

## STATE PROPERTIES REVIEW BOARD

### Minutes of Special Meeting Held On June 28, 2022 – 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 a Special Meeting at 9:30AM on June 28, 2022 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:**

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 June 23, 2022 Meeting. The motion passed unanimously.

#### **2. COMMUNICATIONS**

#### **3. REAL ESTATE- UNFINISHED BUSINESS**

<b>PRB File #:</b>	22-081
<b>Transaction/Contract Type:</b>	RE – Voucher
<b>Origin/Client:</b>	DOT / DOT
<b>DOT Project #:</b>	301-176-053
<b>Grantor:</b>	Norwalk Land Development, LLC
<b>Property:</b>	Norwalk, North Water St (100-101)
<b>Project Purpose:</b>	Norwalk Walk Railroad Bridge Replacement
<b>Item Purpose:</b>	Voucher

#### **DAMAGES: \$21,000**

At the State Properties Review Board meeting held on June 20, 2022, the Board voted to suspend this file pending Board clarification of the following issue:

1. In the Appraisal Report, the Appraiser stated the land is owned by The SoNo Collection Condominium Association, Inc. (8872/1), and DOT communications and unsigned DOT Voucher are addressed to the same entity, yet the signed DOT Voucher and Corporate Authorization both identify Norwalk Land Development, LLC, as the Owner. Please clarify if the DOT Voucher and Corporate Authorization should be updated to reflect the current ownership.

**DOT Response:** Norwalk Land Development, LLC is the correct record owner at this time. Per DOT ROW Titles, entries on the land records show that the section of the parcel in question went from the Declarant to the Association and back to the Declarant again. The title search cover page has been changed to reflect Norwalk Land Development, LLC as the current owner, and not the Association, as is currently shown. The title block on the property map has been changed to reflect Norwalk Land Development, LLC as the owner. Therefore, it is unnecessary to update the signed DOT Voucher and Corporate Authorization submitted to SPRB. DOT's submission to SPRB correctly indicated the current ownership entity, Norwalk Land Development, LLC.

**Staff Response:** OK

**RECOMMENDATION:** Board approval of damages in the amount of \$21,000 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.

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**DAMAGES: \$21,000**

**DOT PROJECT:** The DOT project involves the Norwalk Railroad Bridge replacement project in the City of Norwalk.



Google Earth

**SITE DESCRIPTION:** The property consists of 528,986± square feet (12.14385± acres) of prime commercial land with 582'± frontage on West Avenue, 540'± frontage on North Water Street and 41'± frontage on Crescent Street. There is a private one-way road (utilized for trucking access only) on the subject's fee simple land along the east property boundary that is shared with the active railway. The north property line is non-access frontage along the Interstate Highway 95 corridor. There are four curb cuts in total providing access to the northerly lot.

The site is located in the Reed Putnam Design District, Subarea A (RPDA) zone, which allows for high intensity commercial and mixed use development in harmony with the Reed-Putnam Urban Renewal Plan, given the area's proximity to the Interstate 95 and intrastate highway Route 7 corridors.

The site is improved with a multi-level, regional shopping center totaling 697,867± square feet of leasable

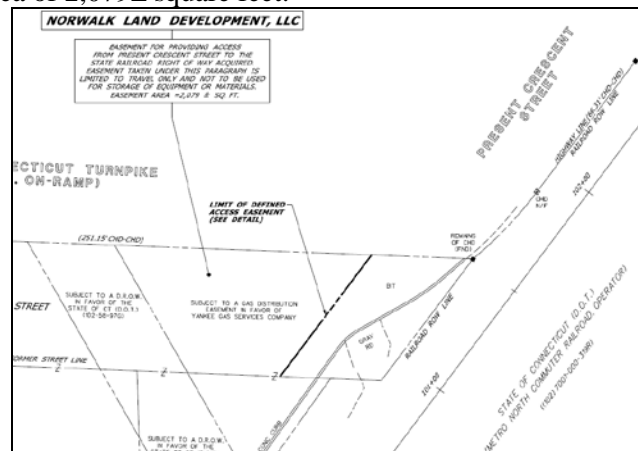
area and parking garage totaling 2,903 vehicle spaces per the municipal assessor.

