

STATE PROPERTIES REVIEW BOARD

Minutes of Special Meeting Held On October 1, 2020 – 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 a Regular Meeting at 9:30AM on October 1, 2020 remotely via telephone conference at (866)-692-4541, passcode 85607781.

Members Present:

Edwin S. Greenberg, Chairman
Bruce Josephy, Vice Chairman
John P. Valengavich, Secretary
Jack Halpert
Jeffrey Berger
William Cianci

Members Absent:

Staff Present:

Dimple Desai
Thomas Jerram

Guests Present

Chairman Greenberg called the meeting to order.

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 September 29, 2020 and September 30, 2020 Meetings. The motion passed unanimously.

2. COMMUNICATIONS

Director Desai informed the Board that the Board's Annual Report to the Governor, due today, was delivered to the Governor on September 30, 2020 and is posted on the Board's website. Director Desai also informed the Members of an email communication from DAS Deputy Commissioner Petra regarding the Annual Report.

3. REAL ESTATE- UNFINISHED BUSINESS

4. REAL ESTATE – NEW BUSINESS

PRB #	20-180
Transaction/Contract Type:	RE – Voucher
Origin/Client:	DOT/DOT
Project Number:	018-135-012
Grantor:	William M. Lavelle, Trustee
Property:	Brookfield, Federal Rd (328)
Project Purpose:	Safety Improvements along Route 202
Item Purpose:	Voucher

DAMAGES: \$14,000

DOT PROJECT: The purpose of this project is to improve safety on the lower portion of Route 202 (Federal Road) for all users. The project limits are from the driveway of BJ's/Kohl's to the intersection of Route 202 (Federal Road) and Route 133 (Junction Road).

The project consists of four (4) intersection safety improvements:

- The construction of a southbound dedicated left-turn lane into Chick-Fil-A and Shop Rite plaza.
- The installation of a traffic signal at the intersection of Beverly Drive and Hardscrabble Road.
- The installation of a traffic signal at the southern intersection of Route 202 and Old New Milford Road.
- The removal of one of the two traffic signals at the northern intersection of Route 202 and Old New Milford Road.

The project also proposes the widening of the roadway along the corridor to provide 4-foot shoulders to improve safety for bicyclists. In addition, the project will include the construction of 5-foot sidewalks to accommodate pedestrian traffic along the corridor.

The present schedule indicates that the design will be completed in January 2021, with construction anticipated to begin in summer 2021. The estimated construction cost for this project is approximately \$6.0 million, anticipated to be undertaken with 80% federal funds and 20% state funds.

Subject Property Description, Before the Taking: The subject property (per appraisal) consists of a commercially-zoned, 25,700 square foot (0.59 acre) lot, with frontage on both Federal Road and Old New Milford Road, improved with a multi-tenant office/at building containing 1,852 sf of gross building area, constructed in 1930 and a multi-tenant office/garage containing 1,320 sf of gross building area, also constructed in 1930. The property is located at the northerly fringe of an intensely developed retail/commercial neighborhood known as the 'Miracle Mile.' The property is pre-existing non-conforming regarding site requirements. The highest and best use is for continued mixed commercial/residential use as improved.



Southeasterly.



Northwesterly.



Northeasterly.

Before Valuation: A Value Finding appraisal report that valued the land only was done by DOT Appraiser Matthew Malia as of July 6, 2020. Improvements are not impacted by the taking are assigned an “X” value.

Land Valuation: Based on the sales comparison approach, the appraiser analyzed three sales of commercially-zoned land in Brookfield (2) and New Milford (1) concluded that the fair market value of the subject land was \$14/square foot, or

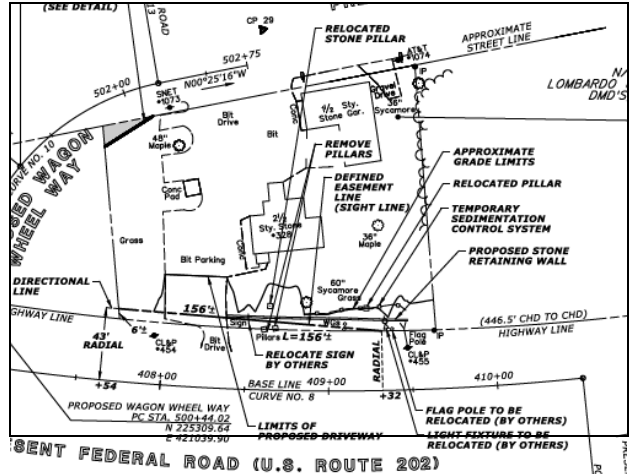
Item	Calculation	Value
Fee Simple	25,700 sf x \$14/sf	\$359,800
Site Improvements	Lump Sum	\$3,000
	Total	\$362,800
	Rounded	\$363,000

Affected site improvements is the removal of a 60” sycamore tree from the site proximate to the right to grade area.

