



# House of Representatives

## File No. 711

General Assembly

February Session, 2004

**(Reprint of File No. 416)**

Substitute House Bill No. 5648  
As Amended by House  
Amendment Schedule "A"

Approved by the Legislative Commissioner  
May 1, 2004

### **AN ACT CONCERNING THE CONVEYANCE OF CERTAIN PARCELS OF STATE LAND.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (*Effective from passage*) (a) Notwithstanding any provision  
2 of the general statutes, the Commissioner of Transportation shall  
3 convey to the town of Plainfield two parcels of land located in the  
4 town of Plainfield, at a cost equal to the administrative costs of making  
5 such conveyance. Said parcels of land have a total area of  
6 approximately 139.2 acres and are identified as Lots 4 and 5 in Block 5  
7 on town of Plainfield Tax Assessor's Map 10. The conveyance shall be  
8 subject to the approval of the State Properties Review Board.

9 (b) The town of Plainfield shall use said parcels of land for open  
10 space and passive recreational purposes. If the town of Plainfield:

- 11 (1) Does not use said parcels for said purposes;
- 12 (2) Does not retain ownership of all of said parcels; or
- 13 (3) Leases all or any portion of said parcels,

14 the parcels shall revert to the state of Connecticut.

15 (c) The State Properties Review Board shall complete its review of  
16 the conveyance of said parcels of land not later than thirty days after it  
17 receives a proposed agreement from the Department of  
18 Transportation. The land shall remain under the care and control of  
19 said department until a conveyance is made in accordance with the  
20 provisions of this section. The State Treasurer shall execute and deliver  
21 any deed or instrument necessary for a conveyance under this section,  
22 which deed or instrument shall include provisions to carry out the  
23 purposes of subsection (b) of this section. The Commissioner of  
24 Transportation shall have the sole responsibility for all other incidents  
25 of such conveyance.

26 Sec. 2. (*Effective from passage*) (a) Notwithstanding any provision of  
27 the general statutes, the Commissioner of Motor Vehicles shall convey  
28 to the city of New Britain a parcel of land located in the city of New  
29 Britain, at a cost equal to the administrative costs of making such  
30 conveyance. Said parcel of land has an area of approximately 1.22 acres  
31 and is identified as the property located at 1185 West Main Street. The  
32 conveyance shall be subject to the approval of the State Properties  
33 Review Board.

34 (b) The city of New Britain shall use said parcel of land for economic  
35 development purposes. If the city of New Britain does not use said  
36 parcel for said purposes, the parcel shall revert to the state of  
37 Connecticut.

38 (c) The State Properties Review Board shall complete its review of  
39 the conveyance of said parcels of land not later than thirty days after it  
40 receives a proposed agreement from the Department of Motor  
41 Vehicles. The land shall remain under the care and control of said  
42 department until a conveyance is made in accordance with the  
43 provisions of this section. The State Treasurer shall execute and deliver  
44 any deed or instrument necessary for a conveyance under this section.  
45 The Commissioner of Motor Vehicles shall have the sole responsibility

46 for all other incidents of such conveyance.

47 Sec. 3. (*Effective from passage*) (a) Notwithstanding any provision of  
48 the general statutes, the Commissioner of Economic and Community  
49 Development shall convey to the Human Resources Agency of New  
50 Britain, Inc. a parcel of land located in the city of New Britain, at a cost  
51 equal to the administrative costs of making such conveyance. Said  
52 parcel of land has an area of approximately .32 acre and is identified as  
53 the property located at 218 North Street. The conveyance shall be  
54 subject to the approval of the State Properties Review Board.

55 (b) The Human Resources Agency of New Britain, Inc. shall use said  
56 parcel of land for medical or open space purposes. If the Human  
57 Resources Agency of New Britain, Inc.:

- 58 (1) Does not use said parcel for said purposes;  
59 (2) Does not retain ownership of all of said parcel; or  
60 (3) Leases all or any portion of said parcel,

61 the parcel shall revert to the state of Connecticut.

62 (c) The State Properties Review Board shall complete its review of  
63 the conveyance of said parcels of land not later than thirty days after it  
64 receives a proposed agreement from the Department of Economic and  
65 Community Development. The land shall remain under the care and  
66 control of said department until a conveyance is made in accordance  
67 with the provisions of this section. The State Treasurer shall execute  
68 and deliver any deed or instrument necessary for a conveyance under  
69 this section, which deed or instrument shall include provisions to carry  
70 out the purposes of subsection (b) of this section. The Commissioner of  
71 Economic and Community Development shall have the sole  
72 responsibility for all other incidents of such conveyance.

