



# TOWN OF MIDDLEBURY

Board of Assessment Appeals

March 16, 2021  
Meeting Minutes

## Members present:

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

RECEIVED FOR FILING

*March 18, 2021 at 2:20 PM.*

TOWN CLERK'S OFFICE  
MIDDLEBURY, CT

*MaryBeth Lubowski Asol*  
TOWN CLERK

1. Due to the Coronavirus pandemic, the board was practicing social distancing per executive order of Governor Lamont. Each appellant appeared before the board in person wearing a face mask and maintained a respected social distance of six feet.
2. All oaths were administered verbally and sworn to by each appellant under penalty of perjury.
3. **Voted:** Unanimously on a motion by Robert J Flanagan, Jr. to approval all administrative changes and seconded by Brendan M. Browne.
4. **Voted:** Unanimously on a motion by Chairman Stephen R. Ferrucci III and seconded by Robert J. Flanagan, Jr. to approve all usual and customary expenses and the Board of Assessment Appeals meeting in September 2021 for motor vehicle.

## CALL TO ORDER

Chairman Stephen R. Ferrucci, III Called the meeting to order at 6:33pm

## Appeal of: 211 Tranquillity Road

Owner: Tranquillity Estates, LLC

**Reason for Appeal:** Appellants estimate of value for house and land on the old assessor's card of 197 Tranquillity Rd. is \$148,000. Appellant states that two parcels were combined after purchase. Appellant submitted 86 pages of documentation which included 2 maps and multiple pages of pictures showing the buildings current condition. The property is classified as water front which the appellant claims is incorrectly classified.

**Decision: Voted:** unanimously on a motion from Commissioner R. Flanagan Jr. and seconded by B. Browne that the board deny the appeal, based on insufficient information provided to demonstrate a lower value of the property currently assigned on the assessment dated of October 1, 2016, as per the grand list.

**Appeal of: Malaka LLC (Personal Property)****Owner: John Gagas**

**Reason for Appeal:** The above mentioned business is a shell business and owns no property.

**Decision: Voted:** unanimously on a motion from Commissioner R. Flanagan Jr. and seconded by B. Browne that the appeal be granted and the assessed value be removed based on zero assets owned by the LLC.

**Appeal of: 835 South Street****Owner: Joseph & Mary Elizabeth Sugden**

**Reason for Appeal:** Appellants estimate of market value is \$630,000 and assessment \$441,000 based on the recent sale price of the property on the open market. Documentation was provided that shows current sales of similar properties.

**Decision: Voted:** unanimously on a motion from Commissioner B. Browne and seconded by Commissioner R. Flanagan Jr. that the appeal be denied based on insufficient information provided to reflect value as of the assessment date October 1, 2016.

**Appeal of: Natures Goods Market (Personal Property)****Owner: Barbara Fil**

**Reason for Appeal:** The assets of the business are overstated and duplicated in different categories on prior personal property returns from previous accountant. Documentation was provided to the board by the new accountant Ralph Cortigiano listing a full account of all assets owned as of Oct 1, 2020.

**Decision: Voted:** unanimously on a motion from Commissioner B. Browne and seconded by Commissioner R. Flanagan, Jr. that the board grant the appeal. The assessed value is adjusted to reflect the 2020 personal property return with a 25% penalty for late filing.

**Appeal of: 65 Abbott Farm Road****Owner: Nancy Pun**

**Reason for Appeal:** The assessed value is too high based on comparable sales in the area. The home has obsolete fixtures and outdated appliances and has deteriorated considerably. The water has affected the piping and has a heavy orange color. The water is undrinkable and needs a significant filtration system to be useable but still undrinkable.

**Decision: Voted:** unanimously on a motion from Commissioner R. Flanagan, Jr. and seconded by Commissioner B. Browne to reduce the assessment by 10% based on prior appeals of similar homes of similar construction and the information presented.

**Appeal of: 51 Abbott Farms Road**  
**Owner: Cynthia & Kevin Kett**

**Reason for Appeal:** The appellant states that the assessment is too high based on comparable sales. The home has obsolete fixtures and outdated appliances. The water has affected the piping and has a heavy orange color. The water is undrinkable and needs a significant filtration system to be useable.

**Decision: Voted:** unanimously on a motion from Commissioner R. Flanagan, Jr. and seconded by Commissioner B. Browne to reduce the assessment by 10% based on prior appeals of similar homes of similar construction and the information presented.

**Appeal of: 31 Cambridge Court**  
**Owner John & Nicole Nocera**

**Reason for Appeal:** The appellant states the value is high based on the original state of the property and feels a reduction of residential real estate property tax is appropriate. The comparison of similar square footage home shows taxes to be high on the above mentioned property. The estimated market value of \$600,000 and assessment of \$420,000 is based on a current market analysis submitted to the board.

**Decision: Voted:** on a motion by R. Flanagan Jr. that the appeal be denied on insufficient information to justify the decrease in the value seconded by Chairman S. Ferrucci, III. There was no vote recorded by B. Browne as he requested himself from voting.

Respectfully Submitted,

*Stacie Maldonado*

Stacie Maldonado  
Recording Clerk