

STATE PROPERTIES REVIEW BOARD

Minutes of Meeting Held On May 3, 2012 State Office Building, Hartford, Connecticut

The State Properties Review Board held its regularly scheduled meeting on May 3, 2012 in the State Office Building.

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

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

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 APRIL 26, 2012. Mr. Norman moved and Mr. Valengavich seconded a motion to approve the minutes of April 26, 2012. The motion passed unanimously.

OTHER BUSINESS

State Standard License Agreement for Telecommunication Service Providers. The Department of Administrative Services (DAS) and the Office of Policy & Management (OPM) briefly discussed with the Board a current concept that will standardize the terms for future license agreements issued by the State to telecommunication service providers. Attorney Gareth Bye, Mr. Patrick O'Brien, Mr. Paul Hinsch of OPM, and Mr. Shane Mallory of DAS joined the meeting at 9:35 a.m. to engage the Board in a discussion regarding the the development of a draft license agreement, following which there was a general discussion regarding current and changing technology, federal and state regulatory and permit requirements, pricing, liability, co-location and sub-licensing, local property tax issues, and benefits to the state in improvements to the communications infrastructure. All Board members were supportive of the concept and the financial benefits to the State. It was agreed by all that OPM and DAS will return to a future Board meeting once additional progress has been made in the development of the document and discussions with service providers. The discussion concluded at 10:05 a.m.

REAL ESTATE- UNFINISHED BUSINESS

REAL ESTATE- NEW BUSINESS

Mr. Josephy moved and Mr. Norman seconded a motion to go out of Open Session into Executive Session. The motion passed unanimously.

EXECUTIVE SESSION

PRB # 12-109 **Transaction/Contract Type:** RE / Lease Amendment
Origin/Client: DAS / JUD

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Statutory Disclosure Exemptions: 4b-23(e); 1-200(6) & 1-210(b)(7)

The Board commenced its discussion of the proposed Lease Amendment at 10:10 a.m. and concluded at 10:26 a.m.

Mr. Josephy moved and Mr. Norman seconded a motion to go out of Executive Session into Open Session. The motion passed unanimously.

OPEN SESSION

PRB #	12-111	Transaction/Contract Type:	RE / Sale
Origin/Client:	DOT / DOT		
Project Number:	38-000-050A		
Grantee:	Richard A Lernould		
Property:	Northerly side of RTE 44, Phoenixville-Pomfret Road		
Project Purpose:	DOT sale of excess property		
Item Purpose:	DOT sale of approximately 2.20-acres of vacant land via a public bid.		

Ms. Goodhouse said that in May 2011 the Board approved PRB #11-087 for the sale of this property known as "Frog Rock" to Charles R. Paquette for \$88,950. Subsequent to Board approval, Mr. Paquette withdrew his bid and forfeited his deposit of \$4,447.50. DOT then offered the property to the second highest bidder at \$42,000 who declined to purchase. The third and final bidder, Richard A. Lernould has agreed to purchase the property for his original bid of \$27,120.

The 2.2 acre property is presently a roadside rest area. It is relatively level and has 542.98 feet of frontage on the northeasterly side of U. S. Route 44. There are no wetlands. Eastford has not adopted zoning regulations. Land development requires specific acreage and land dimensions based on use, and are reviewed by the Town Planning Commission. For residential use, a minimum lot size is 1.5 acres with a minimum of 100 feet of street frontage.

As of 8/31/2010 DOT Appraiser Kenneth Goldberg estimated market value at \$22,000 because he judged the highest and best use to be "open space and/or recreational purposes with ancillary sales of food and beverages" and valued it accordingly. The appraiser also was influenced by the cost to bring electricity to the site. Ms. Goodhouse recommended Board approval to Quit Claim 2.20 acres of vacant land for \$27,120 to the Grantee is recommended for the following reasons:

1. The proposed sale complies with Sections 4b-21, 3-14b, and 13a-80 of the CGS. In order, DPW, OPM, DDS, DECD and DEP declined an offer to acquire custody & control. DEP was given several opportunities to acquire some or all of the property, but declined. The Town of Eastford initiated the release process, but the public bid occurred after a change in administration, and the Board of Selectmen declined twice to purchase the property. The legislative delegation was notified of the sale.
2. The property was adequately exposed to the market through the public bid process. A public bid was held on January 20, 2011. A minimum bid of \$23,000 was required. Three bids were received, with the highest being \$88,950 from Charles R. Paquette who eventually withdrew. The second highest bidder was Ted Suave at \$42,000. He declined. The third bid in the amount of \$27,120 was made by this Grantee, Richard A. Lernould. The sale would end the state's requirement to maintain the property.

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PRB # 12-112 **Transaction/Contract Type:** RE / Voucher
Origin/Client: DOT / DOT
Project Number: 09-094-002
Grantor: Joseph L. Mossa, et al.
Property: 1 Sara's Way, Bethel, CT
Project Purpose: Replacement of Bridge No.02402 State Road 58 Over Putnam Park Brook
Item Purpose: Acquisition of a defined easement for highway purposes totaling approximately 3,423 SF, a temporary construction easement totaling 607 SF and additional compensation for the contributory value of site improvements.

Ms. Goodhouse said that this project concerns the replacement in Bethel of Bridge No. 02402 which carries Route 58 over Putnam Park Brook. The subject property is 1.957 acres of improved residential land, in the R-80 zone. It is located on the easterly and westerly sides of Sara's Way, and on the northerly side of Route 58. The DOT file indicates that the majority of the affected area is in a defined wetland across the street from the dwelling; hence no improvements are impacted. There will be a loss of natural vegetation.

DOT originally offered \$4,800 in compensation. The grantor requested \$7,500 in compensation for the damages. DOT agreed that the 3,423 SF defined easement for highway purpose may have been undervalued, and adjusted the damages resulting from the taking to 91% of value, up from 50%. Ms. Goodhouse said that this seems reasonable because DOT considers the "easement for highway purposes" to be tantamount to ownership.

Ms. Goodhouse recommended Board approval. 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. The acquisition value is supported by the EOC report prepared by DOT, and by available data for sales of residential land in Bethel.

ARCHITECT-ENGINEER - UNFINISHED BUSINESS

ARCHITECT-ENGINEER – NEW BUSINESS

OTHER BUSINESS

The Board took the following votes in Open Session:

PRB FILE #12-109 – Mr. Pepe moved and Mr. Norman seconded a motion to approve PRB File #12- 109. The motion passed unanimously.

PRB FILE #12-111 - Mr. Valengavich and Mr. Norman seconded a motion to approve PRB File #12- 111. The motion passed unanimously.

PRB FILE #12-112 - Mr. Norman moved and Mr. Valengavich seconded a motion to approve PRB File #12- 112. The motion passed unanimously.

The meeting adjourned.

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