

## STATE PROPERTIES REVIEW BOARD

Minutes of Meeting Held On February 13, 2024

– solely by means of electronic equipment - via telephone conference –

Pursuant to CGS §1-225a, the State Properties Review Board conducted a Regular Meeting at 9:30AM on February 13, 2024. Pursuant to the statute, this Meeting was held solely by means of electronic equipment, with Participants connecting via telephone conference at (860)-840-2075 and used Conference ID 917724280#.

The Notice provided designated this Regular Meeting as open to the public. Call in instruction were provided as: Dial toll free (860)-840-2075 and use Conference ID 917724280#. If you have any questions or need assistance to attend these Meetings, or for some reason the Call-In Numbers do not work, please contact SPRB Director Thomas Jerram, immediately, at [thomas.jerram@ct.gov](mailto:thomas.jerram@ct.gov) to make appropriate arrangements.

### **Members Present – solely by means of electronic equipment:**

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

### **Members Absent:**

### **Staff Present – solely by means of electronic equipment:**

Thomas Jerram

### **Guests Present – solely by means of electronic equipment:**

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 February 8, 2024 Meeting. The motion passed unanimously.

### **2. COMMUNICATIONS**

### **3. REAL ESTATE- UNFINISHED BUSINESS**

### **4. REAL ESTATE – NEW BUSINESS**

Mr. Valengavich moved and Mr. Halpert seconded a motion to go out of Open Session and into Executive Session at 9:34. The motion passed unanimously.

**EXECUTIVE SESSION**

**PRB #:** 24-005  
**Transaction/Contract Type:** RE / Lease  
**Origin/Client:** DAS / DSS

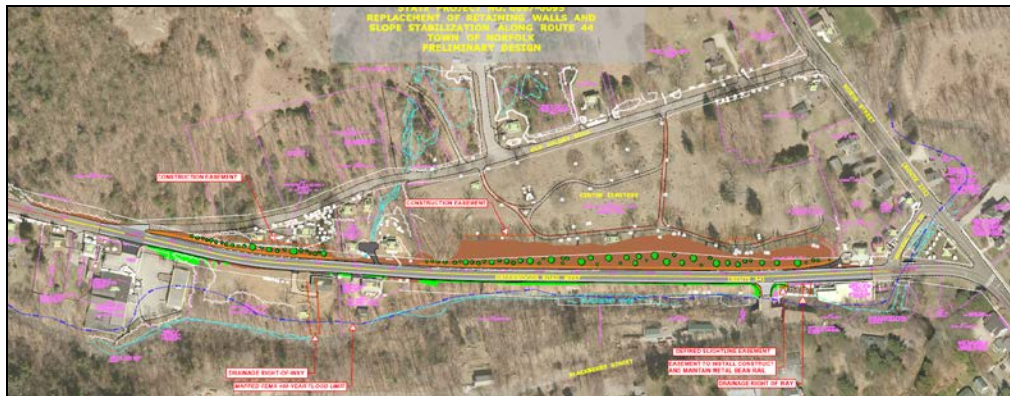
**Statutory Disclosure Exemptions: 1-210(b)(24)**

Upon completion of the Board’s review of this Proposal, Mr. Valengavich moved and Mr. Halpert seconded a motion to go out of Executive Session and into Open Session at 10:00. The motion passed unanimously.

**OPEN SESSION**

**PRB File #:** 24-018  
**Transaction/Contract Type:** RE – Voucher  
**Origin/Client:** DOT/DOT  
**DOT Project #:** 097-095-007  
**Grantor:** Norfolk Center Cemetery Association, Inc.  
**Property:** Norfolk, Old Colony Rd (15 & 34)  
**Project Purpose:** Replacement of Retaining Walls and Slope Stabilization along RT 44  
**Item Purpose:** Voucher

