

## STATE PROPERTIES REVIEW BOARD

### Minutes of Meeting Held On January 3, 2022 – 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 January 3, 2022 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 December 30, 2021 Meeting. The motion passed unanimously.

#### 2. COMMUNICATIONS

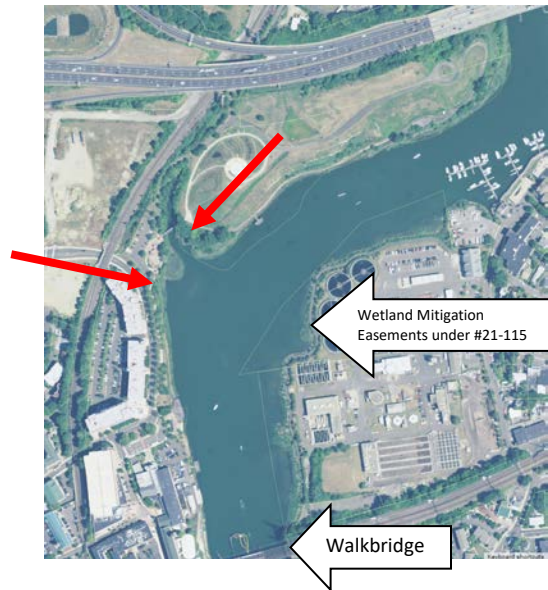
#### 3. REAL ESTATE- UNFINISHED BUSINESS

#### 4. REAL ESTATE – NEW BUSINESS

<i>PRB #</i>	21-187
<i>Transaction/Contract Type:</i>	RE – Voucher
<i>Origin/Client:</i>	DOT/DOT
<i>DOT Project #:</i>	301-176-033A
<i>Grantor:</i>	City of Norwalk
<i>Property:</i>	Norwalk, Crescent St (7) @ North Water St
<i>Project Purpose:</i>	Walk Railroad Bridge
<i>Item Purpose:</i>	Voucher

**DAMAGES: \$139,000**

**DOT PROJECT:** The DOT project involves the Norwalk Railroad Bridge replacement project in the City of Norwalk.



**SITE DESCRIPTION:**

The subject property contains approximately 14.94± acres and consists of a waterfront park known as Oyster Shell Park. The property lies on the easterly side of North Water Street and is bounded to the north by I-95, to the south and the east by the Norwalk River (2,500' frontage) and to the west by a rail corridor owned by the State of Connecticut. The playground and parking lot portion of the property is generally level with the remainder of the property including areas of sloping topography. The property contains wetlands due to a watercourse that traverses a portion of the property.

The park includes a paved parking area for 28 vehicles, a playground area, a wooden pedestrian bridge leading to paved walking/biking paths and a wood deck fronting along the Norwalk River.

The DOT Appraiser noted that the subject property was formerly utilized as a landfill. The landfill was capped and the property was converted to a park.

The property is located in the RPDA and RPDC zone according to the City of Norwalk zoning map. The Reed Putnam Design District (Subareas A & C) allows for a variety of residential, office or mixed use retail uses. The subject property meets the lot size and bulk area requirements of the RPDA/RPDC zones. The subject park and recreational use is allowed by zoning.

Given the former use of the property, its location along the Norwalk River and the wetlands that impact the property, the highest and best use of the property is considered to be the existing waterfront park/recreational use.

**DOT ACQUISITION:** The DOT acquires the acquisition of the following easements:

***Wetland Mitigation Easements***

The purpose of the proposed acquisition is for wetlands mitigation in relation to a project known as "The Walk Railroad Bridge Replacement". The impacts at the subject property include wetland mitigation in portions of land fronting along the Norwalk River. The areas of the subject property impacted by the mitigation easement consist of native vegetation that is typical along a river bed. The proposed mitigation easement area encompasses 18,869± square feet and consists of three easement areas.

Mitigation Easement No.1 consists of 8,022± square feet and is located on the southerly side of the existing walking bridge and extends along the Norwalk River frontage where it terminates before the

existing wood decking that fronts along the river. (See depiction on acquisition map sheets 2 of 3 and 3 of 3).

