#### STATE PROPERTIES REVIEW BOARD

#### Minutes of Meeting Held On July 8, 2021 – 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 its Regular Meeting at 9:30AM on July 8, 2021 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**

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 July 6, 2021 Meeting. The motion passed unanimously.

## 2. COMMUNICATIONS

Staff presented the Board with a monthly voucher statement pursuant to CGS 13a-73(h) identifying DOT real estate acquisitions for less than \$5,000.

Staff presented the Board with a newspaper article published in the Waterbury Republican American regarding the closure of Weigold Farm in Torrington, a farm that was preserved as farmland under CGS §22-26cc and approved by the Board under PRB #09-035-A.

## 3. REAL ESTATE- UNFINISHED BUSINESS

## 4. REAL ESTATE – NEW BUSINESS

PRB #	21-096
Transaction/Contract Type:	RE – Voucher
Origin/Client:	DOT/DOT
DOT Project #:	034-347-014
Grantee/Grantor:	Robert P. Cicarelli
Property:	Danbury, Old Newtown Rd (11)
Project Purpose:	Intersection and Safety Improvements on Newtown Rd (RT 806)
Item Purpose:	Voucher

## DAMAGES: \$27,700

**PROJECT:** The purpose of this Danbury project is to provide intersection improvements on Newtown Road at Old Newtown Road and to provide safety improvements on Newtown Road between Old Newtown Road and Plumtrees Road and between Eagle Road and Industrial Plaza Drive. Proposed work consists of widening Newtown Road from the Public Works Complex driveway to Plumtrees Road. This widening would provide two through lanes in each direction and exclusive left-turn lanes at the two intersections. The widening would also incorporate a raised median between Old Newtown Road and Plumtrees Road, wider shoulders, and upgraded pedestrian facilities. The intersection at Old Newtown Road would be normalized and a new driveway providing access to the Public Works Complex and future commercial development is proposed on its south side. The estimated construction cost for this project is approximately \$9.8 million. This project is anticipated to be undertaken with 80% Federal funds and 20% State funds.

**SITE DESCRIPTION:** The subject property consists of an irregularly-shaped 0.85 acre site with approximately 255 of frontage on the southwesterly side of Old Newtown Road and an additional 77' of frontage along the southeasterly side of Broad Street. The site slopes upward above the grade of Old Newtown Road. The site is improved with a 19,200 square foot office/industrial building constructed in 1989.

The site is located in the IL-40 Industrial zone and conforms to zoning regarding use, but is pre-existing non-conforming regarding site requirements.



View of the subject property's office/warehouse as seen from Old Newtown Road. This photo was taken facing east. The trees within the Drainage Right of Way area had already been removed prior to this photo being taken.

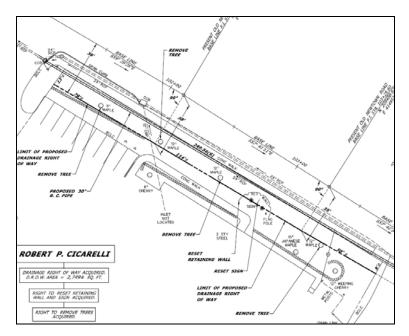


View of the approximate location of the Drainage Right of Way. This photo was taken facing southeast along Old Newtown Road from its intersection with Broad Street.

The Appraiser opined the highest and best use of the property is for continued office/industrial use.

The State of Connecticut proposes to acquire the following:

- A Drainage Right of Way acquired over an area of 2,749+/- square feet;
- A Right to Reset Retaining Wall and Sign acquired; and
- A Right to Remove Trees acquired (four trees specifically called out on the acquisition map that will be removed).



**Value Finding** – DOT Appraiser Matthew Malia appraised the property (land), as of February 23, 2021. The Appraiser utilized three similarly-zoned sales in Danbury (2) and Bethel (1) that sold between 2018 and 2020, and concluded the market value of the subject property was \$11/sq.ft., with value of the impacted areas as follows:

Item	Calculation	Damages
Drainage Right of Way	2,749± SF @ \$11/SF x 75%	\$22,679
Contributory Value of Trees and landscaping	Lump sum	\$5,000
	Total:	\$27,679
	Rounded	\$27,700

Staff inquired with DOT regarding the following:

- Please clarify how the contractor proceeded to remove trees from the subject property prior to DOT's completion of its acquisition.
  <u>DOT Response</u>: Once construction began it was identified that there were two (2) additional properties that required additional property rights be acquired. The owner for serial no 14 signed a right of entry on October 16, 2020 giving us permission to begin work on the property while the acquisition of the property rights were being valued and acquired." Staff Response: OK
- Did the contractor also perform construction related to the drainage right-of-way was well? <u>DOT Response</u>: "The subject project 34-347 was advertised with a waiver on August 21, 2019. The right of way for the subject project was certified as being complete on November 26, 2019. <u>Staff Response</u>: OK

**RECOMMENDATION**: Board **approval** of damages in the amount of \$27,700 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 acquisition value is supported by the DOT appraisal report completed by M. Malia.
- 3. The acquisition is consistent with the valuation of the abutter, as part of this project, reviewed under PRB #19-137.

# 5. ARCHITECT-ENGINEER – UNFINISHED BUSINESS

## 6. ARCHITECT-ENGINEER – NEW BUSINESS

## 7. OTHER BUSINESS

# 8. VOTES ON PRB FILE:

**PRB FILE #21-096** – Mr. Valengavich moved and Mr. Halpert seconded a motion to approve PRB FILE #21-096. The motion passed unanimously.

## 9. NEXT MEETING – Monday, July 12, 2021.

The meeting adjourned.

APPROVED:	Date:

John Valengavich, Secretary