

## STATE PROPERTIES REVIEW BOARD

### Minutes of Meeting Held On March 15, 2021 – 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 March 15, 2021 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**

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 March 11, 2021 Meeting. The motion passed unanimously.

#### **2. COMMUNICATIONS**

Mr. Berger provided Board Members with an update on his ongoing conversations and review about certain proposed legislation that affects the State Properties Review Board.

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

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

<b>PRB #</b>	<b>#21-025</b>
<b>Transaction/Contract Type:</b>	RE – Legislative Conveyance
<b>Origin/Client:</b>	DAS/DAS
<b>Grantee:</b>	City of Danbury
<b>Property:</b>	Danbury, West St (54) – Danbury Armory
<b>Project Purpose:</b>	Legislative Conveyance pursuant to SA 07-11(14)
<b>Item Purpose:</b>	Correcting QC Deed

#### **BACKGROUND:**

At the June 6, 2011 Board Meeting, under PRB #11-077, the Board approved a Quit Claim Deed conveying the Danbury Armory to the City of Danbury pursuant to Section 14 of Special Act 07-11. The Quit Claim Deed was recorded on August 31, 2011 at Volume 2147, Page 1161 in the Danbury Land Records. Per the terms of the Act, the City of Danbury later conveyed the property to Connecticut Institute For Communities, Inc., for “social or human services purposes.”

When DAS (then DPW) conveyed the property in 2011, the legal description inadvertently left out a portion of the property. The omitted portion comprises approximately 3,014 square feet, and the result is that the boundary line of the property actually conveyed goes through the middle of the Armory building itself. This error was not discovered until a survey was conducted in 2018.

Staff inquired with DAS to clarify the following questions:

1. Please provide an electronic copy of the Quit Claim Deed signed by Treasurer Woodin.  
DAS Response: We cannot locate an electronic copy of the deed executed by the Treasurer. Can SPRB scan the original deed and create a PDF?  
Staff Response: We are seeking an electronic copy of the Corrective Quit Claim Deed signed by the Treasurer. After speaking with DAS, it was determined that they cannot locate the signed Corrective Quit Claim Deed and will resubmit to the Treasurer for execution.
2. Please provide an electronic copy of the survey conducted in 2018.  
DAS Response: Provided.  
Staff Response: OK.
3. Please clarify if in the title of the conveyance should be edited as the original QC Deed conveying the property to the City in 2011 did not reference 54 West Street and the Danbury Assessor identifies the property as 56-58 West Street.  
DAS Response: The Danbury Armory is also known and referred to as 54 West St. Please see attached survey, requested in response to Question 2, above, in which the surveyor references "54 West St., Danbury, CT", as well as the attached link to the State of Connecticut Military Department website: [List of Armories \(ct.gov\)](http://List of Armories (ct.gov)), which identifies the Danbury Armory address as 54 West St., Danbury. The inclusion of this address was requested by the buyer's attorney, and the Danbury Corporation Counsel's office has also reviewed the Corrective Deed.  
Staff Response: OK.

#### **CORRECTIVE QUIT CLAIM DEED**

~~54 West Street, Danbury Connecticut~~

Correcting Scrivener's Error As to Parcel B (3,014 square feet)

4. Please clarify if the Quit Claim Deed should include the description of Parcel A in Exhibit A.  
DAS Response: Yes, the Corrective Quit claim Deed is intended to replace the original deed, so the legal descriptions of both parcel A and parcel B should be included in the Corrective Deed.  
Staff Response: OK.
5. Please clarify who prepared the Legal Description in Exhibit A of the Correcting Quit-Claim Deed.  
DAS Response: The legal description was taken from the 2011 conveyance of Parcel A. It is not known who prepared this legal description in 2011, but it has been confirmed by the Buyer's surveyor.  
Staff Response: OK.

**Recommendation:** Staff recommend suspend this Proposal for action on a Correcting Quit Claim Deed to convey the Danbury Armory, inclusive of the 3,014 square foot portion omitted in the 2011 Quit Claim Deed for the following reasons:

1. Pending receipt of the Correcting Quit Claim Deed signed by the Treasurer.

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**DATE:** June 3, 2011

**SUBJECT:** PRB# 11-077 DPW Conveyance of State Armory to City of Danbury,  
pursuant to the requirements of Special Act 07-11, §14. Location: 56-58  
West Street, Danbury

**Proposal:** The referenced legislation requires that the State convey the former CTANG Armory, West Street, Danbury, at a cost equal to the administrative costs of making the conveyance, and requiring that it be used exclusively for social or human services.

