

**STATE PROPERTIES REVIEW BOARD**

**Minutes of Special Meeting Held On October 16, 2019  
450 Columbus Boulevard, Hartford, Connecticut**

The State Properties Review Board held a Special Meeting on October 16, 2019 in Suite 2035, 450 Columbus Boulevard, Hartford, Connecticut.

**Members Present:**

Edwin S. Greenberg, Chairman  
Bruce Josephy, Vice Chairman  
Jack Halpert  
Jeffrey Berger  
William Cianci

**Members Absent:**

John P. Valengavich, Secretary

**Staff Present:**

Dimple Desai  
Thomas Jerram

**Guests Present**

Shane Mallory, Administrator, DAS Leasing & Property Transfer (10AM-10:16AM)

Chairman Greenberg called the meeting to order.

Mr. Halpert moved and Mr. Berger seconded a motion to enter into Open Session. The motion passed unanimously.

**OPEN SESSION**

**1. ACCEPTANCE OF MINUTES**

Mr. Halpert moved and Mr. Berger seconded a motion to approve the minutes of the October 10, 2019 Meeting. The motion passed unanimously.

**2. COMMUNICATIONS**

**3. REAL ESTATE- UNFINISHED BUSINESS**

**4. REAL ESTATE – NEW BUSINESS**

<b>PRB #</b>	RE – Town Road Release
<b>Transaction/Contract Type:</b>	DOT/DOT
<b>Origin/Client:</b>	152-138-1A
<b>Project Number:</b>	Town of Waterford
<b>Grantee:</b>	Waterford, Waterford Parkway South along I-95
<b>Property:</b>	Reconstruction of Waterford Parkway South
<b>Item Purpose:</b>	Quit Claim Deed

September 26, 2019 Update:

At its meeting held on November 8, 2018 the State Properties Review Board voted to return PRB #18-206, relative to the same Town Road Release, pursuant to a DOT request.

The project release areas comprise 18 separate parcels and easements comprising a total of 13.6± acres of land and easement areas. This is a release of land acquired along a town street for highway purposes only and there is no monetary consideration. These parcels are older acquisitions that were not subject to an Agreement, requiring release to the host municipality. DOT conveys these remnant parcels as they are utilized and maintained by the host municipality.

DOT has now resubmitted this Town Road Release for review, responding to the following inquiries:

The following questions were raised based on the review of the proposal and all were addressed by DOT.

1. On page 2 of the deed (Parcel 2), the Beers reference is on the Map, but not in the closing report – does that report need to be modified? DOT Response: 136/635 added to Closing Report.
2. On page 2 of the deed (Parcel 2), the McCue reference is in the closing report but not on the map – does the map need to be modified? DOT Response: Only use car ref 138/206-149/172 n/a.
3. On the Closing Report (Parcel 2), there is a McCue reference – Condemnation (138/206) – that is not included in the Deed – does the Deed need to be modified? DOT Response: Add to deed.
4. On the Closing Report (Parcel 2), there is a McCue reference – Condemnation (138/206) – that is not included in the Deed – does the Deed need to be modified? DOT Response: Same as #3.
5. On the Closing Report (Parcel 2), there are two Beers reference – QC Deed (145/514) included on the map, but not in the Deed and QC Deed (145/516) not on the map or Deed – do the Map/Deed/Closing Report need to be modified? DOT Response: 145/516 is n/a, 145/514 add to deed.
6. On the Closing Report (Parcel 4), there is a Barrett reference – QC Deed (138/238) – stating DROW that is not included on the map or in the Deed – do the map or Deed need to be modified? DOT Response: 138/240 not in the vicinity of the TRR so n/a. 138/238 may need to be added - check.
7. On the Closing Report (Parcel 2), there is a McCue reference – Condemnation (v.138/206) – that is not included in the Deed – does the Deed need to be modified? DOT Response: Same as #3.
8. On page 4 of the deed (Parcel 5), the Mooney reference in the Deed is November 26, 1961 Volume 133, page 301 and the Acquisition Deed provided showed a November 25, 1961 recording date in Volume 138, page 301, and the Closing Report has the wrong date too – do the Deed/Closing Report need to be modified? DOT Response: Change Closing Report.
9. On the Closing Report (Parcel 5), there is a CL&P reference – 152-055-025B – that is in the Closing Report, but not included in the Deed – does the Deed need to be modified? DOT Response: This should not be in the Closing Report - remove.
10. Please upload the Agreement between the State and Waterford wherein it states DOT must convey this land and assign these easements. DOT Response: No agreement see Closing Report.

