

# **STATE PROPERTIES REVIEW BOARD**

## **Minutes of Meeting Held On July 18, 2024**

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Pursuant to CGS §1-225a, the State Properties Review Board conducted a Regular Meeting beginning at 9:30AM. Pursuant to the statute, this Meeting was held solely by means of electronic equipment – via Microsoft TEAMS or Call-In Conference.

### **Members Present – solely by means of electronic equipment:**

Bruce R. Josephy, Chairman  
Jeffrey Berger, Vice Chairman  
John P. Valengavich, Secretary  
Edwin S. Greenberg  
William Cianci

### **Members Absent:**

Jack Halpert

### **Staff Present – solely by means of electronic equipment:**

Thomas Jerram

### **Guests Present – solely by means of electronic equipment:**

Mr. Valengavich moved and Mr. Berger seconded a motion to enter into Open Session. The motion passed unanimously.

## **OPEN SESSION**

### **1. ACCEPTANCE OF MINUTES**

Mr. Valengavich moved and Mr. Greenberg seconded a motion to approve the minutes of the July 15, 2024 Meeting. The motion passed unanimously.

### **2. COMMUNICATIONS**

### **3. REAL ESTATE- UNFINISHED BUSINESS**

#### 4. REAL ESTATE – NEW BUSINESS

<b>PRB #</b>	24-101
<b>Transaction/Contract Type:</b>	RE – Voucher
<b>Origin/Client:</b>	DOT / DOT
<b>DOT Project #:</b>	109-175-008
<b>Grantor:</b>	Town of Plainville
<b>Property:</b>	Plainville, Norton Rd and Robert Jackson Way – Norton Park
<b>Project Purpose:</b>	Farmington Canal Heritage Trail
<b>Item Purpose:</b>	Voucher

**DAMAGES: \$53,100**

Project Background - <https://fchtrail.org/history/>

The fifty-six miles of the Farmington Canal Heritage Trail (FCHT) and the eighteen miles of the Farmington River Trail constitute the most picturesque and historic greenways in New England. The Connecticut section from New Haven to Suffield runs through eleven towns and connects with many more biking and walking trails. The FCHT has been designated a Community Millennium Trail under the federal Millennium Trails Initiative based upon its special value to the communities it serves.

Much of the trail system is complete with the exception of a 7.3-mile piece running south from Northwest Drive in Plainville, through the whole town into northern Southington. This entire section is either in construction or design and is fully funded through CTDOT.

In Plainville, the project known as “Farmington Canal Heritage Trail Town Line Road to Norton Park” will install a multi-use recreational trail consisting of a segment that will extend from Town Line Road to Norton Park in Plainville. This portion of the proposed trail, upon completion will be integrated into the existing Farmington Canal Heritage Trail that extends from New Haven at the southerly end, to the State of Massachusetts on the northerly end. The proposed multi-use trail is 12 feet in width and will have a paved asphalt surface. The trail will include a 2-foot grass shoulder on either side of the paved surface and a split-rail wooden fence in most portions of the trail.

Under this Proposal (PRB #24-101), DOT is seeking SPRB approval to acquire a total of 2.85 acres of land, permanent and temporary easements in conjunction with a portion of the planned construction of the Farmington Canal Heritage Trail in Plainville.

The subject property consists of an 82.46± acre, town-owned park, residentially zone parcel (R-20), with frontage along multiple roads in Plainville. The park is used mainly for passive recreational purposes with walking paths, playgrounds, swimming pool, outdoor pavilions for events, tennis and basketball courts and several open field for baseball, soccer and football. There is an 8,043 sf maintenance shed and asphalt-paved parking for approximately 250 cars.

The property is subject to a deed restriction limiting the use of the land for park purposes.



Red arrow identifying general area of partial take and easements.

The Appraiser opines the highest and best use of the subject property is continued use as a park.

