

STATE PROPERTIES REVIEW BOARD

Minutes of Meeting Held On March 18, 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 March 18, 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 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
William Cianci

Members Absent:

Jack Halpert

Staff Present – solely by means of electronic equipment:

Thomas Jerram

Guests Present – solely by means of electronic equipment:

Mr. Valengavich and Mr. Berger 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 March 14, 2024 Meeting. The motion passed unanimously.

2. COMMUNICATIONS

Members were provided a copy of an on-line article from CTInsider regarding a civil action filed with the courts regarding the demolition of all improvements at the Seaside Park campus in Waterford, CT.

Members were updated on DAS Human Resources on-going efforts to refine the job classification for the vacant staff position.

Members were reminded of the May 1, 2024 deadline to file their Statement of Financial Interest with the Office of State Ethics.

After adjusting for transactional, locational and physical characteristics the appraiser concluded the fair market value of the subject land was \$16,500/acre, or \$0.38/sf, as follows:

Item	Calculation	Value
Land Valuation (Fee Simple)	13,055 x \$0.38/sf =	\$4,961
	Rounded	\$5,000

In light of the time that had passed since the 2022 appraisal, the appraisal was updated as of September 27, 2023, also indicating a \$5,000 market value.

DOT provided the following narrative in support of this request:

In April 2022, the Town of Trumbull (Town) requested the subject excess State property (Property) from the Department for the installation of the Town's pump station.

The Property consists of 13,055± square feet of vacant land that is bounded to the north by Juniper Ridge Road, the west by Juniper Circle and south by the Connecticut Route 8 right of way, in the Town of Trumbull. The Property was acquired by the Department in 1970 for the relocation of Connecticut Route 8. On October 13, 2022, an appraisal was prepared by Staff Appraiser, Matthew Malia, who established a value of \$5,000.00.

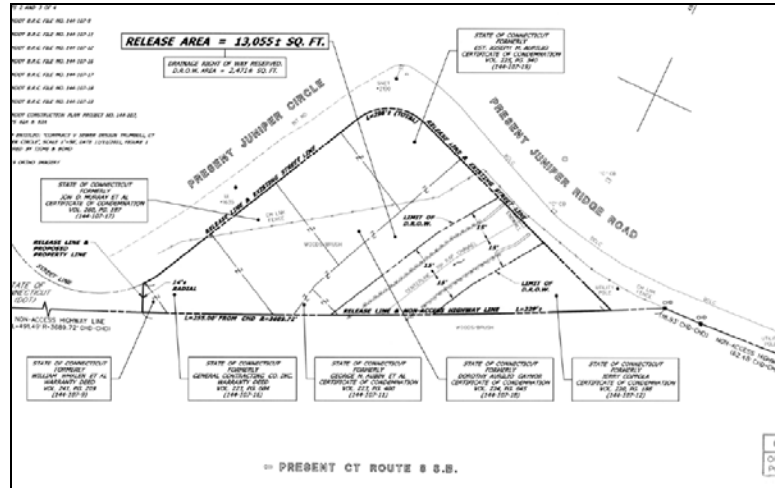
On November 8, 2022, the asking price of \$10,000.00, as \$1,000.00 administrative fee included, was offer to the Town. On December 8, 2022, the Town informed the Department via an email that the Town is interested in purchasing but needed additional time to obtain approvals from the Tow Planning and Zoning Commission and Town Council.

The Town submitted a counteroffer via email on August 18, 2023, with an offer to purchase to the Property for 3,000.00 plus the \$1,000.00 administrative fee. The Department rejected the proposal and requested that the Town submit its highest and best offer. On September 20, 2023, the Town offered to pay \$4,000.00 plus the administrative fee which was accepted.

The offer of \$4,000.00 is approximately 80% of the appraised value and it would benefit the municipality to utilize the area for pump station. In addition, it relieves the Department of any future maintenance and liability for the Property. It is herewith recommended that the offer of \$4,000.00 plus \$1,000.00 administrative fee be accepted and forwarded to the Office of Policy and Management, State Properties Review Board and Attorney General for approval.

