

## STATE PROPERTIES REVIEW BOARD

### Minutes of Meeting Held On March 28, 2024

– solely by means of electronic equipment - via telephone conference –

Pursuant to CGS §1-225a, the State Properties Review Board conducted a Regular Meeting at 9:30AM on March 28, 2024. Pursuant to the statute, this Meeting was held solely by means of electronic equipment, with Participants connecting via telephone conference at (860)-840-2075 and used Conference ID 917724280#.

The Notice provided designated this Regular Meeting as open to the public. Call in instruction were provided as: Dial toll free (860)-840-2075 and use Conference ID 917724280#. If you have any questions or need assistance to attend these Meetings, or for some reason the Call-In Numbers do not work, please contact SPRB Director Thomas Jerram, immediately, at [thomas.jerram@ct.gov](mailto:thomas.jerram@ct.gov) to make appropriate arrangements.

#### **Members Present – solely by means of electronic equipment:**

Bruce R. Josephy, Chairman  
Jeffrey Berger, Vice Chairman  
John P. Valengavich, Secretary  
Edwin S. Greenberg  
Jack Halpert

#### **Members Absent:**

William Cianci

#### **Staff Present – solely by means of electronic equipment:**

Thomas Jerram

#### **Guests Present – solely by means of electronic equipment:**

David Bindelglass, 1<sup>st</sup> Selectman, Town of Easton

Mr. Valengavich and Mr. Halpert seconded a motion to enter into Open Session. The motion passed unanimously.

### **OPEN SESSION**

#### **1. ACCEPTANCE OF MINUTES**

Mr. Valengavich moved and Mr. Berger seconded a motion to approve the minutes of the March 25, 2024 Meeting. The motion passed unanimously.

#### **2. COMMUNICATIONS**

Members were updated on DAS Human Resources on-going efforts to refine the job classification for the vacant staff position.

Members were reminded of the May 1, 2024 deadline to file their Statement of Financial Interest with the Office of State Ethics.

Members were informed that the CT Lottery had opened their newest location at the Total Mortgage Arena on Monday, March 25<sup>th</sup>, which Sublease was reviewed by the SPRB at their March 21, 2024 Meeting.

### 3. REAL ESTATE- UNFINISHED BUSINESS

### 4. REAL ESTATE – NEW BUSINESS

<b>PRB #</b>	24-035
<b>Origin/Client:</b>	DESPP / OPM
<b>Transaction/Contract Type</b>	RE – OPM Grant Review
<b>DESPP Grant #:</b>	023G046
<b>Property:</b>	Easton, Sport Hill Rd (444)
<b>Grantee:</b>	Town of Easton
<b>Project Purpose:</b>	Town Request of SPRB Review pursuant to Grant
<b>Item Purpose:</b>	Review pursuant to STEAP Grant-in-Aid Requirements

Background (summarized from <https://eastonems.com/about-us/history/>)

In May 1946, the Easton Ambulance Association was duly incorporated under the State of Connecticut Law to “without profit, procure, finance, operate, and maintain an ambulance service for the Town of Easton.” And, at a Town Meeting held on October 23, 1980, an ordinance was passed to establish an Emergency Medical Services Commission. The EMS Commission has had five volunteers since that time. In the latter part of 1983, it was proposed by the membership of the Association to change the name of the Easton Ambulance Association, Inc. and in 1984 the name was changed to The Easton Volunteer Emergency Medical Service, Inc. (EMS).

For approximately 40 years after inception Easton EMS was housed behind the firehouse in the white garage. The height of the garage was changed several times over the years to accommodate each new ambulance’s increasing height. Cinder blocks were placed under the original structure to make the opening higher.

In the 1980’s there was talk of building one public safety complex, to house Fire, Police and EMS. In 1989-1990 the Easton Fire Department relocated to their new facility across the street, the Town of Easton acquired the property, and EMS was granted the occupancy of the building (circa 1921) and has continually occupied this space.

More recently, beginning in 2019 Easton’s Emergency Medical Services Commission (EMSC) had been investigating the acquisition of a new property to construct a new facility. On April 5, 2022, the Board of Selectman’s Emergency Medical Services Planning and Building Committee (EMSPBC) had their first organizational meeting. Based on a review of this Committee’s Meeting Minutes, a thorough investigation of many options resulted in two final options:

- #1) Expand the existing EMS Facility from 6,282 sf to approximately 8,400 sf at an estimated cost of \$3.7 million; or
- #2) Expand the Fire Department by either 7,060 to 9,340 sf (2, 3 or 4 bays), at an estimated cost of \$4.2 to \$5.4 million.

