

Town of Pomfret Board of Listers

2019 Grievance Hearings – Minutes and Decisions

Board of Listers: Norm Buchanan (Chair), Rebecca Fielder, Neil Lamson

Appellants: listed below in order of appearance

May 15, 2019

10:00am –

Julie J. Kenary Family Trust, 1415 Wild Apple Road, Parcel # 3307, house/outbuildings & 42.67 acres. Current assessment: \$2,411,520.

Dan Kenary appeared on behalf of the Family Trust. He noted that the value of the house and land are very high, and was concerned that they were higher than those of his neighbors. They purchased the property in 2008 for \$2,040,000, which he now feels was too much for the amount of work they had to put into it. The house has been extensively renovated, which has raised the assessed value over the years. Kenary offered no comparables, and has suggested a Fair Market Value (FMV) of \$2,000,000.

After the site visit, the Listers have determined that the current assessed values for both the buildings and the lands are accurate for the property. No change will be made.

May 16, 2019

10:00am –

Ellen Stetson Trust, Starbuck Road, Parcel # 2302-L, 28.5 acres. Current assessment: \$169,690.

Terry Kenison appeared on behalf of her mother, Ellen Stetson, trustee of the Ellen Stetson Trust. Kenison explained that the high grades (land slope), poor accessibility, and lack of open land made for limited development possibility. The property has been on the market for 3+ years with no offers, with the last asking price being set at \$119,000. She provided comparables from other land sales in town, namely Payne on Kenyon Hill Road and Tooke on Starbuck Road, both of which were sold at a much lower rate per acre than the property in question is assessed at. Kenison has suggested a FMV of \$100,000.

After a site visit, the Listers have determined that the assessed value be lowered to reflect the steep terrain and limited building sites. New value: \$122,180.

10:30am –

Jennifer Falvey, 5869 Pomfret Road, Parcel # 0141, house & 10.1 acres. Current assessment: \$718,040.

Jennifer Falvey purchased her property in March of 2019 for \$575,000. It had been on the market for 3 years in the mid \$600,000 range with no offers higher than her final successful offer. She feels that the condition of the house, particularly the basement and exterior, does not support the high assessed value. Also, there are building restrictions built into the deed that make further development difficult. Her provided comparables, Olmstead on Wild Apple Road and Browning on Hidden Ridge Road, both sold for a similar price but both houses had garages and more rooms. Falvey also supplied a bank appraisal that supported her purchase price. She is asking for a FMV of \$575,000.

After the site visit, the Listers have determined that the assessed value be lowered to reflect the condition of the house, notably the deck, and also the restrictive covenants on the land. New value: \$643,240.

1:30pm –

Hector Kent & DeVeau Sleeper, 4169 Cloudland Road, Parcel # 0519, house & 9.84 acres. Current assessment: \$601,670.

Laura Kent appeared on behalf of Hector & DeVeau. She explained that the purchase price of the house (\$579,159 in October 2018) does not accurately reflect the amount of work that the house needs to become "livable". Numerous changes have been made since the purchase, such as removal of a bathroom and an unsafe staircase, but there are several issues of condition that revealed themselves after the purchase had gone through that would have affected price – including sill rot, corrosion of the stainless steel siding, ongoing water damage, pet damage from the previous owner, and decreased functionality of the doors and windows throughout the house. They provided comparables from Pomfret Road (Brickner), Wild Apple Road (Bauchiero), and Hidden Ridge Road (Browning), all showing similar purchase prices on better quality homes. The Kents have suggested a FMV of \$514,000.

After a site visit, the Listers have determined that the assessed value be lowered to reflect the amenities and condition of the house, particularly noting the garage door and siding, rotten porch, water damaged flooring and walls, and lack of heat in the finished attic space. New value: \$527,910.

3:00pm –

Giorgios Bakatsias, 234 Hidden Ridge Road, Parcel # 5701, house/outbuildings & 75.8 acres. Current assessment: \$3,161,050.

Peter Vollers (Attorney) appeared on behalf of Mr. Bakatsias, who requested the grievance because he paid only \$1,000,000 for the property in April of 2018, and feels that the value should reflect his purchase price. No comparables were offered.

After an extensive site visit, the Listers have determined that the assessed value be lowered to reflect the current condition of the property. The house is dated and contains some unusual architecture, and

there are several condition issues that require attention, particularly in the arena and other outbuildings. Also, it was noted that there were square footage calculations that needed to be adjusted in the attached garage area of the house that decreased the overall finished square footage. New value: \$2,488,110.

