

STATE PROPERTIES REVIEW BOARD

Minutes of Meeting Held On June 30, 2014 State Office Building, Hartford, Connecticut

The State Properties Review Board held its regularly scheduled meeting on June 30, 2014 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 JUNE 23, 2014 Mr. Norman moved and Mr. Valengavich seconded a motion to approve the minutes of June 23, 2014. The motion passed unanimously.

ARCHITECT-ENGINEER – NEW BUSINESS

PRB# 14-137 **Transaction/Contract Type:** AE / Contract Amendment
Project Number: BI-RT-837 **Origin/Client:** DCS/DOE
Contract: BI-RT-837-ARC Contract Amendment #4
Consultant: Antinozzi Associates, P.C.
Property: Eli Whitney Technical High School, Hamden
Project Purpose: Campus Additions & Renovations to Eli Whitney Technical High School
Item Purpose: Contract Amendment #4 to compensate the consultant for additional design services, expanded construction phasing, fee escalation and extended contract duration.

At 9:45 David Ferris and Paul Antinozzi of Antinozzi Associates, and DCS Project Manager Peter McCann joined the meeting. The Board had suspended this item at its meeting on May 27, 2014 and requested additional information regarding Contract Amendment #4, which will revise AA's contract to allow the architect to provide additional design services for the redesign of the facility under a revised and larger programmatic scope.

The discussion principally concerned the architect's request of additional fees caused by the construction manager at risk increasing the project from 8 to 15 phases as well as fee escalation because the original contract price was awarded 7 years ago. The firm provided various documents regarding its request.

Mr. Ferris and Mr. Antinozzi left the meeting at 10:50 a.m.; Mr. McCann left the meeting at 11:02 a.m.

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REAL ESTATE- UNFINISHED BUSINESS

REAL ESTATE- NEW BUSINESS

PRB # 14-163 **Transaction/Contract Type:** RE / Assignment
Origin/Client: DAS / JUD
Lessor: Santo S. Vinci and Dale S. Vinci
Property: 484 Main Street, Middletown, CT
Project Purpose: Consent for Assignment to Icarus IV, LLC
Item Purpose: Consent for Assignment as required under Section 17.09 and Exhibit G of the base lease as amended and most recently approved by the Board in January 2012 under PRB #11-275.

The Judicial Branch has leased space at this location since 1989. The current lease rate is \$14.92/nusf plus electric, heat, hot water, interior janitorial, security, lighting, and pro-rata share of tax escalation levied over base year. Additional rent for tenant improvements (Sonitrol system) has been fully amortized over the first 5 years of the current lease (PRB #06-067).

Under this submittal Mr. Santo Vinci and Mr. Dale Vinci are requesting DAS approval for assignment of this lease to Icarus IV, LLC. All of the other terms of the lease are to remain the same.

SPRB Staff recommends approval of this assignment as the terms and conditions of the submittal are consistent with Section 17 and Exhibit G of the underlying lease approved by the Board in 2006 under PRB#06-067.

PRB # 14-164 **Transaction/Contract Type:** RE / Voucher
Origin/Client: DOT / DOT
Project Number: 014-181-005
Grantor: 30 Northeast Industrial Road, LLC
Property: 30 School Ground Road, Branford, CT
Project Purpose: Replacement of School Ground Road Bridge over the Branford River Project
Item Purpose: Administrative Settlement for the acquisition of a defined easement for highway purposes totaling 2,465±SF, a temporary construction easement totaling 438±SF and the contributory value of site improvements.

This DOT project will replace Bridge #04848, known as School Ground Road Bridge, over Branford River, Branford. The current span will be replaced with a 28 foot long span, with a 32 foot wide curb to curb roadway, and a 6 foot sidewalk on the east side. The construction area will extend 575 feet north of the bridge and 350 feet south.

Staff reported that the affected property is 3.93 acres of industrial (IG-2 zone) land located on the southeasterly side of School Ground Road, occupied by a fencing business. There are two warehouses on the property, not affected by the taking.

DOT requires an area of 2,465 SF for a defined easement for highway purposes located at the north east corner of the property at School Ground Road and along the Northerly boundary, which is the Branford River. In addition, compensation will be paid for a temporary construction easement of 438 SF located

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adjacent to the permanent easement. The temporary construction easement will impact a portion of the yard storage for 1 year. Some natural vegetation will be affected.