The consensus of Committee was renovation of EMSC Facility (EMSPBC minutes). And the Board of Selectman, at their 11-3-2022 Meeting moved to accept a Resolution with the State DESPP for an Emergency Management Performance Grant (Selectmen Minutes).

The EMSC at their September 13, 2023 Meeting acknowledge that the Building Committee’s consensus was that the existing EMS Building located at 448 Sport Hill Road should be renovated. In conjunction with renovations to the EMS Building, it was determined that the vacant lot at 444 Sport Hill Road, adjacent to the EMS Building to the south, will be acquired to support the renovation/expansion of the EMS Building.

Pursuant to CGS §4-66g (Small town economic assistance program “STEAP” Bond authorization. Certain sewer projects eligible), Bonds issued by the State shall be used by the Office of Policy and Management (OPM) for a small town economic assistance program the purpose of which shall be to provide grants-in-aid to any municipality or group of municipalities, with restrictions, that shall be used for purposes for which funds would be available under CGS §4-66c (Urban Action Bonds). Any grant-in-aid allowed under STEAP may be administered on behalf of the OPM by another state agency as determined by the Secretary of the OPM.

On December 15, 2023 OPM had authorized the Department of Emergency Services and Public Protection (DESPP) and their Division of Emergency Management and Homeland Security (DEMHS), to administer a \$396,270 Grant-in-Aid to the Town of Easton to fund a portion of the municipal Project - Replace the septic system, install watershed protection, and add parking at Easton EMS Facility – located at 448 Sport Hill Road. The total Project cost is estimated at \$3,700,000.

A description of the Project, partially funded by the STEAP Grant, was provided by the Town of Easton as follows:

We are renovating an existing Emergency Medical Service Headquarters which currently has an inadequate and non-conforming septic system and the grant is to improve the septic system as part of an overall renovation project. In order to do that we need to expand the physical footprint of the septic system which necessitates the purchase of the adjacent lot.



Under this Proposal (PRB #24-035), The Town of Easton is seeking SPRB review and approval of this proposed Purchase of the adjacent lot (red arrow above/red perimeter below) located at 444 Sport Hill Road in Easton (the “Property”), pursuant to Item 12.e of the Bidding and Contracting Requirements to the Grant-in-Aid. The Grant specifically requires the town obtain two appraisals if the acquisition cost is expected to exceed \$100,000, and while all attempts should be made to negotiate the lowest possible price, “The purchase price of the property must not exceed the high appraised value unless approval is obtained from the State Properties Review Board.”



Courtesy: Google Earth

The Property is a 19,320 square foot (0.44 acre) interior lot with 60 feet of frontage on the easterly side of Sport Hill Road. Improvements to the site include a curb cut to the roadway and approximately 9,300 square feet of processed gravel parking and seeded landscaping. There are no other improvements to the site. Inland-wetland soils were flagged in the eastern portion of the property, covering an area of approximately 3,600 sf (60' x 60'). Traffic counts at the property are 10,000 cars per day (2022).

The Property is zoned RB Residential and has the following minimum site requirements: 3-acre minimum lot, 2-acre minimum buildable area, 150'x175' shape, 200' frontage, 50' front yard setback, 40' side/rear yard setback and 15% maximum building coverage. The site is pre-existing non-conforming regarding minimum site requirements.

Easton First Selectman David Bindelglass provided the following narrative (3-6-24) in support of this request:

The Town of Easton is planning to acquire a piece of property at 444 Sport Hill Rd. in Easton, CT, using funds from an urban grant award to the Town of Easton. Attached is the grant material. We are renovating an existing Emergency Medical Service Headquarters which currently has an inadequate and non-conforming septic system and the grant is to improve the septic system as part of an overall renovation project. In order to do that we need to expand the physical footprint of the septic system which necessitates the purchase of the adjacent lot. In preparing for the grant application which included the land purchase, the property the town needs to purchase was appraised in two separate appraisals which are attached as well. The appraisals were set at \$135,000 and \$130,000. The current owner is asking for \$175,000. According to the agreements for the grant, the town must pay the appraised value or seek approval from the state properties review board. In this particular case, this is the only land which is suitable for the purpose because it is adjacent to the EMS site. No other site could possibly be used because the septic system must be enlarged onto only this particular piece of property. That gives the seller leverage in the negotiations leaving the town the choice to settle for an amount higher than the appraised value or invoke eminent domain, which the town is hesitant to do as the owner is a fellow citizen of our town. As is specified in the attached grant material, the town is asking you to approve the purchase price of \$175,000 for the parcel.

