

# STATE PROPERTIES REVIEW BOARD

## Minutes of Meeting Held On August 5, 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 August 5, 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

Beth Waldrep, Cantina Hospitality

Chairmen Greenberg asked if there were any visitors to be announced. Other than the individual listed above, there were two other participants who chose not to identify themselves.

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 August 2, 2021 and August 4, 2021 Meetings. Mr. Josephy requested the Minutes of the August 4, 2021 be amended to include one participant not referenced in the draft copy. The motion passed unanimously, as amended.

### 2. COMMUNICATIONS

### 3. REAL ESTATE- UNFINISHED BUSINESS

### 4. REAL ESTATE – NEW BUSINESS

<b>PRB #</b>	21-108
<b>Transaction/Contract Type:</b>	RE – Conveyance of Land
<b>Origin/Client:</b>	DOT/DOT
<b>DOT Project #:</b>	53-000-60A
<b>Grantee</b>	Town of Glastonbury
<b>Property:</b>	Birch Mountain Road (Lot E0001B) – 10,185 sf land
<b>Project Purpose:</b>	Conveyance of Land for Open Space Purposes only
<b>Item Purpose:</b>	Quit Claim Deed

**Sale Price:** \$0 – Town paying \$1,000 Administrative Fee

Project Background

At the January 26, 2021 Glastonbury Town Council meeting, a public hearing was held with respect to the Town acquiring approximately 30 acres of land on Birch Mountain Road in Glastonbury. Subsequent to the public hearing, the Town Council voted (9-0) in favor of acquiring the property for \$390,000. The Town completed the purchase on March 18, 2021.

In a January 28, 2021 Journal Inquirer article written by Alex Wood, the Glastonbury Town Manager described the issues with parking for individuals to access the proposed property to be acquired, and stated the following:

Town Manager Richard J. Johnson said there would be room for “maybe two or three cars” to park near an access point to the open space land on Hill Street. But he said the best access to the property would be from Birch Mountain Road.

The property the town plans to acquire includes a corridor of land about 50 feet wide connecting the open space property to Birch Mountain Road.

Johnson said he has seen a “for sale” sign on a piece of state-owned property on Birch Mountain Road, which he said could become a nice informal parking area for visitors to the open space property.



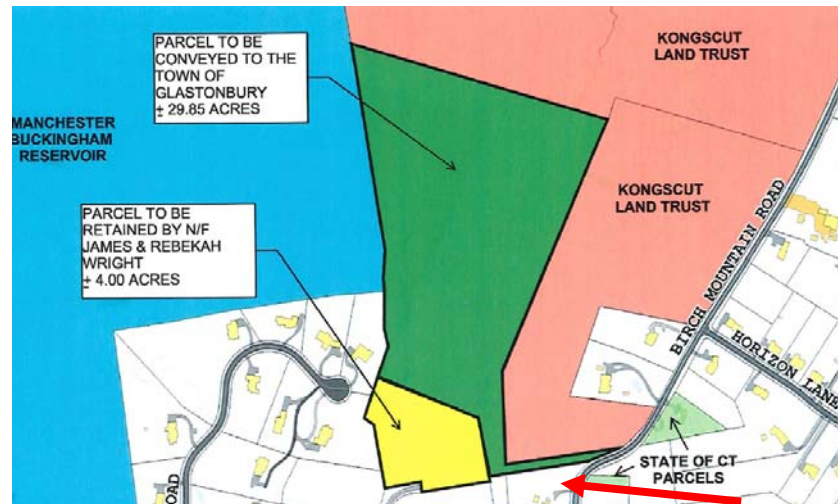
The property is also included in the DOT web-site as a ‘Potential Property’ for sale, listed for \$75,000.

<https://portal.ct.gov/DOT/Properties/Potential-Properties/53-000-60A--Glastonbury--Item-827--STILL-AVAILABLE>

Under this Proposal (PRB #21-108), DOT seeks SPRB approval of a conveyance of 10,185 square feet of land on Birch Mountain Road to the Town of Glastonbury, for an Administrative Fee of \$1,000.

