



## TOWN OF NEWTOWN

### Board of Assessment Appeals Minutes of Meeting March 30, 2019

THESE MINUTES ARE SUBJECT TO APPROVAL BY THE BOARD OF ASSESSMENT APPEALS

A Board of Assessment Appeals Special Meeting was held Saturday, March 30, 2019 at 8:00AM in  
Shared Meeting Room #3, Newtown Municipal Center, 3 Primrose Street, Newtown, CT

**Members Present:** James McFarland, Alex Villamil and Charles Gardner (8:20AM)

**Staff Present:** Lynn Kovack

James called the meeting to order at 8:18AM

#### Approval of Minutes:

- March 26, 2019 – Approved (M) James (2<sup>nd</sup>) Alex
- March 27, 2019 – Approved (M) James (2<sup>nd</sup>) Charles
- March 28, 2019 – Approved (M) Charles (2<sup>nd</sup>) Alex

**Public Participation:** None

**Unfinished Business:** None

#### New Business:

**Discussion and Possible Action on the following – Conduct Hearings and Deliberations for appeals for applicants scheduled with the Tax Assessor's Office**

- Kersti Fergusen – 60 Taunton Hill Road – Valuation is not correct – **Approved** – Set kitchen and bath to 02 Typical under construction detail (M) James (2<sup>nd</sup>) Charles (hearing was on March 21, 2019)
- Jennifer Damon for The Good Earth Tree Care Inc. – Personal Property: machinery used in a state permitted recycling facility. Exempt from property tax under 12-81 (72) and 12-81 (76) – **Approved** – Apply exemption from business property tax to equipment listed under code #13 as per appellant's timely filed declaration and cited statutes in evidence presented (M) James (2<sup>nd</sup>) Alex (hearing was on March 7, 2019)
- David Kramer – 12 Turnberry Lane – Overstated market value – **Approved** – set functional obsinc and Dep % under cost/market valuation at such values so that appraised value on field card equals \$2,284,000 or closest possible value (M) Charles (2<sup>nd</sup>) Alex (hearing was on March 28, 2019)
- Martin Carlin – 11 Pheasant Ridge Road – value of property went down by 1/3 but taxes increased – **Disapproved** – insufficient evidence to support appellant's claim (M) James (2<sup>nd</sup>) Charles (hearing was on March 14, 2019)
- Nicholas Boronski – 150 Berkshire Road – property is overvalued – **Approved** – set heat source to propane. Insufficient evidence to support further changes (M) James (2<sup>nd</sup>) Charles (hearing was on March 14, 2019)
- Charles Merrifield III – 153 Sugar Street – over assessed – **Disapproved** – Appellant failed to provide sufficient evidence to demonstrate appraisal was incorrect (M) Alex (2<sup>nd</sup>) Charles (hearing was on March 28, 2019)
- Jeffrey Miller LLC – 28 Hawleyville Road – increased assessment – **Disapproved** – insufficient evidence to support appellant's claim (M) James (2<sup>nd</sup>) Alex (hearing was on March 12, 2019)
- Claris Construction (Nick Camenker, Agent) – assessed value exceeds fair market value as of October 1, 2018. – **Approved** – per appellant's evidence utilizing income approach, applying current lease income and accounting for adjusted market value of owner occupied space. Set the appraised value to \$5,165,585, corresponding to an assessment of \$3,615,910 (M) James (2<sup>nd</sup>) Alex (hearing was on March 19, 2019)
- Kimberly & Connor McMullan – 1 Abbey Lane – overvalued home – **Approved** – 1.) set grade to "B" 2.) Assessor to correct appraised building value on field card (\$425,390 on 2018 field card is in error) (M) Charles (2<sup>nd</sup>) Alex (hearing was on March 28, 2019)
- Tom Milligan for Masonic Temple – 3 Washington Avenue – reversal of 10% penalty – **Approved** – per appellant documentation and reference to statutes, appellant not required to file income and expense on property. Penalty is clerical error and must be waived and refunded (M) James (2<sup>nd</sup>) Charles (hearing was on March 14, 2019)