In a subsequent 3-12-24 correspondence, Mr. Bindelglass informed the SPRB that additional negotiations resulted in an agreement reducing the sale price of the Property to \$160,000.

The Town of Easton obtained two appraisals of the Property, as required by the Grant, each prepared by a Certified Residential Real Estate Appraiser, licensed to appraise real estate in the State.

Appraiser #1: Estimate of Market Value as of 7-31-2023 = \$130,000

Excerpts from the appraisal report include:

**Highest and Best Use:**

The subject's highest and best use is for development of a single family, residential dwelling. Development for a single family home is the only allowable use of the property under the current single family zoning requirements. The reader will note that the properties which surround the subject property include non-residential use. These properties have an approved use either through a grand fathered status where the use predated current zoning, or have been approved through special permits. A comparable, non-residential use for the subject cannot be presumed possible based upon the existing zoning requirements.

MARKET DATA ANALYSIS	ITEM	SUBJECT PROPERTY	COMPARABLE NO. 1		COMPARABLE NO. 2		COMPARABLE NO. 3			
		Address	444 Sport Hill Rd Easton, CT 06612	358 Westport Rd Easton, CT 06612		15 Tatetuck Trl Easton, CT 06612		29 Bibbins Rd Easton, CT 06612		
	Proximity to Subject		1.41 miles W		3.59 miles NW		1.73 miles NW			
	Sales Price		\$ 140,000		\$ 230,000		\$ 245,000			
	Price \$/Sq. Ft.		\$		\$		\$			
	Data Source(s)		CMLS #170484362; 303 DOM		CMLS #170278752; 963 DOM		CMLS #170450359; 90 DOM			
	ITEM	DESCRIPTION	+	(-) \$ Adjust.	DESCRIPTION	+	(-) \$ Adjust.	DESCRIPTION	+	(-) \$ Adjust.
	Date of Sale/Time Adj.		s03/23;c02/23		s11/22;c10/22		s03/22;c02/22			
	Location	SUBURB-AVG	SUBURB-AVG		SUBUR-AVG		SUBURB-AVG			
	Site/View	Comm/Traffic	TRAFFIC		RESIDENTIAL		RESIDENTIAL			
	Site Size	0.43 ac	0.24 ac		3.24 ac		3.69 ac			
	Sales or Financing Concessions		ArmLth Private Financing		ArmLth CASH		ArmLth CONV;0			
	Net Adj. (Total)		<input type="checkbox"/> +	<input checked="" type="checkbox"/> - \$ -9,250	<input type="checkbox"/> +	<input checked="" type="checkbox"/> - \$ -104,750	<input type="checkbox"/> +	<input checked="" type="checkbox"/> - \$ -118,250		
	Indicated Value of Subject		\$ 130,750		\$ 125,250		\$ 126,750			

Comments and Conditions of Appraisal The report has considered the property to be a viable building lot, without restrictions beyond typical zoning and use guidelines. The property is presumed to be able to support a single family home of a scale, typical of neighboring homes, with a minimum of three bedrooms. Any variation from this potential could significantly alter the opinion of value rendered in this report. This appraisal should not be considered a guarantee or warranty that the site meets these criteria. Proper diligence should be performed by buyer.

Final Reconciliation See Reconciliation Comments

**RECONCILIATION COMMENTS:**

The sales data has presented a consistent indication of the subject's market value. The range of value developed spans from about \$125,000 to about \$130,000. Noting that comp 1 offers the most comparable acreage and is also the lone, recent sale in the market grid, this appraiser has considered this sale to be the most reliable value indicator. Comp 1 supports the subject's market value at \$130,000. The opinions expressed in this report are based upon a reasonable degree of professional certainty.