73 Sec. 4. (*Effective from passage*) (a) Notwithstanding any provision of  
74 the general statutes, the Commissioner of Transportation shall convey  
75 to the town of Old Saybrook two parcels of land located in the town of  
76 Old Saybrook, at a cost equal to the administrative costs of making

77 such conveyance. Said parcels of land are identified as (1) Lot 9 on  
78 town of Old Saybrook Tax Assessor's Map 62, having an area of  
79 approximately 2.9 acres, and (2) Lot 7 on town of Old Saybrook Tax  
80 Assessor's Map 62, having an area of approximately 8.2 acres. The  
81 conveyance shall be subject to the approval of the State Properties  
82 Review Board.

83 (b) The town of Old Saybrook shall use said parcels of land for open  
84 space and recreational purposes. If the town of Old Saybrook:

- 85 (1) Does not use said parcels for said purposes;
- 86 (2) Does not retain ownership of all of said parcels; or
- 87 (3) Leases all or any portion of said parcels,

88 the parcels shall revert to the state of Connecticut.

89 (c) The State Properties Review Board shall complete its review of  
90 the conveyance of said parcels of land not later than thirty days after it  
91 receives a proposed agreement from the Department of  
92 Transportation. The land shall remain under the care and control of  
93 said department until a conveyance is made in accordance with the  
94 provisions of this section. The State Treasurer shall execute and deliver  
95 any deed or instrument necessary for a conveyance under this section,  
96 which deed or instrument shall include provisions to carry out the  
97 purposes of subsection (b) of this section. The Commissioner of  
98 Transportation shall have the sole responsibility for all other incidents  
99 of such conveyance.

100 Sec. 5. (*Effective from passage*) (a) Notwithstanding any provision of  
101 the general statutes, the Commissioner of Transportation shall convey  
102 to the town of New Canaan a parcel of land located in the town of  
103 New Canaan, at a cost equal to the administrative costs of making such  
104 conveyance. Said parcel of land is identified as Lot 47 in Block 90 on  
105 town of New Canaan Tax Assessor's Map 42, having an area of  
106 approximately 6.78 acres. The conveyance shall be subject to the  
107 approval of the State Properties Review Board.

108 (b) The town of New Canaan shall use said parcel of land for open  
109 space purposes. If the town of New Canaan:

- 110 (1) Does not use said parcel for said purposes;  
111 (2) Does not retain ownership of all of said parcel; or  
112 (3) Leases all or any portion of said parcel,

113 the parcel shall revert to the state of Connecticut.

114 (c) The State Properties Review Board shall complete its review of  
115 the conveyance of said parcel of land not later than thirty days after it  
116 receives a proposed agreement from the Department of  
117 Transportation. The land shall remain under the care and control of  
118 said department until a conveyance is made in accordance with the  
119 provisions of this section. The State Treasurer shall execute and deliver  
120 any deed or instrument necessary for a conveyance under this section,  
121 which deed or instrument shall include provisions to carry out the  
122 purposes of subsection (b) of this section. The Commissioner of  
123 Transportation shall have the sole responsibility for all other incidents  
124 of such conveyance.

125 Sec. 6. (*Effective from passage*) (a) Notwithstanding any provision of  
126 the general statutes, the Commissioner of Environmental Protection  
127 shall enter into an agreement with the town of Voluntown for the  
128 exchange of two parcels of land located in the town of Voluntown,  
129 simultaneously and each in consideration of the other. The parcel of  
130 land to be conveyed by the Commissioner of Environmental Protection  
131 in said exchange is identified as Lot 2 on town of Voluntown Tax  
132 Assessor's Map 32, which has an area of approximately 15.24 acres.  
133 The parcel of land to be conveyed by the town of Voluntown in said  
134 exchange is identified as the tract or parcel of land bounded and  
135 described as follows: Beginning at an iron pipe found on the easterly  
136 line of James Road, said pipe marking the southwesterly corner of land  
137 now or formerly of Daniel R. & Lisa M. Boulanger and the  
138 northwesterly corner of the herein described tract and running thence  
139 S 89° 34' 24 " E a distance of 1537.24 feet to a point, bounded northerly

