

STATE OF CONNECTICUT

OFFICE OF POLICY AND MANAGEMENT

February 22, 2011

This is in response to the comments you submitted concerning the proposed transfer of the Seaside Regional Center.

As you are aware, the State is in the process of selling the former Seaside Regional Center (Seaside) which is located on Shore Road in Waterford and as such the Department of Public Works (DPW), in accordance with CGS 4b-47, placed the required public notice in the *Environmental Monitor* and the public was afforded the opportunity to comment upon the proposed transfer of this property.

No Identified State Reuse

In January 2008, the State solicited reuse proposals from State agencies for the Seaside property. One agency, the Department of Public Safety, did submit a reuse proposal to utilize a structure on the property; however, that request was denied by this office. The Department of Environmental Protection's (DEP) comments indicate that DEP is currently working with DPW to transfer a Conservation and Public Recreation Easement on the subject property to the DEP. When the property is sold, the easement would assure public access to the entire waterfront portion of the site in perpetuity.

Determination of Current Market Value

To determine the current market value of the Seaside property, DPW obtained two (2) independent appraisals. The \$8 million purchase price exceeds the current market value for the property as established by these appraisals.

Town of Waterford's Establishment of the Seaside Preservation Zoning District

Since the State does not establish local zoning, the type and density of any future development on the property will be subject to the local zoning laws which have been established, and will be enforced, by the Town of Waterford.

Public Access, Open Space and Recreation

Prior to disposition of the property, the Conservation and Public Recreation Easement will ensure public access to Long Island Sound for passive recreation in perpetuity. The easement area will include the entire length of waterfront, all land within the 500-year flood zone, some adjacent upland area and access from Shore Road. Dedicated public parking and appropriate signage will be provided. The DEP will determine allowed and prohibited uses within the easement area as well as hours of operation.

In addition, the Seaside Preservation Zoning District, Section 17a.11 of the Town's zoning regulations states that *"All areas not approved for development as defined shall be set aside as permanent open space or recreation area in perpetuity to be held in common by the owners within the district."*

Connecticut Environmental Policy Act

After granting of the easement, the property is being conveyed in "as is condition." Therefore, the transaction is not considered to be a state action that would trigger the preparation of an Environmental Impact Evaluation pursuant to CEPA.

Natural Resource Inventory

The conservation easement area, which includes the entire waterfront and most of an existing watercourse, will protect any significant ecological resources on the property. The balance of the property is essentially developed, with lawns and buildings.

Site Plan Approvals

With regard to site plan approvals, Section 17a.12 of the Town zoning regulations states that "A site plan shall be submitted to the Commission in accordance with the provisions of Section 22 of these regulations and the purpose of this district, and no building or structure, parking lot, or outdoor use of land shall be used, constructed, enlarged, or moved until said site plan has been approved by the Commission. The development shall be constructed in accordance with these Regulations and the site plan as approved by the Commission. Changes to the approved plans may be made, the extent of which shall be set forth in the special permit."

In addition, as part of local planning and zoning approvals, the Coastal Site Plan Review requirements of sections 22a-105 through 22a-110 of the Connecticut Coastal Management Act would be applicable.

Development & Design

The design of any development of Seaside will be guided by Section 17a.13 of the Town zoning regulations which states "The architectural and site design of all buildings and improvements within the Seaside Preservation District, including typical floor plans and building elevations drawn to scale showing the exterior materials and treatment to be used, shall be submitted. The Plan submission shall specifically show how the development will result in the preservation and re-use of the Main Building, Employee Building I, the Duplex and the Superintendent's House, how the principal use is to be primarily located in these buildings and how all new construction will be integrated into a cohesive and unified development plan. The development shall be constructed in accordance with these design plans and the special permit shall specify the manner in which any changes to the design elements may be made."

Department of Public Works Request for Proposal (RFP) Process

The RFP for the sale of Seaside was conducted by the DPW and the disclosure of any information concerning the RFP process at this time shall be subject to applicable State law or regulation.

Council on Environmental Quality

Requests related to suggested actions which should be undertaken by the Council on Environmental Quality (CEQ) should be sent directly to CEQ which can be reached at (860) 424-4000 or www.ct.gov/ceq

Subdivision of the Property

With regard to suggestions that the Seaside property be subdivided; it is the State's intent and desire to sell the Seaside property as a single parcel.

Harkness Memorial State Park

Comments concerning the operation of Harkness Memorial State Park should be directed to the Department of Environmental Protection (DEP). DEP can be reached at (860) 424-3000 or www.ct.gov/dep

Leasing of the Property

It is the intent and desire of the State to sell the Seaside property.

