

# STATE PROPERTIES REVIEW BOARD

## Minutes of Meeting Held On April 26, 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 April 26, 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

### Staff Absent:

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 April 22, 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

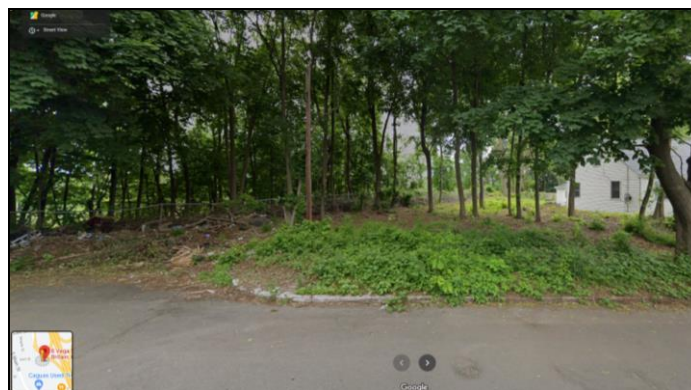
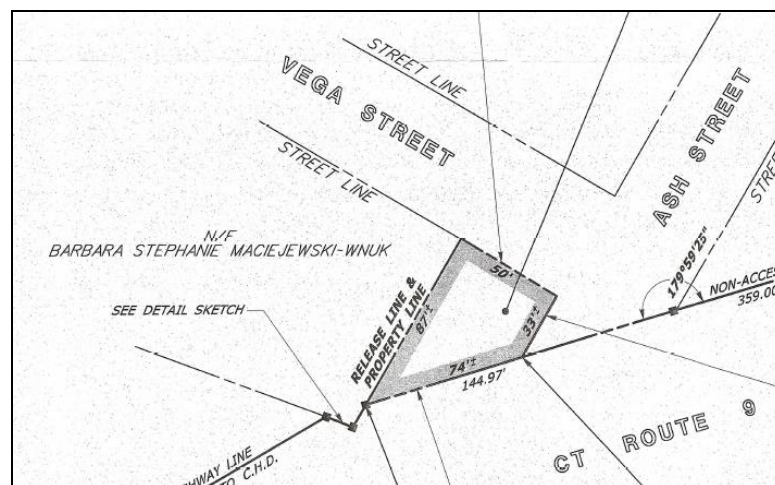
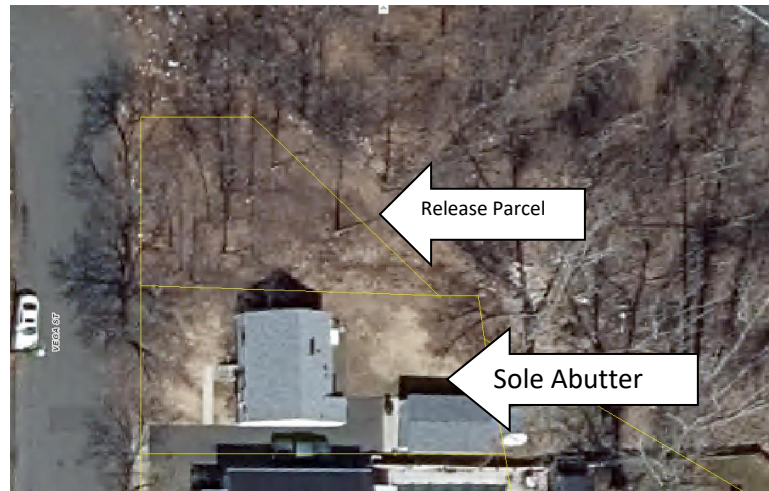
### 4. REAL ESTATE – NEW BUSINESS

<b>PRB #</b>	<b>21-037</b>
<b>Transaction/Contract Type:</b>	RE – Sale by Sole Abutter Bid
<b>Origin/Client:</b>	DOT/DOT
<b>Project #:</b>	88-053-322A
<b>Grantee:</b>	Barbara Stephanie Maciejewski-Wnuk
<b>Property:</b>	New Britain, Vega St (2,952 sf)
<b>Project Purpose:</b>	Sale by Sole Abutter Bid
<b>Item Purpose:</b>	Quit Claim Deed

**Sale Price:** \$5,000

Under this Proposal (PRB #21-037) DOT is seeking SPRB approval to this Sale by Sole Abutter Bid to release this irregularly-shaped, 2,952± sf square foot remnant parcel of land to the Abutter located at 8 Vega Street, New Britain.

