

# STATE PROPERTIES REVIEW BOARD

## Minutes of Meeting Held On January 13, 2014 State Office Building, Hartford, Connecticut

The State Properties Review Board held its regularly scheduled meeting on January 13, 2014 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 JANUARY 6, 2014, JANUARY 7, 2014 & JANUARY 8, 2014.

Mr. Norman moved and Mr. Valengavich seconded a motion to approve the minutes of January 6, January 7, and January 8, 2014. The motion passed unanimously.

### REAL ESTATE- UNFINISHED BUSINESS

### REAL ESTATE- NEW BUSINESS

**PRB #** 13-271 **Transaction/Contract Type:** RE / Voucher  
**Origin/Client:** DOT / DOT  
**Project Number:** 017-182-140  
**Grantor:** Tung Po Chan, et al.  
**Property:** 1072 & 1076 Farmington Avenue & 694 Stafford Avenue, Bristol, CT  
**Project Purpose:** Widening of U. S. Route 6, Bristol and Farmington Project  
**Item Purpose:** Administrative Settlement for the partial taking of two defined easements for highway purposes totaling 736±SF, a slope easement totaling 243±SF and additional compensation for the contributory value of affected site improvements

Staff reported that this DOT project is for the widening of a portion Route 6, Farmington Avenue, from Carol Lane in Bristol to Peggy Lane in Farmington. The project will provide a second eastbound through lane in order to reduce accidents and improve traffic flow. The proposed improvements would also consist of adjustments to the existing pavement cross-slope, drainage modifications and upgrades, and modification to the existing traffic signals. The (2011) estimate for rights of way acquisition is \$1,487,400 affecting 55 properties. There were 478 accidents with 191 injuries recorded on this section of Route 6 between 1/1/2005 and 12/31/2008.

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Three adjacent properties are affected, containing 0.18, 0.17 and 0.21 acres on the south side of Farmington Avenue and the east side of Stafford Avenue, Bristol. DOT identified them as 3 single family residential lots in the R-10 zone. The lots are improved with two residences and a restaurant.

DOT requires two defined easements for highway purposes which are shown as 5 foot wide strips of land along the road frontage. The two easements total 736 SF. DOT will also acquire a slope easement affecting 243 SF on the south side of Farmington Avenue.

Consistent with DOT's agreement with FHWA an estimate of compensation (EOC) worksheet has been prepared for the subject taking. This process is used when for simple acquisitions related to minor site improvements where the total cost is typically less than \$10,000. The following table indicates the results of the DOT Estimate of Compensation:

As explained in the DOT workflow memo dated 11/21/13, the owners felt the damages should be based on \$18.00/SF, arguing that the DOT was based on residential use, and that did not consider that all of the properties are zoned General Business and are not in the R-10 residential zone. Based on this argument, and on a review of recent vacant commercial land sales which are included in the file, DOT believed it was likely that the owners would prevail in obtaining additional compensation were DOT to take the property via condemnation. The parties agreed to **\$10,000** in compensation (approximately \$11.50/SF).

Staff recommended Board approval of the item. 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. The damages are supported by the information provided by the DOT regarding comparable sales of business/commercial property, and are consistent with awards approved by the Board for this project.

<b>PRB #</b>	<b>13-272</b>	<b>Transaction/Contract Type:</b>	RE / Voucher
<b>Origin/Client:</b>	DOT / DOT		
<b>Project Number:</b>	164-233-013		
<b>Grantor:</b>	Thomas N. Pompa, Jr., et al.		
<b>Property:</b>	1414 & 1424 Poquonock Avenue, Windsor, CT		
<b>Project Purpose:</b>	Prospect Hill Road Reconstruction Project		
<b>Item Purpose:</b>	Administrative Settlement for the partial taking of 149±SF of land, a defined easement for highway purposes totaling 463±SF, two slope easements totaling 1,003±SF and additional compensation for the contributory value of affected site improvements		

In Windsor, this project is for the full-depth reconstruction and widening of Prospect Hill Road from Route 75 (Poquonock Avenue) to just west of West Street, for an approximate project length of 2,680 linear feet. Sight line distances will be improved; the drainage system will be upgraded. The DOT will construct a roundabout at the intersection with West Street; the intersection of Prospect Hill Road with Route 75 will be a T-type intersection with a traffic signal. Left turn lanes will be added. A 4-foot snow shelf will be added on both sides and a 5-foot sidewalk will be added on the north side of Prospect Hill Road. In May 2012 DOT estimated that the project costs would be \$4.4 million with rights of way requiring 17 takings together valued at \$52,500. Funding for the project is 80% federal, 10% state and 10% municipal.

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This submittal consists of acquisitions on two contiguous parcels located at 1414 & 1424 Poquonock Avenue whereas the parcels comprise approximately 1.17 and 0.84-acres respectively. The property located at 1414 Poquonock Avenue is improved with a single family residential structure while the other is vacant and sparsely wooded.

The DOT Estimate of Compensation (EOC) worksheet indicated that the takings will not significantly affect the property improvements, except for landscaping as noted below. Similar to other takings on this project, DOT established a rate of \$5.00/SF and offered compensation as follows:

ACQUISITION ITEM	VALUATION	COST
Land	149 SF x \$5.00/SF	\$ 745.00
Defined Traffic Easement	463 SF x 99% x \$5.00/SF	\$2,292.00
Slope Easement	1,003 SF x 10% x \$5.00/SF	\$ 502.00
Landscaping (trees, shrubs & hedges)	Lump sum	\$1,300.00
<b>TOTAL COST (ROUNDED)</b>		<b>\$4,900.00</b>

As part of the negotiation process the property owner rejected DOT's proposal for compensation of the affected landscaping. The property owner stated that the value of the landscaping was worth double the amount identified in the EOC. DOT ultimately agreed that additional site improvements could be affected and increased the lump sum offered for landscaping improvements by \$500. The offered compensation was increased to **\$5,400** which was accepted by the Grantor.

Staff recommended Board approval of the item. 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. The acquisition value is supported by the EOC, and the negotiated settlement is reasonable.

**ARCHITECT-ENGINEER - UNFINISHED BUSINESS**

**ARCHITECT-ENGINEER – NEW BUSINESS**

**OTHER BUSINESS**

The Board took the following votes in Open Session:

**PRB FILE #13-271** – Mr. Norman moved and Mr. Millstein seconded a motion to approve PRB File #13-271. The motion passed unanimously.

**PRB FILE #13-272** – Mr. Valengavich moved and Mr. Norman seconded a motion to approve PRB File #13-272. The motion passed unanimously.

The meeting adjourned.

**APPROVED:** \_\_\_\_\_ **Date:** \_\_\_\_\_  
Bruce Josephy, Secretary