

STATE PROPERTIES REVIEW BOARD

Minutes of Meeting Held On July 5, 2018 450 Columbus Boulevard, Hartford, Connecticut

The State Properties Review Board held its regular meeting on July 5, 2018 in Suite 2035, 450 Columbus Boulevard, Hartford, Connecticut.

Members Present: Edwin S. Greenberg, Chairman
Bruce Josephy, Vice Chairman
John P. Valengavich, Secretary
Jack Halpert

Members Absent:

Staff Present: Thomas Jerram

Guests Present: None

Chairman Greenberg called the meeting to order.

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

OPEN SESSION

ACCEPTANCE OF MINUTES: None.

COMMUNICATIONS

DOT's James Mason, Transportation Principal Property Agent provided a summary of land vouchers not in excess of \$5,000.00 pursuant to CGS Section 13a-73(h).

REAL ESTATE- UNFINISHED BUSINESS

PRB #	18-098
Transaction/Contract Type:	RE/Administrative Settlement
Origin/Client:	DOT/DOT
Project Number:	L131-0001-001
Grantor:	MUA Property Holdings, LLC
Property:	662 West Street, Southington, CT
Project Purpose:	West Street & Jude Lane Improvements
Item Purpose:	Taking Area = 721 sf, right to grade (500 sf), and right to install sedimentation control system acquired (156 lf).

At its meeting held on June 25, 2018 the State Properties Review Board voted to suspend this item pending but not limited to the following reasons:

SPRB Staff require additional information on why the DOT Appraiser valued the land subject to taking in fee-simple interest, when in fact the area subject to taking appears to be completely encumbered by an easement in favor of the Town of Southington (granted in 1995). Based on past DOT easements, it is likely the prior easement reduced the fee-simple interest in the land by 95%, indicating the land subject to taking, within the easement area, has a remaining value of \$0.80 (\$16/sf x 5%), or \$600 (721 sf x \$0.80/sf = \$576.80, rounded). This effectively reduces the damages by \$10,900.

DOT responded to the SPRB suspension in a communication dated June 29, 2018, stating:

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"As you know, The Department of Transportation (Department) has an obligation to offer just compensation for the property rights being acquired. In this case, The Department is proposing to acquire fee simple interest in 721± square feet of land. Unlike easement acquisitions, fee simple represents the maximum ownership interest in real property. Therefore, it is not appropriate for the valuation to be based on a lesser percentage of the full interest." "An appraiser could choose to adjust the comparable sales based on the presence or lack of similar easements to arrive at a unit value for fee simple interest. However, as sidewalk and utility easements are common, especially in commercial areas similar to the subject, DOT's appraiser did not make adjustments for these factors."

DOT Supervising Property Agent Melzen was interviewed and explained that within the 'Before' and 'After' valuations, the DOT appraiser did consider the easements, and while there were no specific adjustments within the appraisal to reflect said easements, the easements were considered in the totality of the valuation.

RECOMMENDATION: Board approval is recommended for the following reasons:

1. The acquisition complies with Section 13a-73(c) of the CGS which governs the acquisition of property by the commissioner of transportation required for highway purposes.
2. The damages, based on \$16.00/sf appear reasonable in light of comparables provided in the appraisal.

REAL ESTATE – NEW BUSINESS

PRB #:	#18-113
Transaction/Contract Type	RE/ Assignment of Easements
Origin/Client:	DOT/DOT
Project Number:	57-111-02A
Grantee:	Town of Griswold
Project Purpose:	Bitgood Road Bridge #04668 over Hopeville Pond
Item Purpose:	QC Deed – Assignment of Easements

DOT acquired and is now releasing the following easements which were originally acquired for the **Replacement of Bridge No. 04668 on Bitgood Road over Hopeville Pond.** The project is complete and it is now necessary for the State to assign the land to the Town per Section 7 of Agreement No. 10.20-01(06). This is a release along a town street for highway purposes only and there is not any monetary consideration. The project release areas comprise four (4) original property areas comprising 7,768-SF of defined easement areas (to slope) and 37-LF of perpetual easement to install, construct and maintain metal beam rail and end anchorage.

