

Edmond Town Hall
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TOWN OF NEWTOWN

BOARD OF ASSESSMENT APPEALS

MINUTES

REGULAR MEETING

March 23, 2006, 7:00 P.M.

45 MAIN STREET

NEWTOWN, CT 06470

**PRESENT: CHARLES V. FRAMULARO, JR, LILLIAN STRICKLER AND
MARIANNE BROWN.**

ALSO PRESENT: THOMAS DENOTO AND PENNY TALARINO

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1. John P. Seidel, (MV): (this appeal was withdrawn, applicant did not go to the meeting)
2. Laurison group, LLC and Planet Beach, (PP)
Timothy J. Stubbs said that Laurison Group, LLC was the entity that owned Planet Beach; which was a franchise; he also said that Planet Beach was registered with the State of Connecticut but it was not in business yet, they received a form and did file but "0" because the business had not taken off.
3. Jeffrey Moudard, 10 Hanover Road, (RE)
Mr. Houdard said that even though other houses in the area were almost identical to his house and some had higher ceilings and more land, they were being assessed lower than his. Mr. Houdard said that #12 Hanover Road was identical to his house, but it had more acreage, everything inside was exactly the same even features and was still assessed lower. The Board asked Mr. Moudard if it would be possible to schedule a walk through by the Assessor, Mr. Moudard agreed.
4. Dayton Carpentry, K. McDonnold, (PP)
Ms. McDonnold said that she did file the form but did not keep a copy and later was informed that was not filed, and that she was there only to talk about the process filing the form. She said that some kind of notice should be sent to make people aware and suggest that they ask for stamped copy. The Board said that the

State mandated a 25% of the assessment penalty to business owners that fail to file.

5. JMM Events, Jeanne Malota, (PP)

Ms. Malota said that the equipment for the business was equipment she had been using for personal purposes prior to starting the business; she said that she had no employees and she did not need anything for the business; she said that as an event planner she only used the phone and stayed at hotels and that was the reason why she put "not applicable" on the form, because the business did not own anything and after she talked to the Assessor, she filed again in February with dollar amounts. The Board members said that they would talk to the assessors and find out how to resolve the issue.

6. Nina Stout, Bodies Rest & Motion, (PP)

Ms. Stout said that she filed "0" on the declaration form because she owned other two businesses that declared and the Assessor sent a notice that the business was being estimated at \$5,000.00 plus penalty, then she came and talked to the Assessor and filed the form declaring \$150.00 because the business only owns a couple of bins and some shelves. She said that there should be some help for new business owners to keep them educated about the process.

7. James and Theresa Brotherton, (RE)

Mr. & Mrs. Brotherton said that other houses in the neighborhood are larger and with more amenities than their home and are being assessed lower than theirs, they submitted field cards to show some of the other assessments; the Board asked if it would be possible to have the Assessor schedule a walk through the house, and they agreed.

8. Carole Shuman, (PP)

Mr. Shuman said that her father made customs and she sold them off of eBay, she registered with the State because she wanted to be able to receive checks and deposit them in the bank; when she received the declaration form, she declared "0". The board explained that for the State "0" is not acceptable for a business declaration.

9. Toby Tamblyn (PP)

Toby Tamblyn moved out of town in August of 2005 and received notice of 25% penalty for not filing a declaration form in November

for horses that she kept in town. She said that she did not realize she had to inform the Assessor that she had moved and taken her horses with her. The Board members said that they understood and would find out how to resolve the issue.

10. Neil Stevens Construction, (PP)

Mr. Stevens said that he has other businesses using the same office, he received an estimate by the Assessor and he thought that it was high, and that it was a mistake because the assessment should be on the equipment and not the business itself; but when he came in and talked to the Assessor, he found out that the declaration form had not been filed. The Board asked Mr. Stevens to bring in paperwork from his accountant to resolve this issue.

11. Robert Melchionno, (RE)

Mr. Melchionno said that his house is being assessed too high compared to other houses in the neighborhood, he submitted photos of the surrounding houses, there was some debris and other eyesores; he said that there was another house on Charter Ridge Road was the closest in size and amenities and just a little bit smaller, built in 1998 and it was assessed much lower than his; one of the things that brought the assessment up on his house was the brick facing on the front of his house.

12. Myra & Antony Leucci (RE)

Withdrawn

13. S&S Brothers, LLC 142 Edgelake Road (RE)

Barry Southard said that this was only open space, that it had no value if it was not combined with other parcels because it could not be built on, he also said that the topographical map was not completely accurate, that in reality was much steeper, he also said that he is looking into combining these parcel with others that he is looking into buying from a private owner as well as the road that hi also owns. The Assessment by the town was for \$72,580.00. Mr. Southard also said that it was very steep. There was no depreciation for slope or grading, only 10% for vacancy.

14. S&S Brother, LLC 150 Edgelake Road

Mr. Southard said that this piece came from a bigger piece that he had sold under the agreement that 50% would be sold back to him, he said that the parcel was not buildable because the town wouldn't approve the split. The Board said that there was some physical depreciation for 11% the assessment was dropped from \$53,000.00 to \$25,000.00 in the past year.

Decisions

Laurison group, LLC and Planet Beach, (PP)

Assessment adjusted "0" because there is only one entity but is not in business yet.

Jeffrey Moudard, 10 Hanover Road, (RE)

The Assessor was scheduled for an inspection.

Dayton Carpentry, K. McDonnold, (PP)

The Assessor was scheduled for an inspection or talk to Ms. McDonnold over the phone.

JMM Events, Jeanne Malota, (PP)

The Board accepted the declaration for \$470.00 plus the 25% penalty.

Nina Stout, Bodies Rest & Motion, (PP)

The Board accepted the declaration for \$470.00 plus the 25% penalty.

James and Theresa Brotherton, (RE)

Assessor was scheduled for an inspection.

Carole Shuman, (PP)

The Board accepted the declaration for \$630.00 plus the 25% penalty.

Toby Tamblyn (PP)

Assessment adjusted "0", Ms. Tamblyn lives out of state.

Neil Stevens Construction, (PP)

Mr. Stevens was given until March 28, 2006 to bring additional information from his accountant.

Robert Melchionno, Charter Ridge Road (RE)

The Board asked the Assessor to find out if adjustments could be made to this assessment.

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S&S Brothers, LLC 142 Edgelake Road (RE)
Slop and grade depreciation adjusted to 15%.

S&S Brother, LLC 150 Edgelake Road
The board upheld the town assessment.

Meeting was adjourned at 11:00 p.m.

Angelica Miller, Clerk