

# Town of Colchester Board of Assessment Appeals

## Meeting Minutes

Date: March 30, 2019  
Time: 9:00AM  
Location: Meeting Room 1  
Members Present: Denise Turner, Andrew Cournoyer  
Members Absent: David Anderson  
BAA Clerk Present: None

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COLCHESTER  
2019 APR -1 PM 2:15  
ALICE TURNER

### Agenda Items March 16, 2019

1. **Call meeting to order.**  
Meeting was called to order at 9:36AM by Denise Turner.
2. **Approve minutes from last meeting.**  
Andrew Cournoyer made motion to approve minutes from the March 16, 2019 meeting. Denise Turner seconded. All in favor. Motion carried.
3. **Citizen's comments.**  
Mr. John and Mrs. Lynn Cipriano of 27 Settlers Path stated they wanted clarification on the appeal process and were unhappy with the process. Submitted two letters to add to minutes and public record.
4. **Discussion and possible action on appeals held March 12, 2019 and March 16, 2019.**

#### The following discussions and motions were made with regards to appeals held March 12, 2019:

**Catlin, Natasha + Aguiar, Derek**  
22 Harvest Ln.  
MBLU: 03-11/016-067  
RE Assessment: 226,800

**Discussion:** Denise Turner inspected the property with member of the Assessor's office.

**Motion:** Denise Turner made motion to reverse motion of "no change in assessment" passed by the Board on March 12, 2019. Andrew Cournoyer seconded. All in favor. The motion passed unanimously.

**Motion: Ms. Natasha Catlin + Mr. Derek Aguiar** to receive CHANGE IN ASSESSMENT from 226,800 to 223,800. Motion made by Denise Turner seconded by Andrew Cournoyer. All in favor. Motion carried unanimously.

**Brooks, Jeffrey + Dorothy**  
34 Rudden Ln.  
UID: 20150140  
PP Assessment: 33,160

**Discussion:**

**Motion: Mr. Jeffrey + Mrs. Dorothy Brooks** to receive NO CHANGE IN ASSESSMENT. Motion made by Andrew Cournoyer seconded by Denise Turner. All in favor. Motion carried unanimously.

#### The following discussions and motions were made with regards to appeals held March 16, 2019:

**Spicer, Ronald MV Account**

18 Stanavage Rd.

UID: 20180003

PP Assessment: 26,230

**Discussion:** Provided copy of Maine excise tax receipt. Pursuant to Connecticut General Statutes §12-71b(g) "Any motor vehicle which is not registered in this state shall be subject to property tax in this state if such motor vehicle in the normal course of operation most frequently leaves from and returns to..."

**Motion: Mr. Ronald Spicer, MV Account** to receive NO CHANGE IN ASSESSMENT. Motion made by Andrew Cournoyer, seconded by Denise Turner. All in favor. Motion carried unanimously.

**Jesco Equipment**

Broad Meadow Rd.

UID: 20180012

PP Assessment: 437,500

**Discussion:** Pursuant to Connecticut General Statutes §12-71(4)(D) "any registered motor vehicle that is used or intended for use for the purposes of construction, building, grading, paving or similar projects, or to facilitate any such project, shall be set in the list of the town in which such project is situated if such vehicle is located in said town for the three or more months preceding the assessment day in any year, provided (i) if such vehicle is located in more than one town in this state for three or more months preceding the assessment day in any year, such vehicle shall be set in the list of the town where it is located for the three months or more in such year nearest to such assessment day, and (ii) if such vehicle is not located in any town for three or more of the months preceding the assessment day in any year, such vehicle **shall be set in the list of the town where such vehicle is located on such assessment day.**" Review of rental contract agreement indicates that the equipment was located in Colchester on the assessment date.

**Motion:** Denise Turner made motion to reverse motion of "change in assessment from 437,500 to 0" passed by the Board on March 16, 2019. Andrew Cournoyer seconded. All in favor. The motion passed unanimously.

**Motion: Jesco Equipment** to receive NO CHANGE IN ASSESSMENT. Motion made by Denise Turner, seconded by Andrew Cournoyer. All in favor. Motion carried unanimously.

5.

**Additions.**

There were no additions.

6.

**Adjourn.**

Andrew Cournoyer made motion to adjourn, Denise Turner seconded the motion. The motion carried unanimously and the meeting adjourned at: 10:44AM.

