

# STATE PROPERTIES REVIEW BOARD

## Minutes of Meeting Held On April 6, 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 April 6, 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:

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 April 3, 2023 Meeting. The motion passed unanimously.

### 2. COMMUNICATIONS

Mr. Berger provided an update on Legislation affecting the Board.

Staff presented the Board with a monthly voucher statement pursuant to CGS 13a-73(h) identifying DOT real estate acquisitions for less than \$10,000. This is a change to CGS 13a-73(h), approved in July 2021, effectively changing the Board's review authority to acquisitions and settlements above \$10,000, increased from \$5,000, and that DOT's provision under CGS 13a-73(h) will only include those acquisitions less than \$10,000.

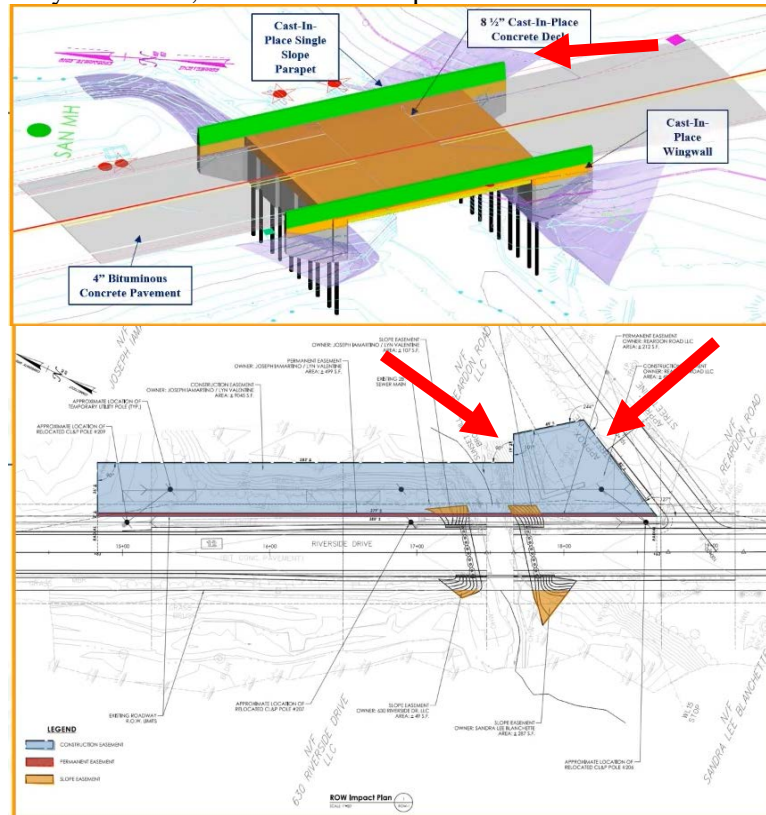
### 3. REAL ESTATE- UNFINISHED BUSINESS

### 4. REAL ESTATE – NEW BUSINESS

<i>PRB File #:</i>	23-032
<i>Transaction/Contract Type:</i>	RE – Voucher
<i>Origin/Client:</i>	DOT/DOT
<i>DOT Project #:</i>	141-157-001
<i>Grantor:</i>	Reardon Road Properties, LLC
<i>Property:</i>	Thompson, Riverside Dr at Laporte St (Lot 36)
<i>Project Purpose:</i>	Replacement of Bridge No. 02128 Route 12 over Sunset Hill Brook
<i>Item Purpose:</i>	Voucher

## From August 4, 2022 DOT Presentation:

- The existing bridge is a single span concrete cast-in-place slab bridge that sits on concrete abutments.
- Based on the 2019 bridge inspection report the superstructure is rated 4 (poor) and the substructure rated 5 (fair). The superstructure's deterioration and the inadequate hydraulic capacity are the main reasons for the initiation of the project.
- It was noted that the existing bridge is still safe to carry traffic in its current condition.
- R.O.W. impacts: The R.O.W. impact will potentially consist of 14,000 S.F. of temporary construction easement for temporary utility relocation, 700 SF of permanent easement for permanent utility relocation, and 500 SF of slope easements for embankment stabilizations.