3:30pm –

Silver Top Trust, 1808 Bartlett Brook Road, Parcel # 3926, house & 216.21 acres. Current assessment: \$1,055,610.

James Gregg appeared as trustee of the Silver Top Trust. He noted that the house has not been updated in many years, and that an appraisal was done at their request in June of 2018 that showed an opinion of market value of \$650,000. He primarily believes that the land values are higher than they should be, and requests that the FMV be adjusted closer to the appraised value. No comparables were offered.

After the site visit, the Listers have determined that the current assessed values for both the house and the lands are accurate for the property. No change will be made.

4:00pm –

Coleman & Cecelia Hoyt, 74 Barber Hill Road, Parcel # 0502, house & 5.15 acres. Current assessment: \$1,176,990.

Coleman Hoyt purchased his property in September of 2017 for \$1,150,000. He explained that they quickly discovered once winter hit that the house was not insulated properly, as it had not been disclosed to them that no one had lived there in the winter months in many years. They had to do a substantial amount of work to make the house livable in all 4 seasons. In addition, there was rot around the perimeter of the house due to improperly installed stonework, as well as other condition issues.

After a site visit, the Listers have determined that the assessed values be lowered to reflect the actual condition of the garage, and a bridge on the property that no longer exists was removed from the value. However, a covered porch was added to the house that had not been assessed, which raised the house value slightly. No other changes were made to the value of the house as all of the condition and insulation issues noted by the homeowner have been corrected or upgraded at the time of the visit. New value: \$1,161,490.

May 17, 2019

10:00am –

James & Amy Bauchiero, 825 Wild Apple Road, Parcel # 3305, house & 45.85 acres. Current assessment: \$728,690.

James Bauchiero purchased his property in June of 2018 for \$515,000. At the time, the property had been on the market for several years at an asking price of the mid-to-high \$600k range with no offers.

He argued that the house has little value and was “unlivable” as-is. Bauchiero had the property appraised by a certified appraisal company who assigned the value at \$551,000. Though he brought up the appraisal, he declined to allow the Listers to look at the document or a copy to be made. No other comparables were offered. He asked for the value to be lowered to \$500,000.

After a site visit, the Listers have determined that the assessed value be lowered to reflect the condition of the house, notably the dated interior fixtures and a deteriorated deck, and a slight decrease in the land value due to an easement for the driveway access. New value: \$643,310.

10:30am –

Benjamin & Kathryn Brickner, 6007 Pomfret Road, Parcel # 0141-A, house & 24.55 acres. Current assessment: \$545,240.

Benjamin Brickner purchased his property in June of 2018 for \$500,000. He noted that the house has a very unusual septic system that fails in sub-zero weather, and that there were some issues of condition in the basement due to water damage. The property is also subject to a significant encumbrance due to a Right to Enforce Covenants held by a neighbor that limits or restricts the landowner’s ability to develop or subdivide their land. Due to these reasons, and with a list of comparable properties, Brickner has suggested a FMV of \$475,000.

After the site visit, the Listers have determined that the assessed values be lowered to reflect the condition of the house, notably the unheated basement and inadequately designed septic system, as well as the restrictive covenants on the land. New value: \$504,000.

May 28, 2019

10:00am –

Harold S. Jr. & Paula H. J. Schwenk, 2918 Bartlett Brook Road, Parcel # 0233, main house & garage/apt. Current assessment: Main House \$1,085,970; Garage/Apt \$566,220.

Harold and Paula Schwenk are specifically grieving the value of the Main House (2918 Bartlett Brook Road) and the Garage/Apartment (2916 Bartlett Brook Road) and not the other buildings or land that the property contains. They contend that the depreciation schedule for their property is not an accurate representation of the actual depreciation of the buildings. They offered grade comparisons of the two structures that showed the differences in building materials and finishes, highlighting specifically that the flooring and kitchen and bath finishes in the house were of much higher quality and longevity than those of the apartment space. Harold and Paula also pointed out water damage issues and porcupine damage on the exterior of the log home, both of which they have attempted to mitigate unsuccessfully thus far. They offered comparables from neighboring towns such as Barnard and Andover, as no comparables of their property could be found in Pomfret due to the uniqueness of the buildings. They have suggested a FMV of \$1,019,735 for the Main House and \$372,751 for the Garage/Apartment.

After the site visit, the Listers have determined that the current assessed values for both of the buildings are accurate for the property. No change will be made.