

STATE PROPERTIES REVIEW BOARD

Minutes of Meeting Held On January 14, 2013 State Office Building, Hartford, Connecticut

The State Properties Review Board held its regularly scheduled meeting on January 14, 2013 in the State Office Building.

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

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 JANUARY 7, 2013. Mr. Norman moved and Mr. Josephy seconded a motion to approve the minutes of January 7, 2013. The motion passed unanimously.

REAL ESTATE- UNFINISHED BUSINESS

REAL ESTATE- NEW BUSINESS

PRB # 12-329 **Transaction/Contract Type:** RE / Sale
Origin/Client: DOT / DOT
Project Number: 126-51-5C
Grantee: 714, LLC
Property: Located along northwesterly side of Route 714, Bridgeport Avenue, Shelton
Project Purpose: DOT Sale of Excess Property
Item Purpose: Release of approximately 40,769+/- SF of vacant land to Grantee, sole abutter, with 50-foot break in the non-access highway line.

PRB # 12-330 **Transaction/Contract Type:** RE / Sale
Origin/Client: DOT / DOT
Project Number: 126-51-5D
Grantee: PLR Enterprise, LLC
Property: Located along northwesterly side of Route 714, Bridgeport Avenue, Shelton
Project Purpose: DOT Sale of Excess Property
Item Purpose: Release of approximately 1,256± SF of vacant land to Grantee, sole abutter, with 50-foot break in the non-access highway line.

PRB # 12-331 **Transaction/Contract Type:** RE / Sale
Origin/Client: DOT / DOT

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Project Number: 126-51-5E
Grantee: T.D. Properties II, LLC
Property: Located along northwesterly side of Route 714, Bridgeport Avenue, Shelton
Project Purpose: DOT Sale of Excess Property
Item Purpose: Release of approximately 1,256± SF of vacant land to Grantee, sole abutter.

Staff reported that DOT proposes to sell three contiguous parcels of land, located on the northwesterly side of State Route 714, Bridgeport Avenue, in Shelton. In 1949 State Road 714, Bridgeport Avenue, was relocated to the east of its former location. The former Bridgeport Avenue (labeled "Former Access Road" on the DOT compilation maps) became a form of driveway extending southerly from Nell's Rock Road past the property of the Grantees. A grassed area exists between the new Bridgeport Avenue and the Access Road, and this area and the Access Road DOT proposes to release to the abutting property owners. A non-access highway line (NAHL) separates the Access Road from Bridgeport Avenue, although an illegal break in the non-access highway line (BNAHL) has been in use for years. Also in 1949, the Access Road (including the release parcels) was deeded to the City of Shelton for highway purposes only. There was no monetary consideration paid by the City.

According to the information provided by DOT, the City of Shelton has received various re-development proposals for 405 Bridgeport Avenue (11.150 acres) and 409 Bridgeport Avenue (1.701 acres). The deed restriction requiring the City to use the Access road only for highway purposes, coupled with City ordinances, precluded the release of the subject release parcels directly from the City to a developer. The City determined it no longer needed the Access Road for highway purposes, and wished to transfer it to DOT so that it could facilitate redevelopment of the site.

DOT desired to modify the intersection at Access Road, Nell's Rock Road and Bridgeport Avenue. The Nell's Rock Road intersection with Access Road is too close to the intersection with Bridgeport Avenue. So that DOT could have control over the re-development of the intersection, it accepted the property back from the City at no cost to the state. Concurrently, a developer applied to the State Traffic Commission (STC) and received approval for its redevelopment at 405-409 Bridgeport Avenue (the site plan incorporates the subject release parcels) but a permit will not be issued until the developer acquires the subject properties. The proposed site plan is attached, showing 130,000 SF proposed for retail building floor area with 654 parking spaces. The release parcel provides 80± parking spaces.

This situation provided DOT with an opportunity to (1) improve traffic conditions on S. R. 714 Bridgeport Avenue at its intersection with the Access Road and Nell's Rock Road, (2) remedy the illegal access to Bridgeport Avenue at the BNAHL; (3) control future development, and (4) generate revenue through the sale of the release parcels to the developer. Through the STC process, the design for all roadway improvements at Nell's Rock Road and along Bridgeport Avenue BNAHL will be subject to DOT approval and the developer will bear all costs of the intersectional improvement projects.

DOT will release the three parcels described above (shown on the aerial photo on the following page) to three sole abutters (the developer) for \$300,000 plus a \$1,000 administrative fee. Under the terms of the STC permit approval, the developer will be required to make the desired intersectional improvements. The permit required a BNAHL, which DOT has approved. There will be an 80 liner foot break along Bridgeport Avenue, which will legalize access at the location where the illegal access has been in place

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for years. As required by CGS §13b-47, the BNAHL was approved by the Attorney General (12/20/11) and the Governor (1/3/12).

Staff recommended Board approval of the sale of the three release parcels for \$301,000 for the following reasons:

1. Through the STC permit process, the developer will make necessary roadway improvements, saving the DOT the cost of the previously contemplated and beneficial intersectional improvement project.
2. A legal access to the site will be established by authorizing a BNAHL, and the project will ease traffic at the intersection of Bridgeport Avenue (S.R. 714), the Access Road, and Nell's Rock Road.
3. Documentation has been provided showing compliance with §13a-80 of the CGS, which gives the commissioner of transportation the authority to release property no longer needed for highway purposes.

ARCHITECT-ENGINEER - UNFINISHED BUSINESS

ARCHITECT-ENGINEER – NEW BUSINESS

OTHER BUSINESS

The Board took the following votes in Open Session:

PRB FILE #12-329- Mr. Norman moved and Mr. Valengavich seconded a motion to approve PRB File #12-329. The motion passed unanimously.

PRB FILE #12-330- Mr. Valengavich moved and Mr. Millstein seconded a motion to approve PRB File #12-330. The motion passed unanimously.

PRB FILE #12-331- Mr. Norman moved and Mr. Valengavich seconded a motion to approve PRB File #12-331. The motion passed unanimously.

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