**RECOMMENDATION:** Staff recommend **approval** of this Quit Claim Deed to assign the land and easements acquired by the State to the Town of Waterford is recommended for the following reasons:

1. The conveyance complies with Section 13a-80 of the CGS governing the release of property and easements by the commissioner of transportation.
2. The descriptions in the Quit-Claim to release the real property are consistent with the description in the DOT release maps.

From PRB #18-206

DOT acquired and is now releasing the following land and easements which were originally acquired for the **Reconstruction of Waterford Parkway South**. The project is complete and it is now necessary for the State to assign the easements to the Town per Section 12 of Agreement No. 2.09-06 (06). This is a release of land and easements acquired along a town street for highway purposes only and there is not any monetary consideration. The project release areas comprise twenty (20) separate parcels and easements comprising a total of 13.6± acres of land and defined easement areas.

The Quit-Claim deed releases the following:

Parcel No.	Parcel Area	Release Type	Owner/Holder	Deed Type	Deed No.	Deed Date	Deed Area
Parcel 1	0.1745 ACRES	Land	James O. Ryan, JR.	Condemnation	137/206	11/19/06	0.1745 ACRES
Parcel 2	0.2114 ACRES	Land	James H. Beers	Quit-Claim	145/514	11/19/06	0.2114 ACRES
Parcel 3	0.1745 ACRES	Land	James H. Beers	Quit-Claim	145/514	11/19/06	0.1745 ACRES
Parcel 4	0.1745 ACRES	Land	James H. Beers	Quit-Claim	145/514	11/19/06	0.1745 ACRES
Parcel 5	0.1745 ACRES	Land	James H. Beers	Quit-Claim	145/514	11/19/06	0.1745 ACRES
Parcel 6	0.1745 ACRES	Land	James H. Beers	Quit-Claim	145/514	11/19/06	0.1745 ACRES
Parcel 7	0.1745 ACRES	Land	James H. Beers	Quit-Claim	145/514	11/19/06	0.1745 ACRES
Parcel 8	0.1745 ACRES	Land	James H. Beers	Quit-Claim	145/514	11/19/06	0.1745 ACRES
Parcel 9	0.1745 ACRES	Land	James H. Beers	Quit-Claim	145/514	11/19/06	0.1745 ACRES
Parcel 10	0.1745 ACRES	Land	James H. Beers	Quit-Claim	145/514	11/19/06	0.1745 ACRES
Parcel 11	0.1745 ACRES	Land	James H. Beers	Quit-Claim	145/514	11/19/06	0.1745 ACRES
Parcel 12	0.1745 ACRES	Land	James H. Beers	Quit-Claim	145/514	11/19/06	0.1745 ACRES
Parcel 13	0.1745 ACRES	Land	James H. Beers	Quit-Claim	145/514	11/19/06	0.1745 ACRES
Parcel 14	0.1745 ACRES	Land	James H. Beers	Quit-Claim	145/514	11/19/06	0.1745 ACRES
Parcel 15	0.1745 ACRES	Land	James H. Beers	Quit-Claim	145/514	11/19/06	0.1745 ACRES
Parcel 16	0.1745 ACRES	Land	James H. Beers	Quit-Claim	145/514	11/19/06	0.1745 ACRES
Parcel 17	0.1745 ACRES	Land	James H. Beers	Quit-Claim	145/514	11/19/06	0.1745 ACRES
Parcel 18	0.1745 ACRES	Land	James H. Beers	Quit-Claim	145/514	11/19/06	0.1745 ACRES
Parcel 19	0.1745 ACRES	Land	James H. Beers	Quit-Claim	145/514	11/19/06	0.1745 ACRES
Parcel 20	0.1745 ACRES	Land	James H. Beers	Quit-Claim	145/514	11/19/06	0.1745 ACRES

The following questions were raised based on the review of the proposal.

1. On page 2 of the deed (Parcel 2), the Beers reference is on the Map, but not in the closing report – does that report need to be modified?
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- Volume 138, page 301, and the Closing Report has the wrong date too – do the Deed/Closing Report need to be modified?
9. On the Closing Report (Parcel 5), there is a CL&P reference – 152-055-025B – that is in the Closing Report, but not included in the Deed – does the Deed need to be modified?
  10. Please upload the Agreement between the State and Waterford wherein it states DOT must convey this land and assign these easements.