The property is conveyed to the town with the following rights/restrictions:

‘The parties hereto understand and agree that the above-described premises are conveyed with the special limitation that said premises shall be used for Open Space Purposes with the stipulation that the tower and shed are to be removed; and in the event that said premises are used for any other purpose whatsoever than that specified herein, then said premises shall revert to the State of Connecticut.’



At the April 27, 2021, the Glastonbury Town Council voted (9-0) to refer this acquisition to the Zoning Commission to obtain a Section 8-24 referral. In a communication from the Town Manager to the Town Council, it was stated:

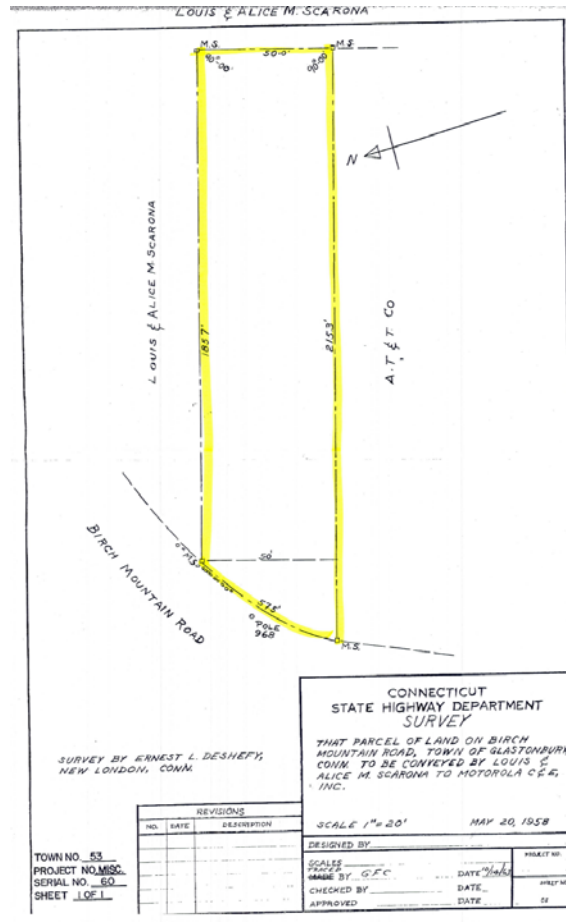
The parcel previously served as a communications tower location including a tower and small support structure now decommissioned. Subject to Town purchase, the structure will be removed and efforts made to repurpose the communication tower at minimal or no cost. This site can accommodate a 10±-space gravel parking area with a short section of sidewalk to a crossing on Birch Mountain Road.

At the following May 11, 2021 Town Council meeting voted (9-0) to approve the acquisition of the Birch Mountain Road Lot.

Staff inquired with DOT regarding the following:

- Please clarify how the Town’s proposed use of the 10,185 square foot site for gravel parking for approximately 10-cars complies with the Open Space use restriction.  
DOT Response: The deed will be revised to incorporate the public parking and will be resubmitted for statutory approvals.  
Staff Response: OK
- Please clarify if any other offers were received based on the DOT web-based listing this property for sale as a ‘Potential Property.’  
DOT Response: Attached, is the bid history for the subject file.  
Staff Response: The property was listed in 2015 for \$185,000 with only one response for \$10,000.

**RECOMMENDATION:** Staff recommend **suspension** of this Quit Claim Deed to assign the land to the Town of Glastonbury pending DOT incorporating the public parking use into the Quit Claim Deed.



**PRB #** 21-109  
**Transaction/Contract Type:** RE – Town Road Release  
**Origin/Client:** DOT/DOT  
**DOT Project #:** (151)182-03-10H  
**Grantee:** City of Waterbury  
**Property:** Waterbury, Reidville Dr @ Kukas Ln – 52,160 sf land  
**Project Purpose:** Relocation of Interstate 84  
**Item Purpose:** Quit Claim Deed

At 9:45 Ms. Waldrep joined the meeting to participate in the Boards review and discussion of this Proposal. Ms. Waldrep left the meeting at 9:53.

**CONVEYANCE FEE: \$0**

In 1950 and 1959 DOT acquired two parcels of land for the construction of Interstate 84. The property was subsequently identified by DOT as surplus to its needs and initiated the disposition process.

