



TOWN OF MIDDLEBURY
Board of Assessment Appeals
March 1, 2022
Meeting Minutes

AMENDED

Members Present

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

RECEIVED FOR FILING

March 17, 2022 at *2:45* P.M.

TOWN CLERK'S OFFICE
MIDDLEBURY, CT

Maureen L. Lumbardi, Asst.
TOWN CLERK

Call to Order:

Chairman Stephan R. Ferrucci III, called the Board of Assessment meeting to order at 6:40 PM.

Appeal Hearings:

Jose A. Sanchez – 319 White Ave.

Mr. Sanchez stated he feels the market value is \$500,000 with assessed value of \$350,000 based on a purchase appraisal submitted with the appeal. He purchased the property in June of 2021 for \$460,000. Mr. Sanchez stated he didn't know where the market value of \$712,500 came from for the property and is overvalued by the assessor. He would agree with the appraisal market value of \$500,00 rather than purchase price as a true estimate of value. When asked about condition or changes to the house by commissioner Brendan Browne, Mr. Sanchez informed the board no structural changes have been made and only cosmetics have been changed to suit their decor taste.

Board discussion in regards to where the \$712,500 came from because it's not reflective on assessor field card for 319 White Ave. The discussion brought the board to the conclusion that Mr. Sanchez didn't include the 2 additional parcels he owns in the appeal which would bring the market value to the numbers discussed by Mr. Sanchez. The board chooses to table discussion for a later date.

Pasquale DiFrancesco – 369 Three Mile Hill Road

Mr. Pasquale DiFrancesco submitted a home equity line of credit obtained September 23, 2021. Mr. DeFrancisco stated insurance has the property replacement cost at \$520,000 and equity line was for \$505,000 which is reflective of market value. Mr. DiFrancesco compared 396 & 377 Three Mile Hill Rd with roughly same acreage and house size from realtor.com. He discussed the changes in the neighborhood since purchase and the increased construction very close to his property. Mr. DiFrancesco submitted pictures of the property. Mr. DeFrancisco stated when questioned from commissioner Brendan Browne that he understood home equity line of credits are not as detailed as appraisals and also not reflective of the full market value.

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Pasquale DiFrancesco – 369 Three Mile Hill Road

Decision: Voted: unanimously on a motion from Commissioner Brendan M. Browne and seconded by Commissioner Robert J. Flanagan Jr. that the board deny the appeal, based on insufficient information provided to demonstrate a lower value of the property than assessed at time of revaluation, October 1, 2021. Motion carried.

Traci A. & Brian E. Morgan – 8 Jenson Drive

Mrs. Traci Morgan stated she owned two properties and the 8 Jenson Drive is over assessed. Zillow information was submitted showing that 8 Jenson Dr. has a market value of \$209,100. Mrs. Morgan felt that due to size of the home is would not draw potential buyers and not worth what is stated by the new assessment. Pictures were submitted to show the size of the home. Mrs. Morgan stated the Jenson Ave property is only two bedrooms with city sewer. Mrs. Morgan compared her 8 Jenson Drive home to her other property at 96 Yale Ave. stating that Zillow had the Yale Ave. property valued at \$210,700 which is larger in square footage, 3 bedrooms and also serviced by city water and sewer.

Marcos DeEscobar – 137 Falcon Crest Road

Mr. Marcos DeEscobar established that the board had been to the property two years ago in response to the last appeal. Mr. DeEscobar stated that although a new roof was installed he still had a leak which took time and aggravation to determine it was coming from the chimneys. Through inspections of the chimneys it was determined at time of build they were constructed with the wrong type of brick causing them to leak over time. DeEscobar also stated that two heat exchangers are cracked and need replaced forcing him to use alternate heating source. A spreadsheet was provided with a list of comperables in the area showing his property to have the largest increase. Mr. DeEscobar confirmed the information on the field card is accurate at this time and the property is in the same or worse condition from when the Board previously visited the property.

Charles & Yolande Bosman – 250 Shadduck Road

Attorney Joseph P. Latino represented the Bosman's with approval letter submitted to the board. Attorney Latino provided documentation of comperables in the area. Attorney Latino presented the argument that the home was built prior to the construction of I-84 and the continual increase of highway noise has significantly impacted the value of the property. The home needed windows to be upgraded to airport quality to try and damp noise. The path of Shadduck Rd. acoustically funnels the noise to the Bosman's property. They have also considered appealing to the State for noise abatement however feel that Shadduck Rd. would stop that possibility. Mrs. Bosman stated that she and her husband are suffering from physical, emotional and phycological affects from the highway noise. Neither of the Bosman's have a consistent sleep pattern and suffer daily.

John J. Starr (Jack) & Shauna McManus – 15 Sandy Beach Road

Mr. Starr submitted with the application a report with five comparable properties. Mr. Starr read a two-and-a-half-page statement outlining their argument. The statement presented gave history to the property and past inconsistencies with data and value of the boathouse. Mr. Starr confirmed the information currently on the assessor's field card is accurate and the data correctly represents the physical characteristics of the property. Mr. Starr stated that the boathouse is valued excessively based on comparables submitted. Mr. Starr stated from the comparable submitted that he felt that was the closest representation to his property was 1 Willow Island, Patterson NY. He determined a modified value from the comparable presented supported a market value of \$735,000 for his 15 Sandy Beach Road property.

Travis Harley – 460 Lake Shore Drive

Mr. Travis Harley and Mrs. Harley Jablonski stated that Mr. Harley's property is overvalued based on its current condition. Mr. Harley stated the house was purchased in June 2021 and multiple problems have occurred and been uncovered since time of purchase. The basement has seven different types of mold and the attic contains 9 different types of mold which need to be remediated. The water line to the well has a crack and needs to be repaired. They have had multiple water lines break due to corroded pipes. They found the water to be acidic and needed to install a neutralizer. On January 11, 2022 they heard a load snap at two different times in the day and the house shook. The main beam has a crack and failing which they believed occurred at time of the snap sound. They have ceilings that are sagging, improper insulation, a stress fracture in the wall. The back wall facing the lake needs repair and full of mold which needs to be remediated. The repairs will begin on the back wall in the spring with an estimate of \$46,000. Commissioner Brendan M. Browne question if a home inspector was used at the time of purchase. Mr. Harley confirmed they had two inspections and nothing was found at the time of inspection.

The Board request a visual inspection of the property at a later date to be scheduled.

Anthony D Santoro – 36 Algin Drive

Mr. Anthony Santoro provided eight comparables with an average increase of eleven and a half percent and stated his property has gone up over twenty percent. The comparables were all on his street showing prior assessed values higher than his and currently all the assessed values have dropped lower than Mr. Santoro's with no explanation of change.

Decision: Voted: unanimously on a motion from Commissioner Robert J. Flanagan Jr. and second by Commissioner Brendan M. Browne to reduce the Appraised value \$274,142 and assessed value of \$191,900. Motion carried.

Minutes Approval:

Motion by Commissioner Robert J. Flanagan and seconded by Commissioner Brendan M. Browne that the Board of Assessment Appeals approve the minutes of the meetings of September 25, 2021. Each member received copies for review. Motion carried.

Authorizes Payments:

Motion Commissioner Brendan M. Browne and seconded by Robert J. Flanagan Jr. to approve all usual and customary expenses. Motion carried.

Public Comment:

No one present for comments.

Adjournment:

Motion by Commissioner Brendan M. Browne and seconded by Robert Flanagan to adjourn the meeting at 9:28 PM.

Respectfully,

Stacie K. Maldonado

Stacie K. Maldonado
Recording Secretary