Mitigation Easement No.2 is located behind the existing stone wall in the vicinity of the playground area and extends downward to the river. This easement area consists of 6,838± square feet. (See depiction on acquisition map sheets 1 of 3 and 2 of 3).

Mitigation Easement No.3 consists of 4,009± square feet and is located along the easterly side of North Water Street bordering the Norwalk River. (See depiction on acquisition map sheet 1 of 3).

### ***Temporary Construction Access Easements***

Construction easement No.1 consists of 6,871± square feet and is for the purpose of providing access from present Water Street to construction easement area No.2. This easement is limited to travel only and is not to be used for storage of equipment or materials and may not impede the use of any existing driveway or parking area(s). This construction easement area will be restored by repaving any disturbed areas. This easement area is estimated to temporarily encumber the property for a period of approximately 6 months.

Construction easement No.2 consists of 7,014± square feet and is for the purpose of storage and laydown of construction materials. This construction easement area will be restored by removing any construction materials and by paving, grading and/or seeding any disturbed areas. This easement area is estimated to temporarily encumber the property for a period of approximately 6 months.

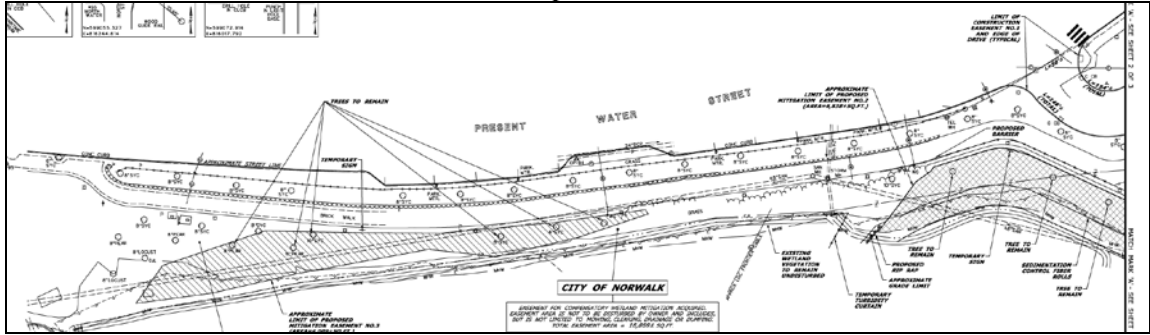
Construction easement No.3 consists of 2,022± square feet and is for the purpose of pedestrian access to the paved pathway and bridge, construction access, construction of temporary access ramp and removal of stone wall. This construction easement will not impede pedestrian access and will be restored by removing any temporary appurtenances, replacing stone wall and by paving, grading and/or seeding any disturbed areas. This easement area is estimated to temporarily encumber the property for a period of approximately 6 months.

Construction easement No.4 consists of 15,315± square feet and is for the purpose of providing construction access, pedestrian access and removal/replacement of bollards. This easement is limited to travel only and is not to be used for storage of equipment or materials and may not impede pedestrian access or the use of any existing driveway or parking area(s). This construction easement area will be restored by repaving any disturbed areas. This easement area is estimated to temporarily encumber the property for a period of approximately 6 months.