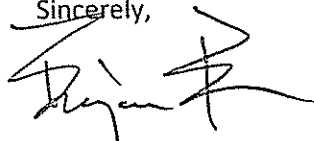
Public Informational Meetings

The disposition of the Seaside property is being conducted by the DPW in accordance with all applicable statutes, including Connecticut General Statute 4b-21 which does not include a public informational meeting requirement.

Alternative Proposals

With regard to suggestions for various alternative proposals; as the DPW's RFP process has concluded no alternative proposals are being solicited.

Sincerely,



Benjamin Barnes
Secretary

O'Brien, Patrick M.

From: Fox, David
Sent: Thursday, June 17, 2010 3:56 PM
To: O'Brien, Patrick M.
Cc: Kopetz, Kevin
Subject: Seaside Regional Center, Waterford
Attachments: SeasideComm.pdf

Importance: Low

DEP comments attached

David J. Fox

Senior Environmental Analyst
Department of Environmental Protection
Office of Environmental Review
79 Elm St.
Hartford, CT 06106-5127

Voice: 860-424-4111

Fax: 860-424-4053

Email: david.fox@ct.gov



STATE OF CONNECTICUT
DEPARTMENT OF ENVIRONMENTAL PROTECTION



June 17, 2010

Patrick O'Brien
Office of Policy and Management
Bureau of Assets Management
450 Capitol Avenue - MS#52ASP
Hartford, CT 06106-1379

Dear Mr. O'Brien,

Pursuant to Connecticut General Statutes (CGS) section 4b-47, the Department of Environmental Protection (DEP) has reviewed the Notice of Proposed Land Transfer involving the former Seaside Regional Center in Waterford. In preparation for the proposed disposition of the Seaside Regional Center, the Department of Public Works (DPW) has been working closely with DEP to ensure that various environmental management and public access issues are addressed. These issues, and the significance of the Seaside property to DEP's mission, are outlined below for your consideration because OPM may not be familiar with the discussions that have taken place between DEP and DPW.

Overall, of the 333 miles of shoreline along Long Island Sound, the State owns only about 22 miles, or 6%. Similarly, only 88 miles of sandy beach exists along Connecticut's shoreline, much of which is in private ownership or held by municipalities subject to resident-only use restrictions. Therefore, the ¼ mile of beach at Seaside is a significant public resource that should be managed in the public interest. Consistent with the goals and policies of the *Conservation & Development Policies Plan for Connecticut 2005 - 2010* and the Connecticut Coastal Management Act, the proposed property transfer must enhance and in no way further diminish limited public access to Long Island Sound.

The public notice briefly states that the purchaser has agreed to place a conservation/preservation easement over certain portions of the property, including the beach and other upland areas, in favor of the State for passive recreation. Based on our coordination with DPW, it is DEP's understanding that the purchase agreement will include detailed, legally binding provisions to provide meaningful public access to Long Island Sound, as discussed below. I should also note that the map accompanying the notice incorrectly does not include the groins on the property, which will be subject to the proposed sale.

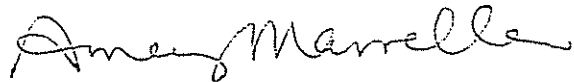
Specifically, it is important that the State retains a significant property interest along the site's entire waterfront encompassing not less than the area from mean high water up to the site elevation 12' NGVD. It is DEP's understanding that the property interest will be retained by granting DEP a conservation and public access easement that, at a minimum, includes requirements for:

- designating a route for the public to access the easement area from Shore Road;
- listing the allowed/prohibited uses of the easement area appropriate for this type of property, informed by DEP state park use rules;
- identifying the hours the public area is open for various uses;
- providing parking dedicated for public access;
- installing site signage visible to the public from public roads;
- ensuring the public has rights to use of the beach and upland areas within the easement;
- and
- ensuring that public use of the area is legally enforceable.

The Department is committed to continue to work with the Department of Public Works and other involved parties to ensure that the details of the proposed transfer, including conservation and public access easement text, are drafted in a manner that will preserve the public interest in this vital resource and allow the Department to support the proposed transfer.

Thank you for the opportunity to review this proposed land transfer. If there are any questions regarding these comments, please contact David Kozak of the Office of Long Island Sound Programs at 860-424-3608 or david.kozak@ct.gov.

Yours truly,



Amey W. Marrella
Commissioner

cc: Kevin Kopetz, DPW