**DAMAGES: \$78,000**



The purpose of the project is to stabilize the northern slope along Route 44 for the safety of the highway. This project is needed because the integrity of the existing rubble masonry walls have been compromised and are therefore at risk of failure. The proposed work includes replacing the three existing walls along Route 44 with two new retaining walls. The western wall will begin just east of Old Colony Road and will be approximately 490 feet long. The eastern wall will be approximately 1,130 feet long and will end just east of Blackberry Street. The heights of the wall will vary with decorative fencing along the top. The proposed walls will be finished to replicate the existing stone walls in the adjacent historic corridor. Full depth reconstruction of Route 44 is proposed within the project limits to remove the existing concrete pavement, as well as widened to accommodate 12-foot travel lanes and 5-foot shoulders, and a 6-foot buffer adjacent to the proposed walls.

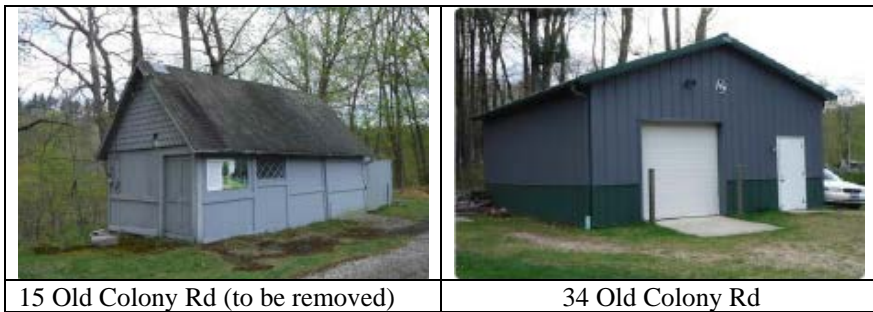
A link to a video of the public meeting can be found here:  
<https://www.youtube.com/watch?v=X4fzRPyQEXM>

**SITE DESCRIPTION:** The subject property represents two non-contiguous parcels consisting of 10.18± acres that include 8.23± acres at 15 Old Colony Road and 1.95± acres at 34 Old Colony Road.

15 Old Colony Road has gentle sloping topography from the northeast corner to the southwest corner towards Route 44. The southern property line is steeply sloped at 45 degrees to Route 44 below. It is irregular in shape. 34 Old Colony Road is also gently sloping from the north to the south and has an irregular shape.

15 Old Colony Road is improved with Norfolk's oldest burial ground (Center Cemetery), established in 1757. This portion of the subject property is situated along the south side of Old Colony Road and along the north side of Greenwoods Road West (U.S. Route 44). It is improved with the historic cemetery, driveways, a wood tool shed (312 sf), manicured landscaping, and granite pillars with chains. 34 Old Colony Rd is improved with a wood frame workshop (720 sf).

Site improvements include: numerous cemetery plots, headstones, the two buildings, the driveway through the cemetery, a number of granite pillars connected in portions by alloy steel chain, manicured lawns and landscaping, and natural trees and vegetation.







The subject site appears to conform to minimum lot area and setback requirements for VR Village Residential Zone.

Highest and Best Use – As Vacant: With consideration for the subject’s location, it is likely that if the subject site were vacant and available for development, the highest and best use would be some type of residential development given its near-town location.

Highest and Best Use – As Improved: The subject is currently used as a historic cemetery. There are approximately 300 additional burial plots available for purchase, the site is well maintained,

and its use conforms to the surrounding land uses. The improvements are capable of producing sufficient income to offset all costs of operation (not considering debt service) and return a net profit to the owner. Further, it does not appear that there is a reasonable alternative use that could outperform the subject in its' current use. Therefore, the existing improvements conform to the highest and best use, as improved.

**VALUATION:** The DOT appraisal was completed on August 29, 2023 by Independent Appraisers Nancy McGuire, MAI and Michael McGuire, MAI (Austin McGuire Company).