<https://www.youtube.com/watch?v=VgwjX1yL0qk>



Courtesy: Google Maps

**SITE DESCRIPTION:** The subject property consists of two parcels of land with a total of approximately 1.07 acres (46,609+/- square feet) of land, both parcels have road frontage along Riverside Drive (Route 12) and are located on opposite sides of Laporte Street. A portion of the

vacant parcel is located in a flood zone. The two parcels together make up the Larger Parcel, which is explained in further detail later in the report. Both parcels are located in the Downtown Mill Rehabilitation District zone and appears to be pre-existing non-conform to zoning. Sunset Hill Brook (a/k/a Stroud Brook) borders the property to the northwest.

One of the parcels consists of vacant land while the other is improved with a 1,440+/- square foot service shop that is used in conjunction with a construction business on the site. The service shop, which was constructed in 1977, includes an office area, half bathroom, wood deck, and a large overhead garage door on the front-facing portion of the building.



Highest and Best Use – As Vacant: Light commercial use conforming to zoning.

Highest and Best Use – As Improved: Continued use as a service shop.

**VALUATION:** The DOT appraisal was completed on November 10, 2022 by DOT Appraiser Matthew Malia.

The valuation of the subject property is subject to the following Extraordinary Assumptions and Hypothetical Conditions:

**EXTRAORDINARY ASSUMPTIONS:**

The appraisal is based on the following extraordinary assumption: The subject property was inspected on an exterior basis from the public streets. All information regarding the interior of the improvements is based on assessor information. In addition, the interior of the improvements is assumed to be in a condition similar to the exterior. If these assumptions are proven to be different, I reserve the right to reconsider my opinion of value.

**HYPOTHETICAL CONDITIONS:**

The methodology used in this report is a standard State appraisal format in the form of a before and after valuation appraisal used for eminent domain purposes. The appraisal considers that there is a willing seller in an acquisition by eminent domain and has disregarded any effect on the market value brought on by the State's project. The appraisal report was based on the hypothetical condition that the proposed road project will be completed as currently proposed in the Department of Transportation construction plans, on the day after the "as of" date. No other conditions were necessary to arrive at a value.

Before Land Valuation: Based on the sales comparison approach, the appraiser considered three sales (2021-2022) of similarly zoned land in the greater market area, with a similar highest and best use, as follows:

LAND SALES SUMMARY OF ADJUSTMENTS - BEFORE							
ITEM	SUBJECT	COMPARABLE#1	COMPARABLE#2	COMPARABLE#3			
	Riverside Dr & 11 Laporte St. Thompson, CT	96 Main Street, Thompson, CT		82 Park Street, Putnam, CT		82 Putnam Pike, Killingly, CT	
Unadjusted Sale Price	N/A		\$18,000		\$75,000		\$43,000
Unadjusted Per Sq. Ft. Sale Price	N/A		\$1.59		\$2.69		\$1.05
ADJUSTMENTS	DESCRIPTION	DESCRIPTION	+/- ADJ.	DESCRIPTION	+/- ADJ.	DESCRIPTION	+/- ADJ.
PROPERTY RIGHTS CONVEYED	Fee Simple	Fee Simple		Fee Simple		Fee Simple	
FINANCING	N/A	None Noted		None Noted		Seller Financed	
CONDITIONS OF SALE	Arm's Length	Arm's Length		Abutter Purchase	-30%	Arm's Length	
MARKET CONDITIONS	As of 11/10/2022	As of 7/13/2021		As of 11/5/2021		As of 4/28/2022	
ADJUSTED SALE PRICE			\$1.59		\$1.88		\$1.05
LOCATION	Good/Corner	Average-(Corner Lot)	5%	Average	10%	Good	5%
SIZESHAPE	46,609SF / Mod Irregular	11,325SF / Rectangular	-20%	27,911SF / Irregular	-10%	40,846SF / Rectangular	-5%
ACCESS/FRONTAGE	Good/723.41'	Average/197'	5%	Average/169.15'	5%	Average/157.4'	5%
TOPOGRAPHY	Mostly Level	Mostly Level		Mostly Level		Sloping Upward	5%
ZONING	DMED	DMRD		Medical/Office	5%	General Commercial	
UTILITIES	All Public	All Public		All Public		All Public	
AVERAGE DAILY TRAFFIC	ADT: 5,000+/-	ADT: 1,900+/-	5%	Unknown	5%	ADT: 5,000+/-	
ENCUMBRANCES	Sewer Easement	None Noted		None Noted		None Noted	
PRESENT USE	Service Shop/Construction	Vacant		Vacant		Vacant	
HIGHEST AND BEST USE	Service Shop/Construction	Retail		Bought by Abutter		Retail	
WETLANDS/FLOOD ZONE	Yes/Yes	None	-20%	None	-20%	None	-20%
TOTAL ADJUSTMENT			-25.00%		-5.00%		-10.00%
ADJUSTED SALE PRICE			\$1.19		\$1.79		\$0.95