The abutter located at 8 Vega Street is comprised of a 0.12 acre (5,227) residentially-zoned lot with 50 feet of frontage on the easterly side of Vega Street. The site is improved with a cape cod style dwelling constructed in 1956, containing 1,192 square feet of gross living area (6/3/1).



The Appraiser opined the Highest and Best Use of the release parcel is for assemblage to the southerly abutter.

**Valuation** – With the release of this parcel via a Sale by Sole Abutter Bid, DOT Appraiser Anthony J. DeLucco appraised the property, as of September 1, 2020, 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 similarly-zoned land in New Britain (2019-2020) and concluded the fair market value of the Larger Parcel was  $\$2.40/\text{sq.ft.} \times 5,277 \text{ sq.ft.} = \$12,545$ , rounded to \$12,500.

In the After Valuation, the Appraiser utilized the same three sales and concluded the fair market value of the subject property was  $\$2.40/\text{sq.ft.} \times 8,179 \text{ sq.ft.} = \$19,630$ , rounded to \$19,500.

### Value of the Release

After Valuation	\$19,500
Before Valuation	\$12,500
Value of Release	\$7,000
Discount for Site Characteristics (-15%)	-\$1,050
Value of Release	\$5,950
Rounded	\$6,000

**Sale by Abutter Bid & Negotiations** – In 2012, the abutting property owner, Ms. Barbara Maciejewski-Wnuk, requested to purchase the abutting parcel however, she never submitted a deposit to continue processing her request. On May 18, 2020 Ms. Maciejewski-Wnuk contacted this office to pursue the purchase as the property has become an illegal dumping ground since her last request.

On September 1, 2020, an appraisal was prepared by Supervising Property Agent Anthony J. Delucco, who established a value of \$6,000. On September 9, 2020, a letter was sent to Ms. Maciejewski-Wnuk with a sales price of \$11,000 which includes the \$1,000 administrative fee. A counteroffer of \$5,000 was submitted to by Ms. Maciejewski-Wnuk, on September 25, 2020. This was accepted as it relieves the cost of maintaining the property.

Staff inquired with DOT regarding the following.

- Included in the QC Deed the deed references the following language:  
CHIEF ENGINEER – BUREAU OF ENGINEERING AND CONSTRUCTION”, TOWN NO. 088, PROJECT NO. 088-053, SERIAL NO. 332A, SHEET 1 OF 1, bounded and described as follows:

And the DOT Map identifies the project as follows:

TOWN NO. 88  
PROJECT NO. 88 - 53  
SERIAL NO. 332A

Please clarify if the QC Deed, as written, is accurate as to form, or should the deed be corrected as previously submitted deeds have been consistent between the deeds and maps.

**DOT Response:** Below is Attorney Zeman’s response to the review of the New Britain release file. While he would “approve to form” Property Management will request a new front page to eliminate the “0” in front of the “88”. We will then inform Paul Hinsch as well.

**AAG Zeman:** While it’s always better for everything to match, I would view this as a scrivener’s error that doesn’t have to be changed. I’d be a little more concerned if the number had been “880” and was changed to “88”, but with the “0” appearing at the beginning of the number, I don’t think it’s as much of a problem. Further, assuming the remainder of the title of the survey as set forth in the deed matches what’s on the survey, the property description

between the deed and survey matches, and the survey will be recorded at the same time as the deed, I have a hard time seeing how anyone will be confused by this in the future.

On the other hand, presumably this would be a simple change to the first page of the deed, so if DOT wants to just substitute a new page, that would also be fine. I will recommend it for approval either way (as long as there are no other issues when I review it).

Staff Response: OK with corrected page received on 4-8-2021.

**Recommendation** – Staff recommend approval of the proposed Sale by Sole Abutter Bid in the amount of \$5,000 for the following reasons:

