

1 INTRODUCTION

This Environmental Impact Evaluation (EIE) has been prepared in accordance with the requirements of the Connecticut Environmental Policy Act (CEPA), as amended by Public Act 02-121, and where applicable, Sections 22a-1a-1 to 22a-1a-12, inclusive, of the Regulations of Connecticut State Agencies (RCSA). Under CEPA, an EIE is required for this State Action because it involves the construction of more than 100,000 square feet (SF) of floor space and more than 200 parking spaces. A flowchart depicting the CEPA process is included for reference as Figure 1-1.

This EIE assesses the potential environmental impacts of constructing and operating the Litchfield Judicial District Courthouse at Torrington, Connecticut. The sponsoring agency for this action is the Connecticut Judicial Branch (JB) and the participating agency is the Connecticut Department of Public Works (DPW).

Currently, the Litchfield Judicial District court functions are located at four separate locations, of which the latter three in the following listing are leased facilities (Photos 1-1 through 1-4):

- Judicial District (JD) – 15 West Street, Litchfield, CT;
- Geographical Area (GA) 18 – 80 Doyle Road, Bantam, CT;
- Juvenile Matters – 410 Winsted Road, Torrington, CT; and
- Family Matters – Litchfield Commons, Commons Drive, Litchfield, CT.

The relative location of these four sites is illustrated on a locus map (Figure 1-2). The last of these facilities does not house any courtrooms. This leased facility is used by Court Support Services Division (CSSD) Intake Assessment and Referral (IAR) for Family Matters.

The State of Connecticut Judicial System is divided into 13 JDs. As shown in Figure 1-3, the Litchfield JD consists of 24 municipalities in the northwestern corner of Connecticut. For civil cases, the Connecticut Judicial System is divided into 22 Geographical Areas. The JD courts handle felonies and civil trials involving more than \$15,000. Misdemeanors and civil trials involving less than \$15,000 are handled by GA courts. Because of the high volumes of minor cases, there are often several GAs within a single District. However, due to the relatively small population in the Litchfield JD, GA 18 consists of the same 24 municipalities as in the Litchfield JD.

The goal of this project is to provide a consolidated courthouse facility for the Litchfield Judicial District in the City of Torrington, CT. The existing facilities identified above are inefficient, overcrowded, fragmented, and do not meet the minimum standards of current courthouse design. Handicap access, security, and legal requirements are not met by the current facilities and productivity is reduced due to the lack of a centralized facility.

