

STATE PROPERTIES REVIEW BOARD

Minutes of Meeting Held On March 23, 2023

– 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 23, 2023 remotely via telephone conference at (860)-840-2075 and use passcode 284890492#.

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 20, 2023 Meeting. The motion passed unanimously.

2. COMMUNICATIONS

Director Desai informed the Board that a Proposal being reviewed under PRB #23-022-A has been rescheduled to Wednesday, March 29, 2023.

3. REAL ESTATE- UNFINISHED BUSINESS

4. REAL ESTATE – NEW BUSINESS

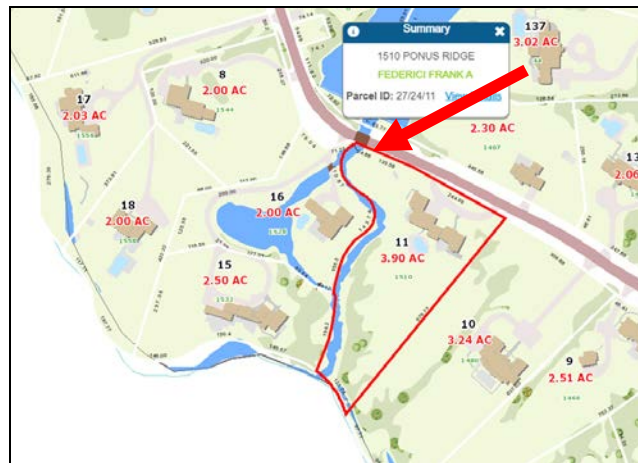
<i>PRB #</i>	23-024
<i>Transaction/Contract Type:</i>	RE – Voucher
<i>Origin/Client:</i>	DOT/DOT
<i>DOT Project #:</i>	089-129-004
<i>Grantor:</i>	Frank A. Federici, et al
<i>Property:</i>	New Canaan, Ponus Ridge Road (1510)
<i>Project Purpose:</i>	Rehabilitation of Bridge No. 05002 Ponus Ridge Road over Collins Pond
<i>Item Purpose:</i>	Voucher

DAMAGES: \$25,000



SITE DESCRIPTION: The subject property consists of an irregular-shaped, 3.898 acre (169,797 sf) site with approximately 460' of frontage on the southwesterly side of Ponus Ridge Road. The southerly and westerly boundaries of the property are formed by the Mill River. The property is located in a 2AC residential zone and appears to conform to zoning.

The site is improved with a one-story dwelling containing 4,606 square feet of gross living area (8/4/4) built in 1940.

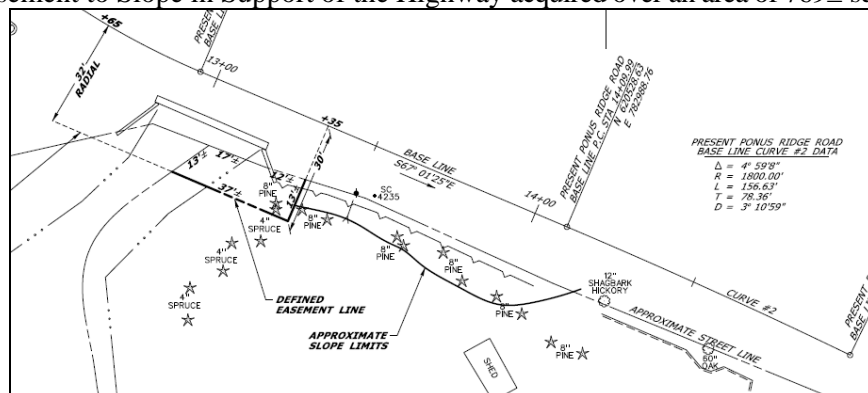


Highest and Best Use – As Vacant: Single family residential development.

Highest and Best Use – As Improved: Continuation of the existing single-family home use.

The Taking: DOT will acquire the following:

- A Defined Easement for Highway Purposes acquired over an area of 391± square feet; and
- An Easement to Slope in Support of the Highway acquired over an area of 769± square feet.



Subject Property: "After" Taking: The total land area for the subject will not change under DOT's plan to establish two easements on site. However, the property owner will incur a loss of rights in the impacted areas as well as the disturbance of several spruce trees, other vegetation and the dilapidated stone wall. The defined easement for highway purposes is situated in the setback areas, which in this portion of the site are adversely impacted by wetland soils. This easement will not have an adverse impact on the existing structural improvements on site or the overall utility of the site for development. Still, the defined easement will afford DOT near full control over all activities in this area, diminishing the property owner's overall bundle of rights and warranting damages commensurate with the value of the encumbrance be paid for the loss of rights. The same is true of the easement to slope in that this easement area will have no adverse impact on the structural improvements or the site's utility for development. However, damages are required as DOT's work will occupy this portion of the site, altering the degree of the sloping making it unsuitable for planting.

Restricted Use/Short Form Value Finding - The DOT appraisal was completed January 20, 2023 by DOT Appraiser Matthew J. Dufour.