**RECOMMENDATION:** Staff recommendation contingent upon responses from DOT to aforementioned questions.

<b><i>PRB #</i></b>	<b>19-208</b>
<b><i>Transaction/Contract Type:</i></b>	RE/ Voucher
<b><i>Origin/Client:</i></b>	DOT/DOT
<b><i>Project Number:</i></b>	083-263-002
<b><i>Grantor:</i></b>	Anthony Monaco
<b><i>Property:</i></b>	Milford, New Haven Ave (541)
<b><i>Project Purpose:</i></b>	Replacement of Bridge No. 06755 Route 162 over Turtle Creek
<b><i>Item Purpose:</i></b>	Voucher

**DAMAGES: \$88,000.00**

**DOT PROJECT:** Bridge No. 06755 consists of three 65-inch by 40-inch by 80-foot long asphalt-coated corrugated metal pipe arches (culverts) with a concrete headwall and endwall. The culverts support Route 162 (New Haven Avenue) over Turtle Creek in the city of Milford and are located approximately 300-feet east of Old Gate Lane with access to Interstate 95.

The existing roadway supported by Bridge No. 06755 consists of one 12-foot westbound travel lane with a varying shoulder and two 10-foot eastbound travel lanes with no shoulder. The estimated 2013 Average Daily Traffic on Route 162 at this site is 19,100 vehicles per day.

The purpose and need for the project is to address the structural deficiencies and functional obsolescence of Bridge No. 06755. The culverts are structurally deficient due to the serious condition of the corrugated metal pipes and the roadway carried by the culverts is functionally obsolete due to inadequate curb-to-curb width.

The proposed culvert replacement will consist of two precast concrete box culverts. The horizontal alignment of Route 162 will be shifted slightly at the bridge in order to provide roadway shoulder widths that meet minimum design standards. The proposed vertical alignment will match the existing. The culvert replacement will require approximately 350-feet of roadway construction along Route 162.

**Subject Property Description, Before the Taking:** The subject property consists of a 0.68 acre (29,621 sf) acre lot with approximately 65± feet of frontage on the southerly side of New Haven Avenue (Rt 162) and 84.85± feet of frontage on the westerly side of Pond Point Avenue. The site is generally level at grade and has good exposure to on-coming traffic. Site improvements include approximately 10,000± square feet of asphalt-paved parking, curbing, drainage and minimal landscaping. Approximately 40% of the westerly and southerly portions of the site are encumbered by inland-wetland soils. The site is improved with a one- to two-story masonry and steel construction auto repair garage and office building containing 4,838 square feet. The building was constructed in 1964 with average quality materials and is in average condition.

The property is located in the CDD4 Corridor Design Development zone and is a pre-existing non-permitted use.



View of 541 New Haven Avenue, Milford

Appraiser MacCormack opined the Highest and Best Use is continued office garage use.

**Before Valuation:** A 29-Point Real Estate Appraisal Report was prepared by independent Appraiser Steven MacCormack, as of 5/08/2019. He completed a *Land Valuation, Sales Comparison Approach* and an *Income Capitalization Approach*.

In MacCormack's *Land Valuation* he utilized 3 sales in Milford that sold between 2016 and 2017.

LAND SALES SUMMARY						
Sale	Location	Area (acres)	Zone	Sale Date	Sale Price	Sale Price Per Acre
1	63-69 Plains Road Milford, CT	0.55	CDD1	5/26/17	\$270,000	\$490,909
2	364 Bridgeport Avenue (US-1) Milford, CT	0.55	CDD2	2/16/17	\$520,000	\$945,455
3	1698 & 1700 Boston Post Road (US-1) Milford, CT	3.84	CDD5	6/16/16	\$2,250,000	\$585,938
Subject: 541 New Haven Avenue Milford, CT		0.68	CDD4			

Sale #1 included a single family dwelling that was razed to permit redevelopment of the site with a 12-unit residential condominium complex.

Sale #2 was sold with approvals in place to develop the site with a Dunkin Donuts franchise location.

Sale #3 included a former motel that was razed after purchase. The site remains unimproved and is utilized for car storage for a local new car dealership.

After adjusting for site characteristics including shape, frontage, wetlands and flood zone, as well as proximity to I-95 the Appraiser concluded a Land Value of \$350,000/acre (\$8.03/sf), or \$238,000.

Site improvements include about 10,000 SF of paved parking areas valued at \$3.00/SF new less 50% depreciation or \$15,000 (10,000 SF X \$3.00/SF \$30,000 X 50%) and about \$25,000 for curbs, drainage, business signs and landscaping and building mounted lights for a total value of \$40,000 for site improvements.

In MacCormack's *Sales Comparison Approach* he utilized 3 sales in Milford that sold between 2015 and 2018.

