

Board of Assessment Appeals Minutes
Town of Oxford
Regular Meeting

April 5, 2016

The meeting was called to order at 7:04 p.m.

Members Present: Linda Czaplinski, Ann Krane, Ed Carver (7:15 p.m.)

Amendments to Agenda:

1. Discuss meeting schedule and cancellations

Diane Ploch cancelled. The document we put together at our last meeting was sent with the confirmation letters, and two of the Motor Vehicle appeals were cancelled due to a better understanding of how the appeal process works, so they are not going to appeal.

Charmane Howell-McCalla appeal is rescheduled.

Timberlake and RBC (Roller Bearing Company of America, Inc.) are in excess of \$1 million, so this Board does not hear them.

Pre-hearing Discussion:

Linda Czaplinski asked if there were any questions regarding any of the documents for the appeals we will be hearing this evening. Ann Krane asked if people come with evidence for their case, and are we allowed to ask questions. Yes.

Linda Czaplinski noted that the meeting on April 18th may or may not be cancelled due to a town meeting that same night at Quaker Farms School. This item is pending.

Ed Carver asked if he would get reimbursed for taking the class for this committee. Both Ed and Anne paid for the class the day of the class with their own funds. Linda Czaplinski will look into this.

Hearings:

Appeal of Barbara & Irwin Chinitz, 546 Caddie Court, Oxford, CT

Barbara Chinitz was sworn in and made the following appeal. She is a realtor for Coldwell Banker and the last time a Laurel model at Oxford Greens closed was on July 1, 2013 for \$402,500. She is appealing her assessment and feels it is higher than all of the other Laurel models. She printed out all of the Laurels in Phase 3 from the MLS listings, and all are lower than hers with the same square footage, and she pays the second highest taxes of all of them. She has an unfinished basement, and they made her kitchen smaller and expanded the area in the kitchen and they call it a "Florida room." All of the models have the same square footage. Her

field card states her assessment is \$311,600, and appraised for \$445,200. She stated that no Laurels have sold. A more accurate estimate for the appraisal would be \$420,000. Ms. Chinitz did have a hearing with Vision in December but the assessment is the same.

Linda Czaplinski stated that we will look at her appeal and she will receive a letter sometime either at the end of this month or the beginning of May after the Assessment Board of Appeals deliberates the appeal.

Appeal of Kathleen Goldschmidt, 72-78 Larkey Road, Oxford, CT

Kathleen and Martin Goldschmidt both were sworn in and made the following appeal. When they first bought their property the town came out and did a perk test. Planning & Zoning came out and stated that the smaller lot of 4.2 acres was unbuildable because of the slope and amount of blasting required. After that, the town came out and asked them if they wanted to donate the smaller parcel of land to open space. The Goldschmidts asked why are the taxes so high and why are they taxed the same amount for 1.5 acres of each parcel when one parcel is 11.7 acres and the other is 4.2 acres. They went to the Assessor and she stated that the smaller parcel is considered a buildable lot. Mr. Goldschmidt stated it is not a buildable lot. He wanted to know if they merged the properties together would the assessment be lower.

Linda Czaplinski asked who told them that the property was not buildable. Mr. Goldschmidt stated the Zoning Enforcement Officer back in 1999 told him don't waste time or money because it was unbuildable. The property is located behind the bus company. The property is contiguous. It does have an easement out to Rt. 67, and it does have frontage of about 50 feet on Larkey Road. Mr. Goldschmidt did have someone interested in buying the property but stated the \$6000 in taxes is too high just to camp on the property. Linda Czaplinski stated that the Board does not know if combining the properties how it would affect their taxes. Raw land has to be 25 acres. Farm designation is higher. They are only appealing the 4.2 acre parcel, and asking to effectively come up with the best tax strategy. Linda Czaplinski asked if there is any documentation. They do not have any.

Linda Czaplinski stated that the Board will review everything and they would receive a letter after deliberation which will be the end of April or the beginning of May.

Discussion: Linda Czaplinski noted that the Board will look at everything, and if it came back to combining the properties, the Board gives a recommendation. Ann Krane asked if we ask Planning & Zoning to look at this property. Linda Czaplinski stated that if there are questions, sometimes we go back to the Assessor, and she can go out to the field. The note on the Vision history states "Field Review" and Linda will get clarification from the Assessor if someone from Vision went out to look at the property.

