

STATE PROPERTIES REVIEW BOARD

Minutes of Meeting Held On November 23, 2011 State Office Building, Hartford, Connecticut

The State Properties Review Board held its regularly scheduled meeting on November 23, 2011 in the State Office Building.

Members Present: Edwin S. Greenberg, Chairman
Bennett Millstein, Vice-Chairman
Bruce Josephy, Secretary
Mark A. Norman
Pasquale A. Pepe
John P. Valengavich

Staff Present: Brian A. Dillon, Director
Mary Goodhouse, Real Estate Examiner

Chairman Greenberg called the meeting to order.

Mr. Josephy moved and Mr. Norman seconded a motion to enter into Open Session. The motion passed unanimously.

OPEN SESSION

ACCEPTANCE OF MINUTES OF November 17, 2011. Mr. Norman moved and Mr. Valengavich seconded a motion to approve the minutes of November 17, 2011. The motion passed unanimously.

COMMUNICATIONS

Mr. Dillon acknowledged receipt of an email from Jan Sweet of Haddam, dated November 21, 2011 and from Wayne & Margarita Ogorzalek of Haddam, received November 22, 2011 concerning the proposed transfer of state land in Haddam, copies of which were provided to the Board.

REAL ESTATE- UNFINISHED BUSINESS

PRB # 11 - 122 **Transaction/Contract Type:** RE / Sale
Origin/Client: DOT / DOT
Project Number: 23-000-32C
Grantee: Paul E. Potanka
Property: Cherry Brook road in the proximity of Route 179, North Canton Road near its intersection with Route 44, Canton

Project Purpose: DOT, Sale of Excess Property, Canton
Item Purpose: Release of approximately 5,862 of vacant land to Grantee as a result of a sole-abutter bid. DOT and other entities will be retaining existing easements on the property.

Ms. Goodhouse said that this is a release of land to the property's sole abutter who petitioned DOT for any land that was not need for highway purposes after the completion of the relocation of Route 179, known as Cherry Brook Road, Canton.

STATE PROPERTIES REVIEW BOARD

Minutes of Meeting, November 23, 2011

Page 2

The proposed deed conveys land that lies between the former Route 179 and the new Route 179. Easements remain in place for any existing utilities, including a 25 foot easement for a tree clearing area in favor of the Connecticut Light and Power Company. The Grantee will pay \$6,000 for the release area.

John P. Kerr of DOT completed the appraisal as of 12/22/2010. The appraisal analyzed three sales to establish parameters of value within which the subject property would fall. The analysis before assemblage estimates \$1.80/sq. ft. The \$0.90/sq. ft. value of the release parcel is affected by a driveway, a CL&P easement and a DOT environmental report indicating low levels of environmental contamination.

Because of an area of environmental concern was identified on or near this parcel at the inception of the roadway project, the Board suspended consideration of this item on June 20, 2011 to examine the state's future liability from the possible presence of soil contamination.

On August 17, 2011 DOT provided the environmental specifications required of the contractor for the road project. The specifications detail how the temporary waste stockpile area was to be constructed, and how any waste soils encountered (controlled materials) in the areas of concern were to be stockpiled, and then removed from the site.

On September 9, 2011 DOT requested that the original file be returned so that the deed could be revised to include language developed in by the Assistant Attorney General represent DOT, in conjunction with OPM's attorneys.

On November 8, 2011 the Board received the revised deed for this proposal. It states that the "property is being conveyed in an "As Is," "Where Is" condition, "With all Faults and Defects." The deed says, "The State neither has made, nor herby makes, any warranty or representation as to the condition or suitability of the above described premises (including, but not limited to, any past, present or future environmental conditions or the availability or functionality of any heating, air conditioning, plumbing, electrical, sewage, drainage, water or other building, utility or like systems)."

Ms. Goodhouse recommended approval of the item. By accepting the proposed deed, the Grantee agrees that he is accepting the property as is, with all its faults and defects, including any past environmental conditions, with no warranty of future environmental conditions.

REAL ESTATE- NEW BUSINESS

PRB # 11 - 242 **Transaction/Contract Type:** RE / Assignment

Origin/Client: DOT / DOT

Project Number: 56-286-1(A)

Grantee: Town of Greenwich

Property: Valley Road Bridge, Greenwich, CT

Project Purpose: Assignment of Land to the Town of Greenwich

Item Purpose: Assignment of approximately 1,665 SF of vacant land to the Town of Greenwich for highway purposes in connection with the Valley Road Bridge over Mianus River Project.