Improvements on the site are not impacted and assigned an “X” value.

The Taking: DOT will acquire the following:

1. A partial take of 186± sq.ft. of land;
2. A defined sight line easement acquired over an area of 686± sq.ft.;
3. Right to install sedimentation control system acquired over an area of 61± LF;
4. Right to grade, construct driveway and construct stone retaining wall acquired over an area of 2,576± sq.ft; and
5. Right to relocate stone pillars acquired.



After Valuation:

Land Valuation: Based on the sales comparison approach, the appraiser analyzed the same three sales of land in the Before and concluded that the fair market value of the subject land was \$14/square foot, or

Item	Calculation	Value
Fee Simple	24,828 sf x \$14/sf	\$347,592
Defined Sight Line Easement	686 sf x \$14/sf x 15%	\$1,441
Total		\$349,033
<i>Rounded</i>		\$349,000

Calculation of Permanent Damages

Item	Value
Before Valuation	\$363,000
After Valuation	\$349,000
Permanent Damages	\$14,000

Staff inquired with DOT regarding the following:

1. Please reconcile the Appraiser’s value conclusion under this proposal of \$14/sq.ft. with the conclusion the abutter under 018-135-002 (PRB #19-128) at \$8.00/sq.ft. (Grantor: Lavelle) and 018-135-011 (PRB #20-040) at \$7.00/sq.ft. (Grantor: Hawley).

DOT Response: The following is an explanation of SPRB concerns:

18-135-7 (2)

This was the abutting property to the subject. The original appraisal (staff appraiser) was completed in March of 2019. The land value established at that time was \$8/psf. This lot was extremely small with shared driveway for access. This lot was inferior in utility due directly to the size of the parcel and the fact that it would be extremely limited on any commercial development. Please note also that 2 of the 3 sales used in the subject property valuation where not considered (sold after) in this valuation and were much higher.

18-135-2 (11)

This property was similar in size, however was located further north, considered to be located in a less desirable area than the subject property (mainly commercial/retail area). In addition to the location, the topography, access and utility were clearly inferior to the subject property. The original appraisal (outside fee appraiser) was completed in November of 2019. The land value established at that time was \$7/psf.

My staff has completed the majority of the appraisals within the 18-135 project and have concluded that the majority of the unit values fall in line with the above subject property, however there are

occasions (as listed above) that based on the locational and physical characteristics of the property, the unit value may fall below the normal. If there are any other questions, please direct them to me, thank you.

Staff Response: OK

RECOMMENDATION: Board approval of damages in the amount of \$14,000 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 damages are supported by the DOT Appraisers estimate of value.



PRB #	20-181
Transaction/Contract Type:	RE – Lease
Origin/Client:	DOT/DOT
Project Number:	102-125-106A
Lessee:	City of Norwalk
Property:	Norwalk, Old Belden Hill Rd (60,500 sf)
Project Purpose:	Norwalk River Valley Trail (NRVT)
Item Purpose:	5-Year Lease

Lease Price: \$0

Project Background:

Wil Walk is the 4.8 mile section of the NRVT Trail connecting the Wilton and Norwalk segments of the trail. Presently in the design and planning stages, construction is planned for 2020. Funded by a \$1.3 million CT DEEP grant, NRVT is committed to raise the required match of \$275,000. We hope that corporations along the route will appreciate its value to their employees and support our efforts. Approximately \$200,000 has been raised to date for towards the \$275,000 match.

Building the WilWalk Section

4-to-1 Match: \$275,000 in local fundraising will trigger \$1.1 million CT DEEP grant
Every dollar donated will trigger four dollars of grant money.