The subject's highest and best use as vacant is for high intensity commercial development. The subject's highest and best use as improved is continued use as a regional shopping center.



**The Taking:** DOT will acquire the following:

- An Easement for providing access from present Crescent Street to the State Railroad Right of Way acquired over an area of 2,079± square feet.



**Restricted Use/Short Form Value Finding -** The DOT appraisal was completed as of January 19, 2022 by DOT Appraiser Steven C. Miller.

**Land Valuation:** Five sales of commercial land with similar highest and best use in Stamford and Norwalk (2017-2021) were analyzed by the Appraiser. Based upon the appraiser's analysis of the subject and sales

data, the estimated value of the subject property's land was estimated at \$100/square foot x 528,896 = \$52,900,000 (rounded).

The Appraiser then calculated the Permanent Damages, as follows:

<b>Item</b>	<b>Calculation</b>	<b>Value</b>
Defined Access Easement	2,079 sf x \$100/sf x 10%	\$20,790
	Rounded	\$21,000

Staff inquired with DOT regarding the following:

1. In the Appraisal Report, the Appraiser stated the land is owned by The SoNo Collection Condominium Association, Inc. (8872/1), and DOT communications and unsigned DOT Voucher are addressed to the same entity, yet the signed DOT Voucher and Corporate Authorization both identify Norwalk Land Development, LLC, as the Owner. Please clarify if the DOT Voucher and Corporate Authorization should be updated to reflect the current ownership.

**RECOMMENDATION:** Board suspension of damages in the amount of \$21,000 is recommended pending DOT response.

**4. REAL ESTATE – NEW BUSINESS**

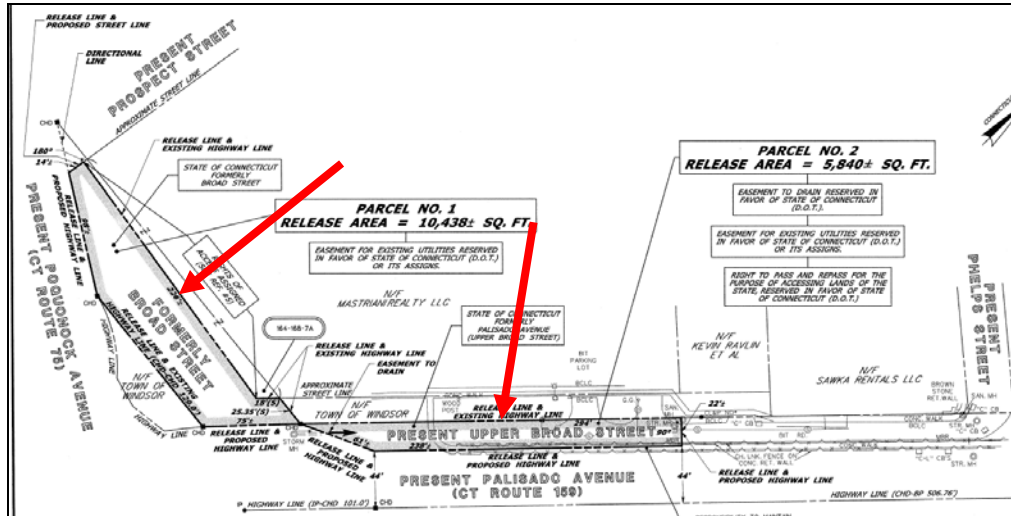
**PRB File #:** 22-095  
**Transaction/Contract Type:** RE – Legislative Conveyance  
**Origin/Client:** DOT/DOT  
**DOT Project #:** 164-168-4A  
**Grantee:** Town of Windsor  
**Property:** Windsor, Palisado Ave @ Poquonock Ave (16,278 sf land)  
**Project Purpose:** Conveyance of Land for Future Economic Development  
**Item Purpose:** Legislative Conveyance pursuant to SA 21-32 (1)

**RELEASE PRICE: \$0 (+ \$1,000 Administrative Fee)**

Under this Proposal (PRB #22-095) DOT is seeking SPRB approval pursuant to SA 21-32 to convey two parcels of land containing approximately 16,278 square feet of land to the Town of Windsor pursuant to the Special Act.