Appraiser #2: Estimate of Market Value as of 8-04-2023 = \$135,000

Excerpts from the appraisal report include:

**EXTRAORDINARY ASSUMPTION**

SUBJECT IS A VACANT SITE. IT AT ONE TIME WAS IMPROVED WITH A 2 STORY STRUCTURE BUILT IN 1924 WHICH HOUSED A POTTERY SHOP ON THE FIRST FLOOR AND AN APARTMENT ON THE SECOND FLOOR. THE STRUCTURE WAS DEMOLISHED IN 1992. CONSEQUENTLY AN ASSUMPTION IS MADE THAT THE SITE CAN BE IMPROVED WITH A RESIDENTIAL DWELLING. CONSIDERATION WAS MADE FOR EXTERNAL OBSOLESCENCE DUE TO PROXIMITY TO EMS, FIRE STATION AND VILLAGE STORE AND TRAFFIC ON THE SITE.

**EXTERNAL OBSOLESCENCE**

EXTERNAL OBSOLESCENCE NOTED WITH EMS BUILDING AND VILLAGE STORE ON EITHER SIDE OF THE SITE. IT IS ALSO IT IS IN A HEAVY TRAFFIC LOCATION AS A CENTER POINT IN TOWN WITH WORKING FARM AND EMERGENCY VEHICLES.

	ITEM	SUBJECT PROPERTY	COMPARABLE NO. 1		COMPARABLE NO. 2		COMPARABLE NO. 3	
MARKET DATA ANALYSIS	Address	444 SPORT HILL ROAD EASTON, CT	35 FENSKY RD. EASTON, CT		358 WESTPORT RD EASTON, CT		95 N. PARK AVE EASTON, CT	
	Proximity to Subject		1.1 MILES		1.38 MILES		.92 MILES	
	Sales Price	\$ N/A	\$ 185,000		\$ 140,000		\$ 300,000	
	Price 0	\$ 0	\$		\$		\$	
	Data Source	Town Hall Records	MLS/TOWN VOL 698 PAGE 953		MLS/TOWN VOL 704 PAGE 27		MLS/TOWN VOL 705 PAGE 852	
	Date of Sale and Time Adjustment	DESCRIPTION 8/4/2023	DESCRIPTION 2/22/2022		DESCRIPTION 3/20/2023		DESCRIPTION 8/4/2023	
	Location	BUSY RD/commercial	NEUTRAL/cul de sac		BUSY ROAD		NEUTRAL/cul de sac	
	Site/View	.44 AC/commercial	1.05ac/woods/resident		.24ac/cleared/resident		3.0ac/clear/resident	
	Utilities	electric/well & septic	ele/well/septic/apprval		ele/well/septic/apprval		ele/well/septic/apprva	
	topography	level/cleared	rolling/rock outcrop		rolling/rocky		level/cleared	
zone/flood zone	3 Ac/ not in flood zone	1 Ac/not in flood zone		3Ac/not in flood zone		3Ac/not in flood zone		
approved lot	not approved	approved bldg site		prezone change aprvl		approved bldg site		
Sales or Financing Concessions	External Obsolescence	none		none		none		
Net Adj. (Total)		<input type="checkbox"/> + <input checked="" type="checkbox"/> - \$ 52,750		<input type="checkbox"/> + <input checked="" type="checkbox"/> - \$ 15,000		<input type="checkbox"/> + <input checked="" type="checkbox"/> - \$ 110,000		
Indicated Value of Subject		Net 28.5 % \$ 132,250		Net 10.7 % \$ 125,000		Net 36.7 % \$ 190,000		

NOTATION	Comments on Market Data:	A 15% location adjustment for sales #1 and #3 being on a cul de sac. Sales #1,3 adjusted \$5,000 for building site approvals. Sale #2 approval prior to recent zone change update and was adusted \$10,000 All sales adjusted \$10,000 for external obsolescence which is not curable. Site adjustments based on \$10,000/half acre.
	Comments and Conditions of Appraisal:	Comparable search results include all vacant land sales in the town within the past seventeen months. Market value estimate is subject to all required approvals for a building site. The appraiser makes the extraordinary assumption that the site is a legal pre existing building lot based on the premise that a residential/commercial building was on the site until 1992. Also sale #2 which is in a 3 acre zone with a much smaller lot had approvals for a building which is in the process of construction.

