

Town of Montville Board of Assessment Appeals

Special Meeting Minutes

April 5, 2016

6:00 p.m. – Room 203 – Town Hall

Property Owners in the Town of Montville are hereby notified that the Board of Assessment Appeals will meet during the month of March at Town Hall for the sole purpose of hearing appeals related to assessments of Real Estate, and Personal Property for the October 1, 2015 Grand List as well as the 2014 Supplemental Motor Vehicle assessments.

All persons wishing to appeal their assessments on the Grand List of October 1, 2015 were required to submit an appeal form by March 20, 2016.

Hearings will be held by appointment on the following dates:

Tuesday, April 5, 2016, 6:00 p.m.

Thursday, April 7, 2016, 6:00 p.m.

Saturday, April 9, 2016, 9:00 a.m.

The meetings will be held in Room 203.

1. Call to Order

Chairman Pike called the meeting to order at 6:00 p.m.

2. Roll Call

Present were Board Members Stanley Gwudz (6:07 p.m.), Wills Pike and Florence Turner. Also present was Town Assessor Lucy Beit.

3. Approval of the meeting minutes of:

a. Regular Meeting Minutes of September 12, 2015

Motion made by Board Member Gwudz, seconded by Chairman Pike. Voice vote, 2-0-1. Voting in Favor: Board Members Gwudz and Pike. Voting in Opposition: None. Voting in Abstention: Board Member Turner. Motion carried.

4. To consider and act on a motion to hear appeals brought to the Board of Assessment Appeals regarding personal property and real estate for the Grand List of October 1, 2015.

Personal Property Appeal of John A. Boudah, Jr., Construction, 8 Manor Road, Account #B2013258

John A. Boudah was sworn in by Chairman Pike. Mr. Boudah stated that he had previously spoken with the Assessor and submitted a Letter of Dissolution, dated May 1, 2015, stating that the business has not been active since 2005.

Real Estate Property Appeal of Faria Beede Instruments, Inc., for property located at 42 Pink Row, Account #G0366700, MBL #074-038-000

David M. Hickey, President, was sworn in by Chairman Pike. The Appellant is requesting a reduction of the assessed value of the property by the estimated cost of the remediation, i.e., the removal of the existing contamination, of the property. He presented the Board with a Fair Market Value Appraisal and Liquidated Appraisals, both of which are based on the completion of the necessary remediation.

Personal Property Appeal of Kobyluck Sand & Gravel, Inc., 170 Oxoboxo Dam Road, Account #K4026500

Josh Kobyluck was sworn in by Chairman Pike. Mr. Kobyluck stated that he is seeking a manufacturers and machinery exemption. Similar to the previous year, the proper form(s) were submitted to the Town, who subsequently mailed him a letter stating that the exemption was denied. It is Mr. Kobyluck's understanding that the Town may submit the exemption form to the State for reimbursement. He currently runs other businesses in other municipalities, including Waterford, and is able to receive the exemption. The previous year's Appeal for the same issue is currently in the process of being heard in Superior Court. The Board will review his appeal and the State Statute regarding the exemption.

Real Estate Property Appeal of 350 Route 32 Holding, LLC., for property located at 350 Route 32, Account #M0361800, MBL #073-047-000

Isaac Malekan, representing 350 Route 32 Holding, LLC., was sworn in by Chairman Pike. The Appellant is seeing a reduction in the appraised value of the property due to its condition. The building, which has extensive electrical and plumbing issues, is largely abandoned, with the exception of a Barber Shop. Mr. Malekan agreed to provide the Board with a copy of the most recent appraisal for the property on Thursday evening.

Real Estate Property Appeal of William R. Allen for property located at 1439 Old Colchester Road, Account #R0620100, MBL 105-029-000

William R. Allen and Glen Gordon were sworn in by Chairman Pike. Seeking a reduction in the appraised value of their home, the Appellant presented the Board with a retroactive appraisal (retroactive to October 1, 2011) of the property as well as comparable properties. The home has been on the market for approximately five (5) years. The Appellant confirmed the information as stated on the Vision Property Card.

Real Estate Property Appeal of Xiaoqing Chen for property located at 1099 Route 163, Account #H0251000, MBL 052-045-00E

Xiaoqing Chen and Helen Yu, translator, were sworn in by Chairman Pike. The Appellant is seeking a reduction in the appraised value of the property based on comparable

properties in the area. The Appellant confirmed the information as stated on the Vision Property Card. On behalf of Ms. Chen, Ms. Yu will provide the Board with documentation supporting her appeal on Thursday evening.

Real Estate Property Appeal of Eileen Emery for property located at 901 Old Colchester Road, Account #E0105600, MBL #029-087-000

Eileen Emery was sworn in by Chairman Pike. The Appellant is seeking a reduction in the assessment of the property based on both the findings of both the Planning & Zoning Office and Soil Scientist, which determined the bulk of the property unbuildable due to the existing wetlands. Ms. Emery presented a copy of a map provided by the Planning & Zoning Office, indicating the amount of wetlands on the property, and a copy of the report created by a Soil Scientist, who also determined the amount of wetlands vs. buildable property, to support her appeal.

Real Estate Property Appeal of Donny Jacobowitz for property located at 314 Route 163, Account #C0420800, MBL #082-062-000

Donny Jacobowitz was sworn in by Chairman Pike. Mr. Jacobowitz stated that he purchased the property from the Town for \$500.00 at auction for the purpose of housing his vehicles. Because the property is zoned as industrial, he did not foresee any issues with utilizing the property as planned at the time of purchase. He has since discovered that the property is predominantly wetlands and is unable to utilize the property as planned without conducting extensive capital improvements.

Real Estate Property Appeal of Jaeho Hwang for property located at 39 Virginia Road, Account #S0548400, MBL #097-078-000 – not present

5. Adjournment

Motion made by Board Member Gwudz, seconded by Chairman Pike, to adjourn the meeting at 7:49 p.m. Voice vote, 3-0, all in favor. Meeting Adjourned.

Respectfully Submitted by:

Agnes Miyuki, Recording Secretary for the Town of Montville