

STATE PROPERTIES REVIEW BOARD

Minutes of Regular Meeting Held On October 13, 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 a Regular Meeting at 9:30AM on October 13, 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

Jenna Padula, Esquire DCS (9:30-9:42)

At Chairman Greenberg's request, Vice Chairman Josephy led the meeting.

Vice Chairman Josephy 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 October 9, 2020 Meeting. The motion passed unanimously.

2. COMMUNICATIONS

3. REAL ESTATE- UNFINISHED BUSINESS

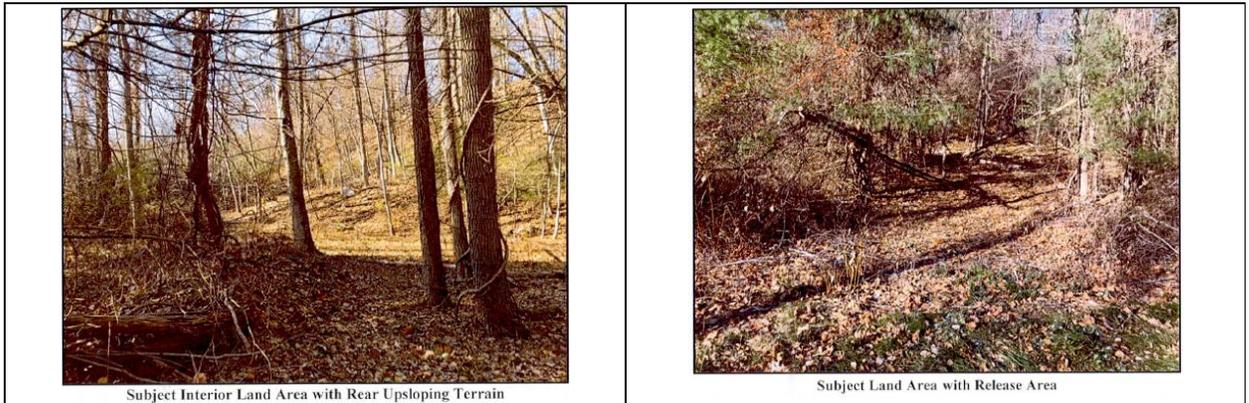
4. REAL ESTATE – NEW BUSINESS

PRB #	20-187
Transaction/Contract Type:	RE – Sale by Sole Abutter Bid
Origin/Client:	DOT/DOT
Project Number:	51-106-9B
Grantee:	GM Retirement, LLC
Property:	Burlington, Route 179 (33,036 sf land)
Project Purpose:	Sale by Sole Abutter Bid
Item Purpose:	Quit Claim Deed

Sale Price: \$16,000

Under this proposal, DOT will release an irregularly-shaped, 33,036 square foot parcel of land with 664 feet of frontage on the west side of Route 179 to the Sole Abutter located at Canton Rd (Lot 32), Burlington.

The sole abutter located at Canton Road (Lot 32) is comprised of an unimproved 2.05 acre (89,298 sf) commercially-zoned site with no frontage on the roadway. The DOT Appraiser notes that the southerly abutter is owned in common with GM Retirement, LLC, however a brook traverses the property line and provides significant limitations to potential development and thus excluded this lot from analysis.



Valuation – With the release of this parcel via a Sale by Sole Abutter Bid, DOT Appraiser Steven C. Miller appraised the property, as of November 13, 2019, in both the Before and After assemblage, valuing the two contiguous properties in the Before Valuation as they meet the standard of the Larger Parcel per Yellow Book Standards. Based on the sales comparison approach, the Appraiser utilized three sales of commercially-zoned land in Burlington and Bristol (2) and concluded the fair market value of the Larger Parcel was $\$1.10/\text{sf} \times 89,298 \text{ sf} = \$98,228$, rounded to \$98,000.

Note: The Burlington Assessor valued the land (100%) at \$0.97/sq.ft. for the October 1, 2018 Grand List.

In the After Valuation, the Appraiser utilized the same three sales and concluded the fair market value of the subject property was $\$0.95/\text{sf} \times 122,334 \text{ sf} = \$116,217$, rounded to \$116,000.