Respectfully,

  
Denise Turner, Board of Assessment Appeals Chairwoman



March 30, 2019

Town of Colchester

Board of Assessment Appeals

Denise Turner, Chairman; David Anderson and Andrew Cournoyer, Members

27 Norwich Avenue

Colchester, CT 06415

Dear Chairman Turner, Board Member Anderson and Board Member Cournoyer,

For our property, 27 Settlers Path, the minutes from the 16mar2019 meeting of the Board of Assessment Appeals indicate that there was a review of "...assessed values of properties in Colchester and surrounding neighborhood," and that the preliminary ruling is based upon such. If the Board is unable or unwilling to reconsider our appeal, we respectfully ask that you provide:

1. An explanation of why the Board violated Connecticut General Statute §12-111(a) which requires, among other things, that "The board shall determine all appeals for which the board conducts an appeal hearing and send written notification of the final determination of such appeal to each such person within one week after such determination has been made."
2. Details regarding the experience of each board member with regard to each of the three approaches to value used by assessors and real estate appraisers.
3. Details on what factors the Board uses to review the value of property.
4. Addresses of the properties used for comparison purposes from Colchester (per the Board minutes).
5. Addresses of the properties used for comparison purposes from the surrounding neighborhood (per the Board minutes). (As a reminder, our home is in a Hebron neighborhood, with all other homes on our street and all homes on the connecting street located in Hebron, valued in accordance with Hebron properties/schools/services.)
6. Details on why the appraisal we provided was not reviewed by the Board. (Interestingly, while there is no discussion our appraisal mentioned in the March 16, 2019 minutes, there was a mention of another appellant's appraisal, James Mongelli.)
7. Details regarding the research and review of other properties used for comparison purposes (by the assessor and/or by Board, if different), including when that research and review was conducted (date and time), how the comparison properties were selected, who (by name and title) specifically suggested the properties to be used, and how much time was devoted to this review during the Board's discussion and ruling on 16mar2019.
8. Details regarding the failure to accept the comparable properties included in our independent appraisal, said appraisal obtained last summer, proximate to the time the tax assessor completed his inspection.

We would appreciate receiving your response no later than April 15. If you have any questions, please call us at 860-713-9771 or contact us by email at [jjcip@yahoo.com](mailto:jjcip@yahoo.com).

Sincerely,



John and Lynn Cipriano

27 Settlers Path

Amston, CT 06231 (mailing address)



March 30, 2019

Town of Colchester

Board of Assessment Appeals

Denise Turner, Chairman; David Anderson and Andrew Cournoyer, Members

27 Norwich Avenue

Colchester, CT 06415

Dear Chairman Turner, Board Member Anderson and Board Member Cournoyer,

At 9:30 a.m. on 16mar2019 we came before the Colchester Board of Assessment Appeals in good faith to present evidence that the second-floor construction of our home was overvalued by the tax assessor. In the year since we received the town's valuation, we spent many hours preparing for this appeal and expended resources to seek an independent appraisal of the home after the completion of the second-floor work. During our appeal, we shared that the second-floor valuation had doubled since January of 2018, even though the tax assessor viewed the space in substantially complete form during their January 29, 2018 visit. Further, we provided a copy of an independent appraisal which supports a much lower valuation for our home.

At the 16mar2019 appeals meeting, Board member Anderson indicated that the Board would need to review the evidence we provided in more detail, discuss the valuation with the assessors; and finally, there was mention that one or more of the board members might need to come out to our home to view the second floor. For our case, Mr. Anderson was the board member who led the conversation during the appeal meeting, serving as the "point person" for the Board. Through the course of the discussion, the Board stated that they would enter into a deliberative process and review all the evidence that we provided.

This week, we read the minutes from the 16mar2019 meeting of the Town of Colchester Board of Assessment Appeals that became available online. We were very surprised to read that a decision was made the same afternoon as our appeal meeting, without following the steps which the Board had specified at our meeting:

- There is no indication that the evidence we submitted in support of our appeal (notably the appraisal and the appeal application) was reviewed at all.
- There is no indication that the tax assessor was approached to opine on our valuation—the minutes indicate neither that he arrived in person nor that he was called.
- There was never an attempt for Board members to come to our home to inspect the second floor.

In light of the fact that:

- 1) the Board did not review the appraisal and other supporting evidence that we provided;
- 2) the Board did not follow any of the steps they declared necessary as part of an adequate review prior to rendering a decision; and
- 3) the Board member who led the discussion and who served as "point person" for our matter was not even at the meeting for the actual dispensation of our case;

we respectfully request that the full Board reconsider our matter after a more comprehensive review as outlined by Board member Anderson.

Sincerely,



John and Lynn Cipriano

27 Settlers Path

Winstons, CT 06231 (mailing address)