A summary of the conveyance is as follows:

1. Section 1 of Special Act 21-32 stipulates the conveyance of approximately 16,278 square feet land to the Town at a cost equal to the administrative cost of the conveyance.
2. Section 1(b) requires the Town to sell the land for economic development purposes.
3. Section 1(b) provides for the land to revert to the State if the property is sold for economic development purposes within five years of the property being conveyed to the town.
4. Section 1(b) states that any sale of the Parcel shall be at fair market value, determined by the average of the appraisals of two independent Appraisers selected by the Commissioner. Any proceeds from the conveyance, minus the cost of any appraisals, shall be transferred to the State Treasurer for deposit into the Special Transportation Fund.
5. Section 1(c) retains certain rights/easements to the State for utilities, drainage and maintenance.



The Special Act Language is as follows:

Special Act No. 21-32

AN ACT CONCERNING THE CONVEYANCE OF A PARCEL OF STATE LAND IN THE TOWN OF WINDSOR TO THE TOWN OF WINDSOR.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

Section 1. (Effective from passage) (a) Notwithstanding any provision of the general statutes, the Commissioner of Transportation shall convey to the town of Windsor a parcel of land located in the town of Windsor, at a cost equal to the administrative costs of making such conveyance. Said parcel of land has an area of approximately .6 acre and is identified as the irregular rectangular shaped parcel labeled "Upper Broad Street" depicted on a map entitled "Land to be Conveyed to Mastriani Realty, LLC, Routes 75 and 159, Scale 1"= 30', March 30, 2021, Dubiel Associates East Hartford, Connecticut, Project No. 2875". The precise area of the parcel to be conveyed shall be determined by the Department of Transportation. The conveyance shall be subject to the approval of the State Properties Review Board.

(b) The town of Windsor shall sell said parcel of land for economic development purposes. If the town does not sell said parcel for economic development purposes within five years after the conveyance of the parcel to the town under this section, the parcel shall revert to the state of Connecticut. Any sale of said parcel by the town shall be made at a cost equal to the fair market value of said parcel, as determined by the average of the appraisals of two independent appraisers selected by the commissioner. Any funds received by the town of Windsor from a sale in accordance with this subsection, minus the cost of any appraisals, shall be transferred to the State Treasurer for deposit in the Special Transportation Fund.

(c) The conveyance of said parcel shall be granted (1) subject to the right of the state to (A) pass and repass over and on said parcel of land for the purpose of accessing lands of the state, and (B) place and maintain over, under and on said parcel of land existing and future utilities, including, but not limited to, electrical, water, sanitary sewer, telecommunications and gas, and (2) subject to any rights and easements with regard to said parcel of land that the state deems necessary to meet its governmental obligations.

(d) The State Properties Review Board shall complete its review of the conveyance of said parcel of land not later than thirty days after it receives a proposed agreement from the Department of Transportation. The land shall remain under the care and control of said department until a conveyance is made in accordance with the provisions of this section. The State Treasurer shall execute and deliver any deed or instrument necessary for a conveyance under this section, which deed or instrument shall include

provisions to carry out the purposes of subsections (b) and (c) of this section. The Commissioner of Transportation shall have the sole responsibility for all other incidents of such conveyance.

Approved July 13, 2021

**RECOMMENDATION:** Staff recommends approval of the Legislative Conveyance for the following reasons:

1. The Quit Claim deed is consistent with Special Act 21-32, signed by the Governor on July 13, 2021;
2. The conveyance requires the Town to sell the land for economic development;
3. The conveyance includes a reverter clause if the land is not sold for economic development purposes; and
4. The deed description is consistent with the map description.

**5. ARCHITECT-ENGINEER - UNFINISHED BUSINESS**

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

**7. OTHER BUSINESS**

**8. VOTES ON PRB FILE:**

**PRB FILE #22-081** – Mr. Halpert moved and Mr. Valengavich seconded a motion to approve PRB FILE #22-081. The motion passed unanimously.

**PRB FILE #22-095** – Mr. Halpert moved and Mr. Valengavich seconded a motion to approve PRB FILE #22-095. The motion passed unanimously.

**9. NEXT MEETING** –Thursday, June 30, 2022.

The meeting adjourned.

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