After adjusting for Transactional, Locational and Physical characteristics, the Appraiser concluded that the fair market value of the subject land was \$1.25/sf, calculated as follows:

Item	Calculation	Value
Land Valuation (Fee Simple)	46,609 sf x \$1.25/sf	\$58,261
Depreciated Contributory Value Site Imp.	Lump Sum	\$5,000
	Total	\$63,261
	<b>Rounded</b>	<b>\$63,500</b>

Site improvements that were included in the sales comparison approach are as follows: Paved asphalt parking area, concrete bunker blocks surrounding an additional parking area on three sides, a grass lawn, trees, and shrubs/vegetation. The depreciated/contributory value of all site improvements is estimated at \$5,000. It is noted that the appraiser's work file contains additional information for the breakdown value of the site improvements.

Before Building Valuation:

Sales Comparison Approach

Based on the sales comparison approach, the appraiser considered four sales (2020-2022) of similar-type properties in the greater market area, with a similar highest and best use, as follows:



IMPROVED SALES SUMMARY OF ADJUSTMENTS - BEFORE						
ITEM	SUBJECT	COMPARABLE #1	COMPARABLE #2	COMPARABLE #3		
	Riverside Dr & 11 Laporte St. Thompson, CT	432 Putnam Pike, Killingly, CT	109 Norwich Road, Plainfield CT	604 School Street, Putnam, CT		
Unadjusted Sale Price	N/A	\$340,000	\$153,000	\$200,000		
Unadjusted Price per Sq. Ft.	N/A	\$132.81	\$99.61	\$123.84		
ADJUSTMENTS	DESCRIPTION	DESCRIPTION	DESCRIPTION	DESCRIPTION	DESCRIPTION	DESCRIPTION
PROPERTY RIGHTS CONVEYED	Fee Simple	Fee Simple	Fee Simple	Fee Simple	Fee Simple	Fee Simple
FINANCING	N/A	Seller Financed	Conventional	None Noted	None Noted	None Noted
CONDITIONS OF SALE	Arm's Length	Arm's Length	Arm's Length	Arm's Length	Arm's Length	Arm's Length
MARKET CONDITIONS	As of 11/10/2022	As of 11/3/2022	As of 12/10/2020	As of 9/25/2020		
ADJUSTED SALE PRICE		\$132.81	\$99.61	\$123.84		
LOCATION	Good	Good	Good	Superior	-5%	
SIZESHAPE	46,609SF / Mod. Irregular	16,117SF / Rectangular	10%	13,625SF / Irregular	10%	10,454SF / Irregular
LAND-BUILDING RATIO	32.37:1	6.29:1	8.87:1	6.47:1		
ACCESS FRONTAGE	Good 723.41'	Good 121.1'	5%	Good 91.22'	5%	Average 115'
TOPOGRAPHY	Mostly Level	Mostly Level	Mostly Level	Mostly Level		
ZONING	DMRD	LDDD	C2 - Commercial	Highway Commercial		
UTILITIES	All Public	All Public	Sewer & Electric	5%	All Public	
ENCUMB. APPURTENANCES	Sewer Easement	None Noted	None Noted	None Noted	None Noted	None Noted
PRESENT USE	Service Shop Construction	Service Shop Office Apt	-5%	Service Shop & Office Garage	Garage Warehouse	
HIGHEST AND BEST USE	Service Shop Construction	Service Shop		Service Shop & Office Garage	Restaurant	-15%
BUILDING AREA	1,440± sq. ft.	2,560± sq. ft.	5%	1,536± sq. ft.	1,615± sq. ft.	
BELOW GRADE BASEMENT	Slab	Slab	Slab	Slab	Slab	
AGE/CONDITION	1977 Average	1950 Good	-5%	1947 & 2015 Good	-5%	1978 Average
HEATING/COOLING	FHA/None	FHA/None		FHA/CAC	-2%	FHA/None
CONSTRUCTION QUALITY	Average	Average		Average	Average	
APPEAL	Average	Good	-10%	Average	Average	
AVERAGE DAILY TRAFFIC	ADT: 5,000±	ADT: 5,000±		ADT: 5,400±	ADT: 13,500±	-10%
TOTAL ADJUSTMENT			0.00%	13.00%		-15.00%
ADJUSTED SALE PRICE		\$132.81	\$112.66	\$106.26		

After adjusting for Transactional, Locational and Physical characteristics, the Appraiser concluded that the fair market value of the subject property was \$115/sf x 1,440 sq.ft. = \$165,600, rounded to \$165,500.