Appeal of Helen & David Catlin, 236 Park Road, Oxford.

No show.

MOTION

Linda Czaplinski moved to send a letter to the Catlin's denying their appeal because they did not appear and did not notify us. Motion tabled.

Discussion: Mr. Catlin did confirm his appointment. He did not call to cancel. Initially the information given to us that it was a residential appeal. It is an appeal for equipment for his farm business. For personal property you have to file a schedule and his assessment hasn't changed and the penalty is making his bill go up. Mr. Catlin did not file a schedule for personal property. Ed Carver did not want to amend the motion. Ed understands that he didn't file his schedule due to a death in the family. Ed Carver stated he will abstain from this vote. He would like to give Mr. Catlin another opportunity to come in. Ann Krane does not feel comfortable with it. We can table the motion. Linda Czaplinski noted she will not be pursuing him because when the appointment letters go out there are instructions on the letter with the number to call to confirm.

Appeal of James & Barbara Casagrande, Lot 45, Still Road, located between 85 & 87 Still Road, Oxford, CT.

Attorney Kate Zarro and Barbara Casagrande were sworn in and gave the following appeal. The property is an unusual piece of property and has never been developed and there are wetlands and ledge in the middle of the property. Barbara Casagrande just came in to this parcel which sold in February because they live next to it. It will be combined with their property to make it one parcel. The previous owner owned it since 1953 and this was a forgotten piece of property. Probate estate reached out to the Casagrande's and asked if they wanted to purchase it. Water goes through the entire length of the property. It is not a buildable lot and to have to pay \$1700 in taxes between the wetlands and the ledge it seems expensive for 1 acre. This is a one year thing and it won't be impacting the years to come since they will be combining the 1 acre with their property.

Linda Czaplinski asked if they went to discuss this with Vision, but Atty. Zarro stated that it was in Probate and they did not know it at the time. When they contacted the Assessor, she was not there, and the assistant suggested she appeal it. Linda Czaplinski discussed the process and that she will be getting a letter after the Board of Assessment deliberates around the end of April, beginning of May.

New Business

Additional documents were copied and distributed of items missing from packets, along with copies of information that was brought in for tonight's appeals. All of the packets were reviewed to be sure they were complete.

Haynes packets were distributed.

Volpe appeal was discussed after receiving additional documentation.

Linda Czaplinski asked everyone to go through all of the information for next week's appeals.

Follow-up items:

1. Linda Czaplinski will call the Assessor's office for information on the Laurels, and see if there is a common item, or if there is a validation for the increasing that they are seeing, so we will have the information before the next appeal in Oxford Greens.
2. Linda Czaplinski will ask the Assessor what "field review" means on the Goldschmidt card.
3. Linda Czaplinski will follow up with Mike Angelini regarding reimbursement for the class for Ann Krane and Ed Carver.

We need to deliberate each of these appeals and make a determination as to whether we are going to make a recommendation or change in the assessment. Ann Krane asked a question regarding the Casagrande appeal, if we might be able to ask the Assessor if the lot is buildable or not. Linda Czaplinski stated that it is not up to us to verify if a lot is buildable, it is up to the Assessor's office. We can make a determination, we can deny an appeal or we can deny with a recommendation. The appeal process was discussed and the burden of proof is on the appellant. They have to come in with evidence to their claim. If the appeal is denied, they can go to the Supreme Court. Ed Carver asked if they don't give proof, it is not up to the Board to confirm everything that is told to us. One scenario is deny appeal and make a recommendation to have the Assessor go out to the site, and walk the property, and then she can change the assessment, but the assessment can go either way, up or down with a site visit.

Also, Linda Czaplinski asked the Board members to please look at our calendars, and see if we can swap the April 18th date to another date that we thought was not available.

MOTION

Ed Carver moved to adjourn the meeting at 9:25 p.m. Linda Czaplinski seconded the motion.
All 3 Ayes. Motion carries.

Respectfully submitted,

Linda Czaplinski/LR

Linda Czaplinski

Chairman, Board of Assessment Appeals

16 APR 13 PM 4:45
TOWN OF OXFORD, CT
Margaret A. West
TOWN CLERK