Pursuant to the Grant, the town of Easton should make every attempt to negotiate the lowest possible price. There is a provision within the Grant when negotiations conclude a purchase price that exceeds the highest appraised value that the town of Easton can exceed the highest appraised value only when approval is obtained from the State Properties Review Board. In this scenario, the highest appraised value of the Property is \$135,000. Mr. Bindelglass informed the SPRB that additional negotiations resulted in an agreement reducing the sale price to \$160,000 (\$8.28/sf), thus requiring SPRB review and either approval or disapproval of the agreed upon sale price of the Property.

A General Review of The Two Appraisal Reports

Each Appraiser utilized an Extraordinary Assumption in developing their opinion of Highest and Best Use, each concluding single-family residential development.

From the Uniform Standards of Professional Appraisal Practice (USPAP):

**EXTRAORDINARY ASSUMPTION:** an assignment-specific assumption as of the effective date regarding uncertain information used in an analysis which, if found to be false, could alter the appraiser's opinions or conclusions.

Comment: Uncertain information might include physical, legal, or economic characteristics of the subject property; or conditions external to the property, such as market conditions or trends; or the integrity of data used in an analysis.

From USPAP Standard Rule 1-2 (appraisal development) – an Appraiser must:

- (f) identify any extraordinary assumptions necessary in the assignment. An extraordinary assumption may be used in an assignment only if:
  - (i) the extraordinary assumption is required to properly develop credible opinions and conclusions;
  - (ii) the appraiser has a reasonable basis for the extraordinary assumption; and
  - (iii) use of the extraordinary assumption results in a credible analysis;

With each Appraiser concluding their opinion of Highest and Best Use is for single-family residential development, each developed an appraisal utilizing sales of residentially zoned lots in Easton, and after adjusting for transactional, locational and physical characteristics, concluded \$130,000 and \$135,000, or \$6.73/sf to \$6.99/sf, respectively.

Each Appraiser in their respective Appraisal Reports clearly acknowledged the location of the Property includes non-residential uses. Some of those uses are: Easton EMS, Easton Village Center Store, a custom millwork fabricator, equestrian center, farm center and Easton VFD. With

these surrounding uses, neither Appraiser considered an alternative use citing the Property's current residential zoning.

What was not specifically referenced by the Appraisers in their respective reports are the following:

#1. Alternate Uses: Consideration and analysis of utilizing a Text Amendment to the Easton Zoning Regulations pursuant to Section 8500 (Procedures) and Section 8540 (Decision Considerations), that partially include the following:

3. In making its decision the Commission shall:
  - a. Consider whether the text amendment will be in accordance with a comprehensive plan (the overall scheme of the zoning map and these Regulations), and
  - b. Take into consideration the Plan of Conservation and Development, prepared pursuant to CGS Section 8-23.

From the Easton Plan of Conservation and Development 2018-2028, revised 9-1-2021 (POCD), there are many references to Easton Center and future "Village District" similar to that of the recently enacted village district in Weston.

**Village District** – As described in the sidebar, a "village district" allows the Commission considerable jurisdiction over the design of any development in the village district. The statute requires the assistance of a "village district consultant" and this could be a planning/design professional or it could be another local board or commission in Easton (including a newly established design review board).

The Connecticut General Statutes (Section 8-2j) authorizes the Planning and Zoning Commission to create a village district to "protect the distinctive character, landscape and historic structures" of a defined area, such as a village center or a local neighborhood. A pre-condition of such establishment is that the area be identified in the POCD as worthy of that protection.

The POCD specifically recommends that a village district be established as part of any new zoning approach in this area in order to "protect the distinctive character, landscape and historic structures" of this area and Easton.

**Easton Center Area (Possible Village District)**



A. EASTON CENTER –Easton intends to:	
1. Consider establishing a mixed-use, pedestrian-friendly, village-style environment in the Easton Center area.	PZC
2. Consider modifying the Zoning Regulations to enable such development using strict controls.	PZC
<input type="checkbox"/> a. Establish a new zone or an “overlay zone” to enable establishment of a mixed-use, pedestrian-friendly, village-style environment in the Easton Center area.	PZC
<input type="checkbox"/> b. Limit the boundaries of the zoning district to the area depicted in the POCD.	PZC
<input type="checkbox"/> c. Discourage the changing the boundaries of the Easton Center zoning district or changing the permitted uses unless such change enhances the health, prosperity and well-being of Easton.	PZC
<input type="checkbox"/> d. Craft the regulations to utilize a Special Permit process to approve any uses or development in order to ensure that the planning goals for this area are met and that adequate controls will be in place as described in the POCD.	PZC
<input type="checkbox"/> e. Craft the regulations to establish such zoning district as a “village district” so that the Commission will have the ability to “protect the distinctive character, landscape and historic structures” of the community and the Easton Center area and ensure it contributes to a “sense of place” in this location.	PZC