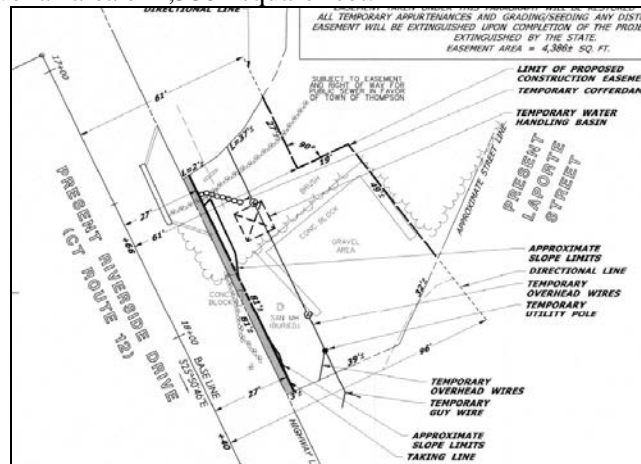
#### Reconciliation and Value Conclusion - Before

Approach	Opinion of Market Value
Sales Comparison Approach - Land	\$63,500
Sales Comparison Approach	\$165,500
Income Capitalization Approach	N/A
Conclusion of Market Value	\$165,500

#### TAKING DESCRIPTION:

DOT will acquire the following:

- A partial take in fee simple of 208± square feet of land;
- An easement to slope for the safety of the highway and remove, use or retain excavated material acquired over an area of 73± square feet; and
- A construction easement for the purpose of construction access, clearing, grading, installation of a temporary utility pole, guy wire and overhead wires and installation of a temporary water handling basin acquired over an area of 4,386± square feet.



## IMPACT OF TAKING

After the acquisition, the subject property is reduced in size by approximately 208 square feet and will now be subject to a 73+/- square foot Easement to Slope. Any vegetation and shrubs within these areas will be removed. There does not appear to be any mature trees within these areas. Riverside Drive and Laporte Street will remain in their current location. The subject property will also be temporarily encumbered by the temporary Construction Easement for a period of 14 months. No ingress or egress will be impacted after the acquisition, however during the acquisition the subject property owner will not have access to the parking area surrounded by the concrete blocks during the 14-month duration of the temporary Construction Easement. This combined with the lack of parking available on the southerly portion of the subject property results in temporary severance for the duration of the 14-month temporary Construction Easement.



### AFTER VALUATION:

After Land Valuation: Based on the sales comparison approach, the appraiser considered the same sales as in the Before Valuation and concluded that the fair market value of the subject land was unchanged at \$1.25/sf, calculated as follows:

Item	Calculation	Value
Land Valuation (Fee Simple)	46,328 sf x \$1.25/sf	\$57,910
Easement to Slope	73 x \$1.25/sf x 50%	\$46
Depreciated Contributory Value Site Imp.	Lump Sum	\$5,000
	Total	\$62,956
	<b>Rounded</b>	<b>\$63,000</b>

### After Building Valuation:

#### Sales Comparison Approach

Based on the sales comparison approach, the appraiser considered the same three sales (2020-2022) of similar-type properties in the greater market area and after adjusting for Transactional, Locational and Physical characteristics, the Appraiser concluded that the fair market value of the subject property was diminished by \$0.50/sf to \$114.50/sf x 1,440 sq.ft. = \$164,880, rounded to \$165,000.