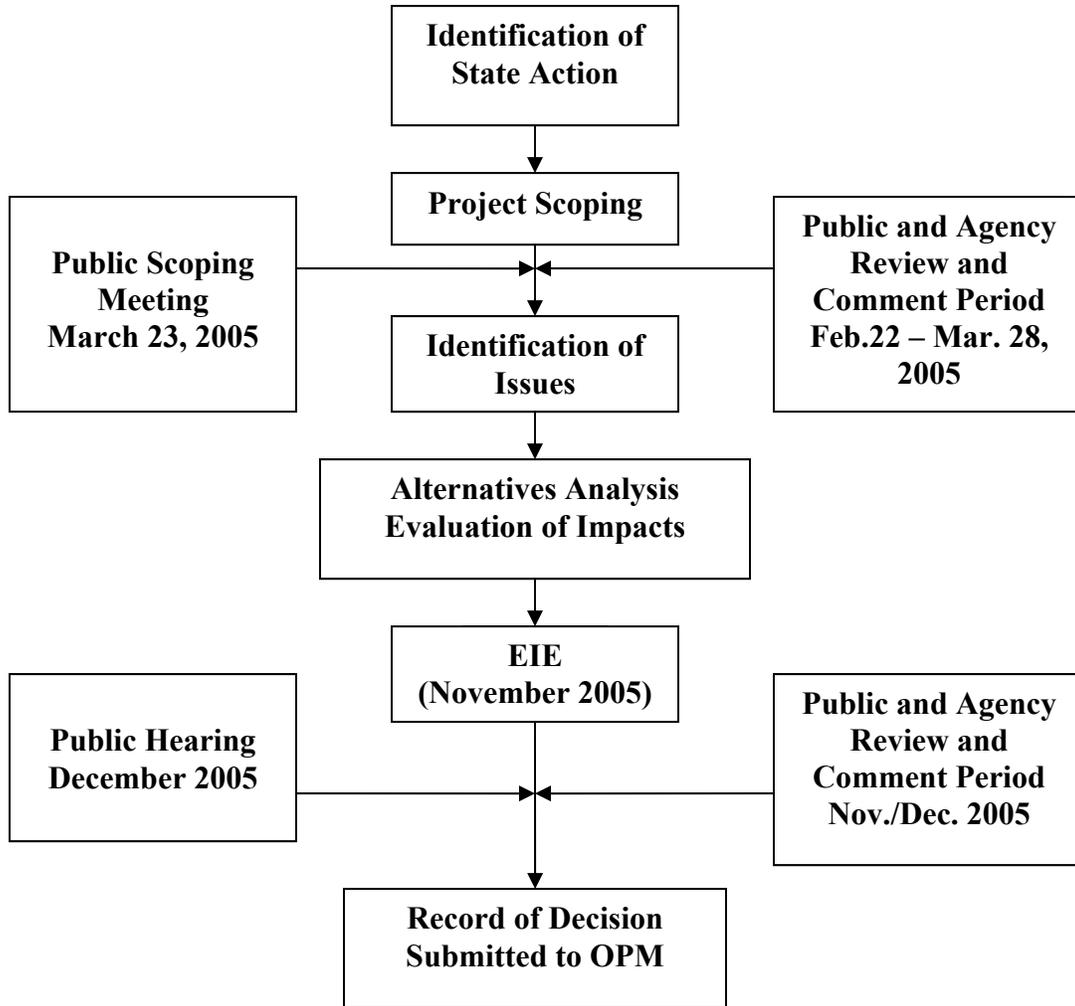


Figure 1-1. CEPA Process Flowchart with Estimated Timelines.



Photo 1-1. Front of Existing Litchfield Judicial District Courthouse – 15 West Street, Litchfield.



Photo 1-2. Existing Family Services Facility, Litchfield Commons, Litchfield.



Photo 1-3. Existing Geographic Area (GA) 18 Facility in the Bantam School Complex, Doyle Road, Bantam.



Photo 1-4. Existing Juvenile Matters Facility at 410 Winsted Road, Torrington.