140 by land of said Boulanger and land now or formerly of John T. &  
141 Kimberly K. Gileau, in part by each; thence N 14° 19' 29 " E a distance  
142 of 300.00 feet to a stone pile at land now or formerly of Oscar Koor,  
143 bounded westerly by land of said Gileau; thence easterly a distance of  
144 223 feet, more or less, to land of the State of Connecticut, bounded  
145 northerly by land of said Koor; thence southerly a distance of 680 feet,  
146 more or less, to an iron pin at land now or formerly of Sandra &  
147 William DeRosa, bounded easterly by land of the State of Connecticut;  
148 thence S 85° 18' 23 " W a distance of 967.56 feet to an iron pin, bounded  
149 southerly by land of said DeRosa, land now or formerly of Eric M. &  
150 Judith A. Larson and land now or formerly of Jason M. & Veronica M.  
151 Brunelle, in part by each; thence N 0° 22' 59 " E a distance of 570.22 feet  
152 to an iron pin; thence N 89° 34' 24 " W a distance of 685.76 feet to an  
153 iron pin set on the easterly line of James Road, these last 2 lines  
154 bounded westerly and southerly by remaining land of William  
155 Potopowitz, Jr.; thence N 32° 56' 45 " E a distance of 59.31 feet by and  
156 along the easterly line of James Road to the point of beginning; which  
157 parcel is a part of property conveyed by William Potopowitz, Sr. and  
158 William Potopowitz, Jr. to William Potopowitz, Jr. by deed recorded  
159 Feb. 2, 1997, in Voluntown Land Records Vol. 65 Page 803, and has an  
160 area of approximately 15.46 acres. The town of Voluntown shall pay  
161 the administrative costs incurred by the state in the exchange of said  
162 parcels of land. Said exchange shall be subject to the approval of the  
163 State Properties Review Board.

164 (b) The State Properties Review Board shall complete its review of  
165 the exchange of said parcels of land not later than thirty days after it  
166 receives a proposed agreement from the Department of Environmental  
167 Protection. The state land shall remain under the care and control of  
168 said department until a conveyance is made in accordance with the  
169 provisions of this section. The State Treasurer shall execute and deliver  
170 any deed or instrument necessary for the conveyance of state land  
171 under this section. The Commissioner of Environmental Protection  
172 shall have the sole responsibility for all other incidents of such  
173 conveyance.

174       Sec. 7. (*Effective from passage*) Notwithstanding the provisions of  
175 section 6 of public act 00-168, as amended by section 13 of special act  
176 01-6, the State of Connecticut shall release all rights of reverter, and all  
177 right to enforce any restriction on the use, ownership or sale, or on the  
178 use of the proceeds of sale, that the state may hold with respect to a  
179 parcel of land conveyed by the Commissioner of Transportation to the  
180 City of Norwalk, pursuant to section 6 of public act 00-168, as  
181 amended by section 13 of special act 01-6. The State Treasurer shall  
182 execute and deliver any instrument necessary to effect such release.

183       Sec. 8. (*Effective from passage*) (a) Notwithstanding any provision of  
184 the general statutes, the Commissioner of Public Works shall convey to  
185 the town of Newtown a parcel of land located in the town of  
186 Newtown, at a cost equal to the administrative costs of making such  
187 conveyance. Said parcel of land has an area of approximately 12 acres  
188 and is identified as Lot 1 in Block 3 on town of Newtown Tax  
189 Assessor's Map 37. The conveyance shall be subject to the approval of  
190 the State Properties Review Board.

191       (b) The town of Newtown shall use said parcel of land for municipal  
192 purposes. If the town of Newtown:

- 193       (1) Does not use said parcel for said purposes;  
194       (2) Does not retain ownership of all of said parcel; or  
195       (3) Leases all or any portion of said parcel,

196 the parcel shall revert to the state of Connecticut.

197       (c) The State Properties Review Board shall complete its review of  
198 the conveyance of said parcel of land not later than thirty days after it  
199 receives a proposed agreement from the Department of Public Works.  
200 The land shall remain under the care and control of said department  
201 until a conveyance is made in accordance with the provisions of this  
202 section. The State Treasurer shall execute and deliver any deed or  
203 instrument necessary for a conveyance under this section, which deed  
204 or instrument shall include provisions to carry out the purposes of  
205 subsection (b) of this section. The Commissioner of Public Works shall

206 have the sole responsibility for all other incidents of such conveyance.

207 Sec. 9. (*Effective from passage*) (a) Notwithstanding any provision of  
208 the general statutes, the Commissioner of Economic and Community  
209 Development shall convey to the Nutmeg Housing Development  
210 Corporation a parcel of land located in the town of Colchester, at a cost  
211 equal to the administrative costs of making such conveyance. Said  
212 parcel of land has an area of approximately 5.72 acres and is identified  
213 as follows:

214 A certain tract or parcel of land situated in the Town of Colchester,  
215 County of New London, State of Connecticut as shown on a plan  
216 titled: "Boundary Plan, Property of Ann Rothstein, Route 85 and Old  
217 Amston Road, Colchester, Connecticut, Scale: 1 " = 40', Date: December  
218 29, 1987, by DiCesare-Bentley Engineers, Inc., Groton, Connecticut ",  
219 and being more particularly bounded and described as follows:

220 Beginning at a Connecticut Highway Department monument at the  
221 southwesterly corner of the herein described tract said monument  
222 lying in the easterly highway line of Connecticut Route 85, said point  
223 of beginning being further described as the northwesterly corner of  
224 land now or formerly of Samuel Berkowitz:

225 Thence N 16° 03' 01 " W by and along said easterly highway line of  
226 Connecticut Route 85. 345.24 feet to a Connecticut Highway  
227 Department monument:

228 Thence N 16° 00' 00 " W by and along said easterly highway line of  
229 Connecticut Route 85, 447.46 feet to a Connecticut Highway  
230 Department monument, the northeasterly corner of the herein  
231 described tract:

232 Thence N 73° 48' 12 " E bounded northerly by land now or formerly  
233 of the Estate of Michael Kennedy, 327.71 feet to the westerly street line  
234 of Old Amston Road, the northeasterly corner of the herein described  
235 tract:

236 Thence S 22° 25' 53 " E by and along said westerly street line of Old  
237 Amston Road, 271.11 feet to the beginning of a curve having a radius  
238 of 402.76 feet and deflecting to the right:

239 Thence southerly by and along said westerly street line of Old  
240 Amston Road along the arc of said curve, a distance of 143.99 feet  
241 through a central angle of 20° 29' 03 " to a point:

242 Thence S 01° 56' 50 " E by and along said westerly street line of Old  
243 Amston Road 208.45 feet to the beginning of a curve having a radius of  
244 708.63 feet and deflecting to the right:

245 Thence southeasterly by and along said westerly street line of Old  
246 Amston Road along the arc of said curve, a distance of 123.64 feet  
247 through a central angle of 09° 59' 49 " to a point on said curved  
248 westerly street line, the southeasterly corner of the herein described  
249 tract:

250 Thence S 60° 19' 56 " W bounded southerly by land now or formerly  
251 of Samuel Berkowitz, 264.84 feet to the point and place of beginning.

252 The conveyance shall be subject to the approval of the State  
253 Properties Review Board.

254 (b) The Nutmeg Housing Development Corporation shall use said  
255 parcel of land for affordable housing purposes in accordance with the  
256 provisions of section 8-214d of the general statutes. If the Nutmeg  
257 Housing Development Corporation does not use said parcel for said  
258 purposes, the parcel shall revert to the state of Connecticut.

259 (c) The State Properties Review Board shall complete its review of  
260 the conveyance of said parcel of land not later than thirty days after it  
261 receives a proposed agreement from the Department of Economic and  
262 Community Development. The land shall remain under the care and  
263 control of said department until a conveyance is made in accordance  
264 with the provisions of this section. The State Treasurer shall execute  
265 and deliver any deed or instrument necessary for a conveyance under

266 this section, which deed or instrument shall include provisions to carry  
267 out the purposes of subsection (b) of this section. The Commissioner of  
268 Economic and Community Development shall have the sole  
269 responsibility for all other incidents of such conveyance.

270 Sec. 10. (*Effective from passage*) (a) Notwithstanding any provision of  
271 the general statutes, the Commissioner of Agriculture shall convey to  
272 the town of Newtown a parcel of land located in the town of  
273 Newtown, at a cost equal to the administrative costs of making such  
274 conveyance. Said parcel of land has an area of approximately 23.25  
275 acres and is identified as Lot 1 in Block 5 on town of Newtown Tax  
276 Assessor's Map 37. The conveyance shall be subject to the approval of  
277 the State Properties Review Board.

278 (b) The town of Newtown shall use said parcel of land for open  
279 space and recreational purposes. If the town of Newtown:

- 280 (1) Does not use said parcel for said purposes;  
281 (2) Does not retain ownership of all of said parcel; or  
282 (3) Leases all or any portion of said parcel, except to the Pootatuck  
283 Fish and Game Club for recreational purposes,

284 the parcel shall revert to the state of Connecticut.

285 (c) The State Properties Review Board shall complete its review of  
286 the conveyance of said parcel of land not later than thirty days after it  
287 receives a proposed agreement from the Department of Agriculture.  
288 The land shall remain under the care and control of said department  
289 until a conveyance is made in accordance with the provisions of this  
290 section. The State Treasurer shall execute and deliver any deed or  
291 instrument necessary for a conveyance under this section, which deed  
292 or instrument shall include provisions to carry out the purposes of  
293 subsection (b) of this section. The Commissioner of Agriculture shall  
294 have the sole responsibility for all other incidents of such conveyance.