#### Reconciliation and Value Conclusion - After

Approach	Opinion of Market Value
Sales Comparison Approach - Land	\$63,000
Sales Comparison Approach	\$165,000
Income Capitalization Approach	N/A
Conclusion of Market Value	\$165,000

## Calculation of Permanent Damages

Item	Value
Before Valuation	\$165,500
After Valuation	\$165,000
Permanent Damages	\$500

## Calculation of Temporary Damages

The Appraiser then considered Temporary Damages as follows:

The proposed acquisition consists of one temporary right which includes a 4,386+/- square foot temporary Construction Easement for the purpose of construction access, clearing, grading, installation of a temporary utility pole, guy wire and overhead wires, and installation of a temporary water handling basin during the project. The temporary Construction Easement will be extinguished upon the completion of the project unless sooner extinguished by the State. The concrete bunker blocks will not be removed during the duration of the temporary construction easement. According to the project's calendar day chart, the temporary Construction Easement will be needed by the State for 14 months. During this 14-month period, the owner of the subject property will no longer be able to park the trucks and construction equipment incidental to his construction business on this portion of the subject property. There are no other available parking areas within the northerly portion of the property. Parking on the southerly portion of the property presents a challenge due to the layout of the property known as 11 Laporte Street combined with the service shop building on the property. As a result, the appraiser has considered these conditions to result in temporary severance. To calculate the temporary severance, the appraiser multiplies 50% by the subject property's Before valuation of \$165,500. This results in the severance value as if permanent. The figure of 50% represents the impact of the lost parking due to the subject's lack of available parking once the parking area within the temporary Construction Easement area is no longer available to the owner. Should the property have had a larger area to support additional parking due to the lost area within the temporary Construction Easement area, lowering this percentage would be justified. This number was then multiplied by the result of 14/12, which represents the fourteen months out of the twelve-month year that the State requires the temporary Construction Easement area. This number is then divided by 5, which represents the average number of years properties comparable to the subject property are held under one ownership.

Temporary Severance:  $\$165,500 \times 50\%$  (as if permanent)  $\times 14$  months  $(14/12) / 5$  year holding period = \$19,314.

Calculation of the value of the land impacted as a result of the temporary Construction Easement:

Temporary Construction Easement:  $4,386 \text{ sf} \times \$1.25/\text{sf} = \$5,483$ .  $\$5,483 \times 12\% = \$658$   $\times 1.167$  (14-month construction period) = \$768

## Calculation of Total Damages

Total damages are then Permanent Damages plus Temporary Severance Damages plus Temporary Damages, or  $\$500 + \$19,314 + \$768 = \$20,582$ , rounded to \$20,500.

**RECOMMENDATION:** Staff recommend the Board approval this proposal in the amount of \$20,500 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.

**PRB File #:** 23-043  
**Transaction/Contract Type:** RE – Voucher  
**Origin/Client:** DOT/DOT  
**DOT Project #:** 002-132-001  
**Grantor:** Dennis Fonseca  
**Property:** Ansonia, Franklin St (176)  
**Project Purpose:** Route 334 Drainage & Outlet Improvements  
**Item Purpose:** Voucher

**DAMAGES: \$300,000**

The subject property is being acquired in total because of slope failure, development of sink holes, and ongoing soil erosion caused by a drainage outlet in the Route 334 (Franklin Street) right of way adjacent to the subject property.

There is a water runoff from CT RT 334 (Franklin Street) that runs southeasterly in a channel through the lot in proximity to the southerly property line. This water runoff channel is at

significantly lower level to the remainder of the lot and appears to be causing erosion to the banks on either side of the channel.

**SITE & TAKING DESCRIPTION:** The subject property consists a 0.47 acre (20,400+/- sq. ft.) lot with 170 feet of frontage on easterly side of Franklin Street. The site is not impacted by inland wetlands or located within a flood zone. Site improvements include a paved driveway, mature lawn, mature trees, wood deck, shed and chain link fencing.

The site is improved with a circa 1941, cape-style, single family home containing 1,267 square feet (6/3/1.5), with approximately 540 square feet of finished basement level space. The dwelling is considered to be in overall average condition.

The property is within the B Residential zoning district of Ansonia and appears to conform to zoning regarding use, but is legally non-conforming as it does appear to not meet the minimum requirements for side yard setbacks.





The Appraiser opines the highest and best use of the site, as vacant is for single-family residential use and for continued single family use, as improved.



**VALUATION:** The DOT appraisal was completed February 8, 2023 by DOT Appraiser Matthew Malia.

Land Valuation: Based on the sales comparison approach, the Appraiser considered three sales of land in Ansonia (2022) and concluded the value of the land, according to its highest and best use, is \$50,000, or \$2.45/sf.

The town assessment records indicate the value of the land is \$56,600 (100% value) based on a 2022 town-wide revaluation.

