

Minutes of Board of Assessment Appeals Meeting - 04/12/22

Date and time: 04/12/22 6:00 PM to: 04/12/22 9:00 PM
Present: Brooke Stevens, Recording Secretary, Patrick Hughes, Chair, Mike Bekech, Kim Kalajainen, Gary Cicchiello, Suzanne Szupiany
Location: East Lyme Town Hall- (Conference Room 1)
108 Pennsylvania Avenue, Niantic, CT, 06357
Link: <https://app.meetingking.com/meetings/374871>

Topics

FILED

1. Call to Order

April 19, 2022 AT 9:04 AM/PM
Brooke Stevens ATC
EAST LYME TOWN CLERK

Note Mr. Hughes called the meeting to order at 6:00 p.m.

2. Appeals by Appointment Only

2-1. 6:00 PM- APPEAL 1364, L & L EAST LYME; 248 FLANDERS RD

Note Mr. Hughes swore Seth Walsin, the Appellant's representative, in.

Note Mr. Walsin said this the Stop and Shop supermarket, and only the Stop and Shop parcel.

Note Mr. Walsin said some of the following:

The 2021 fair market value is 11,830,000.

The assumption Vision Appraisal used is \$21.57 per sq ft and the building is a 63,000 square foot space.

The issue they have with this is the market rent.

\$15 a sq ft for rent is what they're seeking rather than \$21.57 which translates into an 8.38 million fair market value.

They would be okay with anything south of \$21.50.

2-2. 6:15 PM- APPEAL 4966, WALGREENS CO INC; 340 FLANDERS RD

Note Mr. Walsin said some of the following:

The fair market value for this property is roughly \$3,225,000.

The supportive income approaches based on 13,200 square feet of leasable space, a market rent of \$19.50 a square foot, a 3% deduction for vacancy, a 6% reduction for expenses, a 7.2 cap, which ultimately is \$3.25 million.

Walgreens has acquired the building and doesn't lease, and would like to see their assessment more in line with the 2016 grand list, which translates to \$2.75 million.

Note Ms. Kalajainen asked why for the Stop and Shop he the approach of trying to get the square foot number where he wanted it, and for Walgreens he looked to get to where he needed to be through the percent expense reduction; it's two very distinct and different approaches. She said she feels like he's trying to get to a number that works for him versus a consistent methodology for approaching commercial space.

Note The Board and Appellant further discussed the appeal.

2-3. 6:30 PM- APPEAL 3526, L & L EAST LYME LLC; 250 FLANDERS RD

Note Mr. Hughes swore Lea Engels, the Appellant's representative, in.

Note Ms. Engels said this is the rest of the Stop & Shop building and she discussed how the former Sleepy's storefront has been vacant since 2017, and the former Angel Tips Nail Salon has been vacant since 2019.

Note Mr. Hughes said right now the appraised value is \$2,873,700.

Note Ms. Engels said they're seeking a \$600,000 reduction based on a decrease of revenue.

2-4. 6:45 PM- APPEAL 6974, 502 EAST 81ST STREET OWNERS CORP; 15 INDUSTRIAL PARK RD

Note Attorney Gregory Servodidio was in attendance to represent the Appellant and as an officer of the Court, he was not required to be sworn in.

Note Mr. Servodidio discussed the building which housed the former Bob's Furniture store, and he noted the building has been empty since Bob's lease expired in 2019.

Note The Board briefly discussed how Viking Firearms is now leasing the property and will soon be opening up shop.

Note Mr. Servodidio said previous to the new lease the owner received an unsolicited offer to purchase the property, which he shared with the Board. He noted the fair market value is \$4,584,100 and the owner feels the property is worth \$2.5 million.

Note Mr. Servodidio discussed the property field card and said looking at how the improvements have been categorized, there's really been a divergence in the highest and best use for property; it's categorized as a furniture showroom, and it hasn't functioned in that capacity a few years.

Note Mr. Servodidio discussed how the property is still coded as retail, which it no longer is, and translates into \$400,000 an acre which is quite high.

Note Mr. Servodidio discussed comparable properties in the area.

Note Mr. Servodidio said he believes their request to reduce the value to \$2.5 million is warranted by the purchase offer they received, the ABC Lumber assessment, which is located down the street, as well as the coding of the field card.

Note Ms. Kalajainen discussed how the high visibility on I-95 gives this property a major value and Mr. Servodidio discussed how ABC Lumber is housed under one roof verses two buildings, and how any renter would have to be willing to make use of the space in this way.