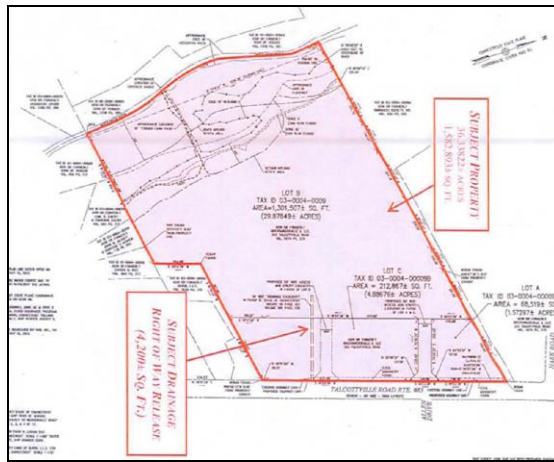
- The proposed sale complies with Sections §3-14b, and §13a-80 of the CGS in that the City of New Britain declined to purchase and the legislative delegation received the required notification on February 7, 2012.
- The release value of \$6,000 is reasonable in that it represents 83% of the appraised value and it will return the property to the New Britain tax rolls and relieve the State of all future expenses.
- The description in the Quit Claim Deed is consistent with the compilation map to be filed in the New Britain Land Records.

<b>PRB #</b>	<b>21-038</b>
<b>Transaction/Contract Type:</b>	RE – DROW Exchange
<b>Origin/Client:</b>	DOT/DOT
<b>Project #:</b>	146-000-22A
<b>Grantor/Grantee:</b>	Talcottville Vernon Development, LLC
<b>Property:</b>	Vernon, Talcottville Rd (243-273)
<b>Project Purpose:</b>	Release Drainage Right of Way in Exchange for new DROW Facility
<b>Item Purpose:</b>	Easement Agreement & Release of Easement Deed

**Exchange Price:** \$7,500

Under this proposal, DOT seeks SPRB approval to release a Drainage Right of Way (DROW) acquired over a total area of 4,200 square feet on a 36.338 acre site. The DROW was acquired in 1954 as part of the construction and relocation of Route 83. In exchange for the release of the DROW over the site, the Grantee (TVD) will pay a Release Fee of \$7,500. Furthermore, the Grantor (TVD) will then execute an Easement Agreement to benefit the State to provide a drainage “Facility” over the entire 36.338 acre site.

The property, as appraised, is comprised of three assessor’s parcels totaling 36.338 acres on Talcottville Road (Route 83). The lots are encumbered by a DROW covering approximately 4,200 square feet. The site was approved for a mixed use development for approximately 300 apartments, common area and commercial space. The current owners acquired the property in January 2018 for \$4,500,000 (\$2.84/sf).



View looking southwesterly.



Southerly portion of remaining land of Corson.



**Short Form/Letter Valuation** – With the release of this DROW, DOT Appraiser Kenneth N. Goldberg appraised the entire 36.4+acre property, as of July 19, 2019. The Appraiser utilized three sales and concluded the market value of the subject property was \$3.00 (\$4,750,000 total). The Vernon Assessor valued the property for a total of \$1,647,060, or \$1.04/sf (100%), during the last revaluation (2016).

The Appraiser then calculated the value of the land within the DROW over the site, calculated as follows:

Item	Calculation	Value
Drainage Right of Way Release	4,200 sf x \$3.00/sf x 50%	\$6,300
	<b>Rounded</b>	<b>\$6.300</b>

### Release Negotiations

On August 6, 2019, Talcottville Vernon Development, LLC was presented with an asking price of \$15,000. On September 27, 2019, Talcottville Vernon Development, LLC presented a counter offer of \$5,000, which was rejected by this office as it is no within a reasonable range of the appraised value. On November 11, 2019, Talcottville Vernon Development, LLC presented their highest and best offer of \$7,500, which was accepted by this office. A \$1,000 Administrative Fee will be collected at closing.

Staff inquired with DOT for clarification of the following issue:

- Please clarify if the proposed drainage “Facility” being acquired by the State is over the entire 36.4 acre development parcel. If only a portion, please identify the location of the “Facility.”

Staff 3-31 clarification: Your Appraiser states there are three parcels: 243, 253 and 273 Talcottville Rd, totaling 36.34 acres. The Appraiser also states 243 Talcottville Rd is a/k/a 2 Trail Run. The Easement Agreement provides a source deed (2539/271) for the Grantor’s acquisition but only references “243 & 253 Talcottville Road.” The source deed only refers to the two parcels, and the source deed was not included in the DOT Submission, or part of the Appraisal Report. That is why we are inquiring whether the Easement is over the entire 36.4 acres. Absent the source deed, I can only ascertain that 243 & 253 Talcottville Rd, have land area that is approximately 6.46 acres based on the survey contained in the Appraisal Report.

DOT Response: As for the "Facility", the DOT is acquiring an undefined Easement to Drain across the entire 36 acre parcel. The Facility that remains of the original DROW had been upgraded by the Development and they have tied their new drainage into that area. I have attached a map that has a clearer picture of where the original drainage right of way was and how the property has been improved.