Based on the results of an Estimate of Compensation prepared by DOT Appraiser Mark J. Mickiewicz (9/2013), the DOT offered \$6,100 in damages. The Grantor rejected \$6,100 in compensation, and countered \$21,000 to \$23,000, following which DOT acquired the rights through condemnation.

In an Administrative Settlement dated June 9, 2014 the parties ultimately agreed to \$15,000 (\$6.25/SF) in damages based on (1) additional sales data of recent comparable sales in the range of \$3.86 to \$8.43/SF. These sales were also used to support an increased damage award at 43 School Ground Road (PRB #13-247); and (2) confirmation that the defined easement was more than an 85% taking of the 2,465 SF area because the Town of Branford subdivision regulations do not factor in areas subject to highway easements when calculating lot area for subdivision purposes.

Staff recommended Board approval of \$15,000 for damages. 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 damages are supported by the Administrative Settlement Statement, dated June 9, 2014.

PRB #	14-165	Transaction/Contract Type:	RE / Voucher
Origin/Client:	DOT / DOT		
Project Number:	017-182-046		
Grantor:	Qin Lin		
Property:	1054 Farmington Avenue, Bristol, CT		
Project Purpose:	Widening of U. S. Route 6, Bristol and Farmington Project		
Item Purpose:	Acquisition of a defined easement for highway purposes totaling 1,197±SF, a slope easement totaling 486±SF, severance for the loss of property value as well as additional compensation for the contributory value of site improvements.		

This DOT project is for the widening of a portion Route 6, Farmington Avenue, from Carol Lane in Bristol to Peggy Lane in Farmington. The project will provide a second eastbound through lane in order to reduce accidents and improve traffic flow. The proposed improvements would also consist of adjustments to the existing pavement cross-slope, drainage modifications and upgrades, and modification to the existing traffic signals.

The subject property is 0.21 acre, rectangular lot on the corner of Farmington Avenue and Stafford Avenue, Bristol. The zone is R-10, and the property is a legal, non-conforming lot due to the lot size being less than 10,000 SF. It is improved with a single family, cape-style house with driveway access from Stafford Avenue. The house was constructed in 1943, and at the time of appraisal was in poor condition. There is a detached one-car garage. A driveway in the rear provides access from Stafford Avenue and access to 4 other properties. There is public water and sewer.

DOT will acquire a 1,197 SF defined easement for highway purposes, and a 486 SF slope easement. The owner will be compensated for the loss of a stockade fence, landscaping, and a concrete walkway. Pavement will be removed and the driveway reconstructed. Retaining walls will be constructed along the Farmington Avenue frontage and along a portion of Stafford Avenue. The taking will cause permanent severance because Route 6 will move closer to the house (the easement for highway purposes is within 5

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feet of the front steps of the house); and the removal of fencing and landscaping will result in a loss of curb appeal and a loss of privacy. The highway easement will reduce the usable front yard area. The slope easement to be acquired along Stafford Avenue will negatively impact the usable side yard area.

DOT Appraiser Anthony J. Delucco established a value of \$53,500 before the taking. The breakdown is summarized in the appraisal report as follows:

Value of Easements Acquired:	\$ 5,000
Severance to the remainder:	\$ 5,500
Affected site improvements:	<u>\$ 1,500</u>
Total:	\$12,000

Staff recommended Board approval of the item. 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 damages in the amount of \$12,000 are supported by the appraisal report by Anthony J. DeLucco dated 3/7/2014.

ARCHITECT-ENGINEER - UNFINISHED BUSINESS

OTHER BUSINESS

The Board took the following votes in Open Session:

PRB FILE #14-137 – Mr. Norman moved and Mr. Valengavich seconded a motion to table PRB File #14-137 as the file is currently suspended by the Board. The motion passed unanimously.

PRB FILES #14-163 – Mr. Pepe moved and Mr. Millstein seconded a motion to approve PRB File #14-163. The motion passed unanimously.

PRB FILE #14-164 – Mr. Valengavich moved and Mr. Norman seconded a motion to approve PRB File #14-164. The motion passed unanimously.

PRB FILE #14-165 – Mr. Millstein moved and Mr. Valengavich seconded a motion to approve PRB File #14-165. The motion passed unanimously.

The meeting adjourned

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