Value of the Release

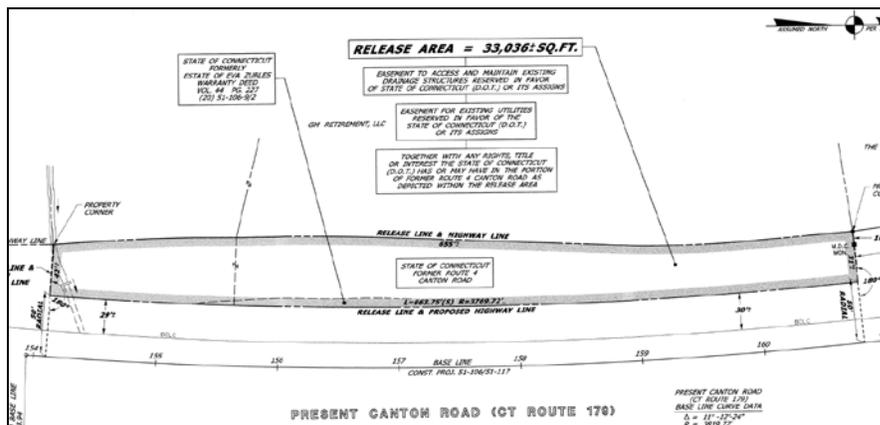
After Valuation	\$116,000
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Before Valuation	\$98,000
Value of Release	\$18,000

Sale by Sole Abutter Bid & Negotiations – On November 26, 2019, an offer was presented by letter to Mr. Gilles Michaud in the amount of \$25,000. On December 19, 2019, Mr. Michaud sent an email with a counter offer in the amount of \$7,500, which was not accepted by this office. On December 27, 2019, Mr. Michaud presented another counter offer in the amount of \$8,500, which was not accepted by this office. On January 9, 2020, Mr. Michaud presented a third counter offer in the amount of \$8,600, which again was not accepted by this office. On February 17, 2020, Mr. Michaud presented his final highest and best offer in the amount of \$15,000 (+\$1,000 admin fee), which by means of an administrative acceptance, was accepted by this office.

Recommendation – Staff recommend approval of the proposed Sale by Sole Abutter Bid in the amount of \$16,000 for the following reasons:

- The proposed sale complies with Sections §3-14b, and §13a-80 of the CGS in that the Town of Burlington declined to purchase pursuant to §3-14b and the legislative delegation received the required notification on July 18, 2019.
- The release value of \$16,000 is reasonable in that it represents 89% of the appraised value and it will return the property to the Burlington tax rolls and relieve the State of all future expenses.
- The description in the Quit Claim Deed is consistent with the compilation plan to be filed in the Burlington Land Records.



PRB # 20-188
Transaction/Contract Type: RE – Sale by Abutter Bid
Origin/Client: DOT/DOT
Project Number: 139-73-1A
Grantee: Scott & Elizabeth Sagan
Property: Suffield, Overhill Dr (820)
Project Purpose: Sale by Abutter Bid
Item Purpose: Quit Claim Deed

Sale Price: \$13,000

Project Background.

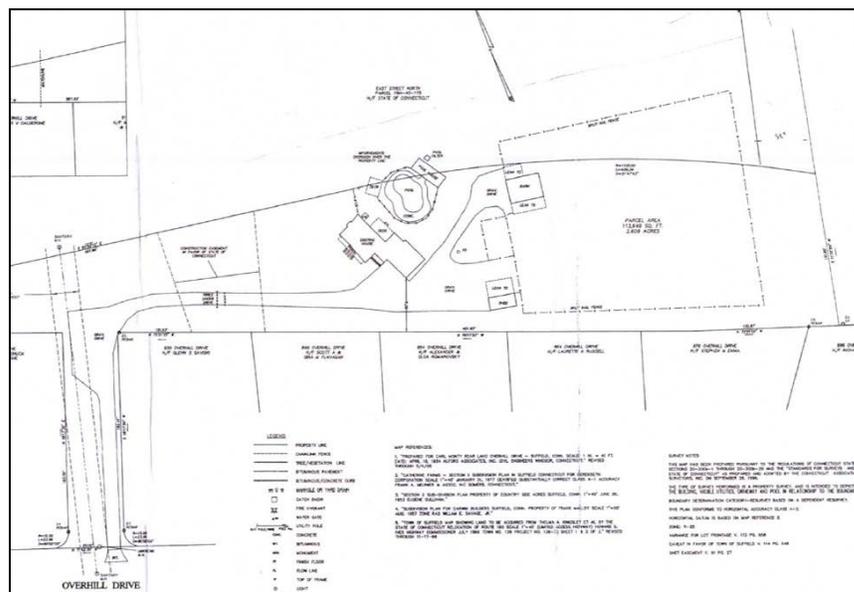
The state of Connecticut owns a 17.5 acre parcel on East Street North in Suffield, CT. The town was seeking to acquire the property from the State, and in researching the property it was determined that the southerly abutter was encroaching onto state land.

