

STATE PROPERTIES REVIEW BOARD

Minutes of Meeting Held On March 26, 2012 State Office Building, Hartford, Connecticut

The State Properties Review Board held its regularly scheduled meeting on March 26, 2012 in the State Office Building.

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

Staff Present: Brian A. Dillon, Director

Chairman Greenberg called the meeting to order.

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

OPEN SESSION

ACCEPTANCE OF MINUTES OF MARCH 19, 2012. Mr. Norman moved and Mr. Valengavich seconded a motion to approve the minutes of March 19, 2012. The motion passed unanimously.

REAL ESTATE- UNFINISHED BUSINESS

REAL ESTATE- NEW BUSINESS

PRB # 12-075 **Transaction/Contract Type:** RE / Voucher
Origin/Client: DOT / DOT
Project Number: 170-3134-001
Grantor: Ann Marie Russo, Trustee, et al
Property: N/S Waterbury Road, Bristol, CT

Project Purpose: Reconstruction of Route 72

Item Purpose: Acquisition of approximately 47,100 SF temporary construction easement and additional compensation for the removal of site improvements required to repair roadway damages caused by Hurricane Irene.

Staff commented that the project concerns the repair and reconstruction of Route 72, which was made necessary by embankment and roadway failures caused by Tropical Storm Irene when heavy rains caused flooding of the Pequabuck River, Bristol. The flooding occurred during the weekend of August 27-28/2011. State Statute CGS §13b-26(f) states:

(1) Whenever a state of emergency, as a result of a disaster, exists in the state or any part of the state, and is so declared to be under the provisions of any federal law or state statute, and the state highway system becomes damaged as a result of such disaster, or (2) whenever the commissioner declares that an emergency condition exists on any highway in the state which demands immediate attention to

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insure the safety of the traveling public, whether or not such highway is damaged, the commissioner may, notwithstanding any other provision of the statutes, employ, in any manner, such assistance as he may require to restore said highway system to a condition which will provide safe travel or to correct the emergency condition so declared by the commissioner.

Using this authority, a Declaration of Emergency Condition was signed by DOT Commissioner James Redeker of August 31, 2011. For necessary acquisitions, the rights of way cost estimate was \$25,000. The project is 100% federally funded.

At the intersection of Route 72 and Waterbury Road, a 40 foot long by 18 foot wide section of roadway failed at the northwest wing wall of Bridge No. 1106. The reconstruction project design required the installation of permanent steel sheeting beginning at the end wall and extending westerly along the edge of the Pequabuck River for approximately 130 feet before tying into the existing embankment. Standard riprap was used to backfill behind the sheeting and also placed along the front of the sheeting, thereby concealing the sheeting from view. The roadway was repaired and a new guide rail installed.

The subject location is a portion of a 19.80 acres parcel of vacant industrial zoned land. DOT entered into a Right of Entry Agreement that allowed DOT and its contractors to enter the property of the Grantor to complete road work construction at this location. The area impacted was 47,001 sq. ft. The area was used for 8 weeks.

This voucher will compensate the Grantor for a temporary work area (8 weeks) and for the trees and vegetation lost due to the construction in the work area. The DOT property agent John Burke presented an offer of \$1,500 to the owner for compensation for use of the temporary work area, which was rejected with a counter-offer of \$20,000. After reviewing additional land sales data, the offer was raised from \$1.50/SF to \$3.00/SF and compensation was offered for lost trees and vegetation.

Staff recommended approval of the settlement; as a review of commercial/industrial land sales in Bristol from 1/1/2008 to date presents data ranging from \$1.38/SF to \$30.61/SF. The settlement is the most efficient and cost effective way for DOT to compensate the owner for the use of the property and any vegetation removed by the project.

PRB # 12-076 **Transaction/Contract Type:** RE / Voucher

Origin/Client: DOT / DOT

Project Number: 107-167-019

Grantor: Theodora Boccuzzi et al

Property: 25 Hill Parkway, Middlebury, CT

Project Purpose: Oxford Airport Federal Aviation Regulation, Part 150 Noise Study

Item Purpose: Acquisition of 0.92+/- acres of land, in fee, together with all improvements situated thereon, a "total take".