Under this Proposal (PRB #21-109), DOT is seeking SPRB approval to release this 52,160 square foot parcel of land to the City of Waterbury for Highway Purposes. This is a release of land acquired for highway purposes only and there is no monetary consideration.

DOT has 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 original request for the subject property was submitted by Mr. Brian Batista of Waterbury Family Limited Partnership, the sole abutter (as he own Kukas lane a private road). While processing this request, an eastern abutter John Lombard, contacted Property Management to obtain an access easement from the State across the release parcel to remedy poor site line issues from his property across existing Kukas Lane onto Reidville Drive. Property Management staff reached out to the City to discuss claims from Mr. Lombard as he represented that he was speaking with the City of Waterbury whom was proposing to make site improvements along Kukas Lane and Reidville Drive (a Town road). Subsequently, The City sent a formal request for the property to the Commissioner of Transportation. Mr. Battista was informed that the Department would be conveying this parcel to the City for highway purposes and his deposit to initiate this transaction was returned.

The property will be conveyed to the City for highway purposes with a reverter-clause that should the property not be utilized for highway purposes only, the parcel will revert back to the State.

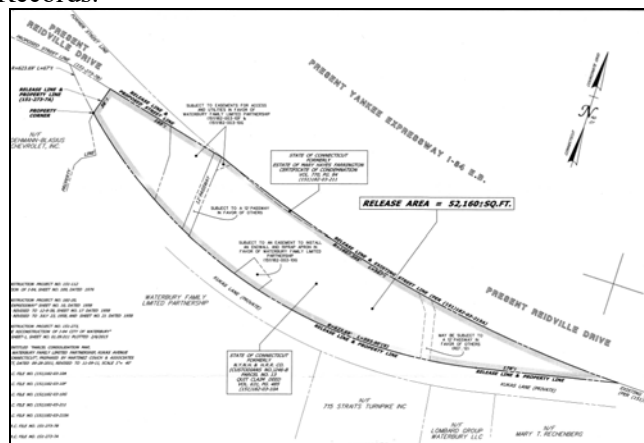
The city of Waterbury, in their request to DOT, stated the following:

The property currently owned by the State, is vital to the economic growth of the municipality and region, and is necessary for local road purposes. Specifically, a twelve inch (12") City water main traverses the full length the parcel. It is essential that this primary feeder line be protected through City ownership as it currently serves numerous commercial and industrial developments in the Reidville Drive neighborhood and is of sufficient size to service many more acres of potentially developable land. Furthermore, a portion of the parcel serves as a detention basin by receiving storm water runoff from adjoining Reidville Drive. Acquisition of the parcel will allow the City the ability to control drainage in a manner that supports the overall design, functionality and safety of the highway corridor.

This communication is consistent with the DOT sale of 41,887 sq.ft. (151-273-007A) to the sole abutter at 160 Reidville Drive, reviewed and approved by the Board under PRB #21-076.

The Quit-Claim deed releases the following:

- New York, New Haven and Hartford Railroad Company, as contained in a Quit Claim Deed dated May 24, 1950 and recorded in Volume 631 at Page.485 of the Waterbury Land records; and
- Estate of Mary Hayes Farrington, c/o Edward Seery Hayes, Executor, as evidenced by a Certificate of Condemnation recorded on August 7, 1958 in Volume 770 at Page 84 of the Waterbury Land Records.





**RECOMMENDATION:** Staff recommend **approval** of this Quit Claim Deed to assign the land and easements acquired by the State to the City of Waterbury 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 release map.



**5. ARCHITECT-ENGINEER - UNFINISHED BUSINESS**

**6. ARCHITECT-ENGINEER - NEW BUSINESS**

**7. OTHER BUSINESS**

**8. VOTES ON PRB FILE:**

**PRB FILE #21-108** – Mr. Berger moved and Mr. Valengavich seconded a motion to suspend PRB FILE #21-108. The motion passed unanimously.

**PRB FILE #21-109** – Mr. Halpert moved and Mr. Valengavich seconded a motion to approve PRB FILE #21-109. The motion passed unanimously.

**9. NEXT MEETING** – Monday, August 9, 2021.

The meeting adjourned.

**APPROVED:** \_\_\_\_\_ **Date:** \_\_\_\_\_  
John Valengavich, Secretary