Under this proposal, DOT will release an irregularly-shaped, 21,455 square foot parcel of land adjacent to property located at 820 Overhill Drive, Suffield to correct the encroachment. There is no street frontage. The other abutter, located on nearby Catherine Street, did not place a bid.

The southerly abutter, 820 Overhill Drive, is a 2.61± acre (113,692 sf), residentially zoned parcel, accessed via an 80'± wide access way that is owned in fee (and partially encumbered by a 25' wide sewer easement). The topography is generally level, with a cleared central building envelope and eastern site area. A construction easement in favor of the state of Connecticut bisects the parcel in a north-south direction near the center of the site, and is estimated to total 0.19± acre per the recorded site survey. The construction easement is utilized for drainage purposes, with a small stream noted within this area.

The site is improved with a Cape Cod-style single family residence that was constructed in 1984, and is indicated to total 2,342± square feet of gross living area (7/3/2.5). The site is also improved with several ancillary structures, including an in-ground pool with pool house and deck (all built subsequent to 2015 purchase), as well as a two-story, three-stall horse barn (with second floor hay loft and attached lean-to sheds), a large fenced yard, and a large fenced riding arena (existing prior to 2015 purchase).

The in-ground pool, pool house, deck and some paddock fencing are constructed on the parcel's north property line, and are encroaching the release area.



Valuation – With the release of this parcel via a Sale by Abutter Bid, DOT Appraiser Steven C. Miller appraised the property, as of December 11, 2019, in both the Before and After assemblage, valuing the

two contiguous properties in the Before Valuation as they meet the standard of the Larger Parcel per Yellow Book Standards. Based on the sales comparison approach, the Appraiser utilized three sales of residentially-zoned land in Suffield and concluded the fair market value of the Larger Parcel was \$0.70/sq.ft. x 113,649 sq.f.t = \$79,554, rounded to \$80,000.

In the After Valuation, the Appraiser utilized the same three sales and concluded the fair market value of the subject property was \$0.70/sq.ft. x 135,104 sq.f.t = \$94,573 rounded to \$95,000.

Value of the Release

After Valuation	\$95,000
Before Valuation	\$80,000
Value of Release	\$15,000

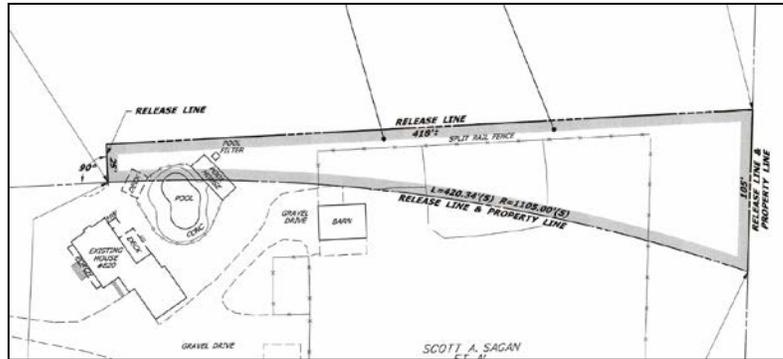
Sale by Abutter Bid & Negotiations – The two abutters were notified of the Public Bid. The abutter bid was held 2/19/2020 with an asking price of \$20,000 (+\$1,000 admin fee). One bid was received: #1. \$8,000 (+\$1,000 admin fee) from Scott Sagan, which was rejected by DOT. Sagan resubmitted an offer of \$12,000, which was accepted by DOT (+ \$1,000 admin fee).

