

**BOARD OF ASSESSMENT APPEALS MINUTES
TOWN OF DEEP RIVER, CONNECTICUT**

**Members present: Mark Reyher, chairman; Leigh Balducci, secretary; Darlene Pollock
March 4&5, 2016 Meeting of Board of Assessment Appeals (BAA)**

FRIDAY, MARCH 4, 2016 | CALL TO ORDER AT 7 P.M. | ADJOURN AT 10 P.M.

Jennifer L. Zambuni, 500 Main Street, Unit 3B&C, Deep River; Personal Property

REDUCED. Currently empty space; no inventory at location. Delay on State of CT end. Current Assessment \$13,125.00; Change: -95% plus 25% penalty = new assessment. All in favor.

Dana Ramsey Maxwell, 51 Cedar Lake Rd., Deep River; Personal Property

DENIED. All in favor.

Gary M. Goodrich, 41 Glen Grove Rd., Deep River; ATV

REDUCED. Current Assessment \$2,930.00. Change: -\$2,430 = new assessment of \$500.00. State Statute Section 14-379 defines ATV. Because they are defined under motor vehicle and nothing gives them exemption in 1281, they are taxed. All in favor.

Guardian Pest Control, Donald Balint, Elizabeth Hammerly acting as agent per Donald Balint.

455 Main St. Unit C, Deep River; Personal Property

DENIED. All in favor.

Robert R. Stalsburg, 15 Pent Rd., Deep River; Personal Property

DENIED. All in favor.

Deep River Associates, LLC, Peter I. Zeidel, Authorized Agent; 193 Main St., Deep River, Real Estate

DENIED. All in favor.

Ben Whelan, 575 Winthrop Rd., Deep River, Real Estate

DENIED. Filed on time for reevaluation year but lease to Ron Larsen not obtained until Jan. 2016. All in favor.

Linalynn Schmelzer, 5 Grove St., Deep River

DISMISSED. No Show. All in favor.

SATURDAY, MARCH 15, 2014 | CALL TO ORDER AT 8:45 A.M. | ADJOURN AT 2 P.M.

Tom Walsh & Madeline Romano, 132 Essex St., Deep River; Real Estate

DENIED. All in favor.

David Smith, 5 Everett La., Deep River; Personal Property

REDUCED. Current assessment: \$6,375.00. Change: -50% = new assessment. All in favor.

Charles & Sara Walker, 103 Meadow Woods Rd., Deep River; Real Estate

REDUCED. Current assessment: \$434,280. Change: -2% = new assessment. All in favor.

Louis Lerner, 15 Grove St., Deep River; Real Estate

DENIED. All in favor.

David Johnson, Generation Four Realty LLC 400 Commercial Dr., Deep River; Real estate

DENIED. All in favor.

Matthew Elgart & Edward Pinn, 1 High St., Deep River; Real estate

DENIED. All in favor.

Jerry F. Clark Jr., Represented by/with Dominic Bendzinski, Lic. Appraiser. 151 & 157 Warsaw St., Deep River, Real Estate

DENIED. All in favor. *NOTE: Owner requests the Assessor to view both properties at her convenience.*

Michael S. Dengler, 9 Meadow Woods Rd., Deep River

DENIED. All in favor.

411 Main, LLC, Jodie Gebhard, Represented by Joe Wren, 409 Main St., Deep River, Real Estate

DENIED. All in favor with the exception of Mark Reyher who recused himself from this particular case as he is currently involved with this real estate transaction.

Lovisa Johnsson, 36-38 Village St., Deep River, Real Estate

DENIED. All in favor.

Douglas Whittaker and Amy Petrone, 11 Riverview Ave., Deep River

DENIED. All in favor with the exception of Leigh Balducci who recused herself from this particular case as she has a personal relationship with the Petrone-Whittakers that may skew her judgement in this case.

180 Main Street Partners, LLC/Walgreens, Represented by Tiffany K. Spinella, 180 Main St., Deep River, Real Estate
DENIED. All in favor.

Terrence Lambe, Represented by Carla St. Pierre; 381 River Rd., Deep River, Real Estate
DENIED. All in favor.

Marissa Mathews & Kelly Angelini, Deep River Farms, 362 West Elm St., Deep River and Plains Rd., Deep River, Real Estate
REDUCED on both. Current assessment for each property to be reduced by 5%. Properties fall under PA 490 for assessed year. All in favor.

Olson Property Holdings, LLC, Nicholas Olson, 10 Woodbury Rd., Deep River Real Estate
DISMISSED. No hearing. All in favor.