SUMMARY OF PROPERTY SALES					
Sale	Location	Sale Date	Sale Price	Bldg. Area (SF)	Sale Price/Sq. Ft.
1	6 Golden Hill St. & 8 W. Town St. Milford, CT	1/12/18	\$450,000	3,120	\$144.23
2	105 Boston Post Road (US-1) Milford, CT	11/7/16	\$840,000	5,094	\$164.90
3	570-574 Bridgeport Avenue (US-1) Milford, CT	8/17/15	\$1,000,000	4,278	\$233.75
Subject:	541 New Haven Avenue Milford, CT			4,838	

All comparable sales are similar in terms of use.

After adjusting for site characteristics including shape, frontage, visibility, wetlands and flood zone, as well as building characteristics including age, size and quality, the Appraiser concluded a Property Value of \$110.00/sf, or \$532,180, rounded to \$530,000.

In MacCormack's *Income Capitalization Approach* he utilized three listings of commercial properties in the greater Milford area.

SUMMARY OF OFFICE GARAGE RENTALS						
#	Address Tenant/User	Leased Area (Sq. Ft.)	Rent/ Sq. Ft.	Lease Date	Lease Term	Lease Conditions/Comments
1	1355 East Main Street Torrington, CT	11,505	\$11.00	Available	3-5 yrs.	NNN 11,505 SF Auto Repair building built in 1949 in average condition.
2	325 Campbell Road West Haven, CT	14,500	\$19.00	Available	3-5 yrs.	NNN 14,500 SF Auto Dealership building built in 1948 to be in good condition.
3	345 Forbes Avenue New Haven, CT	4,400	\$7.55	Available	3-5 yrs.	NNN or \$9.55/SF Mod. Gross for Auto Repair space built in 1960 in average cond.

Rental #1 is a former new/used car dealership with service garage.

Rental #2 is a former new/used car dealership with service garage.

Rental #3 is a vacant service garage.

After adjusting for location, access and visibility, the Appraiser concluded a stabilized Rental Value of \$12.00/sf on a triple-net basis.

After deducting for market-based vacancy and expenses, the Appraiser selected a 0.0775 (7.75%) Overall Capitalization Rate concluding the value as indicated by the Income Capitalization Approach was, \$640,490, rounded to \$640,000, calculated as follows:

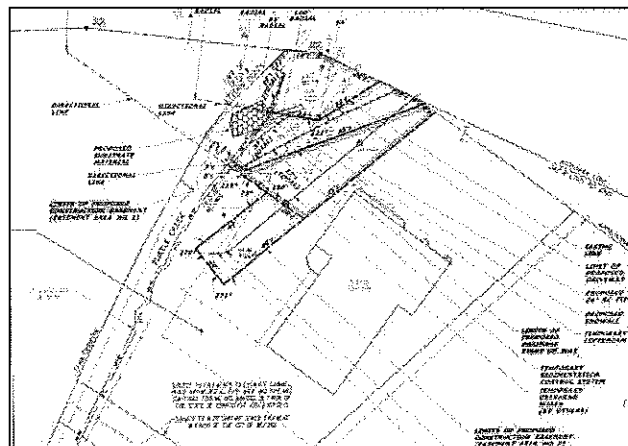
INCOME APPROACH SUMMARY		
541 New Haven Avenue, Milford, CT		
<b>Income</b>		
Gross Building Area (GBA)	4,838 SF	
Gross Leasable Area (GLA)	4,838 SF	
Potential Gross Income (\$12.00/SF)		\$ 58,056
Less: Vacancy and Coll. Loss at 5%		(\$ 2,903)
Effective Gross Income		\$ 55,153
<b>Expenses</b>		
Reserves for Replacements (6% of EGI)	\$3,309	
Management (1% of EGI)	\$2,206	
Total Expenses		(\$ 5,515)
Net Operating Income		\$ 49,638
Overall Capitalization Rate	0.0775	
Stabilized Value		\$640,490
Less Commissions		(\$ 0)
Less Rent Loss		(\$ 0)
Income Approach Value Conclusion		\$640,490
Value Conclusion (rounded)		\$640,000
Value Per SF of GBA		\$132.29/SF

The appraiser reconciled the approaches to value and arrived at a Before value of \$550,000.

The town assessment records tax the property based on \$525,340 (100% value) based on a 2016 town-wide revaluation.

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

1. Partial taking of 957± sq.ft. of land;
2. Easement Area #1 contains 1,522± sq. ft. of land and is for the purpose of access, temporarily relocating overhead wires and installation temporary sedimentation control system; and
3. Easement Area #2 contains 843± sq. ft. of land and is for the purpose of temporarily relocating overhead wires, utility poles and guy wire during the replacement of the bridge.