Land Valuation: Based on the sales comparison approach, the Appraiser considered five sales in New Canaan (2021-2022) and after adjusting for transactional, locational and physical characteristics concluded the fair market value of the subject land was \$14.00/sf (\$2,380,000 Lot Value).

The Appraiser then calculated the Permanent Damages, as follows:

<i>Item</i>	<i>Calculation</i>	<i>Damages</i>
Defined Easement	391 SF @ \$14.00/SF x 90%	\$4,927
Slope Easement	769 SF @ \$14.00/SF x 75%	\$8,075
Contributory Value of Affected Site Imp.	Lump sum	\$12,000
	Total:	\$25,002
	Rounded	\$25,000

Value Contribution of Impacted Site Improvements: Work performed by DOT in the encumbered areas will result in the removal of several spruce trees, natural vegetation and the dilapidated stone wall. In total, the appraiser has assigned these impacted site improvements a value of **\$12,000**, which includes \$11,000 for the trees and \$1,000 for the stone wall. These figures do not represent replacement cost. Instead, this component of the valuation considers the contribution of the improvements to the total site improvements at the subject property, where land accounts for the majority of the property's value. Consideration was given to the number, size and type of the trees in the taking area, as well as, their location on the site.

RECOMMENDATION: Board approval of damages in the amount of \$25,000 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 acquisition value is supported by the DOT appraisal report.
3. The value is consistent with the valuation of DOT Project No 089-129-001, reviewed under PRB #23-020 and DOT Project No 089-129-003, reviewed under PRB #23-023

PRB # 23-030
Transaction/Contract Type: RE – Voucher
Origin/Client: DOT/DOT
DOT Project #: 046-127-005
Grantor: John D. Mannette, et al
Property: East Windsor, Old Ellington Rd (Lot 6)
Project Purpose: Replacement of Bridge No. 01524 Route 191 over Scantic River
Item Purpose: Voucher

DAMAGES: \$12,000

The Stiles Bridge (Bridge No. 01524) was built in 1925 and rehabilitated in 1987 and is eligible for listing in the National Register of Historic Places. It is a 76-foot span steel truss on reinforced concrete with a curb-to-curb width of 27 feet 10 inches. It carries one lane of traffic in each direction and has an estimated average daily traffic of 1,500 vehicles. The proposed project scope is to replace the existing bridge. Replacement is required based on the findings of the latest Bridge Inspection Report in which the bridge was found to be in serious condition. The proposed new structure will be a multi girder steel superstructure on reinforced concrete abutments.



Courtesy: Google Maps

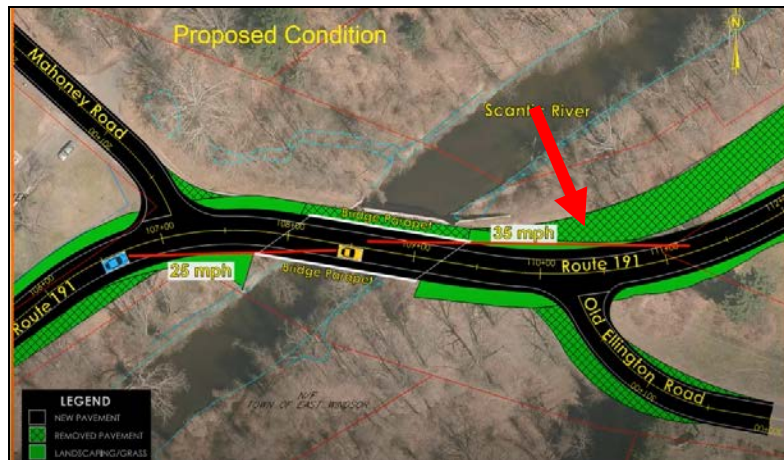
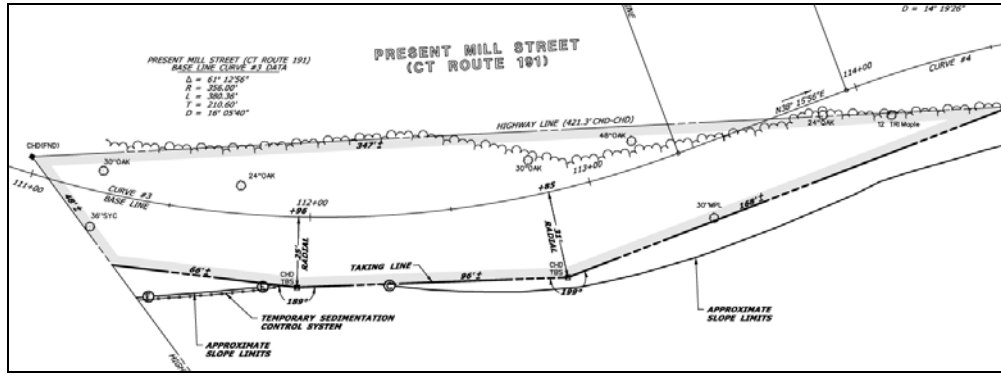
SITE DESCRIPTION: The subject property consists of an irregular-shaped, unimproved, 7.26 acre (316,421 sf) site with approximately 608' of frontage on the northerly side of Old Ellington Rd and 1,003' of frontage on the southerly side of Mill St (RT 191). The property is located in an A-2 and R-2 residential zone and appears to conform to zoning.