Figure 1-2. Existing Litchfield Judicial District Facilities

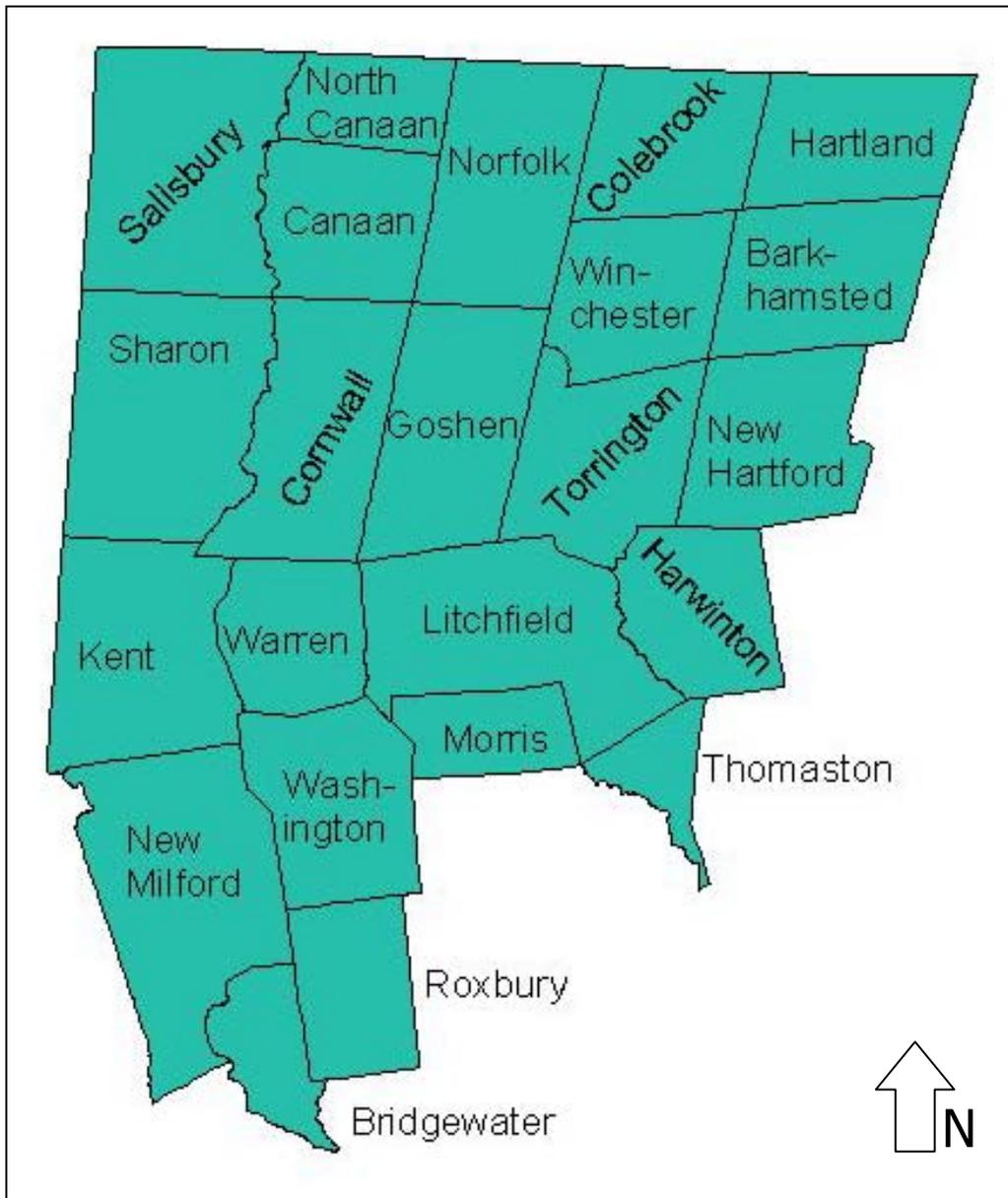


Figure 1-3. The Litchfield Judicial District.

1.1 BACKGROUND/HISTORY

Prior studies have been prepared relative to the need for and proposed construction of a District Courthouse facility for Litchfield County. The JB has been working to build a new courthouse in the district for close to 30 years, with the first funding requests in the 1970s. In 2002, an EIE was prepared for the construction and operation of a new district courthouse facility in the Town of Litchfield (Milone and MacBroom, 2002). As presented in the 2002 EIE, the Litchfield Bar Association sponsored resolutions in all 24 towns in the Litchfield Judicial District, indicating that a new centralized facility should

be located in Litchfield. That resolution passed in 22 of the 24 towns. The remaining two towns, Winchester and Torrington, agreed with the idea of a centralized facility, but did not agree that the facility should be located in Litchfield.

After these resolutions were adopted, Special Act 95-20, Section 22(r)(2) and Public Act 99-242, Section 2(o)(4) authorized funds for the planning and acquisition of land for the development of such a facility in Litchfield. Special Act 95-20 allocated \$4,000,000 for “planning for the development of [a] Litchfield JD/GA court complex, including acquisition of land”, while Public Act 99-242 set aside funding in the amount of \$39,500,000 for “development of [a] courthouse facility, including land acquisition and parking, in Litchfield”. A 1997 solicitation for proposals for land was issued, similar to the one issued for this Proposed Action. Seven properties were submitted, two of which were analyzed in detail for the 2002 EIE. Controversy concerning the appropriateness of the sites submitted and over the location of the courthouse in Litchfield in general stalled the siting process and led to an agreement that the courthouse should be sited in Torrington, with residual services offered in Litchfield.

Special Act 04-02 modified the bonding under the previously discussed Special and Public Acts. Special Act 95-20 (r)(2) was amended to read “Development in Torrington and renovation in Litchfield of [a] courthouse facility, including land acquisition and parking, not exceeding \$4,000,000, which shall be allocated as follows:

- A. For the planning and design renovation and improvements to the Litchfield courthouse, not exceeding \$1,500,000; and
- B. For site selection, planning and acquisition for the new Torrington courthouse, not exceeding \$2,500,000.”

Public Act 99-242(o)(4) was amended to read “Development in Torrington and renovation in Litchfield of [a] courthouse facility, including land acquisition and parking, not exceeding \$39,500,000, provided not more than \$5,000,000 shall be allocated to renovations and improvements to the Litchfield courthouse.”