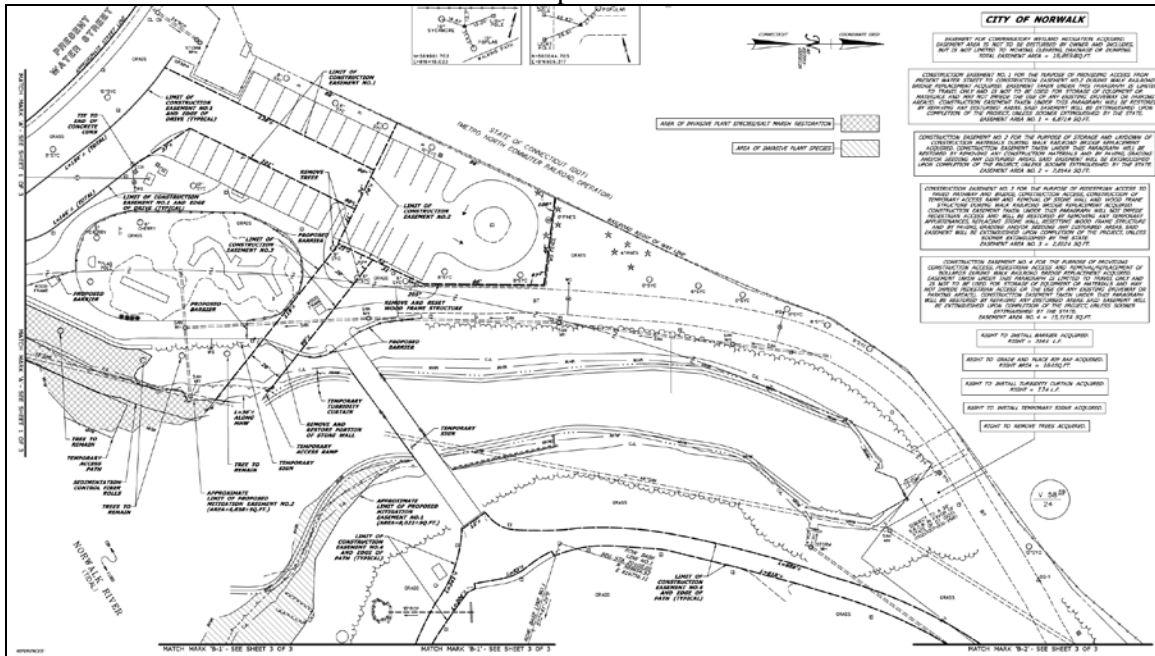
All of the aforementioned construction easements will be extinguished upon completion of the project, unless sooner extinguished by the State. It is noted that the actual work to be performed within the limits of the temporary construction easements is estimated at 6 months, however, the duration of the project is estimated to take 3 years. All of the proposed work on the subject property is anticipated to be completed within the first construction season of the project but it is unknown if it will be in 2022 or 2023. It is further noted that the remainder of the park will remain open throughout the project with temporary flagging as needed during construction activities.

As a result of the acquisition, the subject property will have additional impacts. Due to the construction materials that will be stored in construction easement No.2, the property owner will lose 11 parking spaces for approximately 6 months (parking rate survey data provided). In addition, the proposed barrier that encompasses the playground area will deny use of the playground for approximately 6 months. Lastly, 2 trees located on the outer limits of construction easement No.3 will be removed.

