

STATE PROPERTIES REVIEW BOARD

Minutes of Meeting Held On August 22, 2013 State Office Building, Hartford, Connecticut

The State Properties Review Board held its regularly scheduled meeting on August 22, 2013 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 AUGUST 15, 2013. Mr. Norman moved and Mr. Valengavich seconded a motion to approve the minutes of August 15, 2013. The motion passed unanimously.

REAL ESTATE- UNFINISHED BUSINESS

PRB # 13-068 **Transaction/Contract Type:** RE / Lease-Out
Origin/Client: DOT / DOT
Project Number: 7001-MISC-1416
Lessee: First Student, Inc.
Property: Located along New Haven Rail line adjacent to 122 Selleck St., Stamford
Project Purpose: Lease of vacant land, DOT Agreement No. 6.05-01(12)
Item Purpose: Five year lease with two-five year renewal options for approximately 15,943 ± SF of land to be used for bus parking. The agreement will require the grantee to install a suitable permanent barrier along the lease area boundary adjacent to the existing rail line which will be reviewed and approved by the Metro-North Railroad Company

DOT Rail Administrator Eugene J. Colonese, Julie Thomas, Ron Boremski, Glen Hunter and Gary Belina joined the meeting at 9:30 a.m. to discuss the above referenced lease agreement with First Student, Inc. for 0.366 acre in the railroad right of way for school bus parking. According to the DOT Office of Rails, the prior owner, Laidlaw Transit Inc., encroached on State property when it paved the subject lease area for bus parking. Laidlaw also piped stormwater runoff onto to the main line of Metro-North. The tracks are 30 to 40 feet below the grade of the parking area. In 2010 and in 2012 DOT entered into temporary leasing agreements with the current owner, First Student, Inc. The agreement provides a rent credit to the Lessee in exchange for work completed within the railroad right of way and on adjacent property.

STATE PROPERTIES REVIEW BOARD

Minutes of Meeting, August 22, 2013

Page 2

The Lessee owns the adjoining 2.06 acre bus depot/parking lot. Mr. Boremski explained that the Lessee has (1) installed a permanent barrier to prevent school buses from entering the cut for the rail line; and (2) replaced the existing storm water drainage system (that piped water onto the tracks) with a new drainage infrastructure to divert storm water into the City of Stamford municipal storm sewers. DOT has provided a list of \$257,055.06 in costs incurred by the Lessee that it considers to be eligible for rental credits to be awarded during the first five year lease period. Under the agreement, the annual rental rate is \$52,020. In essence, DOT would forgive the first five years of rental payments in exchange for the work completed by the Lessee.

There followed a general discussion of state statutes regarding the Board's authority to review DOT lease agreements; and DOT's authority to provide rent abatements prior to receiving Board approval.

Messrs. Colonese, Boremski, Hunter and Belina and Ms. Thomas left the meeting at 10:25 a.m.

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 # 13-169-A **Transaction/Contract Type:** AG/Purchase of Develop. Rights
Origin/Client: DOA/DOA
Statutory Disclosure Exemptions: 1-200(6)(D) & 1-210(b)(7)

The Board commenced discussion of the proposed Purchase at 10:30 a.m. and concluded at 10:52 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

REAL ESTATE - NEW BUSINESS

PRB # 13-183 **Transaction/Contract Type:** RE / Voucher
Origin/Client: DOT / DOT
Project Number: 131-190-009
Grantor: Anthony Kalivretakis
Property: 1315 Meriden – Waterbury Turnpike, Southington
Project Purpose: Route 10 and Route 322 Improvements Project
Item Purpose: Acquisition of 547± SF of land, 301± SF defined slope easement and additional compensation for the contributory value of site improvements.

Bridge No. 00518, which carries one lane of traffic in each direction on Route 10 over Route 322, will be removed, and a new at-grade intersection will be created at Route 10 and Route 322. Route 10 will be widened from 30 feet to 44 feet to provide two 12 foot travel lanes, a 12 foot turn land & 4 foot shoulders. Route 322 will be widened from 32 feet to 56 feet for similar improvements. The intersections at Old Turnpike Road will be realigned and widened. The bridge is structurally deficient and functionally

STATE PROPERTIES REVIEW BOARD

Minutes of Meeting, August 22, 2013

Page 3

obsolete. The rights of way budget for the project is \$287,000 for partial takings that affect 13 parcels. Four properties have taking value estimates over \$5,000.

The subject property is 1.10 acres of commercial land improved with a restaurant (Tony's Pizza). The property is located at the northeast intersection of Route 10 and Route 322, Southington.

DOT will compensate for the taking of 547 SF located in the southwest corner of the property at the intersection of SR 322 and Old Turnpike Road. In the same location, there is an additional taking for a slope easement affecting 301 SF. Landscaping in this area will be affected.

DOT Appraiser Raymond C. Boucher completed an Estimate of Compensation appraisal report (12/19/2012). He determined that the improvements would not be affected, and valued the 1/1 acres site at \$359,370 or \$7.50/sf. Based on his opinion, the \$5,300 in compensation will be awarded to the Grantor.

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 report completed by the DOT.

ARCHITECT-ENGINEER - UNFINISHED BUSINESS

ARCHITECT-ENGINEER – NEW BUSINESS

OTHER BUSINESS

The Board took the following votes in Open Session:

PRB FILE #13-068- Mr. Norman moved and Mr. Valengavich seconded a motion to suspend PRB File #13-068 in order for the Board to review the additional information submitted at the meeting. The motion passed unanimously.

PRB FILE #13-169-A - Mr. Pepe moved and Mr. Valengavich seconded a motion to suspend PRB File #13-169-A, pending receipt of additional information from the Department of Agriculture regarding the proposal. The motion passed unanimously.

PRB FILE #13-183- Mr. Norman moved and Mr. Valengavich seconded a motion to approve PRB File #13-183. The motion passed unanimously.

The meeting adjourned.

APPROVED: _____ **Date:** _____

Bruce Josephy, Secretary