In summary, a total of up to \$37 million has been allocated for a new courthouse in Torrington and up to \$6.5 million has been allocated for the renovation of the West Street courthouse in Litchfield. Based on these legislative actions, the current site selection and CEPA process was initiated as documented herein.

1.2 DESCRIPTION OF THE PROPOSED ACTION

The Proposed Action addressed by this EIE is the consolidation and construction of a new 160,000 SF Litchfield Judicial District Courthouse with associated improvements in Torrington, Connecticut. The new Courthouse is proposed to house the following Judicial District Courts: Civil, Criminal, Family, and Juvenile Matters Courts. In order to support these courts, the Proposed Action is to provide the following:

- One (1) arraignment courtroom;
- Two (2) criminal jury courtrooms;

- Six (6) civil courtrooms (2 civil, 2 family, 1 juvenile/delinquency, 1 juvenile/child protection);
- Two (2) hearing rooms;
- One (1) Administrative Judge’s chambers;
- Six (6) Resident Judges’ chambers;
- Court Operations for civil, criminal, and juvenile clerk’s offices, court reporter and monitors, interpreters, case flow, court service officers, judicial marshals, Support Enforcement and Victim Services;
- Court Support Services Division for civil intake, adult intake and assessment and supervision, and Juvenile Probation; and
- Other agencies, namely the State’s Attorney, Public Defender, and Attorney General.

The new courthouse would also provide public space, restrooms and associated services, space for a security booth at the main entrance, separate circulation systems for judges, staff, the public, and detained persons, secured areas for detained persons and associated services, and support services office space.

The Proposed Action would continue to serve the following 24 municipalities: Barkhamsted, Bethlehem, Bridgewater, Canaan, Colebrook, Cornwall, Goshen, Hartland, Harwinton, Kent, Litchfield, Morris, New Hartford, New Milford, Norfolk, North Canaan, Roxbury, Salisbury, Sharon, Thomaston, Torrington, Warren, Washington, and Winchester (Winsted).

The existing courthouse on West Street in Litchfield (Photo 1-1) is proposed to be renovated and would continue as a Litchfield JD courthouse for some court functions including, but not limited to: Regional Motor Vehicles, Regional Small Claims, and Family/Support Enforcement Magistrates. It is estimated that approximately five employees would be permanently stationed at this facility. In addition, the JD would continue to lease parking spaces to serve the West Street facility (also known as the “Courthouse on the Green”). The impending renovation of the West Street facility is not included in the Proposed Action and is thus not subject to analysis in this EIE. The JB is in the process of contracting for an architectural feasibility study, BI-JD 302, Feasibility Study, Historic Litchfield Courthouse. This separate study will address issues related to the proposed renovation, including:

- Security for public, staff, and detainees. Circulation systems need to allow for transport of detainees in a more secure and discreet manner, preserving the safety of staff and public, as well as for separate circulation systems to segregate staff and detainees from the public and for improved oversight of public areas.
- Meeting or exceeding all Life Safety and Building Codes, addressing safety codes (fire, egress), handicap access, and any other requirements.
- Analysis of building technology infrastructure to provide appropriate technology capabilities.

- Review of existing building systems, including heating, ventilation, air conditioning (HVAC) and electrical services.
- Review of possible tenants and functionality of the renovated building to develop recommendations for future use and occupancy.

1.2.1 Major Assumptions

During the course of the 2002 EIE, operational improvements were proposed through coordination with the Judicial Branch which would still apply to this project. Namely, the following are proposed:

- The existing courthouse facility on West Street in Litchfield will continue to support a portion of the caseload. Approximately five staff members and 50 parking spaces will remain at this site. Non-jury civil trials, contested family trials, and civil short calendar trials are possible functions that may be housed in this facility. Renovations to the existing structure and facilities will be required and were allocated funds by Special Act 04-02;
- Motor vehicle and criminal dockets will be split evenly between morning and afternoon sessions on Mondays to mitigate peak facility usage at the new courthouse in Torrington; and
- The Support Enforcement Magistrate docket will be rearranged from once per week on Mondays to twice per week on Wednesdays and Fridays.

These operational changes were proposed to mitigate parking needs, resultant impervious area coverage, and peak facility usage. If operational changes were not made and all operations were relocated to one facility, more than 500 parking spaces would be necessary to meet demand. The proposed changes help to alleviate peak demands which are usually associated with Mondays (particularly following holidays), and reduced the site's parking requirement to 400 spaces.