Staff asked DOT to clarify the following:

- Please clarify if the release area will satisfy local zoning site requirements for setbacks.
DOT Response: After the release, it appears that the setback of 40' to the rear would be satisfied. However, without an A-2 survey, this cannot be confirmed. In summary, any conformity or setback conformity was considered within the valuation.
Staff Response: OK
- Please clarify what the Cost to Cure is for correcting the encroachments onto the state property.
DOT Response: The Cost to Cure to take the improvements off the property would be purely an estimate on the appraisers part. The valuation did not include any improvements on state property, nor did it include a cost to cure for these improvements. The appraiser does not have the expertise to estimate a cost to cure based on a visual inspection, which would consider depreciation of improvements, the location of improvements, and other necessary data. The scope of the assignment was clear not to value any of the improvements located on the release parcel. We don't base value on a cost to cure measurement; if our sales indicate a certain value, and our sales are vacant, the cost to cure has no bearing on the release value.
Staff Response: OK
- Please clarify if DOT researched Suffield zoning & building department records regarding the 2015 construction of the in-ground pool, pool house and deck (after Sagan's 2015 purchase).
DOT Response: Building and zoning records were researched; it is the Department's understanding that the permits were issued in error, and that the owner's interest to purchase the release is the result of that error coming to light.
Staff Response: OK

Recommendation – Staff recommend approval of the proposed Sale by Abutter Bid in the amount of \$13,000 for the following reasons:

- The proposed sale complies with Sections §3-14b, and §13a-80 of the CGS in that the Town of Suffield declined to purchase and the legislative delegation received the required notification on October 17, 2019.
- The release value of \$13,000 is reasonable in that it represents 87% of the appraised value and it will return the property to the Suffield tax rolls and relieve the State of all future expenses.
- The description in the Quit Claim Deed is consistent with the compilation plan to be filed in the Suffield Land Records.



PRB # 20-194
Transaction/Contract Type: RE – Conveyance
Origin/Client: DOT/DOT
Project Number: 92-532-007A
Grantee: City of New Haven
Property: New Haven, Kendall Street (25)
Project Purpose: DOT Conveyance of 0.58 acres to City of New Haven
Item Purpose: Legislative Conveyance pursuant to PA 17-238 (7)

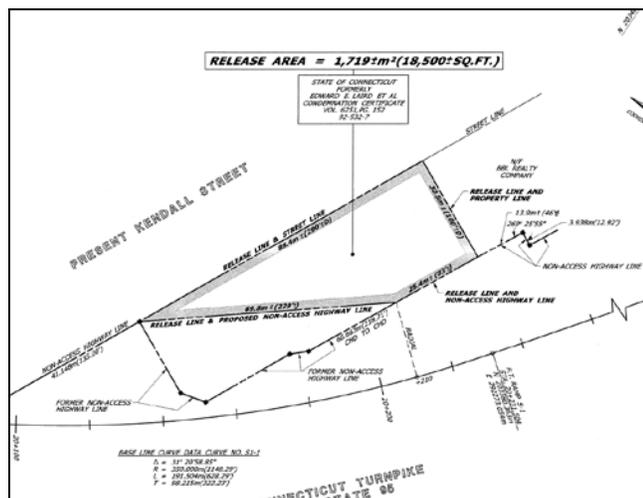
RELEASE PRICE: \$89,000

At the July 9, 2020 SPRB Meeting the Board, under PRB #20-130, voted to return this proposal to the Department of Transportation as the Quit Claim Deed does not comply with the enabling legislation.

Under this proposal (PRB #20-194), DOT is now seeking to convey an 18,500 square foot, industrially zoned, parcel of land to the City of New Haven pursuant to PA 17-238 (7). The price of the conveyance is established by the average of two appraisals, plus an administrative fee. There are no restrictions on the conveyance.

RECOMMENDATION: Staff recommends **approve** of the legislative conveyance for the following reasons:

1. The Quit Claim deed is consistent with Section 7) of Public Act 17-238, which stipulates the conveyance of approximately 0.58 acres of land to the City of New at a cost equal to average of two independent appraisals plus the administrative cost of the conveyance.
2. The descriptions in the Quit-Claim Deed to release the real property are consistent with the description in the DOT map.



From PRB #19-130

RELEASE PRICE: \$89,000

Under this proposal (#20-130), DOT is seeking to convey an 18,500 square foot, industrially zoned, parcel of land to the City of New Haven pursuant to PA 17-238 (7). The price of the conveyance is established by the average of two appraisals, plus an administrative fee. There are no restrictions on the conveyance.

DOT Appraiser Matthew Malia appraised the property as of 1/06/2020 and based on three similarly-zoned parcels in New Haven, North Haven and Hamden, concluded the value of the land was \$5.00/sf x 18,500 sf = \$92,500, rounded to \$95,000.