The Quit-Claim deed releases the following:

Vol./Page	Grantor	Easement to Slope (sf)	D.R.O.W. Easement (SF)	Easement to install metal beam rail (LF)	Acquisition Cost (\$)	Date
349/608	Raymond Churchill, III & Lauren Churchill (57-111-1)	1,729			\$2,500	06/28/2013
349/613	Patty Ann Stradczuk	1,164	1,902		\$3,000	06/28/2013
349/609	Alice Stradczuk, Patty Ann Stradczuk, Alice Marie Deloge, Stanley J. Stradczuk & Daniel D. Deloge	827			\$650	06/28/2013

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349/611	Stanley J. Stradczuk, Maryann C. Stradczuk	2,146		37	\$1,700	06/28/2013
TOTAL		5,866	1,902	37	\$7,850	

RECOMMENDATION: Board approval of this Quit Claim Deed to assign the easements acquired by the State to the Town of Griswold is recommended for the following reasons:

1. The conveyance complies with Section 13a-80 of the CGS governing the release of excess property by the commissioner of transportation.
2. The descriptions in the Quit-Claim to release the real property are consistent with the description in the DOT acquisition deeds.
3. Section 7 of the Agreement for Rights of Way Activities (#10.20-02(06)) between the State and Town of Griswold, approved by the Attorney General on November 8, 2006, requires "That all properties and rights acquired by the State for the construction of the Project that are within the proposed highway lines of Bridge No. 04668 on Bitgood Road over Hopeville Pond will be released for highway purposes to the Municipality upon completion of construction."

PRB #:**PRB #18-114****Transaction/Contract Type**

RE/ Assignment of Easements

Origin/Client:

DOT/DOT

Project Number:

061-135-002A

Grantee:

Town of Hamden

Project Purpose:

Tuttle Avenue Bridge #04894 over Mill River

Item Purpose:

QC Deed – Assignment of Easements

DOT acquired and is now releasing the following easements which were originally acquired for the **Replacement of Bridge No. 04894 on Tuttle Avenue over Mill River Pond**. The project is complete and it is now necessary for the State to assign the land to the Town per Section 9 of Agreement No. 10.04-01(06). This is a release along a town street for highway purposes only and there is not any monetary consideration. The project release areas comprise two (2) original property areas comprising 2,398-SF of defined easement areas (to slope) and 15-LF of perpetual easement to install, construct and maintain metal beam rail and end anchorage in two areas.

The Quit-Claim deed releases the following:

Vol./Page	Grantor	Easement to Slope (sf)	D.R.O.W. Easement (SF)	Easement to install metal beam rail (LF)	Acquisition Cost (\$)	Date
3814/311	Dept of Environmental Protection	1,946		15	\$0	05/25/2011
3338/192	Sleeping Giant Associates	452			\$4,300	05/02/2007
TOTAL		2,398		15	\$4,300	

RECOMMENDATION: Board approval of this Quit Claim Deed to assign the easements acquired by the State to the Town of Griswold is recommended for the following reasons:

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1. The conveyance complies with Section 13a-80 of the CGS governing the release of excess property by the commissioner of transportation.
2. The descriptions in the Quit-Claim to release the real property are consistent with the description in the DOT acquisition deeds.
3. Section 9 of the Agreement for Rights of Way Activities (#10.04-01(06)) between the State and Town of Hamden, approved by the Attorney General on October 25, 2006, requires "That all properties and rights acquired by the State for the construction of the Project that are within the proposed highway lines of Tuttle Avenue Bridge No. 04894 over Mill River will be released for highway purposes to the Municipality upon completion of construction."

ARCHITECT-ENGINEER - UNFINISHED BUSINESS

ARCHITECT-ENGINEER - NEW BUSINESS

OTHER BUSINESS

VOTES ON PRB FILES:

The Board took the following votes in Open Session:

PRB FILE #18-098 – Mr. Valengavich moved and Mr. Halpert seconded a motion to approve PRB FILE #18-098. The motion passed unanimously.

PRB FILE #18-113 – Mr. Halpert moved and Mr. Josephy seconded a motion to approve PRB FILE #18-113. The motion passed unanimously.

PRB FILE #18-114 – Mr. Valengavich moved and Mr. Halpert seconded a motion to approve PRB FILE #18-114. The motion passed unanimously.

Next meeting Monday, July 9, 2018.

The meeting adjourned.

APPROVED: John P. Valengavich Date: 7/12/18
John P. Valengavich, Secretary