The valuation of the subject property is subject to the following Extraordinary Assumptions and Hypothetical Conditions:

*Hypothetical Conditions*

1. The following Hypothetical Condition is necessary to arrive at a value. This appraisal considers that there is a willing seller in an acquisition by eminent domain and has disregarded any effect on the market value brought on by the State's project. It is the result of a complete appraisal process and is intended to comply with the reporting requirements set forth under Standards Rule 2-2 of the USPAP for an appraisal report. I have based my appraisal report on the hypothetical condition that the proposed road project will be completed as currently proposed, in the Department of Transportation construction plans, on the day after the "as of" date. No other hypothetical conditions are necessary to arrive at a value.
2. This Appraisal is based on the Hypothetical Condition that there are no cemetery plots located on the land that would impact the potential for the site to be sold for future residential development.

*Extraordinary Assumptions*

*Extraordinary Assumptions*

1. The size descriptions of the shed and workshop were taken from the local tax assessor's records and the Town of Norfolk tax assessor's records. This appraisal is based on the Extraordinary Assumption that the descriptions of the building sizes is accurate. We reserve the right to alter or change our opinion of value if, after our appraisal, the measurement data is shown to be in error.
2. During our inspection of the subject property no conditions were observed that would indicate the potential presence or existence of adverse environmental conditions such as lead based paint. We were not provided with any environmental reports. The value stated within this report is subject to change if any hazardous substances or environmental conditions are detected by an expert in the field. This appraisal is based on the Extraordinary Assumption that the site does not contain any hazardous or environmental contamination.

Before Land Valuation: Based on the sales comparison approach, the appraiser considered two sales (2021-2022) and a listing of similarly zoned land in Norfolk, with a similar highest and best use, as follows:

Sales Comparison Approach	Subject	Sale One	Sale Two	Sale Three
Address	15 & 34 Old Colony Road	101 A&B North Street	Terrace View	0 Old Colony Road
City, State, Zip	Norfolk, CT 06058	Norfolk, CT 06058	Norfolk, CT 06058	Norfolk, CT 06058
Sale Date		10/25/2022	3/11/2021	Current Listing
Sale Price		\$76,250	\$90,000	\$150,000
Property Type	Historic Cemetery	Residential Land	Vacant Land	Vacant Land
Zoning	VR	VR	VR	VR
Acres	10.18	0.81	2.13	2.10
Price per Acre		\$76,250	\$42,254	\$71,429
SF	443,441	35,284	92,783	91,476
Price per SF		\$2.16	\$0.97	\$1.64
Access to Village	Pedestrian	Pedestrian	Pedestrian	Pedestrian
Distance to Infinity Music Hall	.6 mile	.4 mile	.3 mile	.4 mile
Min. Lot Size	0.50	0.50	0.50	0.50
Days on the Market	NA	54	152	290
Est. Lots	18	1	3	3
<b>Price/Acre</b>		<b>\$76,250</b>	<b>\$42,254</b>	<b>\$71,429</b>
Flood Zone	X	X	X and Poss. A	X
*Usable Acres		0.81	2.13	2.10
*Price per Usable Acres		\$94,136	\$42,254	\$71,429
*Usable SF		35,284	92,783	91,476
*Price per Usable SF		\$2.16	\$0.97	\$1.64
Original Asking Price		\$82,500	\$100,000	\$150,000
Closed to Asking Ratio		92%	90%	NA
Days on the Market		54	1,769	118
Cleared/Wooded		Partially Cleared	Partially Cleared	Partially Cleared
Sewer/Septic	Sewer Available	Sewer Available	Septic Required	Sewer in Street
Water Source	Public Water	Public Water	Well Required	Public Water in Street
Other Utilities Available	All Available	Cable, electric, telephone	Unknown	Electric, Phone, Cable
Shape	Irregular	Irregular	Irregular	Irregular
Topography	Generally Level	Generally Level	Partially Cleared/Rolling	Rolling
Map/Lot/Block	Map 7-12, Lot 88	7-12/101/1 and 7-12/101//	6-12/76/	7-12/97/1B
Seller		Dunne Romanos Trustee	Wendy Rodrigo	Christopher Renkert et al
Buyer		Robert Sharrer	Vishal P Grover	NA
Book/Page		128-744	126-229	NA
MLS Number		170519576	L1013247	170567242