The undersigned has recited three recent sales of properties most similar and proximate to subject and has considered these in the market analysis. The description includes a dollar adjustment reflecting market reaction to those items of significant variation between the subject and comparable properties. If a significant item in the comparable property is superior to or more favorable than the subject property, a minus (-) adjustment is made thus reducing the indicated value of subject; if a significant item in the comparable is inferior to or less favorable than the subject property, a plus (+) adjustment is made thus increasing the indicated value of the subject.

ITEM	SUBJECT PROPERTY	COMPARABLE NO. 1		COMPARABLE NO. 2		COMPARABLE NO. 3	
Address	25 Kendall St New Haven, CT 06512	State St New Haven, CT 06511		57 McDermott Rd North Haven, CT 06473		91 Overlook Dr Hamden, CT 06514	
Proximity to Subject		1.69 miles N		3.75 miles NE		7.61 miles N	
Sales Price	\$ SP/Sq. Ft.	\$ 8.47		\$ 2.17		\$ 2.61	
Price	\$ Sale Price	\$ 51,900		\$ 60,000		\$ 70,000	
Data Source	City Records/Inspection	City Records/Drive-by Inspection		Town Records/Drive-by Inspection		Town Records/Drive-by Inspection	
Date of Sale and Time Adjustment	DESCRIPTION 1/6/2020 (Eff. Date)	DESCRIPTION 2/16/2018		DESCRIPTION 7/25/2019		DESCRIPTION 5/23/2019	
Location	Average	Average		Average		Fair	
Site/View	18,500 sq. ft. / average	6,124 sq. ft./average -1.69		27,663 sq. ft./average +0.43		26,833 sq. ft./average +0.52	
Present Use/H&BU	Vacant / Parking	Parking / Parking		Vacant / Ind. Building -0.11		Vacant / Parking	
Utilities/topo	All / Level	All / Level		All / Level		All / Level to Stopping +0.13	
Zone/frontage	IH / 290' +/-	IL / 121.18' +/-		IL30 / 417.32' +/-		M / 120.15'	
Wetlands	AE Flood Zone/None	None -0.42		Minimal +0.22		None -0.13	
Sales or Financing Concessions	None Noted	None Noted		None Noted		None Noted	
Net Adj. (Total)		+ - \$ -2.11		+ - \$ 0.54		+ - \$ 0.76	
Indicated Value of Subject		\$ 6.36		\$ 2.71		\$ 3.35	

Independent Appraiser Norman Benedict appraised the property as of 12/20/2019 and based on three similarly-zoned parcels in West Haven, North Haven and Branford, concluded the value of the land was \$4.25/sf x 18,500 sf = \$78,570, rounded to \$79,000.

