \$2,741.”

Decision: VOTED: Unanimously on a motion by R. Flanagan and seconded by B. Browne that the board give a 10% (ten percent) obsolescence to both the house and the property based on being in the flood plain, paying increase premiums for flood insurance and having an adverse effect on the sale of the house.

Appeal of: 279 Porter Avenue

Present: Teresa Massaro and Catherine Konnik

Reason for appeal: Ms. Massaro estimates the value of her property is \$109,680. She is looking for a decrease of 20% (twenty percent) on her assessment. Her house is in a flood zone and it’s mandatory she carry flood insurance. Her annual premium is \$1,100, last year it was \$950. Ms. Massaro said no one wants to buy a house in a flood zone. Her neighbor tried to sell her property and couldn’t.

Decision: VOTED: Unanimously on a motion by R. Flanagan and seconded by B. Browne that the board give a 10% (ten percent) obsolescence to both the house and the property based on being in the flood plain, paying increase premiums for flood insurance and having an adverse effect on the sale of the house.

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Appeal of: 131 Porter Avenue

Present: No show

Decision: The board denied the appeal based on the fact she failed to show up for her hearing.

3. **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.

4. Public Comment – None

5. **VOTED:** Unanimously on a motion by R. Flanagan and seconded by B. Browne that the meeting be adjourned at **9:42 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