

## STATE PROPERTIES REVIEW BOARD

### Minutes of Meeting Held On September 3, 2020 – remotely via telephone conference –

Pursuant to Governor Lamont's Executive Order No. 7B regarding suspension of In-Person Open Meeting requirements, the State Properties Review Board conducted its Regular Meeting at 9:30AM on September 3, 2020 remotely via telephone conference at (866)-692-4541, passcode 85607781.

#### **Members Present:**

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

#### **Members Absent:**

#### **Staff Present:**

Dimple Desai  
Thomas Jerram

#### **Guests Present**

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**

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

Mr. Valengavich moved and Mr. Berger seconded a motion to approve the minutes of the August 31, 2020 and September 2, 2020 Meetings. The motion passed unanimously.

#### **2. COMMUNICATIONS**

Director Desai informed Board Members of an inquiry from the Department of Agriculture (DoAG) on the SPRB's policy/guidance document(s) that requires the landowner to confirm to the State Properties Review Board their site inspection visit, in response to Staff inquiries to DoAG regarding a future site visit to a farm in eastern CT. The Board discussed and informed staff that it is customary to get farm owner's permission before a site visit can be made and also requiring their presence so that any questions from the Board can be clarified by the farm owner. The Board asked the Director to put this in writing to DoAG.

Staff also presented the Board with a monthly voucher statement pursuant to CGS 13a-73(h) identifying DOT real estate acquisitions for less than \$5,000.

#### **3. REAL ESTATE- UNFINISHED BUSINESS**

#### **4. REAL ESTATE – NEW BUSINESS**

**PRB #** 20-159  
**Transaction/Contract Type:** RE – Voucher  
**Origin/Client:** DOT/DOT  
**Project Number:** 018-135-021  
**Grantor:** Goodwill Industries of Western Connecticut, Inc.  
**Property:** Brookfield, Federal Rd (165)  
**Project Purpose:** Safety Improvements along Route 202  
**Item Purpose:** Voucher

**DAMAGES: \$61,500**

**DOT PROJECT:** The purpose of this project is to improve safety on the lower portion of Route 202 (Federal Road) for all users. The project limits are from the driveway of BJ's/Kohl's to the intersection of Route 202 (Federal Road) and Route 133 (Junction Road).

The project consists of four (4) intersection safety improvements:

- The construction of a southbound dedicated left-turn lane into Chick-Fil-A and Shop Rite plaza.
- The installation of a traffic signal at the intersection of Beverly Drive and Hardscrabble Road.
- The installation of a traffic signal at the southern intersection of Route 202 and Old New Milford Road.
- The removal of one of the two traffic signals at the northern intersection of Route 202 and Old New Milford Road.

The project also proposes the widening of the roadway along the corridor to provide 4-foot shoulders to improve safety for bicyclists. In addition, the project will include the construction of 5-foot sidewalks to accommodate pedestrian traffic along the corridor.

The present schedule indicates that the design will be completed in January 2021, with construction anticipated to begin in summer 2021. The estimated construction cost for this project is approximately \$6.0 million, anticipated to be undertaken with 80% federal funds and 20% state funds.

**Subject Property Description, Before the Taking:** The subject property (per appraisal) consists of a commercially-zoned, 71,809 square foot (1.645 acre) lot, improved with a single-tenant retail store containing 13,050 sf of gross building area, plus additional basement area, constructed in 2007. The property is located in an intensely developed retail/commercial neighborhood known as the 'Miracle Mile.' The property is pre-existing non-conforming regarding site requirements.





Southeasterly.



Northeasterly.

**Before Valuation:** An appraisal was prepared by DOT appraiser James P. Mansfield as of June 19, 2020.

Land Valuation: Based on the sales comparison approach, the appraiser analyzed three sales of commercially-zoned land in Brookfield (2) and Danbury (1) concluded that the fair market value of the subject land was \$17/square foot, or

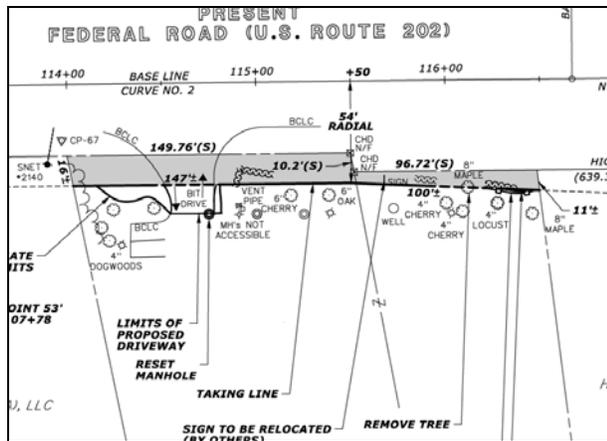
Item	Calculation	Value
Fee Simple	71,809 sf x \$17/sf	\$1,220,753
Affected Site Improvements	Lump Sum	\$5,000
	Total	\$1,225,753
	<b>Rounded</b>	\$1,226,000

Improvements within the taking area include driveway entrance paving and curbing, 95' of hedgerows, vegetation, a maple tree and two concrete bases with the contributory value estimated at \$5,000.