295 Sec. 11. Subsection (a) of section 24 of special act 03-19 is amended  
296 to read as follows (*Effective from passage*):

297 (a) Notwithstanding any provision of the general statutes, the  
298 Commissioner of Transportation shall convey to Anthony C. Barbino,  
299 of the town of Bethlehem, a parcel of land located in the town of  
300 Bethlehem, at a cost equal to the [fair market value of said parcel of  
301 land] administrative costs of making such conveyance. Said parcel of  
302 land has an area of approximately .096 acre and is identified as the  
303 parcel of land shown on a map entitled "Map Showing Land of State  
304 Of Connecticut To Be Conveyed To Anthony C. Barbino, Connecticut  
305 Route 61, aka Main Street South, Bethlehem, Connecticut, Scale 1 "=50',  
306 April 2003 ". The conveyance shall be subject to the approval of the  
307 State Properties Review Board.

308 Sec. 12. Subsection (a) of section 9 of public act 00-168 is repealed  
309 and the following is substituted in lieu thereof (*Effective from passage*):

310 (a) Notwithstanding any provision of the general statutes, the  
311 Commissioner of Agriculture shall convey the Noank Aquaculture-  
312 Marine Laboratory, and the parcel of land on which it is located, to the  
313 town of Groton, at a cost equal to the administrative costs of making  
314 such conveyance. Said parcel of land has an area of approximately 0.97  
315 acre and is [further identified as the same premises described in a deed  
316 from Edward E. Chapin to the state of Connecticut, dated May 23,  
317 1962, and recorded in the town of Groton land records at Volume 195,  
318 Pages 430 and 431] bounded and described as follows:

319 Commencing at an angle point in the southerly line of land now or  
320 formerly of Deborah E. Sundberg, said point being located 44 feet  
321 more or less easterly of the easterly street line of Riverview Avenue  
322 and 3 feet more or less westerly of the southwesterly corner of land  
323 now or formerly of the state of Connecticut, said point being marked  
324 by a #5 rebar with a yellow plastic cap stamped "Dicesare-Bentley,  
325 Eng. ", and shown as point of commencement on a plan titled  
326 "Property Survey and Compilation Map to Accompany Boundary Line  
327 Agreement Property of Nine Riverview Company, Inc., and State of  
328 Connecticut Riverview Avenue Noank-Groton, Connecticut, scale 1  
329 "=20', Date: December 31, 1996, DWG. No. 96-148.01, sheet 1 of 1,

330 revised 7-30-97, revised 3-11-98 " by Dicesare-Bentley Engineers, Inc.,  
331 100 Fort Hill Road, Groton, Connecticut (860) 448-0400, said plan being  
332 made part of this description by reference herein;

333 Thence running S 74° 55' 18 " E bounded southerly by land now or  
334 formerly of Nine Riverview Company, Inc., and bounded northerly in  
335 part by land now or formerly of Deborah E. Sundberg and in part by  
336 land now or formerly of the state of Connecticut for a distance of 64.36  
337 feet to an eye bolt with ring;

338 Thence continuing S 74° 55' 18 " E bounded northerly by land now  
339 or formerly of the State of Connecticut and southerly by land now or  
340 formerly of Nine Riverview Company, Inc., for a distance of 28.17 feet  
341 to a merestone, said merestone being set 10 feet southerly as measured  
342 perpendicular from the southerly face of the existing building located  
343 on land now or formerly of the state of Connecticut;

344 Thence running S 14° 55' 18 " E on a course parallel with and 10 feet  
345 distant from the above described southerly face of said existing  
346 building along the line shown as "agreed boundary line " on said plan  
347 for a distance of 100 feet more or less to the mean high water line of the  
348 Mystic River;

349 Thence running S 14° 55' 18 " E on a course parallel with and 10 feet  
350 distant from the above described southerly face of said existing  
351 building along the line shown as "agreed riparian line " on said plan  
352 from the mean high water line of the Mystic River to the centerline of  
353 the navigation channel in said Mystic River, situated in the town of  
354 Groton, county of New London, and state of Connecticut.

355 The conveyance shall be subject to the approval of the State Properties  
356 Review Board.

357 Sec. 13. (*Effective from passage*) (a) Notwithstanding any provision of  
358 the general statutes, the Commissioner of Correction shall convey to  
359 the Area Waterbury Fire Chiefs Association, at a cost equal to the  
360 administrative costs of making such conveyance, a parcel of

361 correctional institution land located in the town of Cheshire and  
362 having an area of approximately ten acres. The conveyance shall be  
363 subject to the approval of the State Properties Review Board.

364 (b) The Area Waterbury Fire Chiefs Association shall use said parcel  
365 of land for firefighting educational and training purposes. If the Area  
366 Waterbury Fire Chiefs Association:

- 367 (1) Does not use said parcel for said purposes;  
368 (2) Does not retain ownership of all of said parcel; or  
369 (3) Leases all or any portion of said parcel,

370 the parcel shall revert to the state of Connecticut.

