

# STATE PROPERTIES REVIEW BOARD

## Minutes of Meeting Held On March 7, 2013 State Office Building, Hartford, Connecticut

The State Properties Review Board held its regularly scheduled meeting on March 7, 2013 in the State Office Building.

**Members Present:** Edwin S. Greenberg, Chairman  
Bennett Millstein, Vice Chairman  
Bruce Josephy, Secretary  
Pasquale A. Pepe  
John P. Valengavich

**Members Absent:** Mark A. Norman

**Staff Present:** Brian Dillon, Director  
Mary Goodhouse, Real Estate Examiner

Chairman Greenberg called the meeting to order.

Mr. Josephy moved and Mr. Valengavich seconded a motion to enter into Open Session. The motion passed unanimously.

### OPEN SESSION

**ACCEPTANCE OF MINUTES OF FEBRUARY 28, 2013.** Mr. Valengavich moved and Mr. Josephy seconded a motion to approve the minutes of February 28, 2013. The motion passed unanimously.

### COMMUNICATIONS

**Department of Transportation Report of Property Acquisitions.** As required by CGS Section 13a-73(h), the Board received a report from DOT dated March 1, 2013 listing property acquisitions, not in excess of \$5,000, processed during the month of February 2013.

### REAL ESTATE- UNFINISHED BUSINESS

### REAL ESTATE- NEW BUSINESS

**PRB #** 13-028      **Transaction/Contract Type:** RE / Sale  
**Origin/Client:** DOT / DOT  
**Project Number:** 34-93-49B  
**Grantee:** Valluzzo Family, LLC  
**Property:** Located along the westerly side of State Route 7 and 3 Backus Avenue,  
Danbury  
**Project Purpose:** DOT Sale of Excess Property  
**Item Purpose:** Release of 2 drainage easements totaling approximately 2,828± SF to the  
Grantee which are located on the subject property owned by Valluzzo Family,  
LLC.

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Ms. Goodhouse reported that this DOT proposal is to extinguish two 20-foot wide drainage right of way easements, as requested by the affected property owner. The two easements total 2,828 SF and were acquired for the Relocation of Route 7 near Backus Avenue in Danbury. In the 10/9/12 DOT memorandum to Mr. Harley, Mr. Obey reported that the easements were never used and were abandoned with the reconstruction of the Route 7 interchange once the Danbury Fair Mall was constructed.

The parcel affected by the easements is 0.8013 acres (32,902 SF) on the north side of Backus Avenue at its intersection with Sugar Hollow Road. Frontage on Backus Avenue is 169.38 feet. The parcel is a conforming legally permitted lot or record. In June 2012 DOT appraiser Anthony John DeLucco concluded a unit price of \$25.00/SF (\$1,089,000/acre) and judged that the easements encumbered 2,819 SF by 50%, resulting in an appraisal valuation of \$35,000. DOT received a counter offer of \$28,000 which DOT accepted, reasoning that (1) the easements were never constructed and not needed; and (2) only the owner could purchase the easement area. Staff recommended approval of the item.

**PRB #** 13-029 **Transaction/Contract Type:** RE / Sale  
**Origin/Client:** DOT / DOT  
**Project Number:** 043-000-189D  
**Grantee:** The Elm City Gun Club, Incorporated  
**Property:** Located along the eastern boundary of 533 North High Street, East Haven  
**Project Purpose:** DOT Sale of Excess Property  
**Item Purpose:** Release of approximately 23,961 ± SF of property located along the eastern boundary of the Connecticut Department of Transportation Maintenance Garage to the Grantee as the result of a sole-abutter bid.

Staff reported that this property is a portion of a 10.7 acre parcel that was acquired in 1967 from the CT Military Department for a state maintenance garage. An abutter, the Elm City Gun Club, has requested to purchase 23,961 SF in the rear portion of the state parcel. The Gun Club has encroached on the state land with some of its improvements, as shown on a property map and aerial photo provided by DOT. Given that the area is not used or accessible by DOT Maintenance, DOT agreed to sell the property to an abutter to eliminate any potential liability issues.

The release parcel is located along and in the flood plan of Farm River. The abutting property owned by the Gun Club is a rear lot accessed by a driveway over land of the CT Army National Guard rifle range. It is also in the rear of a State maintenance garage.

SPRB staff is recommended suspension of this item to receive additional information regarding conformance with CGS Section 25-68(d).

**PRB #** 13-030 **Transaction/Contract Type:** RE / Sale  
**Origin/Client:** DOT / DOT  
**Project Number:** 100-73-26C  
**Grantee:** Adelaide Pacelli  
**Property:** Located along the easterly side of Elm Street and 113 Bailey Road, North Haven  
**Project Purpose:** DOT Sale of Excess Property  
**Item Purpose:** Release of approximately 27,437± SF of vacant land to the Grantee as the result of an abutter bid.