Note Ms. Kalajainen noted that Viking Firearms will be open in the same manner that Bob's was open to the public; they're just not selling furniture instead they're selling entertainment.

Note Mr. Bekech noted the new tenant will be utilizing both buildings.

Note The Board further discussed the appeal.

2-5. 7:00 PM- APPEAL 358, THREE BELLES LLC; 119 OSWEGATCHIE HILLS RD

Note Attorney Mike Trella was in attendance to represent the Appellant and as an officer of the Court, he was not required to be sworn in.

Note Mr. Trella discussed all 3, Three Belles' properties together and said some of the following: The property consists of three buildings totaling 29,000 square feet. The town has it set at \$3.9 million, and his client believes it should be \$2.8 million; this translates to \$131 per sq ft for the town verses \$112 a square foot for the client.

Note Mr. Trella said his client is questioning what is being charged per sq ft and he discussed comparable properties.

Note Mr. Trella discussed how the marina slips only make money in the summer months when they're rented out and Mr. Bekech pointed out how the boatyard earns revenue in through winter boat storage.

2-6. 7:15 PM- APPEAL 360, THREE BELLES LLC; OSWEGATCHIE HILLS RD

Note This appeal was discussed with Appeal 358.

2-7. 7:30 PM- APPEAL 359, THREE BELLES LLC; ROUND ROCK RD

Note This appeal was discussed with Appeal 358.

2-8. 7:45 PM- APPEAL 3720, EMBALMERS SUPPLY CO; 5 COLTON RD

Note Mr. Trella said this is an 19,000 sq ft industrial building and the town has it at \$1.2 million, which is about \$83 a square foot, whereas the client has thinks it should be \$53 a square foot.

Note Mr. Trella provided the Board with a list of comparable properties and said the appraisal is outside the actual market value and the comps reinforce this.

2-9. 8:00 PM- APPEAL 6931, P & H ENTERPRISES LLC; 287-2 MAIN ST

Note Mr. Trella said this is a parcel that has two buildings, one of which is a two-story retail and the other one is a 6,300 square foot retail sales space with a series of different tenants. He said the town has it valued at \$1.1 million which translates into \$83 a square foot and his client believes \$59 per square foot would be more appropriate.

Note Mr. Trella said this is a parcel that has two buildings, one of which is a two-story retail and the other one is a 6,300 square foot retail sales space with a series of different tenants. He said the town has it valued at \$1.1 million which translates into \$83 a square foot and his client believes \$59 per square foot would be more appropriate.

3. Deliberations/Decisions if time permits

3-1. 6:00 PM- APPEAL 1364, L & L EAST LYME; 248 FLANDERS RD

Decision MOTION (1)

Mr. Bekech moved to take no action.
Ms. Kalajainen seconded the motion.
Motion carried, 5-0-0.

3-2. 6:15 PM- APPEAL 4966, WALGREENS CO INC; 340 FLANDERS RD

Decision MOTION (2)

Mr. Bekech moved to take no action.
Ms. Kalajainen seconded the motion.
Motion carried, 5-0-0.

3-3. 6:30 PM- APPEAL 3526, L & L EAST LYME LLC; 250 FLANDERS RD

Decision MOTION (3)

Ms. Szupiany moved to take no action.
Mr. Cicchiello seconded the motion.
Motion carried, 5-0-0.

3-4. 6:45 PM- APPEAL 6974, 502 EAST 81ST STREET OWNERS CORP; 15 INDUSTRIAL PARK RD

Decision MOTION (4)

Ms. Szupiany moved to take no action.
Ms. Kalajainen seconded the motion.
Motion carried, 5-0-0.

3-5. 7:00 PM- APPEAL 358, THREE BELLES LLC; 119 OSWEGATCHIE HILLS RD

Decision MOTION (5)

Mr. Cicchiello moved to take no action.
Ms. Szupiany seconded the motion.
Motion carried, 5-0-0.

3-6. 7:15 PM- APPEAL 360, THREE BELLES LLC; OSWEGATCHIE HILLS RD

Decision MOTION (6)

Mr. Cicchiello moved to take no action.
Ms. Szupiany seconded the motion.
Motion carried, 5-0-0.

3-7. 7:30 PM- APPEAL 359, THREE BELLES LLC; ROUND ROCK RD

Decision MOTION (7)

Mr. Cicchiello moved to take no action.
Ms. Szupiany seconded the motion.
Motion carried, 5-0-0.

3-8. 7:45 PM- APPEAL 3720, EMBALMERS SUPPLY CO; 5 COLTON RD

Decision MOTION (8)

Ms. Szupiany moved to take no action.
Mr. Bekech seconded the motion.
Motion carried, 5-0-0.