Staff Response: The existing 18” reinforced concrete pipe (RCP) in the existing 10’ wide Easement (to be released) is being replaced with a 24” high-density polyethylene (HDPE) extending from the roadway through the entire site to the southerly portion of the site draining into a 40-foot long concrete level spreader with rip rap protection. OK

- The proposed Easement Agreement to be granted by Talcottville Vernon Development, LLC states the “Facility” will be on land of the Grantor at 243 and 253 Talcottville Road (Rout 83) and references the Grantor’s January 2018 Warranty Deed (2539/271) as part of the description of the location of the “Facility.” Based on the Survey (below), three individual Assessor’s lots are part of the development parcel as follows:

Assessor’s Lot – Street Address

03/0004/0009F – 2 Trail Run;  
10/0004/0009B – 253 Talcottville Road; and  
03/0004/0009C – 273 Talcottville Road.

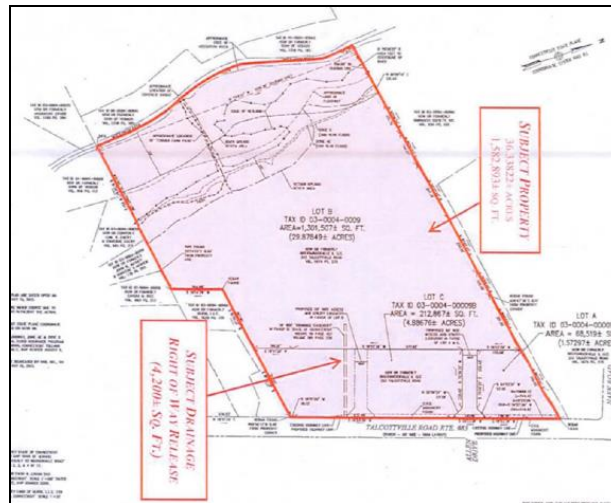
- a) Please clarify if the Easement Agreement stating the address as 243 and 253 Talcottville Road conflicts with the description of the land on the survey, showing the entire 36.4 acres, and corresponding Assessor's records.

Staff 3-31 clarification: Again, not having the source deed, we cannot ascertain the land area involved. Additionally, if it was known to the Appraiser in July 2019, that Assessor's Lot 03/0004/0009F is now known as 2 Trail Run, and the Grantor – Talcottville Vernon Development, LLC – signed the Easement Agreement in November 2020, wouldn't it provide clarity if 2 Trail Run were incorporated into the Easement Agreement prior to execution?

DOT Response: I have just received a call back from the Town Engineer for the town of Vernon. He confirmed that the 36± acre parcel is made up of the parcels with the legal address of 243, 253 and 273 Talcottville Road. 2 Trail Run is the name of the development project only and is mislabeled in the GIS.

Attached is the deed into Talcottville Vernon Development, LLC which conveys the entire 36 acre parcel to the Development. The deed refers to the entire parcel as 243 and 253 Talcottville Road (where I took my addresses from). The title commitment had only the address of 243 Talcottville Road.

Staff Response: In addition to the Vernon Town Engineer's clarification to the status of 2 Trail Run being mislabeled, the source deed referred to in the Easement Agreement referencing 245 and 253 Talcottville Rd does reflect the entire 36+ acre parcel. OK



**Recommendation** – Staff recommend the Board approval this Proposal to release a DROW for \$7,500 plus \$1,000 administrative fee in exchange for being granted a new easement “Facility” over the entire 36+ acre parcel; for the following reasons:

- The proposed sale complies with §13a-80(a) of the CGS in that the legislative delegation received the required notification on February 14, 2019.
- The release value of \$7,500 is reasonable in that it represents 119% of the appraised value.
- The description in the Quit Claim Deed is consistent with the taking map filed in the Vernon Land Records.

## 5. ARCHITECT-ENGINEER - UNFINISHED BUSINESS

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

**7. OTHER BUSINESS**

**8. VOTES ON PRB FILE:**

**PRB FILE #21-037** – Mr. Halpert moved and Mr. Berger seconded a motion to approve PRB FILE #21-037. The motion passed unanimously.

**PRB FILE #21-038** – Mr. Valengavich moved and Mr. Berger seconded a motion to approve PRB FILE #21-038. The motion passed unanimously.

**9. NEXT MEETING** – Thursday, April 29, 2021.

The meeting adjourned.

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