- Gary Amlicke – 33 Hilldale Drive – over assessed – **Disapproved** – due to insufficient evidence to support the appellant’s claim (M) Charles (2<sup>nd</sup>) Alex (hearing was on March 28, 2019)
- Robert Meyers – 10 Mt. Pleasant Road – unsafe traffic, heavy traffic, steep driveway and no sidewalks – **Disapproved** – disapprove the appeal due to insufficient evidence provided to support the claim (M) Alex (2<sup>nd</sup>) Charles (hearing was on March 28, 2019)
- Matthew Mihalcik & Melissa Beard – 93 Berkshire Road – assessment value inaccurate based on recent sales and appraisal – **Approved** – 1.) Correct photo on field card 2.) set appraised value to \$282,000 as per appellant appraisal as of 10/1/17 (M) James (2<sup>nd</sup>) Alex (hearing was on March 19, 2019)
- Rosemarie Rau – 12 Lake Road – assessed value of pool, patio, land, building and deck – **Approved** – set special adjustment factor for both land lines as follows ; set land line #1 (2.00 acre) to 1.06; set land line #3 (.32 acre) to .90 for topography , set in-ground pool outbuilding to “C”. other claims not supported by sufficient evidence (M) Charles (2<sup>nd</sup>) James (hearing was on March 14, 2019)
- AnnaMarie & Jeff Drummond – 4 Serene Way – new home and majority of property is a conservation easement and is unusable by them – **Approved** – set special adjustment factor for 3.53 acre land line to .90 for wetlands (M) James (2<sup>nd</sup>) Charles (hearing was on March 14, 2019)
- Ronald Wilcox – 12 Cedarhurst Trail – significant damage from storm in May 2018 to dwelling and property – **Disapproved** – appellant’s claim does not merit change in assessment (M) James (2<sup>nd</sup>) Charles (hearing was on March 14, 2019)
- Gordon Anderson – 19A Georges Hill Road – over assessed and many discrepancies – **Approved** – 1.) on field card 3 of 3: set style and model to reflect detached garage, remove the following: hardwood floor, heat , bedroom, bath, kitchen and patio. 2.) correct clerical errors by setting 25.00 acre land line to same factors as 55 High Rock Road including PA 490 forest (M) James (2<sup>nd</sup>) Charles (hearing was on March 14, 2019)
- Michael Mathison – 29 Mohawk Trail – appraisal substantially lower than vision – **Approved** – 1.) the square footage referred to by appellant is in unfinished attic (3<sup>rd</sup> floor). Living area in finished upper story (FUS-2<sup>nd</sup> floor) is correctly assessed. 2.) add 5% adjustment to land line for economic obsolescence in the neighborhood (M) James (2<sup>nd</sup>) Charles (hearing was on March 30, 2019)
- Eric & Gwynne Wittman – 14 Lake Road – very high appraisal relative to previous appraisal (56% increase) and relative to neighbors – **Approved** – set grade to B on field card (M) Alex (2<sup>nd</sup>) Charles (hearing was on March 19, 2019)
- Steven Guagliano – 76 Edgelake Drive – possible error in land assessment, increased improvement, assessment unknown – **Disapproved** – Appellant has failed to present sufficient evidence to support reduction in land appraisal. Land had been significantly under appraised during previous revaluation (M) Charles (2<sup>nd</sup>) Alex (hearing was on March 21, 2019)
- James Oconnell & Robert Delaney – 132 Brushy Hill Road –Appellant no showed for their scheduled hearing on March 14, 2019
- The following are condos with the same resolution as follows:
  1. 4 Woods Lane – Eggan
  2. 25 Woods Lane – DeRubertis
  3. 47 Woods Lane – Todd
  4. 61 Woods Lane – Kelly
  5. 89 Woods Lane – Schmid
  6. 103 Woods Lane – Gottlieb
  7. 105 Woods Lane – Lee
  8. 811 Brookside Court – Ellis
  9. 17 Brookside Court – Lamparelli
  10. 22 Brookside Court – Alpert
  11. 32 Brookside Court – Hopkins
  12. 1015 Brookside Court – Blackman

All the above condos are **Approved Contingent upon:**

- The Assessor will contact the owner by phone and set up appointments for inspection and to notify them of the April 12, 2019 deadline for the inspection
- The property owner shall provide timely and sufficient access to the interior of his/her property for assessment inspection purposes as required by the Assessor and her staff
- Access is to be arranged by appointment and inspections are to be completed no later than 2:00PM on Friday April 12, 2019
- Changes to appraised value resulting from this inspection shall not result in an increased assessment prior to the next revaluation. This restriction does not apply to the normal assessment process after 4.12. 2019, where subsequent improvements would normally change the assessment – e.g. additions, remodeling, etc.

September 11, 2019 and September 12, 2019 MVA Appeals Dates set  
 With there being no other business to transact the meeting was adjourned