After adjusting for Transactional, Locational and Physical characteristics, the Appraiser concluded that the fair market value of the subject land was \$60,000/acre (\$1.38/sf), calculated as follows:

Item	Calculation	Value
Land Valuation (Fee Simple)	10.18 acres x \$60,000/acre	\$610,800
Site Screening	Lump Sum	\$10,125
Site Improvements (2 sheds & pillars)	Lump Sum	\$46,812
	Market Value	\$667,737
	Rounded	\$668,000

Utilizing Marshall Valuation Service, the Appraisers estimated the depreciated value of the site improvements (sheds) at \$38,812, granite pillars at \$8,000 and site screening (\$10,125).

Reconciliation and Value Conclusion - Before

Approach	Opinion of Market Value
Sales Comparison Approach – Land	\$668,000
Sales Comparison Approach	n/a
Income Capitalization Approach	n/a
Conclusion of Market Value	\$668,000

**TAKING DESCRIPTION:**

DOT will acquire the following:

- A construction easement (5 years) for the purpose of access installation of soil nails, installation of temporary protective fencing, removal of trees, removal of shed and fence and removal of granite posts during the replacement of retaining walls and slope stabilization along Route 44. The construction encumbers access over the cemetery’s driveway and area to towards the southern part of the property acquired over an area of 30,570± square feet; and
- An easement to slope for the safety of the highway, riprap installation, and to remove, use or retain excavated material acquired over an area of 36,175± square feet.

**AFTER VALUATION:**



After Land Valuation: Based on the sales comparison approach, the appraiser considered the same sales as in the Before Valuation and concluded that the fair market value of the subject land was unchanged at \$60,000/acre (\$1.38/sf), calculated as follows:

Item	Calculation	Value
Land Valuation (Fee Simple)	9.35 acres x \$60,000/acre	\$560,972
Slope Easement	36,175 sq.ft. x \$1.38 x 52%	\$25,910
Site Improvements (1 building)	Lump Sum	\$34,640
	Market Value	\$621,522
	Rounded	\$622,000

Utilizing Marshall Valuation Service, the Appraisers estimated the depreciated value of the site improvement (1 building) at \$34,640.

Reconciliation and Value Conclusion - After

Approach	Opinion of Market Value
Sales Comparison Approach – Land	\$622,000
Sales Comparison Approach	n/a
Income Capitalization Approach	n/a
Conclusion of Market Value	\$622,000

Calculation of Permanent Damages

Item	Value
Before Valuation	\$668,000
After Valuation	\$622,000
Permanent Damages	\$46,000

Calculation of Temporary Damages

The Appraiser then considered Temporary Damages as follows:

Market Value of Temporary Construction Easement	
Land Area in the Construction Easement	30,570 sf
Land Value Estimate/SF	\$1.38 /sf
MV of Land within Construction Easement	\$42,107
Annual Return on Investment	15%
Annual Rent Year One	\$6,316
Length of Lease	5 yrs
Temporary Damages (Rounded)	\$32,000

Total damages are then Permanent Damages plus Temporary Damages, or \$46,000 + \$32,000 = \$78,000.

**RECOMMENDATION:** Board approval of damages in the amount of \$78,000 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 independent appraisal report.

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

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

**7. OTHER BUSINESS:**

**8. VOTES ON PRB FILE:**

**PRB FILE #24-005** – Mr. Valengavich moved and Mr. Halpert seconded a motion to suspend PRB FILE #24-005 pending receipt of DAS response to Board inquiries. The motion passed unanimously.

**PRB FILE #24-018** – Mr. Halpert moved and Mr. Valengavich seconded a motion to approve PRB FILE #24-018. The motion passed unanimously.

**9. NEXT MEETING** – Thursday, February 15, 2024 – will be held solely by means of electronic equipment.

The meeting adjourned.

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