

STATE PROPERTIES REVIEW BOARD

Minutes of Meeting Held On March 24, 2011 State Office Building, Hartford, Connecticut

The State Properties Review Board held its regularly scheduled meeting on March 24, 2011 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 March 17, 2011. Mr. Norman moved and Mr. Josephy seconded a motion to accept the minutes of March 17, 2011. The motion passed unanimously.

COMMUNICATIONS

Appointment of John P. Valengavich. Chairman Greenberg welcomed Mr. John P. Valengavich to the State Properties Review Board. Mr. Valengavich was appointed to the Board as of March 14, 2011 as an individual experienced in matters relating to engineering.

REAL ESTATE - NEW BUSINESS

PRB # 11 - 053 **Transaction/Contract Type:** RE / Administrative Settlement
Origin/Client: DOT / DOT
Project Number: 063-643-003
Grantor : Harsco Corporation
Property: 540 Flatbush Avenue, West Hartford, CT

Project Purpose: New Britain/Hartford Busway

Item Purpose: Acquisition of 5,395 sq. ft. easement for transportation purposes, 7,637 sq. ft. easement for permanent access, 70+ sq. ft. easement to slope for drainage of highway, 3,415 sq. ft. easement to construct driveway and grate, 180 L.F. to install chain link fence gates and 13 sq. ft. for metal beam rail.

The Ms. Goodhouse said that the New Britain-Hartford Busway is a 9.4 mile corridor planned along the rail corridor linking downtown New Britain with Hartford's Union Station. DOT has 120 acquisitions (partial and total takings) planned.

STATE PROPERTIES REVIEW BOARD

Minutes of Meeting, March 24, 2011

Page 2

If the project proceeds, Ms. Goodhouse recommended approval of the proposal because 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; and the settlement is within the range of two appraisals prepared by independent fee appraisers. The Grantee's appraisal report presented data that fully justifies damages of \$290,000. Consequently, the DOT settlement amount of \$265,000 is considered to be in the best interest of the State.

The subject property is located on the northerly side of Flatbush Avenue near the West Hartford town line, and consists of 1.92 acres improved with buildings of 41,727 SF of GBA used for warehouse purposes. Approximately 8,040 SF of the total GBA is finished office area. The subject conforms to the Industrial (I) zone.

In addition to the impact of the easements, the appraisers consider the impact that the project will have on the subject's access and visibility to Flatbush Avenue. At this location, DOT will construct a masonry walled street ramp along the subject's frontage to carry Flatbush Avenue over the Busway. This will result in a loss in direct access to Flatbush Avenue, and a loss of visibility because the ramp will reach 25 feet in height. Currently, tractor trailer truck traffic accesses the site from the east entrance and exits via the west curb cut, both curb cuts being on Flatbush Avenue. Upon DOT's construction of the ramp, the new access will be via a private roadway to be constructed between the subject property and the ramp.

Appraiser Christopher Italia, MAI, developed the Sales Comparison and Income Approaches. In addition to the effect of the easement areas, he believed that the property would be less accessible (eastbound) once the ramp/bridge is constructed, and that it would be more difficult for trucks to turn left (westbound) out of the property. Consequently, he considered that the impact of the taking would decrease the subject's value by 22%.

An engineer for the Grantee indicated that he thought it would be "nearly impossible for a typical tractor trailer truck to turn right (westbound) out of the property and onto the proposed ramp."

Based on the impact of the construction, the Administrative Settlement of **\$265,000** for damages is reasonable.

PRB # 11 - 055 **Transaction/Contract Type:** RE / Assignment
Origin/Client: DPW / Judicial
Representative: 97 Hammer Mill Road, LLC
Property: 97 Hammer Mill Road
Rocky Hill, CT 06067

Project Purpose: Consent to assignment of a lease.

Item Purpose: Consent to assignment of a lease for the Judicial Branch warehouse storage facility in Rocky Hill.

Mr. Dillon recommended approval for Consent to Assignment for the Judicial Branch Warehouse lease located at 97 Hammer Mill Road, Rocky Hill. The Consent conforms to the Standard Lease Agreement.

Description of Leased Premises:

PRB #	Client	Description	Expiration	Annual Base Rent
09-218	Judicial	Warehouse comprised of 2,765 SF of office space and 19,997 SF of storage space for a total of 22,762 NUSF.	10/5/2014	\$188,317.20 per year

The Assignor, DeMeo Family, LLC, IV conveyed the premises to the Assignee, 97 Hammer Mill Road, LLC by deed dated February 3, 2011, and recorded in the Town of Rocky Hill Land Records Volume 0583 Page 912.

STATE PROPERTIES REVIEW BOARD

Minutes of Meeting, March 24, 2011

Page 3

DPW consents to the assignment of this lease as evidenced by the signature of Acting Commissioner Holmes dated, March 7, 2011. The consent conforms to Exhibit G in the underlying lease. The Assignee has submitted a gift and campaign contribution affidavit, a non-discrimination certification, and a Statement of Financial Interest dated February 2011.

ARCHITECT-ENGINEER - UNFINISHED BUSINESS

PRB #11-049 **Transaction/Contract Type:** AE / Commission Letter
On Call #: none
Project Number: BI-RT-841 **Origin/Client:** DPW /CL #5
Consultant: S/L/A/M Collaborative, Inc.
Property: H.H. Ellis Technical High School, Danielson, CT

Project Purpose: Expansion and renovation of the school.

Item Purpose: A/E Commission Letter (Compensate the Architect to modify the garage design to service larger buses, add 4 modular classrooms, revise the phasing plan, complete the updated DPW Checklist for Permits and Approvals and provide updated plan sheets.)

Mr. Dillon said that the proposed Commission Letter #5 was considered by the Board on March 10, 2011, at which time it was returned to Public Works with a recommendation that the fees be revised to exclude an administrative fee levied against basic services. Basic services are not eligible for an administrative mark-up.

Mr. Dillon said that Public Works has revised Commission Letter #5, with the consultant agreeing to a contract reduction of \$3,000, which is the amount of overhead that had been included in the previous proposal. This revision reduced the cost from \$54,900 to \$51,900. He recommended approval of the item.

ARCHITECT-ENGINEER - NEW BUSINESS

OTHER BUSINESS, REAL ESTATE/ARCHITECT-ENGINEER

The Board took the following votes in Open Session:

PRB FILE #11-049 - Mr. Norman moved and Mr. Josephy seconded a motion to approve PRB File #11-049. The motion passed unanimously.

PRB FILE #11-053 - Mr. Norman moved and Mr. Millstein seconded a motion to suspend PRB File #11-053, pending receipt of further information from the Governor's Office regarding the overall status of the Busway project. The motion passed unanimously.

PRB FILE #11-055 - Mr. Pepe moved and Mr. Norman seconded a motion to approve PRB File #11-055. The motion passed unanimously.

The meeting adjourned.

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