

STATE PROPERTIES REVIEW BOARD

Minutes of Meeting Held On November 18, 2013 State Office Building, Hartford, Connecticut

The State Properties Review Board held its regularly scheduled meeting on November 18, 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 NOVEMBER 12, 2013. Mr. Norman moved and Mr. Valengavich seconded a motion to approve the minutes of November 12, 2013. The motion passed unanimously.

COMMUNICATIONS

REAL ESTATE- UNFINISHED BUSINESS

REAL ESTATE- NEW BUSINESS

PRB # 13-231 **Transaction/Contract Type:** RE / Voucher
Origin/Client: DOT / DOT
Project Number: 041-113-001
Grantor: Hampton 66 LLC
Property: 50 East High Street, East Hampton CT
Project Purpose: Intersection and Safety Improvements on Route 66 and Old Marlborough Road
Item Purpose: A partial taking of 5,905± SF of land, a 1,215± SF slope easement, a 1,065± SF temporary construction easement and additional compensation for the contributory value of affected site improvements.

Staff reported that this DOT project is for intersection and safety improvements on Route 66 and Route 196 and Old Marlborough Road. The purpose of the project is to install dedicated left turn lanes in (in front of the subject property) along Route 66 onto Route 196 and Old Marlborough Road. The intersection will have a new traffic signal installed; an island will be replaced and site lines along Route 66 will be improved. When the project was approved by the FHWA, DOT estimated 5 properties would be affected and the budget for rights of way acquisition was \$100,000; the construction budget estimate was \$1,951,000.

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The subject of PRB #13-231 at 50 East High Street is 3.122 acres of commercial land on the south side of East High Street (CT Route 66) at the intersection of Lake View Street (Route 196) across from Lake Pocotopaug. The improvements consist of a CVS Pharmacy and a Savings Institute Bank. The present use is the highest and best use. Adjacent uses include residential, condominium, commercial, and cemetery.

As a result of the project, the road will be shifting south toward the subject property by approximately 15 feet. Hence, the land taken in fee is an irregular shaped strip of land along the property's frontage on East High Street and the corner of Lake Street (Route 196). DOT will acquire slope easements on either side of the existing driveway. DOT will also acquire a temporary construction easement at the northeast corner of the property. The building improvements will not be affected by these takings. The landscaped beds and plantings along the frontage will be impacted due to the sloping, movement of the sidewalk and construction easement.

Based on an appraisal report prepared May 24, 2013 by DOT appraiser John P. Kerr, the 3.122 acre commercial site was valued at \$1,632,048 (\$12.00/SF). The Grantor was offered and accepted \$94,500 as follows:

<i>Item</i>	<i>Calculation</i>	<i>Damages</i>
Land taken in fee simple	5,905 SF @ \$12.00/SF	\$70,860
Slope Easement	900 SF @ \$12.00/SF x 50%	\$ 5,400
Slope Easement	315 SF @ \$12.00/SF x 50%	\$ 1,890
Temporary Work Area	1,065 SF; ground rent payment	\$ 1,500
Contributory value of lost improvements	Payment basis: Marshall cost manual	\$15,000
Total		\$94,500

Staff 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 damages totaling \$94,500 are well supported by the appraisal report provided.

PRB # 13-233 **Transaction/Contract Type:** RE / Voucher
Origin/Client: DOT / DOT
Project Number: 017-182-050
Grantor: Deanna Cloutier
Property: 1028 Farmington Avenue, Bristol CT
Project Purpose: Widening of U. S. Route 6, Bristol and Farmington
Item Purpose: A partial taking of a defined easement for highway purposes totaling 650±SF and additional compensation for the contributory value of affected 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 (2011) estimate for rights of way acquisition is \$1,487,400 affecting 55

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properties. There were 478 accidents with 191 injuries recorded on this section of Route 6 between 1/1/2005 and 12/31/2008.

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 at 1028 Farmington Avenue, Bristol is 0.21 acre improved with a single family residence. The project requires a taking of 95% interest for a defined easement for highway purposes in an area of 650 sq. ft. located along the property's frontage on the southerly side of Route 6. The project impacts the lawn and mature landscaping. DOT established a rate of \$6.25/SF for this taking and offered compensation as follows:

Defined Easement for Highway Purposes	650 SF @ \$6.25/SF x 95% =	\$3,859.38
Contributory Value of existing vegetation & trees	Lump sum =	<u>\$1,500.00</u>
		\$5,359.38, say \$5,400.00.

The grantor was concerned that the existing trees and vegetation were very important to screening the noise and sight from the existing road, which will now be 10 feet closer to the residence and the Burger King across the street. The grantor believed it would cost more than \$1,500 to replicate the existing vegetation and screening. DOT calculated that an arbor vitae screen would cost \$4,000; and privacy fencing would cost an additional \$1,200 to \$2,600. An ensuing negotiation resulted in an agreement for DOT to increase the award by \$1,500 for the lost vegetation, trees and screening, for a total amount of \$6,900.00.

Board approval of payment of \$6,900 in damages is recommended. 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, and the negotiated settlement is reasonable.

PRB # 13-242 **Transaction/Contract Type:** RE / TOD Purchase & Sale Agreement
Origin/Client: DOT / DOT
Buyer: City of Meriden Housing Authority
Property: 24 Colony Street, Meriden CT
Project Purpose: Transit Oriented Development Project, as authorized by CGS §13b-79kk,
Item Purpose: Sale of a 30,992 ±SF property previously acquired by the State which shall be consolidated with the abutting properties for the construction of an Air Rights Garage. The agreement is subject to the reservation of an Airspace, Structural Support, and Maintenance Easement within the Air Rights Garage which will be constructed consistent DOT Standard Specifications and Covenants and then transferred back to the State upon satisfactory completion of the project. The project will include the construction of 63 residential units and an associated parking garage structure containing approximately 273 parking spaces

The Department of Transportation ("DOT") has submitted to the State Properties Review Board the Purchase and Sale Agreement ("Agreement") between the State and the City of Meriden Housing Authority for property located at 24 Colony Street in Meriden. The document is being submitted under

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DOT's authority pursuant to CGS 13b-79kk which allows the Commissioner of DOT to enter into certain agreements for Transit Oriented Development Projects subject to approval by the Board.