## 6.2. Consistency With State and Regional Plans

Easton’s Future Land Use Plan was found to be generally consistent with the State plan in terms of identifying areas for conservation and development and relative intensities. In the State Plan, the term “priority funding area” (PFA) is used to identify areas which may have characteristics that would be consistent with State growth objectives. Note that Easton Center is identified as a “village priority funding area.”

Easton’s Future Land Use Plan was also found to be generally consistent with the Regional Land Use Plan for the MetroCOG region plan in terms of identifying areas for conservation and development and relative intensities.

In order to consider the POCD as a guide to any future changes to the existing Zoning Regulations with respect to the ‘Easton Center - Village District’ to permit ‘mixed-uses’ the Appraisers would have to consider a Hypothetical Condition knowing that is contrary to the currently permitted uses.

From the Uniform Standards of Professional Appraisal Practice (USPAP):

**HYPOTHETICAL CONDITION:** a condition, directly related to a specific assignment, which is contrary to what is known by the appraiser to exist on the effective date of the assignment results, but is used for the purpose of analysis.

Comment: Hypothetical conditions are contrary to known facts about physical, legal, or economic characteristics of the subject property; or about conditions external to the property, such as market conditions or trends; or about the integrity of data used in an analysis.

From USPAP Standard Rule 1-2:

**(g) Identify any hypothetical conditions necessary in the assignment. A hypothetical condition may be used in an assignment only if:**

- (i) use of the hypothetical condition is clearly required for legal purposes, for purposes of reasonable analysis, or for purposes of comparison; and
- (ii) use of the hypothetical condition results in a credible analysis; and



Furthermore, if the Highest and Best Use was concluded to be development with a non-residential or mixed-use property, both Appraisers retained by the Town would have been precluded from accepting this Appraisal Assignment as it is outside the scope of the Certified Residential Real Estate Appraiser License (permitting appraisals of 1-4 family dwellings and vacant land for single-family development).

Only an Appraiser retaining a Certified General Real Estate Appraiser License has the credentials to appraise this property subject to the Hypothetical Condition that development with a non-residential or mixed-use property is the Highest and Best Use.

Retention of two new Appraisers with the proper licensure may or may not consider the impact of the POCD on the Highest and Best Use or any other scenarios. And, if there were similar conclusions, there are no commercially zoned land sales in the Town of Easton that could be used as comparable sales. The search for comparable sales will likely consider nearby towns with similar characteristics.

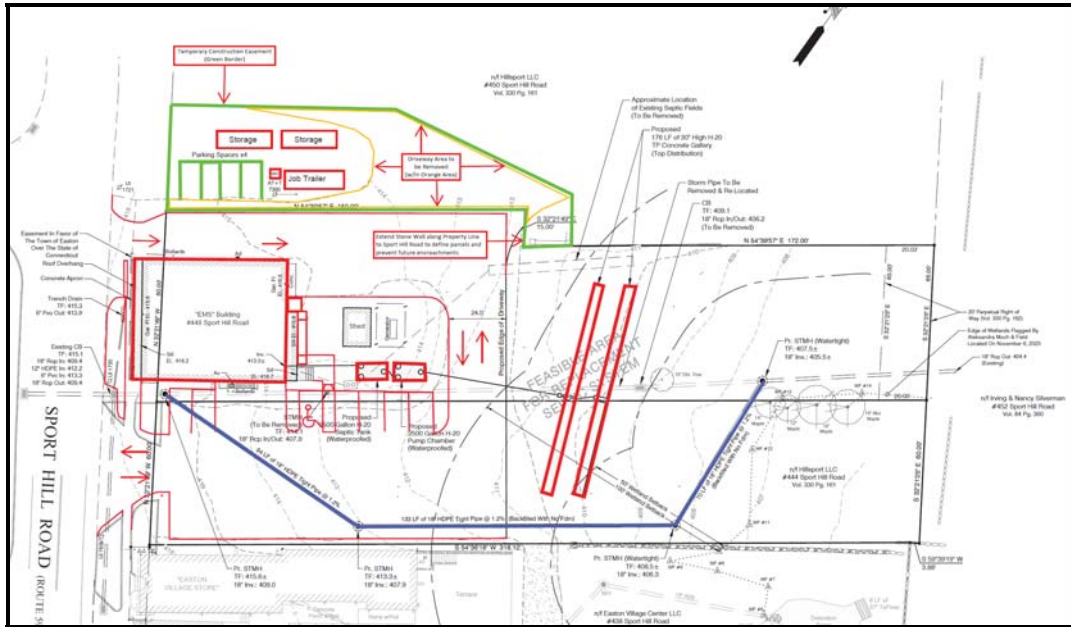
#2. Assemblage & Plottage: The Dictionary of Real Estate Appraisal defines “plottage” as “the increment of value created when two or more sites are combined to produce greater utility.” Plottage refers to the added value that is generated when two or more parcels are combined to provide greater utility. However, not all assemblages of lots result in a plottage increment; such added value depends on an economic need for the larger unit.