Staff commented that in January 2009, DOT and the Federal Aviation Administration (FAA) approved the Final Waterbury-Oxford Airport FAR (FAA) Part 150 Noise Study and the associated Noise Compatibility Program (NCP). The NCP recommended the voluntary acquisition of 72 single-family homes impacted by incompatible noise levels generated by the Waterbury-Oxford Airport. The 72 homes lie within the Runway Projection Zone, are adjacent to it, or are within certain decibel day night level (DNL) noise contours.

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The subject property is the 20th acquisition in this project to come before the Board. It is located in the project's Phase 2 (of 7) area, which has 10 properties located on Hill Parkway and Triangle Boulevard. DOT proposes a voluntary total taking of 0.92 acres (40,000 SF) improved with a 1,332 SF raised ranch style dwelling, with 6 rooms above grade (3 bedrooms, 1 bath), with a finished basement area of 576 ± SF that includes a half bath. There is a two-car garage, under, and all improvements are in "good" condition. The house was constructed in 1976; the current occupant purchased the property in 1977. There is a public sanitary sewer system and private water well. The zone is R-40, and the current use is a conforming, legal use.

Mr. Sass employed the Sales Comparison Approach and relied on two sales in Middlebury and one in Southbury, occurring April and June 2011. Prior to adjustment, the sale prices ranged from \$265,000 to \$289,500. After adjusting for sales concessions paid, site, age, condition, gross living area and design features, the sales indicated a value range from \$276,800 to \$289,300. Consequently, Appraiser Sass assigned a value of **\$285,000**. Staff recommended Board approval for the following reasons:

1. DOT has authority under Section 13b-44 to establish and maintain state airports, and acquire any lands determined to be necessary to improve the adequacy of existing state airports.
2. DOT has authority under Section 8-273a to provide relocation assistance and undertake the acquisition of real property on a federally funded project provided the acquisitions and relocation payments and assistance procedures comply with the federal Uniform Relocation Assistance and Real Property Acquisition Policies Act.
3. The appraisal report prepared by Edward P. Sass, Jr. as of 12/05/2011 supports the purchase price.

PRB # 12-077 **Transaction/Contract Type:** RE / Assignment
Origin/Client: DOT / DOT
Project Number: 132-125-3A
Grantee: Town of Manchester
Property: Clark Street, Manchester, CT

Project Purpose: Assignment of Land to the Town of Manchester

Item Purpose: Assignment of approximately 378 SF of vacant land and 362 SF of easement area to the Town of Manchester for highway purposes in connection with the *Reconstruction of Clark Street and Pleasant Valley Road Project*.

Staff stated that DOT acquired and is now releasing land and easements which were originally acquired for the *Reconstruction of Clark Street and Pleasant Valley Road*. The project is complete and it now necessary for the State to assign the land to the Town per Agreement No. 04.30.01(99) dated 12/29/1999. The project release area comprises 378 SF of land and 362 SF of easement area which was part of the initial 3,280 SF acquired by the State for the project. The original area acquired by the State for the project encompassed four parcels in both Manchester and South Windsor. Three of the parcels were under the ownership of the same individuals and the fourth was owned by the Town of Manchester. The project is complete and this is a release along a town street for highway purposes only and there is no monetary consideration.

Staff recommended **approval for the release** of this real estate for the following reasons:

1. The conveyance complies with Section 13a-80 of the CGS governing the release of excess property by the commissioner of transportation.

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2. The descriptions in the Quit-Claim to release the real property are consistent with the description in the DOT acquisition deeds.

ARCHITECT-ENGINEER - UNFINISHED BUSINESS

ARCHITECT-ENGINEER – NEW BUSINESS

OTHER BUSINESS

The Board took the following PRB File Votes in Open Session:

PRB FILE #12-075 - Mr. Pepe moved and Mr. Norman seconded a motion to approve PRB File #12- 075. The motion passed unanimously.

PRB FILES #12-076 - Mr. Valengavich moved and Mr. Millstein seconded a motion to approve PRB File #12-076. The motion passed unanimously.

PRB FILE #12-077- Mr. Valengavich moved and Mr. Norman seconded a motion to approve PRB File #12-077. The motion passed unanimously.

The meeting adjourned.

APPROVED: _____ **Date:** _____
Bruce Josephy, Secretary