Building Valuation:

Sales Comparison Approach: The appraiser analyzed five sales of residential properties in Ansonia as follows:

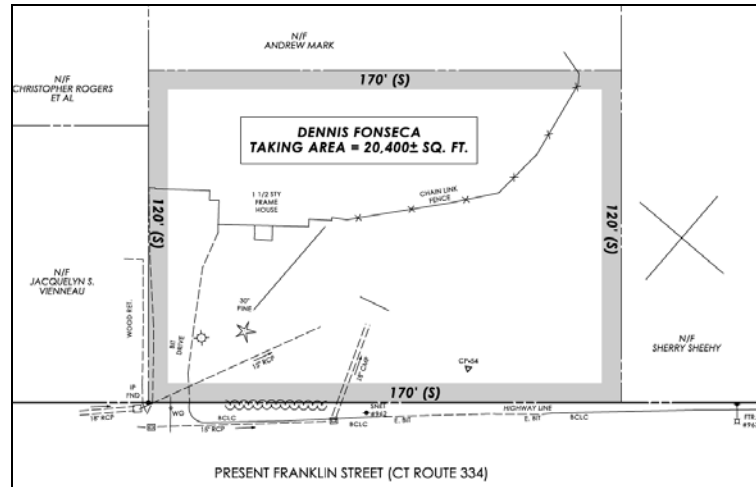
FEATURE	SUBJECT	COMPARABLE SALE # 1		COMPARABLE SALE # 2		COMPARABLE SALE # 3	
Address	176 Franklin St Ansonia, CT 06401	42 Scotland St Ansonia, CT 06401		14 W Roosevelt Dr Ansonia, CT 06401		21 Byron Ave Ansonia, CT 06401	
Proximity to Subject		0.22 miles W		0.48 miles NE		0.77 miles N	
Sale Price	\$ N/A	\$ 295,500		\$ 255,000		\$ 302,000	
Sale Price/Gross Liv. Area	\$ sq.ft.	\$ 227.31 sq.ft.		\$ 252.98 sq.ft.		\$ 182.15 sq.ft.	
Data Source(s)		V.606 P.945 MLS#170505555		V.607 P.1179 MLS#170493991		V.610 P.1116 MLS#170529965	
Verification Source(s)		Land Rec./MLS/Ext.Inspection		Land Rec./MLS/Ext.Inspection		Land Rec./MLS/Ext.Inspection	
VALUE ADJUSTMENTS	DESCRIPTION	DESCRIPTION	+(-) \$ Adjustment	DESCRIPTION	+(-) \$ Adjustment	DESCRIPTION	+(-) \$ Adjustment
Sales or Financing Concessions		None Noted		Seller Concession -10,000		Seller Concession -6,000	
Date of Sale/Time		8/8/2022		9/21/2022		1/19/2023	

FEATURE	SUBJECT	COMPARABLE SALE # 4		COMPARABLE SALE # 5	
Address	176 Franklin St Ansonia, CT 06401	89 Clarkson St Ansonia, CT 06401		81 N Westwood Rd Ansonia, CT 06401	
Proximity to Subject		0.17 miles SW		0.21 miles N	
Sale Price	\$ N/A	\$ 225,000		\$ 320,000	
Sale Price/Gross Liv. Area	\$ sq.ft.	\$ 203.44 sq.ft.		\$ 212.48 sq.ft.	
Data Source(s)		V.602 P.517 MLS#170440159		V.606 P.1078 MLS#170497014	
Verification Source(s)		Land Rec./MLS/Ext.Inspection		Land Rec./MLS/Ext.Inspection	
VALUE ADJUSTMENTS	DESCRIPTION	DESCRIPTION	+(-) \$ Adjustment	DESCRIPTION	+(-) \$ Adjustment
Sales or Financing Concessions		Seller Concession -5,000		None Noted	
Date of Sale/Time		3/1/2022		8/17/2022	

After adjusting for transactional, locational and physical characteristics the Appraiser concluded the fair market value of the subject property was \$300,000, or \$236.78/sf.

**RECOMMENDATION:** Board **APPROVAL** of damages in the amount of \$300,000 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.



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

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

**7. OTHER BUSINESS**

**8. VOTES ON PRB FILE:**

**PRB FILE #23-032** – Mr. Valengavich moved and Mr. Halpert seconded a motion to approve PRB FILE #23-032. The motion passed unanimously.

**PRB FILE #23-043** – Mr. Halpert moved and Mr. Valengavich seconded a motion to approve PRB FILE #23-043. The motion passed unanimously.

**9. NEXT MEETING** – Monday, April 10, 2023.

The meeting adjourned.

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