Plottage consideration of the two immediate abutters to the north and south of the Property, include Easton EMS and Easton Village Center Store. Both abutters are pre-existing non-conforming lots with 0.52 acre and 1.44 acre sites, respectively. The question is whether the combination of either lot with the Property will provide greater utility and thus, an incremental plottage value.

South of the Property is Easton Village Center Store, a 1.44-acre site with approximately 200 feet of frontage, improved with a village store, single-family dwelling, outbuilding and paved parking striped for approximately 24 cars. The village store building sits parallel to the Property and is within 2 feet of the property line (also pre-existing non-conforming). All parking and building access is south of the village store footprint. Combining this site with the Property may provide increased utility with traffic flow, but given local zoning constraints, expansion of the village store footprint is unlikely.

North of the Property is Easton EMS, a 0.52-acre site with approximately 80 feet of frontage improved with a two-story public safety building utilized for Easton’s emergency medical services. The building is 50-feet wide (60’deep) with a 25± gravel driveway along the northerly boundary and a drainage right of way encumbering an area along the southerly boundary. There is limited on-site parking available to the volunteer emergency responders. Combining this site with the Property will provide increased utility with traffic flow through the site, provide better ingress/egress from the building for emergency vehicles and provide additional parking. No expansion is identified on a plan provided for review, but the Town is planning to proceed with a significant renovation of the EMS facility. It has been identified that the current septic system is inadequate and non-conforming and the addition of the Property to the Easton EMS parcel provides sufficient land to accommodate the following:

1. Relocate the existing DROW in favor of CT DOT;
2. Abandon the non-conforming septic system;
3. Installation of a new, expanded, septic system;
4. Addition of needed on-site parking; and
5. And improve traffic flow across the site.



Highest and Best Use alternatives summarized include:

1. Alternate uses subject to approval via Text Amendment (and in consideration of POCD); and
2. Assemblage & Plottage with either of the northerly or southerly abutter.

Either may provide a successful outcome but, in consideration of time, effort and cost it appears the likely choice is Assemblage & Plottage (#2) in that the addition of land to the EMS parcel facilitates an entire renovation project, does not expand the existing use, lessens the non-conformity of the EMS parcel, and better serves the overall Easton community.

In concluding the assemblage of the Property to the northerly EMS parcel, the question is whether there is an impact on the market value of either northerly EMS parcel or the Property in question. In the absence or retaining two new appraisals, a review of information within the Town's Assessor's Office may provide insight to the underlying value of the northerly EMS parcel and the Property.

CGS §12-62 provides each town the statutory authority to revalue all properties in 5-year intervals. CGS §12-62 (B)(2) states:

When conducting a revaluation, an assessor shall use generally accepted mass appraisal methods which may include, but need not be limited to, the market sales comparison approach to value, the cost approach to value and the income approach to value. Prior to the completion of each revaluation, the assessor shall conduct a field review. Except in a town that has a single assessor, the members of the board of assessors shall approve, by majority vote, all valuations established for a revaluation.

The Town of Easton retained Municipal Valuations Services, LLC (MuniVal) to assist in the valuation of all properties for the 2021 town-wide revaluation. The Appraisers affiliated with MuniVal prepare the valuations utilizing generally accepted mass appraisal methods also subject to USPAP (Standard 5). Mass appraisal methods develop valuation models that do not utilize Extraordinary Assumptions or Hypothetical Conditions, as these are specific to a particular property.