**VALUATION:** The DOT appraisal was completed February 6, 2024, by DOT Appraiser Steven C. Miller.

Before Valuation: Based on the sales comparison approach, the appraiser considered five sales (2021-2024) of larger parcels in the local and greater market area, as follows:

ITEM	SUBJECT PROPERTY	COMPARABLE NO. 1		COMPARABLE NO. 2		COMPARABLE NO. 3	
Address	Lot 38 Norton Park Rd Et Al (Before) Plainville, CT 06062	Lot 17 Ledge Road Plainville, CT 06062		347 - 389 Marion Avenue Southington, CT		1268 West Street Et Al Southington, CT 06489	
Proximity to Subject		2.19 miles E		5.54 miles SW		2.88 miles SW	
Sales Price	\$ N/A	\$ 10,246 per Ac.		\$ 77,579 per Ac.		\$ 60,014 per Ac.	
Price \$/Sq. Ft.	\$	\$ 500,000		\$ 920,000		\$ 2,950,000	
Data Source(s)	TownRec, Owner, Insp.	Town Rec, Ext. Insp., Vol647Pg837		Town Rec, Ext. Insp., Vol1599Pg957		TownRec,Ext.Insp.,Vol1561Pgs454-472	
ITEM	DESCRIPTION	DESCRIPTION	+ (-) \$ Adjust.	DESCRIPTION	+ (-) \$ Adjust.	DESCRIPTION	+ (-) \$ Adjust.
Date of Sale/Time Adj.	February 6, 2024	November 19, 2021		January 25, 2024		4/21/22 Thru 5/4/22	
Location	Average	Average / Inferior	+1,025	Average		Avg. Superior / Views	-6,001
Site/View	82.4633± Ac / R-20,RI	48.80± Ac / R-40	-512	11.8589± Ac/R20/25,RI	-7,758	49.1555± Ac / R-40	-3,001
Site Utility & Orientation	Good / Irregular	Average / Irregular, Rear	+1,025	Good / Irregular		Good / Irregular	
Terrain & Topography	Generally Level	Rolling-NorthUpsloping	+1,025	Generally Level		Rolling-WestDownslope	+6,001
Frontage & Access	6-St,2ROW / 25'perAc	ROW Access Only	+1,540	47,67/10'FFperAc	+7,758	1472,271/35'FFperAc	
Wetlands & Floodzone	Est.30%Wetlnd / X, A	Minimal Along S/S / X	-1,025	Minimal If Any / X	-7,758	Est.12%Wetlnd / X	-3,001
Sales or Financing Concessions	CWater, CSewer, Typ Deed Rstrctd Open Spac	Well, Septic Req. Deed Rstrctd Open Spac	+1,025	CWater, CSewer, Typ Res. Subd/ Apprvd13-Lot	-54,305	Cwater,SepticReq,Typ Res. Subd/ Apprvd34-Lot	+3,001
Net Adj. (Total)		<input checked="" type="checkbox"/> + <input type="checkbox"/> - \$	4,103	<input type="checkbox"/> + <input checked="" type="checkbox"/> - \$	-62,063	<input type="checkbox"/> + <input checked="" type="checkbox"/> - \$	-45,011
Indicated Value of Subject		\$ 14,349		\$ 15,516		\$ 15,003	

ITEM	SUBJECT PROPERTY	COMPARABLE NO. 4		COMPARABLE NO. 5	
Address	Lot 38 Norton Park Rd Et Al (Before) Plainville, CT 06062	Lot 7 Shrub Road Et Al Bristol, CT 06010		475 Perkins Street Et Al Bristol, CT 06010	
Proximity to Subject		4.85 miles NW		5.12 miles NW	
Sales Price	\$ N/A	\$ 60,778 per Ac.		\$ 41,239 per Ac.	
Price \$/Sq. Ft.	\$	\$ 2,100,000		\$ 500,000	
Data Source(s)	TownRec, Owner, Insp.	Town Rec, Ext. Insp., Vol2222Pg1		Town Rec, Ext. Insp., Vol2195Pg812	
ITEM	DESCRIPTION	DESCRIPTION	+ (-) \$ Adjust.	DESCRIPTION	+ (-) \$ Adjust.
Date of Sale/Time Adj.	February 6, 2024	April 19, 2022		Sept. 13, 2021	+4,124
Location	Average	Average / Superior	-6,078	Average / Superior	-4,124
Site/View	82.4633± Ac / R-20,RI	34.5520± Ac / R-15	-3,039	12.1245± Ac / R-25	-4,124
Site Utility & Orientation	Good / Irregular	Good / Irregular		Good / Irregular	
Terrain & Topography	Generally Level	Gen. Level to Rolling	+3,039	Generally Level	
Frontage & Access	6-St,2ROW / 25'perAc	865',284',75/35'FFperAc		996',113',172/106'FFperAc	
Wetlands & Floodzone	Est.30%Wetlnd / X, A	Est.17%Wetlnd / X	-3,039	Est.30%Wetlnd / X	
Sales or Financing Concessions	CWater, CSewer, Typ Deed Rstrctd Open Spac	CWater, CSewer, Typ Res. Subd/ AbutterPurch	-36,467	CWater, CSewer, Typ RawLand/ResSubdHBU	-20,620
Net Adj. (Total)		<input type="checkbox"/> + <input checked="" type="checkbox"/> - \$	-45,584	<input type="checkbox"/> + <input checked="" type="checkbox"/> - \$	-24,744
Indicated Value of Subject		\$ 15,194		\$ 16,495	