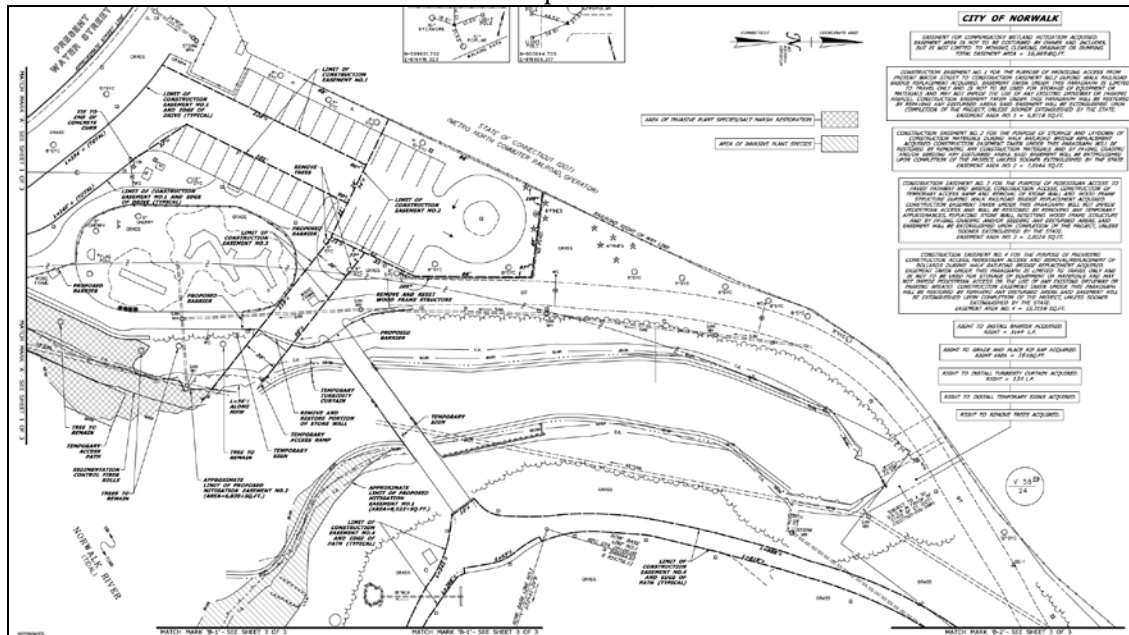
Map 1 of 3



Map 2 of 3



Map 3 of 3



**VALUATION:** The DOT appraisal was completed January 21, 2021 by DOT Appraiser John P. Kerr.

Before Valuation

Land Valuation: Based on the sales comparison approach, the Appraiser considered four similarly-located comparable sales in Stamford (2) and Westport (2) that sold between 2014 and 2019 and concluded that the fair market value of the entire property (land only) is \$20/square foot, x 650,786 sq.ft. = \$13,015,720, rounded to \$13,016,000. Affect site improvements (removal of two trees) was estimated at \$1,000. The land value before is then \$13,017,000.

After Valuation

Land Valuation: Based on the sales comparison approach, the Appraiser considered the same four sales and concluded that the fair market value of the entire property (land only) was unchanged at \$20/square foot, with the land value calculated as follows:

Fee-Simple Land Remaining	631,917 sf x \$20/sf	\$12,638,340
Mitigation Easement Area 1	8,022 sf x \$20/sf x 75%	\$120,330
Mitigation Easement Area 2	6,838 sf x \$20/sf x 75%	\$102,570
Mitigation Easement Area 3	4,009 sf x \$20/sf x 75%	\$60,135
	Total	\$12,921,375
	Rounded	\$12,921,500

**Calculation of Permanent Damages**

Item	Value
Before Valuation	\$13,017,000
After Valuation	\$12,921,500
Permanent Damages	\$95,500

**Calculation of Temporary Damages**

The Appraiser then accounted for Temporary Damages as follows:

Construction Easement Area #1-access	6,871sf x \$20/sf x 8% x 1/2 year=	\$5,497
Construction Easement Area #2-storage	7,014sf x \$20/sf x 12% x 1/2 year=	\$8,417
Construction Easement Area #3-access	2,022sf x \$20/sf x 8% x 1/2 year=	\$1,618
Construction Easement Area #4-access	15,315sf x \$20/sf x 8% x 1/2 year=	\$12,252
Loss of Parking – 11 spaces (supported)	11 spaces x \$90/space x 6 months=	\$5,940
Loss of Use of Playground	7,956sf x \$20/sf x 12% x 1/2 year=	\$9,547
	Total	\$43,271
	Rounded	\$43,500

Total damages are then Permanent Damages plus Temporary Damages, or \$95,500 + \$43,500 = \$139,000.

**RECOMMENDATION:** Board approval of damages in the amount of \$139,000 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 acquisition value is supported by the DOT appraisal report.
3. The Damages awarded are consistent with those Damages awarded under PRB #21-115, a DOT acquisition of Mitigation Easements across the river at the wastewater treatment facility.

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

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

**7. OTHER BUSINESS**

**8. VOTES ON PRB FILE:**

**PRB FILE #21-187** – Mr. Valengavich moved and Mr. Berger seconded a motion to approve PRB 21-187. The motion passed unanimously.

**9. NEXT MEETING** – Thursday, January 6, 2022.

The meeting adjourned.

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