**Recommendations:**

*(1) Prior to approving this proposal, the Board should review the deed from the City of Danbury to the Connecticut Institute for Communities, Inc. (CIFIC) for conformance with the requirements recited in Special Act 07-11, specifically: a use restriction needs to be recited in the deed from the City to CIFIC, or a restrictive covenant pertaining to the premises needs to be recorded on the City Land Records. Under the Special Act, the requirement that the premises be used for social or human services applies to successors in title.*

*(2) The conveyance deed to the City of Danbury describes the property as being .06 acres instead of .60 acres; and states the property shall be used exclusively for “social or human purposes”. It should instead state “social or human services purposes.”*

**Property Description:** 36,200 GSF two-story brick structure on .60 acre site. Constructed in 1912, the site has 105’6” of frontage on the south side of West Street, and has a mutual 10 foot wide “pass way” with the property to the East. DPW has not provided information on the condition of the building. Minutes of Danbury City Council meeting (1/20/2011) state that “the building is in dire need of renovations.” The city assessment (100%) value is \$2,559,100.

**Background:** In 1993 the Military declared the armory surplus, and custody of the building was requested by Western Connecticut State University. Western used the basement for storage and the gymnasium for intercollegiate and recreational activities. In 1999, Western leased 3,200 SF of office and gymnasium space to the Harambee Center for Youth and Community Services (HCYCS) for \$2,000/month.<sup>1</sup>

HCYCS is a program of the Connecticut Institute For Communities, Inc. (CIFIC), a non-profit, Danbury-based community development corporation, serving low and moderate income families of western Connecticut. They provide a combination of health, education, housing and economic development projects. HCYCS provides, free of charge, after school programs for 300 middle and high school age students. It serves a largely minority population. The City of Danbury provides some financial support through a Community Development Block Grant.

The following is excerpted from the CIFIC annual report for 2009-2010:

**(3) Danbury Armory Project:** In 2007, CIFIC successfully advocated for legislation passed in the Connecticut General Assembly<sup>2</sup> allowing the conveyance of the former Danbury Armory Building, through the City, to CIFIC. This legislation permits the City and CIFIC, working in partnership, to qualify the Armory (originally constructed in 1912) for Federal Historic Rehabilitation Tax Credits, which in turn will produce important benefits for our community:

(a) Approximately \$10,000,000 in additional capital investment in the Danbury community;

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<sup>1</sup> There is no record of SPRB review. A University report says that in 2007 the lease was replaced with an annual Facilities Use Agreement.

<sup>2</sup> Special Act 07-11, Section 14. This legislation was initiated by CIFIC (see sales agreement between City & CIFIC).

- (b) The preservation of a unique, historic building located in downtown Danbury (indeed, just around the corner from City Hall); and
- (c) The restoration of the Armory as an important community facility (now occupied by the Harambee Youth Center) for the foreseeable future.

Without CIFIC's unique set of programmatic skills and organizational expertise, it is highly unlikely that Danbury would be in a position to have already achieved the State's commitment for the conveyance of the building, nor the likely execution of the balance of the Armory re-use plan.

The 2007 Special Act allows transfer from the City to a non-profit social service agency, and contain stipulations that the property not be conveyed to Danbury sooner than January 1, 2011, and will revert to the State if the transfer is for purposes other than social services.

On February 15, 2011 the Danbury City Council held a public hearing<sup>3</sup> on the "acquisition ...of the State Armory Building, West Street, and the subsequent transfer thereof to CT Institute for Communities."

On March 1, 2011, the City Council voted to recommend the sale of the Armory property to the CIFIC, in accordance with the sales agreement with CIFIC presented.

On May 11, 2011, the CSUS Board of Trustees ratified the conveyance of the Armory to the City of Danbury.