After adjusting for Transactional, Locational and Physical characteristics, the Appraiser concluded that the fair market value of the subject property was as follows:

After careful consideration, it is the appraiser's opinion that the subject's land-only "Before" the acquisition has a rate of **\$ 15,000 per Acre**. This rate is converted to \$0.35 per Square Foot (rounded). Therefore, we see the following:

$$3,592,103\pm \text{ Square Feet} \times \$ 0.35 \text{ per Square Foot} = \$ 1,257,236$$

**Land – Only Value in the "Before" Condition      \$ 1,257,000**

Added to the value is the contributory value of impacted site improvements, estimated at \$5,000. The Before Value is then \$1,262,000.

### TAKING DESCRIPTION:

DOT requires acquiring the following:

• Fee Simple Taking	2.85± Acres
• Easement to Slope for the Support and Safety of the Trail	18,760± Square Feet
• Temporary Construction Easement #1	2,668± Square Feet
• Temporary Construction Easement #2	4,186± Square Feet
• Temporary Construction Easement #3	11,940± Square Feet
• Right to Construct Parking Lot	15,470± Square Feet
• Right to Install Sedimentation Control System	2,586± Lineal Feet
• Right to Remove Trees	Not Applicable

The Fee Simple Taking totals 2.85± acres (124,146± square feet) of land having a generally long and narrow orientation along the subject's western boundary. This proposed acquisition is estimated to be roughly 2,425± lineal feet long in a north-south direction along the historic canal, with a short eastward spur off the northern tip measuring an additional 181'± lineal feet. The width of the fee taking changes throughout the length of the take, and ranges from 22'± wide to 66'± wide. The land area is comprised of inland wetland soils and its generally surroundings and embankment areas along the historic Farmington Canal as it bisects through Plainville. The taking allows for the installation of a paved walking trail parallel to the canal.

The Easement to Slope for the Support and Safety of the Trail encompasses 18,760± square feet of land along the fee simple take's eastern boundary, and applies to several sections where adjacent terrain needs to be modified to allow for the trail's installation. The width of the easement largely falls within 10'± or 12'± of the fee taking where applicable, however the easement ranges up to roughly 30'± east of the fee simple take in areas.

The Temporary Construction Easement #1 totals 2,668± square feet at the proposed project's 128+00 baseline. The easement has a trapezoid orientation that is 58'± long, and ranges from 43'± to 49'± deep in an eastward direction off the fee simple take. The temporary easement is effective during the term of the project only, with construction indicated to start September 2025 through December 2026. The temporary construction easement is for the purposes of construction access, clearing and installation of a temporary pad for construction storage and installation of temporary sedimentation control system during the project. The construction easement taken will be restored by removal of all temporary appurtenances and grading/seeding any disturbed areas. Said easement will be extinguished upon completion of the project unless sooner extinguished by the state.

The Temporary Construction Easement #2 totals 4,186± square feet at the proposed project's 134+60 baseline at an existing 20' wide right of way for pedestrian and utility access from Hollyberry Lane to Norton Park. It is noted pedestrian access will be discontinued during the project; utility connections shall be uninterrupted. The easement has an irregular orientation, and measures 112'± along the fee simple taking limit and ranges from 53'± and 54'± deep in an eastward direction. The land area is level land that lacks wetland soils. The temporary easement is effective during the term of the project only, with construction indicated to start September 2025 through December 2026. The temporary construction easement is for the purposes of construction access, construction of walk and installation of temporary sedimentation control system during the project. The construction easement taken will be restored by removal of all temporary appurtenances and grading/seeding any disturbed areas. Said easement will be extinguished upon completion of the project unless sooner extinguished by the state.