Recommendation – Staff recommend approval of the proposed Sale by Sole Abutter Bid in the amount of \$4,000 (plus \$1,000 Admin Fee) for the following reasons:

- The proposed sale complies with Section §13a-80 and the legislative delegation received the required notification on October 12, 2023;
- The release value of \$4,000, while 80% of the appraised value, is reasonable in that it will support the town with sanitary sewer infrastructure and relieve the State of all future expenses; and
- The description in the Quit Claim Deed is consistent with the compilation map to be filed in the Town of Trumbull's Land Records.



PRB #	24-031
Transaction/Contract Type:	RE – Exchange
Origin/Client:	DEEP/DEEP
DEEP Project #:	A-2020-16
Grantor/Grantee:	Polish Falcons of America Nest 519, Incorporated a/k/a Polish Falcons Club (PFC)
Property:	Middletown, Prout Hill Rd (144) & Millbrook Rd (12+- acres)
Project Purpose:	Crystal Lake Dam Maintenance & Repairs
Item Purpose:	Land Exchange for Release of Right of Way

Under this Proposal (PRB #24-031) DEEP is seeking SPRB approval of a Quit Claim Deed releasing a right of way in favor of the State over land owned by PFC located at 144 Prout Hill Road (red arrow below) to maintain and repair the state-owned dam on Crystal Lake (blue arrow below) in exchange for a 2.81 acre portion of land adjacent to the state owned dam, subject to a covenant limiting the property’s use for conservation, dam access, dam repair and dam maintenance and any access to the Premises be limited to the Grantee, its employees, agents or contractors and related to those limited purposes, and not to the general public.



DEEP provided the following narrative with respect to this Proposal:

By way of background, a few years ago, DEEP purchased 12+ acres on the west side of Millbrook Road in Middletown (highlighted red in the aerial below) and shown as “44/68 N/F STATE OF CONNECTICUT VOL. 922/P.324”) on the A2 survey attached. The purpose of that acquisition was to obtain improved access to

Crystal Lake Dam (“the dam”), to make necessary repairs and improvements to the dam.

As part of DEEP’s Dam ownership, we currently have a ROW (memorialized in two deeds: 1) dated January 28, 1965, recorded at Volume 340, Page 580 of the Middletown Land Records and 2) dated November 30, 1964, recorded at Volume 339, Page 301 of the Middletown Land Records) over the PFC property (shown in blue and lime green on the aerial below), to pass and repass, to access, repair and improve the dam.



DEEP’s Land Acquisition and Management & Dams Divisions have been in negotiations with PFC for several years to effectuate this transaction, for dam repair. We do not want to use the existing ROW over the PFC property because it would require extensive blasting and site work due to steep slopes. PFC does not want us to use our ROW either, because they use the property as a wedding venue (it would be disruptive to their business).

So, PFC agreed to give DEEP the 2.81-acre parcel (highlighted lime green on the aerial above) adjacent to the dam, shown as “LAND TO BE CONVEYED FROM POLISH FALCONS OF AMERICA NEST 519, INCORPORATED TO THE DEPARTMENT OF ENERGY & ENVIRONMENTAL PROTECTION STATE OF CONNECTICUT AREA = 2.81 ACRES +/-“ on the A2 survey attached, **subject to DEEP releasing our existing ROW over their property, and providing Temporary and Permanent Access to their “remainder parcel”** (the small blue rectangular parcel on the aerial above, southerly of 2.81 acre parcel to be donated to DEEP), **so the remainder parcel is not landlocked.**

In order to facilitate this transaction, the following two (2) deeds and one (1) Easement are needed:

- (1) A **WD** for the 2.81-acre parcel that PFC will give to DEEP, with PFC reserving a temporary ROW to pass and repass over the 2.81-acre and remainder parcels, until the improvements to the dam and a permanent access roadway is complete (the WD is attached as to form). As part of the project, DEEP will construct a roadway over the State’s 12+ acre property, providing us with access to the dam and providing PFC with access to its remainder parcel. Once the improvements to the dam and roadway are complete, DEEP will prepare an A2 survey of the as-built roadways and improvements and the Permanent Access Easement (also attached) will be executed and recorded. Once the as-built A2 survey and Permanent Access Easement are recorded, the temporary access easement, described in the WD, will

terminate/be of no further force or effect. The WD is being signed by PFC now and will be signed by the AG commensurate with the QCD.