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Staff reported that this property is a portion of a 2.75 acre parcel that was acquired in 1969. An abutter at 113 Bailey Road, Adelaide Pacelli, has requested to purchase 27,437 SF on her west boundary. The release parcel lies between her boundary and the east side of Elm Street, North Haven. The release parcel is triangular in shape. There is one other abutter, being the Town of North Haven. Because the release parcel does not meet the requirements of the R-3 residential zone, DOT offered it for sale through the abutter bid process.

Staff recommended Board approval to Quit Claim 27,437 SF of vacant residential land for \$45,000 to the Grantee. The sale complies with Sections 3-14b and 13a-80 of the CGS that govern the sale of non-conforming surplus property. The sale price of \$45,000 (75% of the appraised value of \$60,000) is reasonable since there is no other logical or available purchaser for this parcel. The property is not needed for highway purposes and the sale will relieve DOT of the responsibility to maintain it and return it to the municipal Grand List.

**PRB #** 13-031      **Transaction/Contract Type:** RE / Assignment  
**Origin/Client:** DOT / DOT  
**Project Number:** 76-189-15B  
**Grantee:** Town of Manchester  
**Property:** Located along the eastern boundary of Hartford Rd. at Prospect St., Manchester  
**Project Purpose:** Assignment of Land to the Town of Manchester  
**Item Purpose:** Assignment of approximately 35,128 ± SF of land to the Town of Manchester which has been improved as a municipal park as part of the Hartford Road Reconstruction, Bikeway Access & Historic District Beautification Project.

Mr. Dillon recommended Board approval for the release of this real estate. The conveyance complies with Section 13a-80 of the CGS governing the release of excess property by the commissioner of transportation; and the descriptions in the Quit-Claim to release the real property are consistent with the descriptions in the DOT acquisition deeds.

In October 2002 DOT acquired in a “total take” the property comprising approximately 40,975 SF located at the intersection of Prospect Street and Hartford Road in Manchester. The acquisition was required as part of the proposed Hartford Road Reconstruction, Bikeway Access & Historic District Beautification Project. Under the project Agreement for Project No. 76-189, the remaining property after the completion of the roadway improvements was to be reconstructed as a municipal park. In 2012, the project was completed and DOT has determined that the park should now be conveyed to the Town. The area to be released comprises the previous acquisition of one parcel. This is a release includes a deed restriction that 35,128 SF be used as a municipal park.

**PRB #** 13-032      **Transaction/Contract Type:** RE / Assignment  
**Origin/Client:** DOT / DOT  
**Project Number:** 98-95-1A  
**Grantee:** Town of Branford  
**Property:** Located along Queach Road, Branford  
**Project Purpose:** Assignment of Land to the Town of Branford  
**Item Purpose:** Assignment of approximately 259 ± SF of land and 866 ± SF of easement area to the Town of Branford for highway purposes as part of the Queach Road Reconstruction Project.

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Mr. Dillon recommended Board approval for the release of this real estate. The conveyance complies with Section 13a-80 of the CGS governing the release of excess property by the commissioner of transportation; and the descriptions in the Quit-Claim to release the real property are consistent with the descriptions in the DOT acquisition deeds.

In 1999 DOT acquired various rights and easements in both North Branford and Branford as part of the Reconstruction of Queach Road Project. Under the project Agreement No. 3.31.04(98), Item #10 stipulates that at completion, properties and rights acquired shall be released to the municipality for highway purposes. As part of this project, DOT shall be assigning approximately 259 SF of land and 866 SF of easement area to the Town of Branford.

**ARCHITECT-ENGINEER - UNFINISHED BUSINESS**

**ARCHITECT-ENGINEER – NEW BUSINESS**

**OTHER BUSINESS**

**Reimbursement of meeting and mileage fees.** Mr. Pepe moved and Mr. Valengavich seconded a motion to reimburse Chairman Greenberg, Mr. Millstein, and Mr. Josephy for travel to and attendance at a meeting in Hartford at the Legislative Office Building on March 6, 2013. The motion passed unanimously.

The Board took the following votes in Open Session:

**PRB FILE #13-028** - Mr. Pepe moved and Mr. Valengavich seconded a motion to approve PRB File #13-028. The motion passed unanimously.

**PRB FILE #13-029**- Mr. Valengavich moved and Mr. Millstein seconded a motion to suspend PRB File #13-029, pending receipt of additional information on the proposed sale. The motion passed unanimously.

**PRB FILE #13-030** - Mr. Valengavich moved and Mr. Pepe seconded a motion to approve PRB File #13-030. The motion passed unanimously.

**PRB FILE #13-031** - Mr. Valengavich moved and Mr. Josephy seconded a motion to approve PRB File #13-031. The motion passed unanimously.

**PRB FILE #13-032** - Mr. Pepe moved and Mr. Valengavich seconded a motion to approve PRB File #13-032. The motion passed unanimously.

The meeting adjourned.

**APPROVED:** \_\_\_\_\_ **Date:** \_\_\_\_\_

Bruce Josephy, Secretary