A search of the Assessor's Records for non-residential properties revealed the following:

From the Assessor's Records - 2021 Revaluation					
Use	Address	Zone	100% Land Value	Acres	\$/sq.ft.
EMS Parcel	448 Center Hill Rd	RB-3 acre	\$308,800	0.52	\$13.63
Village Store	438 Center Hill Rd	RB-3 acre	\$520,000	1.44	\$8.29
Easton VFD	1 Center Rd	RB-3 acre	\$450,000	1.5	\$6.89
Old Blue Bird rest/gas	363 Black Rock Rd	RB-3 acre	\$781,000	1.15	\$15.59
Greiser's Market	295 Center Road	RB-3 acre	\$453,000	0.88	\$11.82
<b>Property</b>	444 Center Hill Rd	RB-3 acre	\$123,000	0.44	\$6.42

It is noted the two Appraisers' current opinion of Market Value of the Property are just 6-10% higher than the Assessor's 2021 valuation for the Property.

Those properties that include non-residential uses are clearly valued by the Assessor at a much higher rate and specifically the EMS Parcel at \$13.63/sf. And in light of this valuation, does the assemblage of the Property add utility, and thus increase the rate, keep the rate the same, or lower the rate as a general principle is that larger parcels tend to sell at lower per unit prices.

And, in terms of a valuation, had the Appraisers' scope of work included an analyses of assembling to the Property, what is the value of the EMS Parcel both before and after the assemblage of the Property, the difference indicating the value of the Property in question.

Considering the Town's additional negotiations resulted in an agreement reducing the sale price to \$160,000, or \$8.28/sq ft, the negotiated price is toward the lower end of the value range of those non-residential properties included for review.

The questions for the Board to consider include:

1. In consideration of the non-residential uses immediately surrounding the Property, is it reasonable to acknowledge that the highest and best use of the property may be an alternative non-residential use, other than what was concluded by the two Appraisers (single-family development)?
2. Is it reasonable to conclude that given the size limitations of the Property, an assemblage to an abutting property can provide greater utility to either site, and specifically, the EMS Parcel?
3. In the absence of retaining two Appraisers with a Certified General Real Estate Appraiser License to develop and prepare new Appraisals, can the Assessor's market values, as established during the 2021 Revaluation (MuniVal), be used as a guide in ascertaining if sites in Easton with non-residential uses are valued at a higher unit rate than those sites with residential uses?
4. Does the negotiated \$160,000 (\$8.28/sf) price of the Property appear reasonable in light of the potential for an alternate highest and best use, when compared to the two Appraisers conclusion of a residential use with market values of \$130,000 and \$135,000, or \$6.73/sf to \$6.99/sf, respectively.

Recommendation – Staff recommend approval of the proposed Sale by Public Bid in the amount of \$160,000 with the following notations:

- The SPRB understands that the Town acknowledged that it was hesitant to invoke Eminent Domain as the owner of the Property is a Town resident.
- The SPRB recommends the Town consider the Eminent Domain statutes (Chapter 835) for future acquisitions. The utilization of Eminent Domain does not prevent the Town from completing a 'friendly' purchase of the property, but provides assurances that the Town will complete its acquisition of a parcel that is integral to a town-sponsored project. Had the

- Town been unable to agree upon \$160,000, or if the SPRB did not approve of this negotiated price, will the Town cancel the Project? Or, will the Town pursue acquisition via eminent domain?
- Finally, the Board recommends that prior to retaining the services of a real estate appraiser for any future acquisitions, a full understanding of the capabilities of a Certified Residential Appraiser versus a Certified General Appraiser will better serve the Town's needs.

**5. ARCHITECT-ENGINEER - UNFINISHED BUSINESS**

**6. ARCHITECT-ENGINEER - NEW BUSINESS**

**7. OTHER BUSINESS:**

**8. VOTES ON PRB FILE:**

**PRB FILE #24-035** – Mr. Halpert moved and Mr. Valengavich seconded a motion to approve PRB FILE #24-035. The motion passed unanimously.

**9. NEXT MEETING** – Monday, April 1, 2024 – will be held solely by means of electronic equipment.

The meeting adjourned.

**APPROVED:** \_\_\_\_\_ **Date:** \_\_\_\_\_  
John Valengavich, Secretary