Benefit: Improve the health and well-being of employees and residents
Schedule: Build first 1.2 miles in 2020. In red on map
Location: Power line corridor, between Wolf Pit Rd., Wilton and Grist Mill Rd., Norwalk
Funding: \$1.3 million grant: CT Dept. of Energy & Environmental Protection (DEEP)

4-to-1 Match: NRVT’s \$275,000 in local donations will trigger \$1.1 million in grant dollars
Trigger: \$200,000 raised so far, \$75,000 to go.

Under this proposal, DOT will lease an irregularly-shaped, 60,500 square foot parcel of land for part of the Trail from Old Belden Hill Road and terminating at the Wilton Town line, for patrons utilizing NRVT.

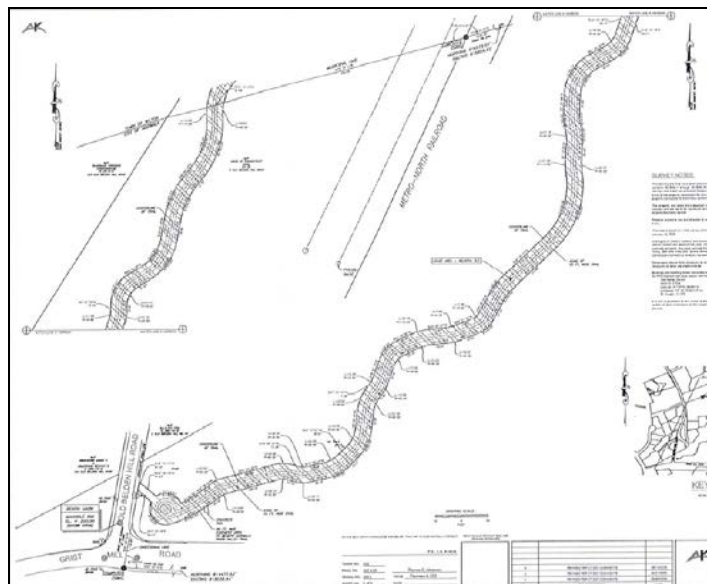
The terms of the lease are as follows:

Lessee	City of Norwalk
Premises	60,500 square feet
Use	Restricted to use as part of the NRVT (Section 1 of Lease Out)
Term	Five years commencing upon AG approval, two (2), five-year options to extend
Termination	Either party can terminate with 30 days’ notice, with or without cause
Rent	\$0.00/month.
Utilities, costs	All by tenant, if available (no electric, gas, sewer or water currently at site)
Other	Lease includes specifications as contained in “Standard Highway Lease Specifications & Covenants: Governmental” dated 4/1/2019, which are attached to the lease. The specifications include insurance and indemnification requirements.

The Lessee executed the Lease on July 27, 2020. The Lessor executed the Lease on August 14, 2020. OPM approved the Lease agreement on September 1, 2020.

RECOMMENDATION: Board approval of the lease-out agreement to City of Norwalk is recommended for the following reasons:

- The commissioner of transportation has the authority under CGS §13a-80 to enter into lease agreements, subject to the approval of OPM (received 9/01/2020), the SPRB & the AG.
- This is an irregularly shaped strip of land containing 60,500 square feet commencing at Old Belden Hill Road and terminating at the Wilton Town line to be used as part of the NRVT and no other use.
- The Lessee pays no rent. The term of the lease is for 5 years, commencing upon approval of the AG. The lease includes two (2) additional five-year options, subject to a review and update of the rental fee. The State reserves the right to terminate the lease with 30 days’ notice.





PRB # 20-186
Transaction/Contract Type: RE – Town Road Release
Origin/Client: DOT/DOT
Project Number: 58-35-1I
Grantee: City of Groton
Property: Groton, Bridge St No.1 @ Spicer Avenue No.1
Project Purpose: Construction of Thames River Bridge
Item Purpose: QC Deed