The Temporary Construction Easement #3 totals 11,940± square feet of land area immediately adjacent to an existing paved parking lot. The temporary easement ranges from 270'± to 272'± long, and ranges from 45'± to 64'± deep off the east side of the parking lot. This impacted area is comprised of grassy land and paved driveway, with the eastern limit of the construction easement being the edge of the driveway. This construction easement allows for staging and construction material storage on the grassy area; the adjacent driveway is required for construction access during the project (as the parking lot will remain open to the general public). The driveway access will remain open to others during the project term. The temporary easement is effective during the term of the project only, with construction indicated to start September 2025 through December 2026. The temporary construction easement is for the purposes of construction access and staging of construction materials during the project. Use of the easement area will not impede use of the driveway within the area by others. The construction easement taken will be restored by removal of all temporary appurtenances and grading/seeding any disturbed areas. Said easement will be extinguished upon completion of the project unless sooner extinguished by the state.

The Right to Construct Parking Lot encompasses 15,470± square feet and covers an existing paved parking lot in a rectangle orientation. The recreational trail to be installed shall run along the south boundary of the parking lot; the trail's added width requires the parking spaces to be moved slightly northward. This right allows for the general reconstruction of the parking lot at the conclusion of the project. There are four parking spaces lost as a result of this reorientation.

The Right to Install Sedimentation Control System allows for sedimentation and erosion control measures to be installed, is indicated to measure 2,586± lineal feet loosely along fee taking and easement areas, in an effort to protect the impacted site from construction activity.

The Right to Remove Trees allows for the clearing and cutting of trees and vegetation in the easement taking areas.

## AFTER VALUATION:

After Valuation: Based on the sales comparison approach, the appraiser considered the same sales that were used in the before.

After adjusting for Transactional, Locational and Physical characteristics, the Appraiser concluded that the fair market value of the subject property was unchanged at \$15,000 per acre, or \$0.35 per square foot of land, with the value of the property, after the taking, calculated as follows:

After careful consideration, it is the appraiser's opinion that the subject land "After" the proposed acquisition has an unchanged rate of \$ 15,000 per Acre, and remains otherwise equitable to \$0.35 per Square Foot (rounded).

The Easement to Slope limits land rights in the impacted area. It is the appraiser's opinion that the permanent Easement to Slope reduces land rights by a factor of 50%. Temporary construction easements are treated separately as they are not permanent encumbrances to the impacted property.

As such, the value of the subject property in the "After" condition is measured as follows:

3,449,197± Square Feet x \$ 0.35 per Square Foot x 100% Fee Remaining	=	\$ 1,207,219	
18,760± Square Feet x \$ 0.35 per Square Foot x 50% Fee Remaining	=	<u>\$ 3,283</u>	
		\$ 1,210,502	Or, Say \$ 1,210,000 (Rd)
<b>Total Value in the "After" Condition</b>		<b>\$ 1,210,000 + "X"</b>	

### Calculation of Permanent Damages

Item	Value
Before Valuation	\$1,262,000
After Valuation	\$1,210,000
Permanent Damages	\$52,000

### Calculation of Temporary Damages

The appraiser then calculated temporary damages for the three construction easements:

2,668± Square Feet x \$0.35 per Sq.Ft. x 1.00% per Month x 16 Months Occupied =	\$ 149
4,186± Square Feet x \$0.35 per Sq.Ft. x 1.25% per Month x 16 Months Occupied =	\$ 293
11,940± Square Feet x \$0.35 per Sq.Ft. x 1.00% per Month x 16 Months Occupied =	\$ 669
	\$ 1,111 Or, Say \$1,100 (rounded)
<b>Total Temporary Damages</b>	<b>\$ 1,100</b>

Total damages are then permanent damages plus temporary damages, or \$52,000 + \$1,100 = \$53,100.

**RECOMMENDATION:** Board **APPROVAL** of damages in the amount of \$53,100 is recommended for the following reasons:

1. 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.
2. The acquisition value is supported by the DOT appraisal.

### 5. ARCHITECT-ENGINEER - UNFINISHED BUSINESS

### 6. ARCHITECT-ENGINEER - NEW BUSINESS

### 7. OTHER BUSINESS:

The Board discussed the SPRB contribution to the DAS Digest of Administrative Reports, with Members requesting additional information be added for review during the Board's next meeting.

### 8. VOTES ON PRB FILE:

**PRB FILE #24-101** – Mr. Greenberg moved and Mr. Valengavich seconded a motion to approve PRB FILE #24-101. The motion passed unanimously.

### 9. NEXT MEETING – Monday, July 22, 2024 – will be held solely by means of electronic equipment via Microsoft TEAMS and conference call.

The meeting adjourned.

**APPROVED:** \_\_\_\_\_ **Date:** \_\_\_\_\_  
John Valengavich, Secretary