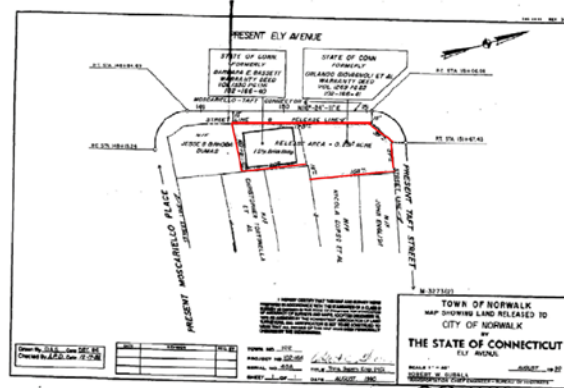


<sup>3</sup> Public hearing is required prior to transfer of real property owned by a municipality under CGS Sec. 7-163e.

**PRB #** #21-039  
**Transaction/Contract Type:** RE – Sale by Public Bid  
**Origin/Client:** DOT/DOT  
**Project #:** 102-166-40A  
**Grantee:** DAS 28 Bouton, LLC  
**Property:** Norwalk, Ely Avenue (Lot 246)  
**Project Purpose:** Sale by Public Bid  
**Item Purpose:** Quit Claim Deed

**Sale Price:** \$202,100

Under this Proposal (PRB #21-039) DOT is seeking SPRB approval to this Sale by Public Bid to release this irregularly-shaped, 0.251 acre (10,933± sf) square foot parcel of land, located at the southeast intersection of Ely Avenue and Taft Street. The site is improved with a masonry block construction light industrial building containing 2,432 square feet, constructed in 1940 and in poor condition. The site is located in the Industrial Zone and is pre-existing non-conforming regarding site requirement. DOT estimated the cost of remediating asbestos, hazardous materials and demolition at \$46,830. The property is being sold in as is, where is condition with all faults and defects.



The Appraiser opined the Highest and Best Use of the property, as vacant, is for residential development with up to a two-unit dwelling. As-improved is for demolition of existing improvements to permit redevelopment with up to a two unit dwelling. Both scenarios utilize the Extraordinary Assumption that the property receives a zone change from Industrial to Residence D, similar to abutting properties.

**Valuation** – With the release of this parcel via a Sale by Public Bid, DOT Appraiser Steven C. Miller appraised the property, as of December 19, 2019. Based on the sales comparison approach, the Appraiser utilized three sales of residentially-zoned land in Norwalk (2018) and concluded the fair market value of the Parcel was \$140,000, or \$12.81/sf. The Appraiser then deducted the estimated cost of demolition/remediation (\$46,830) to arrive at an as-is value of \$93,000 (rounded).

**Sale by Public Bid & Negotiations** – A Public Bid was held on December 2, 2020 with an asking price of \$140,000, which elicited three (3) bids as follows:

BIDDER'S NAME	BID AMOUNT	DEPOSIT AMOUNT
Peter Karmarski	\$151,000.00	\$15,100.00
Mauricio Leon	\$145,000.00	\$14,500.00
Domenic Sammarco	\$201,100.00	\$20,110.00

<https://portal.ct.gov/DOT/Properties/Active-Public-Bids/102-166-040A-Norwalk-Item-No-855>

Mr. Domenic Sammarco's (via DAS 28 Bouton) bid was accepted by DOT. A \$1,000 Administrative Fee is added to Mr. Sammarco's bid.

**Recommendation** – Staff recommend approval of the proposed Sale by Abutter Bid in the amount of \$202,100 for the following reasons:

- The proposed sale complies with Sections §3-14b, and §13a-80 of the CGS in that the Town of Norwalk declined to purchase and the legislative delegation received the required notification on February 3, 2021.
- The release value of \$202,100 is reasonable in that it represents 217% of the appraised value and it will return the property to the Norwalk tax rolls and relieve the State of all future expenses.
- The description in the Quit Claim Deed is consistent with the survey map filed in the Norwalk Land Records.

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

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

**7. OTHER BUSINESS**

**8. VOTES ON PRB FILE:**

**PRB FILE #21-025** – Mr. Halpert moved and Mr. Valengavich seconded a motion to suspend PRB FILE #21-025. The motion passed unanimously.

**PRB FILE #21-039** – Mr. Valengavich moved and Mr. Berger seconded a motion to approve PRB FILE #21-039. The motion passed unanimously.

**9. NEXT MEETING** – Thursday, March 18, 2021.

The meeting adjourned.

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