1.3 PURPOSE AND NEED

The purpose of the Proposed Action is to develop a new and efficient facility to meet essential existing and future functions and needs of the Litchfield Judicial District and to fulfill the Legislative mandate of Special Act 04-02 pertaining to the Proposed Action.

Specific problems with the existing facilities include the following:

- *Security* – Secure and separate circulation systems for staff, public, and detained persons do not exist in all of the facilities (Litchfield, Bantam);
- *Life safety and building codes* – Handicap access must currently be addressed on a case-by-case basis in some facilities;
- *Lack of appropriate space* – Attorney-client confidentiality cannot be assured due to lack of proper conference spaces; hearings are often held in inappropriate locations, and courtroom space is insufficient to meet current caseloads, causing delays;

- *Communications* – Existing infrastructure is not adequate for telephone and data exchange services; and
- *Productivity* – Travel distances among court buildings leads to inefficient use of time, exacerbating case load and space issues.

While the primary need is to provide core Judicial Branch services to the people of Litchfield JD, the Proposed Action is to serve and meet several functions of the Judicial Branch. The needs for the Proposed Action are summarized as follows:

1. To provide an increase in needed space: The total space currently serving the functions of the Litchfield JD and GA 18 (all four locations) is approximately 39,000 SF (Table 1-1). In order to accommodate existing and future case filings and types, the necessary space requirement is approximately 160,000 SF. The increase in square footage is needed to support the courts listed in the description for the Proposed Action. As the Litchfield JD's population has increased, so too have the caseloads. According to the JD, certain case types did not increase (Criminal cases), while others (Family and Juvenile cases) increased significantly. Within the past twelve years, Litchfield JD caseload has increased 20 percent. Steady caseload increases are expected into the foreseeable future and according to the JB, 1993 caseloads exceeded the reasonable capacity of the existing facilities. Existing facilities are extremely crowded and long delays can result. Security concerns are increased due to waiting times caused by the lack of courtroom availability, and the public must wait in tiny lobbies or hallways. Additional judges cannot be assigned to respond to caseloads due to the lack of available courtrooms. An increase in the number of courtrooms and available waiting spaces would allow for cases to be handled in a more timely manner, reducing security concerns and allowing for greater sensitivity for those involved.
2. To provide sufficient parking for Courthouse staff and the public using the Courthouse: Not all of the existing locations have adequate parking to accommodate current and future projected needs. The West Street facility in Litchfield consists of leased spaces and lacks sufficient parking “on the Green”. The GA 18 facility does, however, have adequate parking spaces. Any proposed new design would include safe, lighted parking, with adequate handicap access for staff and the public. To the extent possible, separate secured access parking shall be provided for judges and staff and separate circulation/access/parking must be provided for marshals and other security related vehicles.
3. To consolidate functions and to provide a new efficient at one location in the City of Torrington, Connecticut: The existing Litchfield JD functions are located between four sites. Consolidation at any one of the existing sites would not be feasible or prudent due to parcel sizes, ownership issues (currently the JB leases three of the four utilized properties), and upgrade/renovation issues.
4. To provide a site in a timely manner: For close to 30 years, the JB has been seeking to construct a new facility in order to consolidate its functions. The

existing sites and facilities cannot accommodate anticipated caseloads or consolidation.

5. To provide a site that can accommodate a facility of approximately 160,000 SF, associated parking, and improvements by providing, at a minimum, the criteria set forth by the “Invitation to Submit Proposal for Sale of Land” advertised as Solicitation PP-28 by the DPW.

Table 1-1. Existing Facilities for Litchfield Judicial District and Geographical Area 18.

Facility	Address	Floor Space (SF)	Cases	Annual Lease
Judicial District (JD)	15 West Street, Litchfield, CT	17,991	Criminal	N/A – Facility owned by State (Parking spaces leased)
Geographical Area (GA) 18	80 Doyle Road, Bantam, CT	13,720	Civil, Felonies	\$181,516 (expires 1/16/08)
Juvenile Matters	410 Winsted Rd., Torrington, CT	4,877	Juvenile	\$73,155 (expires 1/7/09)
Family Matters	Litchfield Commons Drive, Litchfield, CT	2,400	Family	\$74,229 (expires 9/30/06)
TOTAL		38,988		\$328,900