Ms. Goodhouse reported that DOT acquired and is now releasing 1,665 SF as originally acquired in a deed from Diane R. Mori, dated April 22, 2002, and recorded in Volume 3840 Page 312 of the Town of Greenwich Land Records. The total area is 2,002 sq. ft., and the remainder is in Stamford (see release to City of Stamford PRB #11-227). The parcel is to be conveyed to Greenwich for highway purposes.

STATE PROPERTIES REVIEW BOARD

Minutes of Meeting, November 23, 2011

Page 3

The project for the Replacement of Valley Road Bridge #03959 over the Mianus River is complete and was accomplished with state and federal funds; it is now necessary to assign the land acquired to the city for highway purposes. There is no monetary consideration. The release to the town is specified as Item 11 in Agreement No. 10.21-02(99), dated December 13, 2000, which stipulates that all properties and rights acquired will be released for highway purposes to the municipality upon completion of construction.

Ms. Goodhouse recommended approval of the item. The conveyance complies with Section 13a-80 of the CGS governing the release of excess property by the commissioner of transportation. The description in the Quit-Claim to release the real property is consistent with the description in the DOT acquisition deed.

ARCHITECT-ENGINEER - UNFINISHED BUSINESS

ARCHITECT-ENGINEER – NEW BUSINESS

PRB# 11-237 **Transaction/Contract Type:** AE / Task Letter

Project Number: BI-RW-295 **Origin/Client:** DCS / DOC

Contract: OC-DPW-EPA-0017 Task Letter #1

Consultant: Milone and MacBroom, Inc.

Property: Eastern Connecticut State University (“ECSU”), Willimantic

Project Purpose: ECSU Campus Master Plan, STC and Flood Management Certification

Item Purpose: Task Letter #1 to compensate the consultant for preparation of an STC application and flood management permit related to the projects identified in the ECSU Master Plan.

Mr. Dillon reported that this project involves the development and submission of an application for a *State* Traffic Commission Certificate (“STC”) and a Flood Management Permit (“FMP”). These permits will be requested from the Department of Transportation (“DOT”) and the Department of Energy and Environmental Protection (“DEEP”) respectively. The scope of the task letter will be based on a master plan developed for the Eastern Connecticut State University (“ECSU”) campus by Symmes Maini & McKee Associates. As part of this task letter; Milone and MacBroom, Inc. (MMI) will be required to prepare permits for the complete build-out of the campus as envisioned under the master plan.

In general, Task Letter #1 will authorize MMI to develop the required STC and FMP submittals for the projected master plan components to be completed over the next 5 to 6 years at ECSU. It is anticipated that these permit applications will include at a minimum the proposed Fine Arts Center, Facilities Warehouse and New Residence Hall #1. The consultant will be tasked reviewing all of the existing studies, master plan assumptions, generated traffic data, site civil plans and existing plans of the campus wide storm water system.

In June 2010, SPRB approved MMI as one of three firms under the latest On-Call Environmental Engineer Series of consultant contracts. These contracts have a maximum value of \$300,000 and expire in September 2012. DCS has confirmed that funding is available for this task letter in the amount of \$142,230.

Mr. Dillon recommended that the item be suspended so that DCS can provide additional information on the consultant’s fee and scope of work, particularly with respect to preparing the STC permit application.

OTHER BUSINESS

STATE PROPERTIES REVIEW BOARD

Minutes of Meeting, November 23, 2011

Page 4

The Board took the following votes in Open Session:

PRB FILE #11-122 - Mr. Valengavich moved and Mr. Millstein seconded a motion to approve PRB File #11-122. The motion passed unanimously.

PRB FILE #11-237 - Mr. Norman moved and Mr. Valengavich seconded to suspend PRB File #11- 237 pending receipt of additional information on the project. The motion passed unanimously.

PRB FILE #11-242 - Mr. Pepe moved and Mr. Millstein seconded a motion to approve PRB File #11- 242. The motion passed unanimously.

The meeting adjourned.

APPROVED: _____ **Date:** _____
Bruce Josephy, Secretary