371 (c) The State Properties Review Board shall complete its review of  
372 the conveyance of said parcel of land not later than thirty days after it  
373 receives a proposed agreement from the Department of Correction.  
374 The land shall remain under the care and control of said department  
375 until a conveyance is made in accordance with the provisions of this  
376 section. The State Treasurer shall execute and deliver any deed or  
377 instrument necessary for a conveyance under this section, which deed  
378 or instrument shall include provisions to carry out the purposes of  
379 subsection (b) of this section. The Commissioner of Correction shall  
380 have the sole responsibility for all other incidents of such conveyance.

381 Sec. 14. (*Effective from passage*) (a) Notwithstanding any provision of  
382 the general statutes, the Commissioner of Mental Retardation may  
383 enter into an agreement with PRA at Somerset, LLC, under which (1)  
384 PRA at Somerset, LLC shall (A) construct a fully accessible, code-  
385 compliant residential board and care residence for six persons with  
386 mental retardation on a parcel of land located adjacent to 2955 Main  
387 Street in the town of Glastonbury, which has an area of less than one  
388 acre, and (B) convey said parcel of land and residence to the  
389 Commissioner of Mental Retardation upon completion of such  
390 construction and written affirmation by said commissioner that such  
391 construction complies with said agreement and the provisions of this  
392 section, and (2) the Commissioner of Mental Retardation, in

393 consideration of such construction and conveyance, shall convey to  
394 PRA at Somerset, LLC, a portion of the parcel of land, and structures  
395 thereon, located at 2955 Main Street in the town of Glastonbury, which  
396 has an area of less than one acre. The exchange of said parcels of land  
397 shall be subject to the approval of the State Properties Review Board.

398 (b) The State Properties Review Board shall complete its review of  
399 the exchange of said parcels of land not later than thirty days after it  
400 receives a proposed agreement from the Department of Mental  
401 Retardation. The state land shall remain under the care and control of  
402 said department until a conveyance is made in accordance with the  
403 provisions of this section. The State Treasurer shall execute and deliver  
404 any deed or instrument for a conveyance under this section. The  
405 Commissioner of Mental Retardation shall have the sole responsibility  
406 for all other incidents of such conveyance.

407 Sec. 15. (*Effective from passage*) Upon approval by the Commissioner  
408 of Environmental Protection, land acquired by the town of Wallingford  
409 under the protected open space and watershed land acquisition grant  
410 program established under subsection (a) of section 7-131d of the  
411 general statutes or under the Charter Oak open space grant program  
412 established under section 7-131t of the general statutes may be wholly  
413 or partially converted into land for use as a ball field, provided said  
414 town provides replacement land in accordance with this section. The  
415 town shall apply to the commissioner for approval to convert the  
416 protected open space, which application shall include (1) evidence that  
417 alternative lands were considered and an explanation of why such  
418 alternatives were not acceptable; (2) appraisals acceptable to the  
419 commissioner for the protected open space and the replacement land;  
420 and (3) maps acceptable to the commissioner of the protected open  
421 space and the replacement land. The commissioner may not approve  
422 an application pursuant to this section unless the commissioner  
423 determines that the replacement land is (A) of equal or greater  
424 monetary, recreational and natural resource conservation value as the  
425 protected open space, and (B) purchased for the purposes of this  
426 section. Upon approval, a permanent conservation easement shall be

427 executed for the replacement land in accordance with subsection (e) of  
428 section 7-131d of the general statutes and the conservation easement  
429 for the original protected land shall be modified to allow its use as a  
430 ball field.

431 Sec. 16. (*Effective from passage*) (a) Notwithstanding any provision of  
432 the general statutes, the Commissioner of Transportation shall convey  
433 to the town of Trumbull a parcel of land located in the town of  
434 Trumbull, at a cost equal to the administrative costs of making such  
435 conveyance. Said parcel of land has an area of approximately 15,144  
436 square feet, is identified as Parcel 268 on town of Trumbull Tax  
437 Assessor's Map E-10 and is further identified as the parcel of land  
438 located at 5161 Main Street. The conveyance shall be subject to the  
439 approval of the State Properties Review Board.

440 (b) The town of Trumbull shall use said parcel of land for open  
441 space purposes. If the town of Trumbull:

- 442 (1) Does not use said parcel for said purposes;  
443 (2) Does not retain ownership of all of said parcel; or  
444 (3) Leases all or any portion of said parcel,

445 the parcel shall revert to the state of Connecticut.

446 (c) The State Properties Review Board shall complete its review of  
447 the conveyance of said parcel of land not later than thirty days after it  
448 receives a proposed agreement from the Department of  
449 Transportation. The land shall remain under the care and control of  
450 said department until a conveyance is made in accordance with the  
451 provisions of this section. The State Treasurer shall execute and deliver  
452 any deed or instrument necessary for a conveyance under this section,  
453 which deed or instrument shall include provisions to carry out the  
454 purposes of subsection (b) of this section. The Commissioner of  
455 Transportation shall have the sole responsibility for all other incidents  
456 of such conveyance.