Improvements on the site are not impacted and assigned an "X" value.

**The Taking:** DOT will acquire the following:

1. A partial take of 3,170± sq.ft. of land; and
2. Right to grade acquired over an area of 10± sq.ft.
3. Right to grade and construct driveway acquired over an area of 695± sq.ft.
4. Right to install sedimentation control system acquired over an area of 27± LF
5. Right to remove tree acquired
6. Right to reset manhole acquired



**After Valuation:**

Land Valuation: Based on the sales comparison approach, the appraiser analyzed the same three sales of land in the Before and concluded that the fair market value of the subject land was \$17/square foot, or

Item	Calculation	Value
Fee Simple	68,639 sf x \$17/sf	\$1,166,863
		<b>Rounded</b>
		\$1,167,000

**Calculation of Permanent Damages**

Item	Value
Before Valuation	\$1,226,000
After Valuation	\$1,167,000
Permanent Damages	\$59,000

In addition to Direct Damages, DOT has awarded nominal damages to the Grantor to process the required zoning variance in the amount of \$2,500.

**RECOMMENDATION:** Board approval of damages in the amount of \$61,500 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 are supported by the DOT appraisal.



**PRB #** 20-162  
**Transaction/Contract Type:** RE – Voucher  
**Origin/Client:** DOT/DOT  
**Project Number:** 146-199-001  
**Lessee:** Barbara O. Woods  
**Property:** Vernon, Main St (11)  
**Project Purpose:** Replacement of bridge No. 04575 Main St over Tankerhoosen River  
**Item Purpose:** Voucher

**DAMAGES: \$15,000**

**DOT PROJECT:**

Bridge 04575 carries Main Street over the Tankerhoosen River in the town of Vernon (Town), Connecticut. Main Street is classified an "Urban Local Road" and the bridge is located approximately 2100 feet north of the intersection of Main Street and Route 83 (Hartford Turnpike).

The Main Street Bridge carries a single lane of vehicular traffic in the northbound and southbound directions over a 16-foot wide curb-to-curb roadway. The roadway approaches to the bridge are 25-feet +/- wide. The bridge provides the only means of ingress and egress to a community of approximately three (3) residents, access to the Hop River State Park Trail and the area is considered to be part of the Talcottville Historic District.

The Main Street Bridge is a steel beam bridge with a span length of 68 feet. The superstructure of the bridge consists of a corrugated metal deck supported by six (6) steel beams. The superstructure supports a bituminous concrete roadway and a metal beam guiderail system with posts bolted to brackets that are welded to the fascia beam webs. The bridge rail system extends to the approaches and does not meet current safety standards. The aforementioned superstructure was built in 1995 over the original bridge superstructure comprising of a steel lenticular pony truss and floorbeam system. The original wrought iron thru-truss bridge was built in 1885 and as left in place during the 1995 reconstruction with the truss providing a facade. The original truss bridge is considered to be historic and is on the National Register of Historic Places. The lenticular truss was a patented design of the Berlin Iron and Bridge Company and there are only eleven known examples of this type of bridge remaining in the state of Connecticut. In its current configuration, the original trusses and floorbeams do not carry any loads other than its self-weight and a gas main.



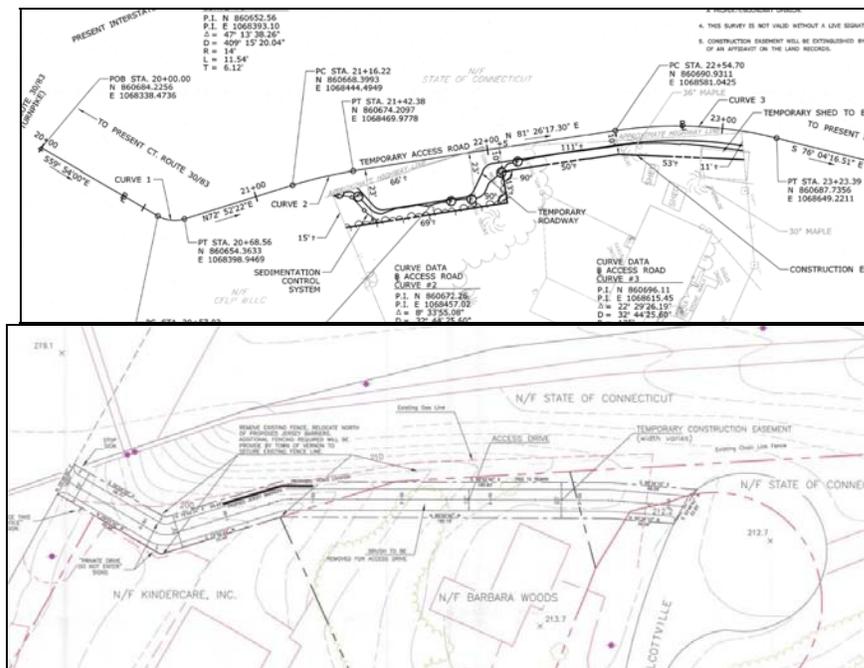
**Subject Property Description, Before the Taking:** The property consists of a 0.445 acre (19,384 sq. ft.) commercially zoned parcel of land improved with a c.1850 two-family dwelling containing 3,032 square feet with 12 rooms, 4 bedrooms and 2 full baths.