LAND SALES SUMMARY OF ADJUSTMENTS - BEFORE THE RELEASE							
ITEM	Appraised Property	COMPARABLE 1	COMPARABLE 2	COMPARABLE 3			
STREET ADDRESS	25 Kendall Street	164 Fresh Meadow Road	57 McDermott Road	17-21 No. Branford, Road			
CITY OR TOWN, STATE	New Haven, Ct	West Haven, Ct	North Haven, Ct	Branford, Ct			
Unadjusted Sales Price	None Recently	\$200,000	\$178,571	\$60,000 \$92,308	\$200,000	\$98,522	
ADJUSTMENTS	DESCRIPTION	DESCRIPTION	+ ADJ.	DESCRIPTION	+ ADJ.	DESCRIPTION	+ ADJ.
TRANSITIONAL ADJUSTMENTS							
PROPERTY RIGHTS CONVEYED	Fee Simple	Fee Simple	0%	Fee Simple	0.00%	Fee Simple	0.00%
FINANCING	None	None	0%	None	0.00%	None	0.00%
CONDITIONS OF SALE	Arms-length	Arms-length	0%	Arms-length	0.00%	Arms-length	0.00%
MARKET CONDITIONS	20-Dec-19	06-Nov-19	0.50%	25-Jul-19	1.00%	18-Jul-18	3.00%
ADJUSTED SALES PRICE			\$179,464		\$93,231		\$101,478
LOCATIONAL ADJUSTMENTS							
ADJUSTED SALES PRICE	Urban	Suburban	10.00%	Suburban	10.00%	Suburban	10.00%
			\$197,411		\$102,554		\$111,626
PHYSICAL ADJUSTMENTS:							
ZONE (use diversity)	Heavy Industrial	Light Industrial	10.00%	Light Industrial	10.00%	Light Industrial	10.00%
SIZE (acres)	0.42	1.12	-5.00%	0.65	0.00%	2.03	-7.50%
TOPOGRAPHY	Level	Level	0.00%	Level	0.00%	Minimum Roll	0.00%
SHAPE	Long, Irregular	Irregular	-10.00%	Long, Irregular	0.00%	Long Rectangle	-10.00%
INTERSTATE ADVERTISING	Good	None	20.00%	None	20.00%	None	20.00%
NEIGHBORHOOD QUALITY	Central	Some Central	5.00%	None Central	10.00%	None Central	10.00%
USE INFLUENCING EASEMENT	None	None	0.00%	None	0.00%	Substantial	25.00%
WETLANDS	Harbor Influence	Major Influence	15.00%	Major Influence	15.00%	Minor Influence	-15.00%
FRONTAGE-ACCESS	Substantial - Good	Substantial - Good	0.00%	Substantial - Good	0.00%	Average - Good	2.50%
UTILITIES	All normal Utilities	All	0.00%	All	0.00%	All	0.00%
ENCUMBRANCE-APPURTENANCE	None Special	None Special	0.00%	None Special	0.00%	None Special	0.00%
HIGHEST AND BEST USE	Lt. Ind. Improvement	Lt. Ind. Improvement	0.00%	Lt. Ind. Improvement	0.00%	Lt. Ind. Improvement	0.00%
REGIONAL VEHICLE MOBILITY	Int-95 Immediate	None Special	7.50%	None Special	7.50%	Int-95 Immediate	0.00%
ADJUSTED SALES PRICE			42.50%		62.50%		35.00%
FINAL ADJUSTED SALES PRICES			\$255,737		\$151,500		\$136,995

quality scale: 0.00-none, 1.00-poor, 1.25-fair, 1.50-average, 1.75-good and 2.00-best of database

The Public Act Language is as follows:

Sec. 7. (*Effective from passage*) (a) Notwithstanding any provision of the general statutes, the Commissioner of Transportation shall convey to the city of New Haven a parcel of land located in the city of New Haven, at a cost equal to the fair market value of the property, as determined by the average of the appraisals of two independent appraisers selected by the commissioner, plus the administrative costs of making such conveyance. Said parcel of land has an area of approximately .58 acre and is identified as 25 Kendall Street at Lot 200 in Block 953 on city of New Haven Assessor's Map 69. The conveyance shall be subject to the approval of the State Properties Review Board.

(b) The State Properties Review Board shall complete its review of the conveyance of said parcel of land not later than thirty days after it receives a proposed agreement from the Department of Transportation. The land shall remain under the care and control of said department until a conveyance is made in accordance with the provisions of this section. The State Treasurer shall execute and deliver any deed or instrument necessary for a conveyance under this section. The Commissioner of Transportation shall have the sole responsibility for all other incidents of such conveyance. Any funds received by said department from a sale of said parcel in accordance with this section shall be transferred to the State Treasurer for deposit in the Special Transportation Fund.

Staff asked DOT to clarify the following issues:

1. Please clarify if utilizing DOT Appraiser Matthew Malia complies with the statutory language requiring an 'independent' appraiser value the property.

DOT Response: That language as far as I know, is standard regarding independent appraiser, and using a DOT appraiser is acceptable.

Staff Response: OK

2. Malia appraised the property for \$95,000 and Benedict appraised for \$79,000. The average of the two is \$87,000 ($\$174,000/2$). Please clarify if the stated \$89,000 sale price which includes a \$1,000 Administrative Fee (\$88,000) complies with the statutory language regarding the 'average' of the two appraisals.

DOT Response: The sales price should be \$88,000. I do not have a copy of Marie's closing report, but I have our calculation concurring with yours, so not sure how the \$1,000 extra came about on the deed.

Staff Response: The Quit Claim Deed, as written, does not comply with the enabling legislation and should be returned to DOT for correction.

RECOMMENDATION: Staff recommends **return** of the legislative conveyance for the following reasons:

1. The Quit Claim deed is inconsistent with Section 7) of Public Act 17-238, which stipulates the conveyance of approximately 0.58 acres of land to the City of New at a cost equal to average of two independent appraisals plus the administrative cost of the conveyance.



