

BOARD OF ASSESSMENT APPEALS

April 10, 2013

The Board of Assessment Appeals met on Wednesday, April 10, 2013. Members present were Stephen Palmer, Betty Richards and David Harma. The meeting was called to order at 5:00 p.m. to do site inspections at Bishops Cove Condos. Interior inspections were conducted on 5 Canberra Court and 2 Jutland Court; exterior inspections were conducted on 5 Exeter Court and 10 Canberra Court. At 6:35 p.m. the meeting reconvened at Town Hall.

The following appeals were heard:

Robinson, George & Evelyn – Taugwonk Spur Road

Mr. Robinson feels the value set is too high. He understands his taxes are based on his farm exemption, but the value without the exemption is high. He compared his property to the property that was owned by Pfizer Inc. This property recently sold for \$350,000. It has good access. Mr. Robinson's property has issues. His property has limited access. It is all swampland along Route 95. There is a road that he put in but it is strictly a farming road. The only use for this property is as farmland. The Town has tried to change the zoning of the property but they were unsuccessful. He believes eventually the zoning will be changed. When he spoke to Vision, they did reduce the value at the informal hearing. He did speak with an appraiser about the value of the property for estate planning purposes. The appraiser stated that due to the road situation and no electricity to the property, the property is in the \$500,000 range for value.

Ragsdale, Ann – Ram Island

Mr. Ragsdale appeared before the Board. His only complaint is the listing of the basement portion of his house. He stated he has an appointment for an inspection with Greg Hayes, the Assistant Assessor tomorrow. He feels with Mr. Hayes's inspection and recommendation, the issue should be resolved.

Senese, John – 606 Greenhaven Road

Mr. Senese submitted an appraisal for the property. He paid \$850,000 for the property. He is currently living in the house; however, the purchased price was for the land. The house has a negative value because he considers it a tear down and the amount they paid was for the land only. He compared his property to 111 River Road, which has city sewer and water. It has been on the market for \$499,000 and hasn't sold. He stated his house is valued at \$185,000; similar houses are valued at \$145,000.

Tebbets, Mark – 14 Sunrise Avenue

Mr. Tebbets lives next to a commercial pre-existing non-conforming use. They received a variance to use the property with parking across the street. They sold the parking lot across the street and a house was built on the lot. Now the employees of the business are parking on the property next door to Mr. Tebbet's property. This lot is a residential lot and they have no permits allowing them to use the lot for parking. There is now more traffic and more noise due to this commercial use; it is a 24/7 operation. In 1995 their property was shielded from the commercial use by trees but now there is no buffer between them. The Zoning Board of

Appeals has said they cannot park where they are parking; but they still park there. The zoning regulations have not been enforced. Mr. Tebbets submitted pictures.

DePietro, Dean – 49 Pequot Court

Mr. DePietro has no issue with the assessment on his other property, but he feels his Pequot Court property is assessed too high. He had appraisals done in 2009 and 2010. He also submitted an appraisal done by Jim Blair dated October 1, 2012 for tax purposes to establish the market value.

Pearson, Erik – personal property

Mr. Pearson failed to file his personal property declaration. He has computer equipment only. He works out of his home; he provides drafting services for a telecom company. He submitted his personal property declaration to the Board.

DECISION: The Board voted unanimously to change the assessment to \$1,775 including penalty.

Reavis, Helen & Engel, Steven – 30 Water Street

William Griffin appeared before the Board. This property is part of the Stonington Commons condominium, not a separate property. He compared the value to the other free standing houses in the condominium complex. The only recent sale has been unit 6 for \$1,040,000. He feels the condos are down in value almost 50%. The only other house on Water Street that is assessed more than 30 Water Street is the Roepers' property on Water Street and they are not similar. He feels a good comparison to the 30 Water Street property is the Pellegrini house at 11 Main Street.

Vossler, John – personal property

Mr. Vossler failed to file his personal property declaration. He stated that his tools are mostly old. He submitted a detailed list of his equipment.

DECISION: The Board voted unanimously to change the assessment to \$3,109 including penalty.

Wyper, Thompson & Holt, Carol – 57 Boulder Avenue

Attorney Ed Cassella appeared before the Board. They are appealing the 57 Boulder Avenue property only; not the vacant lot next door. The property lines were reconfigured before they purchased the property. Due to the title history of the property, their lot has not been granted non-conforming status for zoning requirements. They must comply with the RM-20 requirements for this property. They applied for a variance in 2011 to the Zoning Board of Appeals but were denied. These facts diminish the value of the land. The house was built in 1909 and is in a flood zone.

Allard, Frederick & Suzanne – Bay Street

Mr. Allard compared his property to his neighbors. He has an identical dock as his neighbor but they are assessed differently. He compared dock values for all the docks on Bay Street. 6 Bay Street is not even being charged for their dock; 5 Bay Street is being charged for his dock. Mr. Allard's dock is 25 years old and he has

low water. His dock is very robust but it must be to survive the ice pack during the winter.

3 Bay Street

Mr. Allard stated his assessment dropped 18% but 5 Bay Street dropped 40%. 5 Bay Street is a bigger house. His property's basement area increased. He has mostly crawl space. It is not finished and it has a stone foundation. The card states he has a finished attic. Due to the pitch of the roof, the ceilings are less than seven feet high in the middle section of the attic area. It is substandard space and is not living area. He feels there was no basis for the changes to his house since there never was an interior inspection. He compared the house and land to his neighbors on a square foot basis.

Ceil, James & Deborah – 15 Meadow Avenue

DECISION: The Board voted unanimously to deny the appeal.

Sundman, Robert – 9 & 13 Meadow Avenue

DECISION: The Board voted unanimously to deny the appeals.

LCS-Westminster Partnership I LLP – 17 & 18 Pequotsepos Center North

DECISION: The Board voted unanimously to deny the appeals.

Fisherman's Language LLC – personal property

DECISION: The Board voted unanimously to change the assessment to \$586 including penalty.

Young, Eileen – personal property

DECISION: The Board voted unanimously to reduce the assessment to \$3,014 including penalty.

Cowley, Robert – personal property

DECISION: The Board voted unanimously to reduce the assessment to \$228 including penalty.

Brockway, Curtis & Mary – 1 Walnut Street

DECISION: The Board voted unanimously to deny the appeal.

The minutes for the April 8, 2013 meeting were accepted as read.

Leaf Commercial Capital Inc. and Whitehall Avenue LLC did not appear for their appointments.

There being no further business, the meeting was adjourned at 10:20 p.m.

Respectfully submitted,



Betty Richards
Secretary