**Before Valuation:** An appraisal report prepared by DOT Appraiser Matthew Malia as of May 20, 2020. Improvements are not impacted by the taking are assigned an "X" value.

**Two-family Valuation:** Based on the sales comparison approach, the appraiser analyzed three sales of multi-family dwellings in Vernon (2019-2020) and concluded that the fair market value of the subject property was \$240,000, including an underlying land value of \$100,000 (\$5.00/sf). The local Assessor valued the property at \$225,000 (100%) during the 2018 town-wide revaluation.

**The Taking:** DOT will acquire the following:

1. A construction easement for the purpose of construction of a temporary roadway for public use, installation of sedimentation control system and removal of vegetation acquired over an area of 2,238± sq.ft. of land.



**After Valuation:**

**Two-family Valuation:** Based on the sales comparison approach, the appraiser analyzed the same three sales of multi-family dwellings in Vernon (2019-2020) and concluded that the fair market value of the subject property was \$236,500, including an underlying land value of \$100,000 (\$5.00/sf). The difference attributable to the loss of the contributory value of impacted site improvements (trees and vegetation) within the construction easement area.

**Calculation of Permanent Damages**

Item	Value
Before Valuation	\$240,000
After Valuation	\$236,500
<b>Permanent Damages</b>	<b>\$3,500</b>

**Calculation of Temporary Damages**

Construction Easement Area	2,238 sf x \$5.00/sf x 12% x 1 year	\$1,138
----------------------------	-------------------------------------	---------

### **Calculation of Temporary Severance**

Temporary severance damages due to the construction of a temporary road for public use over a portion of the northerly area, as well as reducing the existing on-site parking.

The DOT Appraiser calculated temporary severance as follows:

- Severance if permanent: \$240,000 (total property value) x 35% = \$84,000
- Encumbrance will exist for 1 year of typical 8 year holding period
- Temporary Severance: \$84,000 x 12% x 1 year = \$10,080

Total damages are then Permanent Damages plus Temporary Damages plus Temporary Severance Damages, \$3,500 + \$1,138 + \$10,080 = \$14,718, rounded to \$15,000.

**RECOMMENDATION:** Board approval of damages in the amount of \$15,000 is recommended for the following reasons:

- 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.
- The acquisition amount is supported by the DOT appraisal.

Mr. Valengavich moved and Mr. Halpert seconded a motion to go out of Open Session and into Executive Session at 9:50. The motion passed unanimously.

### **EXECUTIVE SESSION**

<b><i>PRB #</i></b>	<b>20-173-A</b>
<b><i>Transaction/Contract Type:</i></b>	AG/PDR
<b><i>Origin/Client:</i></b>	DoAG/DoAG

**Statutory Disclosure Exemptions: 1-200(6) & 1-210(b)(7)**

Mr. Valengavich moved and Mr. Halpert seconded a motion to go out of Executive Session and into Open Session at 10:37. The motion passed unanimously.

### **OPEN SESSION**

- 5. ARCHITECT-ENGINEER - UNFINISHED BUSINESS**
- 6. ARCHITECT-ENGINEER - NEW BUSINESS**
- 7. OTHER BUSINESS**
- 8. VOTES ON PRB FILE:**

**PRB FILE #20-159** – Mr. Valengavich moved and Mr. Halpert seconded a motion to approve PRB FILE #20-159. The motion passed unanimously.

**PRB FILE #20-162** – Mr. Halpert moved and Mr. Valengavich seconded a motion to approve PRB FILE #20-162. The motion passed unanimously.

**PRB FILE #20-173-A** – Mr. Valengavich moved and Mr. Berger seconded a motion to return PRB FILE

#20-173-A. The motion passed unanimously. The Board voted to return this item to DoAG as it is incomplete. The funder of the Farm 1 and the Farm 4 PDR easements has not provided its approval yet which is a must. DoAG should resubmit this proposal upon receiving USDA-NRCS approval.

**9. NEXT MEETING** – Tuesday, September 8, 2020

The meeting adjourned.

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