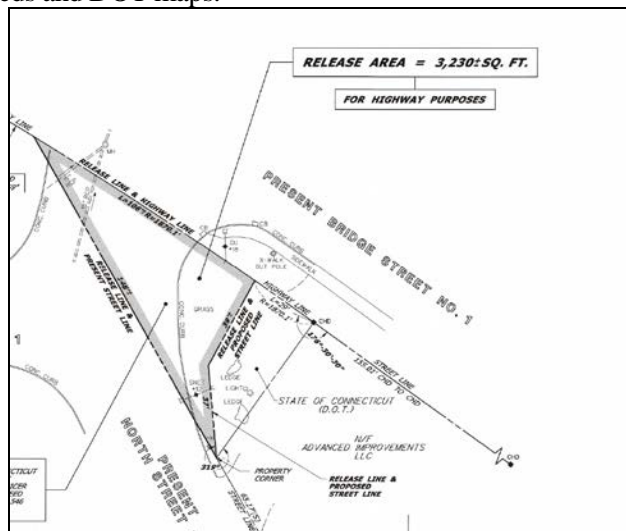
CONVEYANCE FEE: \$0

At the June 8, 2020 SPRB Meeting, the Board approved PRB #20-089, conveying a remnant parcel of land Groton to the Town of Groton. The AG approved the QC Deed on June 16, 2020. Upon delivery of the deed to the Town of Groton, DOT was notified that the property is actually located in the City of Groton, a separate body politic under state statute (one of very few in state).

Under this proposal (PRB #20-186), DOT is now seeking approval of the Quit Claim Deed releasing the land to the City of Groton.

RECOMMENDATION: Staff recommend **approval** of this Quit Claim Deed to assign the land acquired by the State to the City of Groton is recommended for the following reasons:

1. The conveyance complies with Section 13a-80 of the CGS governing the release of excess 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 acquisition deeds and DOT maps.



From PRB #20-089

In 1942 DOT acquired land in conjunction with the construction of Thames River Bridge. As part of a request for an adjacent property, it was determined this 3,230 square foot property should be released to the City. This is a release of land and easements acquired for highway purposes only and there is no monetary consideration.

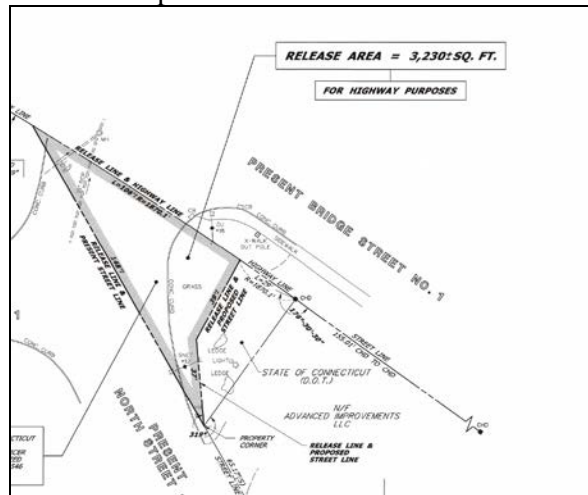
DOT informed staff that there are many older acquisitions that were not subject to an Agreement, requiring release to the host municipality. DOT conveys these parcels as they are utilized and maintained by the host municipality.

The Quit-Claim deed releases the following:

For the State's source of title to the premises herein conveyed, reference is made to an acquisition by the State of Connecticut from Edward E. Spicer, recorded on May 8, 1942 in Volume 104 at Page 546 of the Groton Land Records.

RECOMMENDATION: Staff recommend **approval** of this Quit Claim Deed to assign the land acquired by the State to the City of Groton is recommended for the following reasons:

1. The conveyance complies with Section 13a-80 of the CGS governing the release of excess 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 acquisition deeds and DOT maps.



5. ARCHITECT-ENGINEER - UNFINISHED BUSINESS

6. ARCHITECT-ENGINEER - NEW BUSINESS

7. OTHER BUSINESS

Mr. Greenberg moved and Mr. Berger seconded a motion to approve Board and Mileage Fees for Vice Chairman Josephy's 9-29-2020 Site Visit to Columbia related to PRB #20-179-A.

Mr. Josephy moved and Mr. Berger seconded a motion to approve Board and Mileage Fees for those Members Greenberg, Halpert and Berger attending the 9-29-2020 Site Visit to Columbia related to PRB #20-179-A.

8. VOTES ON PRB FILE:

PRB FILE #20-180 – Mr. Valengavich moved and Mr. Berger seconded a motion to approve PRB FILE #20-180. The motion passed unanimously.

PRB FILE #20-181 – Mr. Valengavich moved and Mr. Halpert seconded a motion to approve PRB FILE #20-181. The motion passed unanimously.

PRB FILE #20-186 – Mr. Halpert moved and Mr. Berger seconded a motion to approve PRB FILE #20-186. The motion passed unanimously.

9. NEXT MEETING – Monday, October 5, 2020

The meeting adjourned.

APPROVED: _____ **Date:** _____
John Valengavich, Secretary