SPECIAL CASE

George Atwood Jr., Atwoods Auto, 344 Main St., Deep River, MV

His appeal was heard as a walk in but it was not until after the hearing was adjourned that this Commission realized that the application had to have been submitted by the deadline of Feb. 20, 2016 according to CT State Statue 12-112 adn 12-111. Unlike the September BAA hearing, which are MV only and the only time a motor vehicle is allowed as a walk-in to a hearing, the March hearings must be submitted by the appropriate date. By the fault of this Commission, his case was heard. In error, his case has to be rendered as PETITION DISMISSED. Please note, Mr. Atwood should be sent notice of the process by the Assessor, preferrably, to be advised to attend the September hearings to appeal. *Please read the exerpt below regarding S12-111 and 112. We can not hear anyone's appeal unless they have an application filed in the office by February 20, 2016. We can however, listen and act on Mr. Atwoods appeal in September.*

Chapter 203 - Property Tax Assessment - Internet Explorer

https://www.cga.ct.gov/current/pub/chap_203.h

State of Connecticut - CAAO

Chapter 203 - Property Tax ...

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Sec. 12-111. Appeals to board of assessment appeals. (a) Any person, including any lessee of real property whose lease has been recorded as provided in section 47-19 and who is bound under the terms of a lease to pay real property taxes and any person to whom title to such property has been transferred since the assessment date, claiming to be aggrieved by the doings of the assessors of such town may appeal therefrom to the board of assessment appeals. Such appeal shall be filed, in writing, on or before February twentieth. The written appeal shall include, but is not limited to, the property owner's name, name and position of the signer, description of the property which is the subject of the appeal, name and mailing address of the party to be sent all correspondence by the board of assessment appeals, reason for the appeal, appellant's estimate of value, signature of property owner, or duly authorized agent of the property owner, and date of signature. The board shall notify each aggrieved taxpayer who filed a written appeal in the proper form and in a timely manner, no later than March first immediately following the assessment date, of the date, time and place of the appeal hearing. Such notice shall be sent no later than seven calendar days preceding the hearing date except that the board may elect not to conduct an appeal hearing for any commercial, industrial, utility or apartment property with an assessed value greater than one million dollars. The board shall, not later than March first, notify the appellant that the board has elected not to conduct an appeal hearing. An appellant whose appeal will not be heard by the board may appeal directly to the Superior Court pursuant to section 12-117a. The board shall determine all appeals for which the board conducts an appeal hearing and send written notification of the final determination of such appeals to each such person within one week after such determination has been made. Such written notification shall include information describing the property owner's right to appeal the determination of such board. Such board may equalize and adjust the grand list of such town and may increase or decrease the assessment of any taxable property or interest therein and may add an assessment for property omitted by the assessors which should be added thereto; and may add to the grand list the name of any person omitted by the assessors and owning taxable property in such town, placing therein all property liable to taxation which it has reason to believe is owned by such person, at the percentage of its actual valuation, as determined by the assessors in accordance with the provisions of sections 12-64 and 12-71, from the best information that it can obtain, and if such property should have been included in the declaration, as required by section 12-42 or 12-43, it shall add thereto twenty-five per cent of such assessment; but, before proceeding to increase the assessment of any person or to add to the grand list the name of any person so omitted, it shall mail to such person, postage paid, at least one week before making such increase or addition, a written or printed notice addressed to such person at the town in which such person resides, to appear before such board and show cause why such increase or addition should not be made. When the board increases or decreases the gross assessment of any taxable real property or interest therein, the amount of such gross assessment shall be fixed until the assessment year in which the municipality next implements a revaluation of all real property pursuant to section 12-62, unless the assessor increases or decreases the gross assessment of the property to (1) comply with an order of a court of jurisdiction, (2) reflect an addition for new construction, (3) reflect a reduction for damage or demolition, or (4) correct a factual error by issuance of a certificate of correction. Notwithstanding the provisions of this subsection, if, prior to the next revaluation, the assessor increases or decreases a gross assessment established by the board for any other reason, the assessor shall submit a written explanation to the board setting forth the reason for such increase or decrease. The assessor shall also append the written explanation to the property card for the real estate parcel whose gross assessment was increased or decreased.

(b) If an extension is granted to any assessor or board of assessors pursuant to section 12-117, the date by which a taxpayer shall be required to submit a written request for appeal to the board of assessment appeals shall be extended to March twentieth and said board shall conduct hearings regarding such requests during the month of April. The board shall send notification to the taxpayer of the time and date of an appeal hearing at least seven calendar days preceding the hearing date, but no later than the first day of April. If the board elects not to hear an appeal on commercial, industrial, utility or apartment property described in subsection (a) of this section, the board shall notify the taxpayer of such decision no later than the first day of April.

(1949 Rev., S. 1794; 1957, P.A. 673, S. 9; 1963, P.A. 458; February, 1965, P.A. 65, S. 1; 1967, P.A. 50; P.A. 87-245, S. 6, 10; P.A. 95-283, S. 50, 68; P.A. 96-171, S. 11, 16; P.A. 00-120, S. 6, 13; P.A. 01-195, S. 119, 181; P.A. 03-269, S. 3; P.A. 09-196, S. 1.)

Darlene Pollock
no subjects

3:28 PM
3/7/2016

Respectfully submitted,

Leigh Balducci, Secretary