5. ARCHITECT-ENGINEER - UNFINISHED BUSINESS

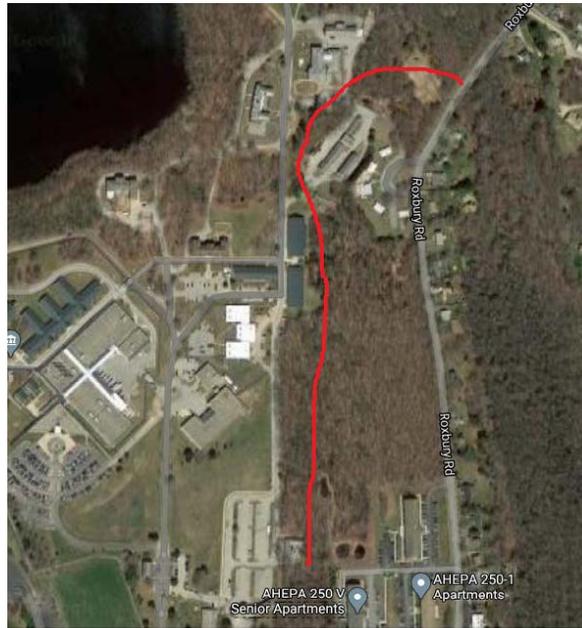
6. ARCHITECT-ENGINEER - NEW BUSINESS

PRB #	20-201
Origin/Client:	DCS/DOC
Transaction/Contract Type:	AE / Easement
Grantee:	Yankee Gas Services Company dba Eversource Energy
Property:	East Lyme, W. Main St (201) – York CI
Item Purpose:	Gas Distribution Easement

Jenna Padula, Esquire, Staff Attorney for DCS joined the meeting at 9:30 to discuss this proposal. Ms. Padula left the meeting at 9:42.

This easement is being provided for the purposes of extending natural gas service to the York Correctional Institution in East Lyme.

General Direction of Easement Area.



RECOMMENDATION: Staff recommend Board **APPROVAL** for the granting of a Gas Distribution Easement to Yankee Gas Services Company dba Eversource Energy pursuant to CGS 4b-22a, for the following reasons:

1. The conveyance of the easements is consistent with CGS 4b-22a, which allows the Commissioner of DAS to grant easements on state property for the purposes of installing, maintaining and operating public utilities. Section 4b-22a of the Connecticut General Statutes is as follow:

Sec. 4b-22a. Easements. Grant and acquisition. Notwithstanding any provision of the general statutes, the Commissioner of Administrative Services may (1) grant easements with respect to land owned by the state to a public service company, as defined in section 16-1, the owner of a district heating and cooling system, a municipal water or sewer authority or a telecommunications company, as defined in section 16-1, subject to the approval of the Office of Policy and Management, the agency having supervision of the care and control of such land and the State Properties Review Board, and (2) acquire easements with respect to land not owned by the state in connection with a Department of Administrative Services project, subject to the approval of the State Properties Review Board. No easement granted under subdivision (1) of this section shall be for the disposal or storage of radioactive or hazardous waste materials. The commissioner shall provide notice of any easement granted under said subdivision to the chief executive official of the municipality, and the members of the General Assembly representing the municipality, in which the land is located.

2. The gas distribution easement area comprises approximately 96,170 +/- SF (2.208 acres) are clearly identified the map and will service the York Correctional Institution.

7. VOTES ON PRB FILE:

PRB FILE #20-187 – Mr. Valengavich moved and Mr. Berger seconded a motion to approve PRB FILE #20-187. The motion passed unanimously.

PRB FILE #20-188 – Mr. Halpert moved and Mr. Valengavich seconded a motion to approve PRB FILE #20-188. The motion passed unanimously.

PRB FILE #20-194 – Mr. Valengavich moved and Mr. Halpert seconded a motion to approve PRB FILE #20-194. The motion passed unanimously.

PRB FILE #20-201 – Mr. Halpert moved and Mr. Valengavich seconded a motion to approve PRB FILE #20-201. The motion passed unanimously.

8. NEXT MEETING – Thursday, October 15, 2020

The meeting adjourned.

APPROVED: _____ **Date:** _____
John Valengavich, Secretary