The following is a summary of the effects of the taking:

1. A loss of land area, including loss of 3 parking spaces;
2. Loss of approximately 500 sf of asphalt paved parking area;
3. Loss of curbing, drainage, business signs, landscaping and building mounted lights;
4. Temporary loss of five parking spaces;
5. Temporary loss of west side driveway and utilization of the rear parking lot for large trucks.

**After Valuation:** Independent Appraiser MacCormack utilized the same three comparable sales utilized in the Before Valuation in the *Land Valuation*, and concluded the same per-acre value of \$350,000, valuing the site in the After Valuation at \$225,000.

Site improvements include about 9,500 SF of paved parking areas valued at \$3.00/SF new less 50% depreciation or \$14,250 (9,500 SF X \$3.00/SF \$28,500 X 50%) and about \$23,000 for curbs, drainage, business signs and landscaping and building mounted lights less the loss of the associated landscaping for a total value of \$37,250 for site improvements.

In MacCormack's 'After' *Sales Comparison Approach* he utilized the same 3 sales in Milford, opining that the overall value would be diminished by ½ of 1% as a result of the loss of land (957 sf) and an decrease in the land-to-building ratio from 6.12:1 to 5.92:1, resulting in an overall value of \$100.50/sf, or \$486,219, rounded to \$485,000.

In MacCormack's 'After' *Income Capitalization Approach* he utilized the same six listings of

commercial properties in Milford opining that the overall rental value would be diminished by \$0.85/sf as a result of the loss of land (957 sf) and 3 parking spaces, concluding a stabilized Rental Value of \$11.15/sf on a triple-net basis.

After deducting for market-based vacancy and expenses, the Appraiser selected a 0.0775 (7.75%) Overall Capitalization Rate concluding the value as indicated by the Income Capitalization Approach was \$595,123, rounded to \$595,000.

The appraiser reconciled the approaches to value and arrived at an After value of \$505,000.

**Estimate of Damages:**

<i>Item</i>	<i>Damages</i>
Market Value – Before the Taking:	\$550,000
Market Value – After the Taking:	\$505,000
Total Damages:	\$45,000

In addition to the Damages based on the value of the acquisition, Appraiser MacCormack estimated Temporary Damages as a result of the two construction easements.

**Calculation of Temporary Damages**

Appraiser MacCormack calculated Temporary Damages due to the Temporary Construction Easements as follows:

- Easement #1: Temporary Damages 1,522±sf (0.0349403 ac) x \$350,000/ac x 10% x 2 yrs = \$2,446
- Easement #2: Temporary Damages 843±sf (0.0193526 ac) x \$350,000/ac x 10% x 2 yrs = \$1,354

**Calculation of Severance Damages**

Appraiser MacCormack opined that the overall utility of the site is impacted by the loss of large-truck parking and a 50% decreased driveway access (primarily egress - loss of 1 out of 2 driveways for two years). Damages are based upon an estimated 35% overall damage to the existing property value as currently improved, calculated as follows:

$$\$550,000 \times 35\% = \$192,500 / 10 \text{ years} \times 2 \text{ years} = \$38,500$$

The Appraiser opined further that the \$38,500 severance damage is reasonable considering that the cost to replace the lost parking at an off-site location is estimated at \$24,000 and the remaining \$14,500 for the inconvenience of the lost driveway, as well as time/travel to/from the off-site parking for the two years.

Total Temporary Damages are then \$2,446 + \$1,354 + \$38,500 = \$42,300, rounded to \$43,000.

Total Permanent and Temporary Damages are then \$45,000 + \$43,000 = \$88,000.

**RECOMMENDATION:** Board approval of damages in the amount of \$88,000 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 appraised value is consistent with that of the property damages approved by the Board under PRB # 19-140 (517 New Haven Ave).



5. **ARCHITECT-ENGINEER - UNFINISHED BUSINESS**
6. **ARCHITECT-ENGINEER - NEW BUSINESS**
7. **OTHER BUSINESS**

DAS' Shane Mallory provided an update to the new Lease at 2 Courthouse Square, Norwich with respect to the tenant improvements required by the new Lease.

8. **VOTES ON PRB FILE:**

**PRB FILE #19-207** – Mr. Halpert moved and Mr. Berger seconded a motion to approve PRB FILE #19-207. The motion passed unanimously.

**PRB FILE #19-208** – Mr. Halpert moved and Mr. Berger seconded a motion to approve PRB FILE #19-208. The motion passed unanimously.

9. **NEXT MEETING** – Monday, October 21, 2019

The meeting adjourned.

APPROVED:  Date: 10/21/19  
John Valengavich, Secretary