

STATE PROPERTIES REVIEW BOARD

Minutes of Meeting Held On September 10, 2012 State Office Building, Hartford, Connecticut

The State Properties Review Board held its regularly scheduled meeting on September 10, 2012 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 SEPTEMBER 4, 2012. Chairman Greenberg requested that the minutes of September 4, 2012 be revised to include more detail with respect to the Board's discussion of the cost of utilities included in an employee housing rental agreement at Connecticut Valley Hospital (PRB File #12-213). Mr. Norman moved and Mr. Valengavich seconded a motion to table the minutes of September 4, 2012 for revision. The motion passed unanimously.

REAL ESTATE- UNFINISHED BUSINESS

PRB # 12-205 **Transaction/Contract Type:** RE / Sale
Origin/Client: DOT / DOT
Project Number: (004)091-010-008A
Grantee: Nod Brook, LLC
Property: Located along the southwesterly side of Route 44 and east of Bailey Rd,
Avon
Project Purpose: DOT, Sale of Excess Property
Item Purpose: Release of approximately 15,471+/- SF of vacant land to Grantee as a
result of a sole-abutter bid.

Mr. Terrence Obey, DOT Division Chief, Office of Rights of Way, joined the meeting at 9:40 a.m. to discuss the proposed deed to release a parcel to Nod Brook, LLC for \$45,000 plus an administrative fee of \$1,000 for a total of \$46,000 to be paid to the State. The 15,471 SF parcel was requested by Midwood Management Corporation, representing Nod Brook, LLC, owners of Nod Brook Mall. Because the parcel does not meet the spatial requirements of the zone, CGS §13a-80(c) allows DOT to offer the parcel to the sole abutter.

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At the Chairman's request, Mr. Obey explained the process by which DOT releases land to abutters, and the subsequent discussion focused on the appraisal process, which in this case made a value adjustment that the DOT appraiser described as an incentive for the sole abutter to make the purchase. The appraiser was of the opinion that without such an incentive, the abutter would decline to purchase.

Mr. Obey explained that rather than a purchase incentive, the appraiser's adjustment was actually an adjustment for market conditions, reflecting that the subject property is a small, non-conforming parcel with only one possible purchaser. There followed a general discussion of DOT's policies regarding property management and maximizing the sale price of release parcels. Mr. Obey left the meeting at 10:00 a.m.

The subject sale complies with Sections 3-14b and 13a-80 of the CGS that govern the sale of non-conforming surplus property. The legislative delegation received notice as required. The town did not exercise a first right to purchase the property. The sale was approved by OPM on August 3, 2012. The content and form of the Quit Claim Deed are congruent with the compilation plan.

REAL ESTATE- NEW BUSINESS

PRB # 12-215 **Transaction/Contract Type:** RE / Voucher
Origin/Client: DOT / DOT
Project Number: 146-188-2
Grantor: BJB Sunrise, LLC
Property: 227 West Main Street, Vernon
Project Purpose: Replacement of West Main Bridge (No.04573) over the Hockanum River
Item Purpose: Acquisition of approximately 2,045 +/- SF of defined easement area, 660 +/- SF temporary construction easement and the contributory value of site improvements all for highway purposes.

Ms. Goodhouse reported that this project is for the replacement, without added capacity of the West Main Street Bridge over the Hokanum River, Vernon. Built in 1938, the current structure is a 31-foot single span with a 32-foot wide curb to curb roadway which provides two lanes of vehicular traffic. There is a pedestrian sidewalk along the north side only; a water main crosses atop the southerly bridge sidewalk. Replacement of the bridge is necessary due to the structurally deficient conditions of the deck and substructure. The bridge is classified as "scour critical", a "poor" substructure condition, and "serious" deck condition ratings.

The proposed replacement bridge consists of pre-stressed concrete voided slab units superstructure with cast-in-place reinforced concrete abutments and wingwalls, all founded on rock-socketed drilled concrete piles. The new bridge will span 35 feet 8 inches, with same curb to curb 32-foot width. There will be a six-foot wide pedestrian sidewalk on the north side. The rights of way estimate is \$85,000 for easements acquired from three properties. The estimated total project cost is \$2.5 million. Funding is 80% federal; 20% municipal.

In the northeast portion of the property, DOT will acquire an irregularly shaped defined easement for highway purposes of 2,045 SF; and a temporary work area of 660 SF. Some natural vegetation will be affected. Consistent with DOT's agreement with FHWA an estimate of compensation (EOC) worksheet has been prepared for the subject taking. This process is used when for simple acquisitions related to minor site improvements where the total cost is typically less than \$10,000. The subject property

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contains 0.59 acres in the RC zone, and is improved commercial land. No improvements are affected. The EOC established a unit value of \$4.00/SF:

Item	Calculation	Total
Defined easement for highway purposes	2,045 SF @ \$4.00/SF x 99%	\$8,098.20
Temporary construction easement	660 SF @ \$4.00/SF x 20%	\$1,056.00
Contributory value of natural vegetation	Lump sum	\$ 100.00
Total:	\$9,254.20, say	\$9,300.00

Staff recommended Board approval. 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. The acquisition value is supported by the estimate of compensation prepared by DOT.

ARCHITECT-ENGINEER - UNFINISHED BUSINESS

ARCHITECT-ENGINEER – NEW BUSINESS

OTHER BUSINESS

Reimbursement of meeting and mileage fees. Mr. Valengavich moved and Mr. Pepe seconded a motion to reimburse Messrs. Norman, Josephy and Millstein for meeting and mileage fees incurred for a site inspection related to PRB File #12-098 conducted on September 7, 2012. The motion passed unanimously. Mr. Norman moved and Mr. Millstein seconded a motion to reimburse Messrs. Greenberg and Valengavich for a site inspection related to PRB File #12-098 on September 7, 2012. The motion passed unanimously.

Docket #FIC 2012-314: Robert Fromer v. Edwin Greenberg et als. The Board briefly discussed the draft letter to the Connecticut Freedom of Information Commission in response to the referenced docket number. All Board members concurred with the content of the letter and as such the Chairman signed the letter and instructed staff to transmit the letter to DAS and FOIC.

The Board took the following votes in Open Session:

PRB FILE #12-205 - Mr. Valengavich moved and Mr. Norman seconded a motion to approve PRB File #12-205. The motion passed unanimously.

PRB FILE #12-215 - Mr. Pepe moved and Mr. Valengavich seconded a motion to approve PRB File #12-215. The motion passed unanimously.

The meeting adjourned.

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