457 Sec. 17. (*Effective from passage*) (a) Notwithstanding any provision of

458 the general statutes, the Commissioner of Transportation shall convey  
459 to the town of Enfield two parcels of land located in the town of  
460 Enfield, at a cost equal to the administrative costs of making such  
461 conveyance. The first parcel of land is identified as Lot 204 on town of  
462 Enfield Tax Assessor's Map 74, is further identified as the property at  
463 225 Hazard Avenue and has an area of approximately .207 acre. The  
464 second parcel of land is identified as Lot 141 on town of Enfield Tax  
465 Assessor's Map 83, is further identified as the property at 227 Hazard  
466 Avenue and has an area of approximately .234 acre. The conveyance  
467 shall be subject to the approval of the State Properties Review Board.

468 (b) The town of Enfield shall use said parcels of land for open space  
469 and municipal purposes. If the town of Enfield:

- 470 (1) Does not use said parcels for said purposes;  
471 (2) Does not retain ownership of all of said parcels; or  
472 (3) Leases all or any portion of said parcels,

473 the parcels shall revert to the state of Connecticut.

474 (c) The State Properties Review Board shall complete its review of  
475 the conveyance of said parcels of land not later than thirty days after it  
476 receives a proposed agreement from the Department of  
477 Transportation. The land shall remain under the care and control of  
478 said department until a conveyance is made in accordance with the  
479 provisions of this section. The State Treasurer shall execute and deliver  
480 any deed or instrument necessary for a conveyance under this section,  
481 which deed or instrument shall include provisions to carry out the  
482 purposes of subsection (b) of this section. The Commissioner of  
483 Transportation shall have the sole responsibility for all other incidents  
484 of such conveyance.

485 Sec. 18. (*Effective from passage*) (a) Notwithstanding any provision of  
486 the general statutes, the Commissioner of Transportation shall convey  
487 to the town of Enfield two parcels of land located in the town of  
488 Enfield, at a cost equal to the administrative costs of making such  
489 conveyance. Said parcels of land have a total area of approximately 1.3

490 acres and are identified as Lots 142 and 144 on town of Enfield Tax  
491 Assessor's Map 83. The conveyance shall be subject to the approval of  
492 the State Properties Review Board.

493 (b) The town of Enfield shall use said parcels of land for open space  
494 and municipal purposes. If the town of Enfield:

- 495 (1) Does not use said parcels for said purposes;  
496 (2) Does not retain ownership of all of said parcels; or  
497 (3) Leases all or any portion of said parcels,

498 the parcels shall revert to the state of Connecticut.

499 (c) The State Properties Review Board shall complete its review of  
500 the conveyance of said parcels of land not later than thirty days after it  
501 receives a proposed agreement from the Department of  
502 Transportation. The land shall remain under the care and control of  
503 said department until a conveyance is made in accordance with the  
504 provisions of this section. The State Treasurer shall execute and deliver  
505 any deed or instrument necessary for a conveyance under this section,  
506 which deed or instrument shall include provisions to carry out the  
507 purposes of subsection (b) of this section. The Commissioner of  
508 Transportation shall have the sole responsibility for all other incidents  
509 of such conveyance.

510 Sec. 19. (*Effective from passage*) (a) Notwithstanding any provision of  
511 the general statutes, the Commissioner of Transportation shall convey  
512 to MBI, Inc., by quitclaim deed, two parcels of land located in the town  
513 of Norwalk, at a cost equal to the administrative costs of making such  
514 conveyance. Said parcels of land are identified as follows:

515 Parcel One:

516 All that certain tract of land, situated in the City of Norwalk,  
517 County of Fairfield and State of Connecticut, consisting of  
518 approximately 0.261 acres, more or less, being shown and designated  
519 as parcel "A-1 " on a certain map entitled "Map Showing

520 Abandonment of a Portion of Fair Street, Norwalk, Connecticut ", scale  
521 1 " = 40', dated April 5, 1982, prepared by Ryan and Faulds, Land  
522 Surveyors, Wilton, Connecticut, which map was filed in the Norwalk  
523 Town Clerk's Office as Map No. 9315, reference being had thereto for a  
524 more particular description.

525 Parcel Two:

526 All that certain tract of land, situated in the City of Norwalk,  
527 County of Fairfield and State of Connecticut, consisting of  
528 approximately 0.176 acres, more or less, being shown and designated  
529 as parcel "A-2 " on a certain map entitled "Map Showing  
530 Abandonment of a Portion of Fair Street, Norwalk, Connecticut ", scale  
531 1 " = 40', dated April 5, 1982, prepared by Ryan and Faulds, Land  
532 Surveyors, Wilton, Connecticut, which map was filed in the Norwalk  
533 Town Clerk's Office as Map No. 9315, reference being had thereto for a  
534 more particular description.