3-9. 8:00 PM- APPEAL 6931, P & H ENTERPRISES LLC; 287-2 MAIN ST

Decision MOTION (9)

Ms. Szupiany moved to take no action.
Mr. Bekech seconded the motion.
Motion carried, 5-0-0.

- 3-10. 4/11/22, 7:15 PM- APPEAL 7669, RINGS END INCORPORATED; HOPE ST**
- 3-11. 4/11/22, 7:30 PM- APPEAL 5144, RINGS END INCORPORATED; 23-25 HOPE ST**
- 3-12. 4/11/22, 7:45 PM- APPEAL 7044, RINGS END INCORPORATED; 28 HOPE ST**
- 3-13. 4/11/22, 8:00 PM- APPEAL 7191, RINGS END INCORPORATED; 15 STATE RD**
- 3-14. 4/11/22, 8:15 PM- APPEAL 8766, RINGS END INCORPORATED; MAIN ST**

Note The Board briefly discussed how no comparable properties were cited for these five appeals. Mr. Bekech noted they're five different pieces, but one entity and the Board decided to vote on all five appeals together.

Decision MOTION (10)

Mr. Bekech moved to take no action.

Ms. Szupiany seconded the motion.

Motion carried, 4-0-1.

Ms. Kalajainen abstained from the vote due to her absence from the April 11th, 2022, meeting.

- 3-15. 4/11/22, 8:30 PM- APPEAL 2095, ROMULAN REALTY; 8 W MAIN ST**

Note Mr. Bekech discussed the appeal and noted he compared this building to 314 Flanders (Liberty Bank), and everything is consistent.

Decision MOTION (11)

Mr. Bekech moved to take no action.

Ms. Szupianny seconded the motion.

Motion carried, 3-0-2.

Ms. Kalajainen abstained from the vote due to her absence from the April 11th, 2022, meeting.

Mr. Hughes abstained from the vote since his wife is a tenant in the building.

- 3-16. 4/11/22, 8:45 PM- APPEAL 2158, TWO HUNDRED AND SIXTY SEVEN; FLANDERS RD**

Decision MOTION (12)

Ms. Szupiany moved to take no action.

Mr. Bekech seconded the motion.

Motion carried 4-0-1.

Ms. Kalajainen abstained from the vote due to her absence from the April 11th, 2022, meeting.

4. Further Appeals by Appointment Only

- 4-1. 8:15 PM- APPEAL 4200, EAST LYME PSYCHOLOGICAL ASSOC INC; 29 CHESTERFIELD RD**

Note Mr. Hughes swore Nancy Randall in.

Note Ms. Randall provided the Board with a packet that highlighted different office buildings in the Flanders area as well as commercial properties in general, which she discussed.

Note Ms. Randall said she doesn't understand why her building is value is so high. She discussed how there have been no improvements and they're not enough parking spaces to be at capacity, so there is one empty office.

Note Ms. Randall said looking at the comps her assessment should be \$350,000 but she would be happy with \$400,000.

Note The Board and Ms. Randall discussed the appeal.

4-2. 8:30 PM- APPEAL 7053, LEDGE LIGHT CAPITAL LLC; 36 INDUSTRIAL PARK RD

Decision This Appellant did not appear; no action taken.

5. Further Decisions/Deliberations if time permits

5-1. 8:30 PM- APPEAL 7053, LEDGE LIGHT CAPITAL LLC; 36 INDUSTRIAL PARK RD

Decision MOTION (13)

Mr. Bekech moved to change the depreciation code from good to average, and the land condition to .85 due to parking related issues.

Ms. Kalajainen seconded the motion.

Motion carried, 5-0-0.

5-2. 4/5/22, 9:00 PM- APPEAL 7040, ANDREW TOWPASZ; 7 ISLANDA CT

Note The Board briefly discussed the appeal and how the Appellant chose to put the garage where it is and cut off the very parcel he's appealing.

Decision MOTION (14)

Mr. Bekech moved to take no action.

Mr. Cicchiello seconded the motion.

Motion carried, 4-0-1.

Ms. Kalajainen abstained from the vote due to her absence from the April 5th, 2022 meeting.

6. Adjournment

Decision MOTION (15)

Mr. Hughes moved to adjourn the April 12th, 2022, Board of Assessment Appeals meeting at 9:00 p.m.

Ms. Szupiany seconded the motion.

Motion carried, 5-0-0.

Note Respectfully Submitted,
Brooke Stevens, Recording Secretary