

EAST LYME BOARD OF ASSESSMENT APPEALS

Minutes of March 2, 2010

The East Lyme Board of Assessment Appeals met to hear appeals for the 2009 Grand List. The meeting was called to order by Chairperson William Weber at 6:00PM in the East Lyme Town Hall lower level conference room. In attendance were Chairperson Weber, Joan Schwartz and Susan Graham with clerical support from BAA Clerk Michael Bekech. Board Member Paul Dagle joined the meeting at 7:00PM and alternate member Abraham Fisher joined the meeting at 7:30PM

- #1 Black Point Construction- The appeal by Black Point construction for properties at 10 Miranda Way and 12 Miranda Way was withdrawn prior to this meeting.
- #2 Stephen and Robin Bruno appeared before the Board to appeal the assessment on property at 8 South Lee Road, which is assessed at \$528,920 by the Town... Mr. Bruno noted that his property value is negatively impacted by the condition of the property adjacent to theirs. He noted that he was receiving 5% economic obsolescence due to the impact of that property on the house, which was later corrected to 10% after review of the field card. He noted the property next door has been in the same condition for more than 15 years. He asked that the Board increase the economic obsolescence to 20% and apply that reduction to both the house and land... The owner's requested that the Fair Market Value of the property be reduced from \$755,600 to a Fair Market Value of \$603,000.
- #3A Nauman Chaudry and Uzma Zaidi- The owner did not appear to appeal the assessment at 19 Rocco Drive.
- #3B Nauman Chaudry and Uzma Zaidi- The owner did not appear to appeal the assessment at 39 Cardinal Road.
- #4 The appointment scheduled for Mary Ann Gibbons for the property at 22 Church Lane had been rescheduled to March 9, 2010 at 6:00PM.

Mr. Dagle arrived at the meeting.

- #5 Robert and Nancy Morrison appeared to appeal the assessment on a property known as 10 South Road. The town's Fair Market Value is \$702,500. The property was partially owned by Mr. Morrison and his mother and he purchased her interest on 5/29/2009 for \$229,000. The price was arrived at based on an appraisal completed by George Joseph as of 4/11/2009 for \$458,000. A Comparative Market Analysis was also prepared by Caldwell Banker as of 3/27/2009, which indicated a value of \$445,000. Based on the improvements to the property and the indicated land value, the owner requested that the FMV be lowered to \$400,000.

Mr. Fisher arrived at the meeting.

- #6 Benjamin Orvedal appeared to appeal the property known as map 21.4 Lot 4 Flanders Road. He is a member of the Niantic River LLC. (owner of property). The town's Fair Market Value is \$77,700. The owner noted that the property has only 4,200 SF of building area, as there is ledge on the property that rises from 18 to 39 feet above street grade. He noted he received a variance which allowed the property to be utilized by reducing the set back to 10 feet of Flanders Road. He noted that he paid \$20,000 for the property on 5/26/2006 as a result of a Tax Sale. He requested to that the Board lower the Fair Market Value to \$20,000 based on the ledge and limited building area assigned to the property.
- #7 Carla Steele appeared to appeal the assessment on a property known as 10 Billow Road. The FMV of the property is \$379,400. It was noted that the house was built in 1960 and was basically unfinished in the inside. It is lived in all year long but was in unfinished condition as if it were a seasonal cottage. Pictures of ceiling leaks and unfinished walls and electrical work were provided. She also noted several properties in the area with a lesser value per square foot of total property value than hers that she noted were in better shape. She requested that the Fair Market Value be lowered to \$300,000.
- #8 Gerard R. Powers appeared to appeal the assessment on a property known as 4 South Street. Mr. Powers provided a letter, which outlined his concerns with the property value. He noted that he has sat down with the Assessor who applied factors, which answered his concerns on his item #2 and #3 on his letter. The assessor also corrected the street index factor from 0075 to 0065, which created a proposed assessed value to the Board of \$428,960. Mr. Powers noted he appreciated the corrections but felt that the street index factor should be lowered to 0060. He therefore requested that the board take into consideration the traffic volumes and speed of vehicles passing his property and lower the assessment to \$407,890.
- #9 Reno and Angela M Soucy appeared to appeal the property known as 4 Ocean Ave. The Fair Market Value on the property is \$338,200. Joan Schwartz recused herself from this hearing. Mr. Soucy noted that the property adjacent to his was purchased for \$115,000. He noted that they both are next to an adjacent pond and as a result of building related issues for that recently sold property; he felt that his Fair Market Value should be reduced to \$150,000. He noted that because of the high water table, the lot adjacent to his required that there are piles driven into the ground to support the foundation. He also noted that issues with DEP might render the lot non-buildable if it could not support a septic system even though sewers are available to the site. He also requested that his C factor be reduced from 2.25 to 2.00.

- #10 Daniel and Sally Wade appeared to appeal the property known as 392 Boston Post Road. It was noted that they purchased the property on 08/25/2004 for \$215,000 and felt that items were misrepresented at that time and they over paid for the property. They noted that have since totally rebuilt the chimney, put on vinyl siding, replaced windows and the interior needs a lot of work. It was noted that the basement had a water problem and that a portion of the lot was wetlands. They also noted that they were building a multistory 40 x 48 barn on the site that was only about 25% complete. They also noted that 31 Dean Road had 3.167 acres and that on a square foot basis the land was valued substantially less than their property. They requested in Fair Market Value of \$196,000 on the property.
- #11 John A Yannacci Jr. appeared to appeal the assessment of the property at 462 Boston Post Road in the name of John and Kate M Yannacci. He noted that his property was a dated 1 bedroom 1 bath approximately 700 SF home with a crawl basement built in the 1940's. He noted that the property was just large enough to support one or two people at the most. He noted that his basement was wet and that the lot was non-conforming and would not be able to expanded or possibly even replaced if it burned down. He noted that the house required a massive capital investment. He also noted that the property was directly across the street from the Stones Ranch National Guard Camp and as such was subject to hearing gunfire, diesel trucks idling for long periods and the sound of rifle practice during the summer. He also noted that he was on US RTE 1 which was heavily traveled by both military vehicles and I-95 By-pass traffic. He felt that his house had a Fair Market Value of \$65,000.

With the scheduled appointments completed, a motion was made by Joan Schwartz and seconded by Susan Graham to accept the minutes of the previous meeting with two clerical wording corrections. The motion was passed 3-0 to accept the amended minutes. Paul Dagle and Abraham Fisher abstained from voting on this issue. A motion was made by Joan Schwartz and seconded by Susan Graham to cancel the meeting scheduled for Monday March 8, 2010 since no appointments were booked on that date. The motion passed 3-0 with Mr. Dagle and Mr. Fisher abstaining.

The meeting was adjourned at 9:10pm

Respectfully submitted,

Michael Bekech
Clerk to EL BAA 03/02/2010