

STATE PROPERTIES REVIEW BOARD

Minutes of Meeting Held On July 2, 2012 State Office Building, Hartford, Connecticut

The State Properties Review Board held its regularly scheduled meeting on July 2, 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 JUNE 25, 2012. Mr. Norman moved and Mr. Millstein seconded a motion to approve the minutes of June 25, 2012. The motion passed unanimously, except that Mr. Valengavich abstained from voting.

REAL ESTATE- UNFINISHED BUSINESS

REAL ESTATE- NEW BUSINESS

PRB #	12-171	Transaction/Contract Type:	RE / Voucher
Origin/Client:	DOT / DOT		
Project Number:	107-167-040		
Grantor:	Linda Ann Gabelman		
Property:	1351 Christian Road, Middlebury, CT		
Project Purpose:	Oxford Airport Federal Aviation Regulation, Part 150 Noise Study		
Item Purpose:	Acquisition of 0.46+/- acres of land, in fee, together with all improvements situated thereon, a "total take".		

Ms. Goodhouse reported 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.

The subject property at 1408 Christian Road, Middlebury, is the 28th acquisition in this project. It is located in the project's Phase 4 (of 7) area, which has 16 properties. Ms. Goodhouse recommended approval for the following reasons:

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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 2/7/2012 supports the compensation of \$292,000.

PRB # 12-172 **Transaction/Contract Type:** RE / Conveyance of Property
Origin/Client: DECD/DECD
Grantee: Heise Industries, Inc.
Property: 196 Commerce Street, East Berlin, CT
Project Purpose: Conveyance of Land pursuant to CGS 32-228
Item Purpose: Conveyance of approximately 1.5-acres of improved property consistent with a Lease to Purchase Agreement dated February 2000 and CGS 32-228.

Mr. Dillon reported that the Department of Economic and Community Development (“DECD”) is requesting SPRB approval pursuant to CGS 32-228(a) for the conveyance of approximately 1.5-acres of vacant land located in East Berlin. The property is located at 196 Commerce Street and was initially under the custody and control of DOT. In early 1999, an abutting business Heise Industries contacted DECD to discuss the possibility of acquiring this property as part of the company’s expansion plans. In 1999, the DOT entered into an agreement with DECD to transfer “custody and control” of the property. In June 1999, DECD then in turn entered into a “Lease to Purchase” agreement with the company. The agreement required the company to pay \$10,000 a year for 10-years (total purchase price \$100,000) to DOT and included a restriction that the property be used solely for “an economic base business or business support services”. Lastly, DECD required that Heise Industries create ten (10) full time employment positions within 2 years of the agreement being approved. The purpose of the property transfer was to allow the company to develop an additional parking area to accommodate the expansion of its facility. This agreement was subsequently approved by the Board on January 27, 2000 and is identified by PRB File #00-021.

In May 2007, DECD conducted a job audit and confirmed that Heise Industries had satisfied the job creation requirement of the agreement. In April 2009, DOT notified DECD that Heise Industries had made the required payments totaling \$100,000 and that the property was to be released to DECD for the purposes of being conveyed to the Company. In April 2010, pursuant to the statutory requirements DECD notified the Town of Berlin of its plans to transfer the property to Heise Industries.

Based on the Company’s completion of the terms of the “Lease to Purchase” Agreement Mr. Dillon recommended approval of the item.

PRB # 12-173 **Transaction/Contract Type:** RE / Voucher
Origin/Client: DOT / DOT
Project Number: 144-188-008
Grantor: William A. Wakeman et al.
Property: 5 Alice Place, Trumbull, CT
Project Purpose: Improvements on Route 127 & Intersection of Reservoir Road
Item Purpose: Acquisition of approximately 717 SF defined easement for highway purposes.

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Ms. Goodhouse reported that to improve safety, this project will construct exclusive left turn lanes on Route 127 (White Plains Road) at Reservoir Avenue and the intersection with a commercial driveway located on the east side of Route 127 at 888 White Plains Road, currently the location of a People's United Bank and various business offices. The project limits begin approximately 1,100 feet south of the intersection and extends 900 feet north of the intersection, for a total project distance of approximately 2,000 feet.

Route 127 will be widened and the existing traffic signal will be modified or replaced. The existing concrete sidewalk will be reconstructed and the existing drainage structures may be replaced or modified. Conflicting underground and overhead utilities will be relocated as needed. The project will be funded with 100% federal funds. The construction budget is \$3,150,000. The DOT cost estimate of the value of the necessary acquisitions is \$692,900 for 13 land parcels and 4 easements.

In this agenda item, DOT proposed to acquire a defined easement for highway purposes of 717 sq. ft. located along the easterly side of Alice Place and the southerly side of White Plains Road. No site improvements are affected. Consistent with DOT's agreement with FHWA an estimate of compensation (EOC) worksheet has been prepared for the subject taking. This process is used when for simple acquisitions related to minor site improvements where the total cost is typically less than \$10,000.

The subject property contains 0.35 acres and 99 feet of frontage along the southerly side of White Plains Road. It is improved with a single family residence. Based on \$14.00/SF, the taking was valued at \$10,000.

SPRB 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 acquisition value is supported by the estimate of compensation prepared by DOT.

ARCHITECT-ENGINEER - UNFINISHED BUSINESS

ARCHITECT-ENGINEER – NEW BUSINESS

OTHER BUSINESS

The Board took the following votes in Open Session:

PRB FILE #12-171 - Mr. Norman moved and Mr. Valengavich seconded a motion to approve PRB File #12-171. The motion passed unanimously.

PRB FILE #12-172 - Mr. Valengavich moved and Mr. Millstein seconded a motion to approve PRB File #12-172. The motion passed unanimously.

PRB FILE #12-173 – Mr. Norman moved and Mr. Valengavich seconded a motion to approve PRB File #12-173. The motion passed unanimously.

The meeting adjourned.

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