Highest and Best Use – As Vacant: Single family residential development.

The Taking: DOT will acquire the following:

- A partial take in fee simple of 12,610± square feet;
- Easement to Slope for the Support and Safety of the Highway and Remove, Use or Retain Excavated Material acquired over an area of 3,218± square feet; and
- Right to Install Sedimentation Control Systems acquired over an area of 51± LF feet.



Effects of Taking: As a result of the project, the fee taking reduces the size of the subject property by 12,610± and encumbers the property with a slope easement area consisting of 3,218± square feet. The subject parcel will be reduced from 7.26± acres to 6.97± acres and the frontage along Old Ellington Road will be reduced from 608± feet to 560± feet. The taking and slope easement will additionally reduce the existing tree line along the Mill Street (Route 191) frontage. The subject parcel will conform to the setback and bulk area requirements of the A-2 and R-2 zones after the proposed acquisition.

Restricted Use/Short Form Value Finding - The DOT appraisal was completed November 23, 2022 by DOT Appraiser John P. Kerr.

Land Valuation: Based on the sales comparison approach, the Appraiser considered three sales in East Windsor (2021-2022) and after adjusting for transactional, locational and physical characteristics concluded the fair market value of the subject land was \$0.46/sf (\$145,000 lot value).

The Appraiser then calculated the Permanent Damages, as follows:

<i>Item</i>	<i>Calculation</i>	<i>Damages</i>
Partial Take in Fee Simple	12,610 SF @ \$0.46/SF	\$5,801
Slope Easement	3,218SF @ \$0.46/SF x 75%	\$1,110
Contributory Value of Affected Trees	Lump sum	\$5,000
	Total:	\$11,911
	Rounded	\$12,000

RECOMMENDATION: Board approval of damages in the amount of \$12,000 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 acquisition value is supported by the DOT appraisal report.

5. ARCHITECT-ENGINEER - UNFINISHED BUSINESS

6. ARCHITECT-ENGINEER – NEW BUSINESS

7. OTHER BUSINESS

PRB #23-042 – Update to DOT Release of Municipal Use Restriction

At the SPRB meeting held on March 20, 2023, the Board approved a Release of Municipal Use Restriction to the Town of Berlin in exchange for a conveyance of \$15,000 plus a \$1,000 Administrative Fee.

Upon submission to the AG it was requested that DOT make revisions to the Deed as follows:

State Properties Review Board, ~~does hereby give, grant, bargain, sell and convey,~~ for the consideration of Sixteen Thousand and 00/100 Dollars (\$16,000.00), received from the **Town of Berlin**, a municipal corporation existing under the laws of the State of Connecticut and having its territorial limits within the County of Hartford and State of Connecticut, does hereby release and discharge that certain ~~restriction-special limitation~~ requiring the land to be used for municipal purposes only ~~and that certain drainage right of way~~ as contained in an Instrument from the State of Connecticut to ~~thesaid~~ Town of Berlin dated December 17, 1973, ~~in an unrecorded deed, and more particularly shown on a map on file in the Berlin Town Clerk's Office entitled: "TOWN OF BERLIN MAP SHOWING LAND RELEASED TO TOWN OF BERLIN BY THE STATE OF CONNECTICUT ROUTES 5 & 15 SCALE 1" = 40' July 1973 GEORGE S. KOCH, DEPUTY TRANSPORTATION COMMISSIONER — BUREAU OF HIGHWAYS"; TOWN NO. 7, PROJ. NO. 7 Misc, SERIAL NO. 6A, SHEET NO. 1 OF 1.~~

~~Reserving unto the State of Connecticut, its successors and assigns, that certain full and perpetual drainage right of way, 20 feet in width, as more particularly shown on said map.~~

All Parties to the Deed have approved of the new language.

No further action by the Board is required.

Recommendation: The Board acknowledges the AG-requested change to the Deed and has no objections to said changes as they do not alter the business terms of the Release.

Mr. Valengavich moved and Mr. Halpert seconded a motion to approve a Board Fee for Mr. Berger's March 6, 2023 Meeting with Members of the CT Legislature with respect to legislation affecting the Board. The motion passed unanimously.

8. VOTES ON PRB FILE:

PRB FILE #23-024 – Mr. Halpert moved and Mr. Berger seconded a motion to approve PRB FILE #23-024. The motion passed unanimously.

PRB FILE #23-030 – Mr. Halpert moved and Mr. Valengavich seconded a motion to approve PRB FILE #23-030. The motion passed unanimously.

9. NEXT MEETING – Monday, March 27, 2023.

The meeting adjourned.

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