The agreement states that the property located at 24 Colony Street in Meriden was originally acquired via condemnation pursuant to CGS 13a-73 and as such was not subject to Board approval. The Meriden Housing Authority and a private developer entered into a development agreement which included this property as well as the adjacent property at 38 and 44 Colony Street. The two entities have since created a new entity known as Maynard Road Corporation ("Developer") for the purposes of completing this project. In general, the current development plan includes the construction of 63 affordable housing units and a 273-car parking garage.

Under CGS 13b-79kk which is attached with this memo; the Commissioner of DOT may participate in projects which are supportive of improvements to public transportation facilities and meet transit support standards for land use.

Under the terms Agreement presented by DOT, the State shall convey to the Meriden Housing Authority ("MHA") the property located at 24 Colony Drive. The MHA will compensate the State for the final cost of acquisition which may range from \$182,000 to \$300,000 based on the final court proceedings. DOT will be responsible for the demolition of the structures on the property. The following legal agreement has been developed as part of the project:

Purchase and Sales Agreement between DOT and MHA whereby DOT transfers 24 Colony Street to MHA in fee and reserves appropriate air rights and easements associated with the maintenance of the garage. DOT will own the entire garage except the 1st floor. DOT will also receive contiguous and congruent air rights for any portion of the garage built on 38 and 44 Colony Street.

- Closing (transfer of title of 24 Colony) to occur upon: (a) evidence of sufficient financial assistance for Developer to complete the project; and (b) execution of the MHA-DOT Garage Construction and Transfer Agreement.
- This document is subject to the review and approval of the State Properties Review Board.

(2) Conveyance from Buyer to Seller the general air rights to 38-44 Colony Street

DOT supplied the Board an executed copy of the agreement, an executive summary memo, correspondence from OPM approving the agreement and a cost estimate for the planned construction of the garage.

Staff recommended approval of the item as the agreement is generally consistent with the statutory requirements of CGS 13b-79kk.

ARCHITECT-ENGINEER - UNFINISHED BUSINESS

ARCHITECT-ENGINEER – NEW BUSINESS

PRB#	13-238	Transaction/Contract Type:	AE / Commission Letter #1
Project Number:	BI-T-603	Origin/Client:	DCS/DEEP
Contract:	BI-T-603-ARC		

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Consultant: Bargmann Hendrie + Archetype, Inc.
Property: Hammonasset Beach State Park, Madison CT
Project Purpose: West Beach Improvements Project
Item Purpose: Commission Letter #1 to compensate the consultant for additional design services including a free standing storage facility, separation of sanitary wastewater flows as well as revisions to the layout of each bathhouse to accommodate such design changes.

Staff reported that this project consists of the design of a new replacement multi-purpose men and women's restroom facilities with a life guard station, communication center and new concession stand. The building will be situated outside of the "V" Flood Zone but remain within the 100-Year Flood Plain. The project shall also include parking lot renovations, an expanded picnic area, new boardwalk connections, creation of additional sand dunes and demolition of the existing concession building. As part of the design scope, alternative energy conservation considerations shall be included in the design scope and evaluated at the completion of the schematic design phase. The overall project budget and construction budget are \$5,830,000 and \$4,214,000 respectively.

In August 2011 the Department of Construction Services ("DCS") issued a Request for Qualifications (RFQ) for Architect and Consultant Design Teams related to the Hammonasset Beach State Park West Beach Improvements Project. At the conclusion of the process DCS identified Bargmann Hendrie + Archetype, Inc., ("BHA") as the most qualified firm.

The approved initial compensation rate for basic services (PRB #12-238) was \$392,500 plus an additional \$56,500 for special services and/or sub-consultants. The total contract approved by the Board for the project was \$449,000 which amounted to a total fee of 10.65% of the overall construction budget and a basic service fee equivalent to 9.31% of the construction budget.

Commission Letter # 1 in the amount of \$23,390 will expand the scope of services for BHA to include the following:

- Separation of plumbing for seasonal and year round toilet facilities as well as the design of separate leaching areas for these flows. This scope of work will also include any required engineer systems such as pump stations, valve chambers and surge tanks to allow acceptable flows of septic waste to the leaching fields.
- Design of a free standing storage facility inclusive of electrical and plumbing requirements
- Revisions to the layout for the bathhouse complex to address any changes required consistent with the need to separate flows.

SPRB Staff recommends approval of this commission letter as all the required documents have been submitted by DCS. .

OTHER BUSINESS

The Board took the following votes in Open Session:

PRB FILE #13-231 – Mr. Valengavich moved and Mr. Norman seconded a motion to approve PRB File #13-231. The motion passed unanimously.

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PRB FILE #13-233 – Mr. Norman moved and Mr. Millstein seconded a motion to approve PRB File #13-233. The motion passed unanimously.

PRB FILE #13-238 – Mr. Valengavich moved and Mr. Norman seconded a motion to approve PRB File #13-238. The motion passed unanimously.

PRB FILE #13-242 – Mr. Norman moved and Mr. Pepe seconded a motion to approve PRB File #13-242. The motion passed unanimously.

The meeting adjourned.

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