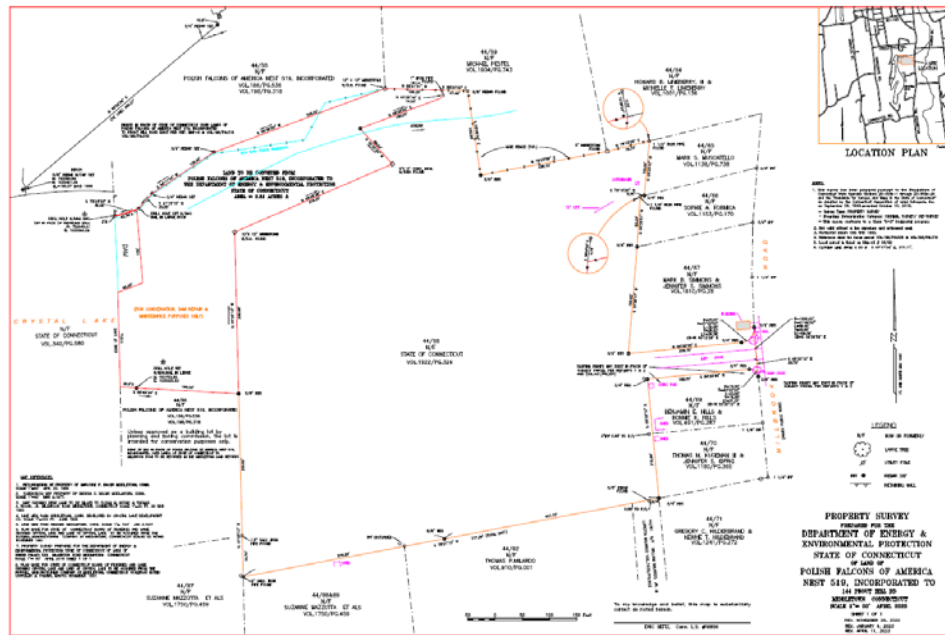
(2) A QCD, whereby DEEP releases its existing access rights over the PFC property. The WD and QCD will be recorded simultaneously with the attached A2 survey. The QCD requires your signature.

A **Permanent Access Easement** (sample attached) providing PFC with permanent access to the remainder parcel, over the 12+ acre DEEP parcel. As noted above, after the dam improvements and roadway are completed, we will prepare an as-built A2 survey showing the actual location of the roadway and will forward the Permanent Access Easement (with the Schedule A property description referencing the as-built survey) to you, for signature.

The Grantor (DEEP) executed the QC Deed on December 14, 2023. DAS approved the Agreement and OPM approved the Agreement on December 26, 2023.

RECOMMENDATION: Board approval of the Exchange via a Quit Claim Deed releasing the ROW for the 2.81 acre parcel for Crystal Lake Dam repair and maintenance for the following reasons:

- The Commissioner of Energy and Environmental Protection has the authority under CGS §22a-324 to enter into real estate agreements, subject to the approval of DAS, OPM, SPRB & the AG.
- In exchange for the release of the existing right of way, PFC will convey a 2.81 acre parcel to the state to provide direct access to the dam for maintenance and repair, and subsequently have access to their remaining lands over a temporary easement over the state's land.
- Upon completion of the project, DEEP will grant a permanent easement over state-owned land identified by an as-built roadway plan.



5. ARCHITECT-ENGINEER - UNFINISHED BUSINESS
6. ARCHITECT-ENGINEER - NEW BUSINESS
7. OTHER BUSINESS:

8. VOTES ON PRB FILE:

PRB FILE #24-029 – Mr. Valengavich moved and Mr. Berger seconded a motion to approve PRB FILE #24-029. The motion passed unanimously.

PRB FILE #24-031 – Mr. Valengavich moved and Mr. Berger seconded a motion to approve PRB FILE #24-031. The motion passed unanimously.

9. NEXT MEETING – Thursday, March 21, 2024 – will be held solely by means of electronic equipment.

The meeting adjourned.

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