535 The conveyance shall be subject to the approval of the State Properties  
536 Review Board.

537 (b) MBI, Inc. shall convey said parcels of land to the Human  
538 Services Council, Inc. or an entity that is either controlled by the  
539 Human Services Council, Inc. or in which the Human Services Council,  
540 Inc. has, directly or indirectly, an ownership interest. If MBI, Inc. does  
541 not convey said parcels of land to the Human Services Council, Inc. or  
542 such an entity, the parcels shall revert to the state of Connecticut.

543 (c) The State Properties Review Board shall complete its review of  
544 the conveyance of said parcels of land not later than thirty days after it  
545 receives a proposed agreement from the Department of  
546 Transportation. The land shall remain under the care and control of  
547 said department until a conveyance is made in accordance with the  
548 provisions of this section. The State Treasurer shall execute and deliver  
549 any deed or instrument necessary for a conveyance under this section,  
550 which deed or instrument shall include provisions to carry out the  
551 purposes of subsection (b) of this section. The Commissioner of

552 Transportation shall have the sole responsibility for all other incidents  
553 of such conveyance.

554 Sec. 20. (*Effective from passage*) (a) Notwithstanding any provision of  
555 the general statutes, the Commissioner of Environmental Protection  
556 shall convey to the town of Willington a parcel of land located in the  
557 town of Willington, at a cost equal to the administrative costs of  
558 making such conveyance. Said parcel of land has an area of  
559 approximately 4.993 acres and is identified as Parcel "B " on a map on  
560 file in the Willington Town Clerk's Office, entitled "TOWN OF  
561 WILLINGTON MAP SHOWING LAND TRANSFERRED TO THE  
562 DEPARTMENT OF TRANSPORTATION BY THE STATE OF  
563 CONNECTICUT DEPARTMENT OF ENVIRONMENTAL  
564 PROTECTION, SCALE 1 " =40', APRIL, 1992 ". TOWN NO. 160,  
565 PROJECT NO. MISC., SERIAL NO. 33, SHEET 1 OF 1. REVISED  
566 9/30/92. The conveyance shall be subject to the approval of the State  
567 Properties Review Board.

568 (b) The town of Willington shall use said parcel of land for  
569 recreational purposes. If the town of Willington:

- 570 (1) Does not use said parcel for said purposes;  
571 (2) Does not retain ownership of all of said parcel; or  
572 (3) Leases all or any portion of said parcel,

573 the parcel shall revert to the state of Connecticut.

574 (c) The State Properties Review Board shall complete its review of  
575 the conveyance of said parcel of land not later than thirty days after it  
576 receives a proposed agreement from the Department of Environmental  
577 Protection. The land shall remain under the care and control of said  
578 department until a conveyance is made in accordance with the  
579 provisions of this section. The State Treasurer shall execute and deliver  
580 any deed or instrument necessary for a conveyance under this section,  
581 which deed or instrument shall include provisions to carry out the  
582 purposes of subsection (b) of this section. The Commissioner of  
583 Environmental Protection shall have the sole responsibility for all other

584 incidents of such conveyance.

585       Sec. 21. (*Effective from passage*) (a) Notwithstanding any provision of  
586 the general statutes, the Commissioner of Transportation shall convey  
587 to Colossale Construction Company a parcel of land located in the city  
588 of New Britain, at a cost of sixty-six thousand dollars. Said parcel of  
589 land has an area of approximately 1.15 acres and is identified as the  
590 parcel of land designated by the Department of Transportation as File  
591 No. 88-53-330C. The conveyance shall be subject to the approval of the  
592 State Properties Review Board.

593       (b) Colossale Construction Company shall erect a stockade fence  
594 around the perimeter of said parcel of land and shall not develop, or  
595 use for commercial purposes, any portion of said parcel of land that is  
596 less than one hundred feet from the abutting property to the south of  
597 said parcel of land. The provisions of this subsection shall not apply if  
598 Colassale Construction Company uses said parcel of land for  
599 residential purposes.

600       (c) The State Properties Review Board shall complete its review of  
601 the conveyance of said parcel of land not later than thirty days after it  
602 receives a proposed agreement from the Department of  
603 Transportation. The land shall remain under the care and control of  
604 said department until a conveyance is made in accordance with the  
605 provisions of this section. The State Treasurer shall execute and deliver  
606 any deed or instrument necessary for a conveyance under this section.  
607 The Commissioner of Transportation shall have the sole responsibility  
608 for all other incidents of such conveyance.

609       Sec. 22. (*Effective from passage*) The area known as the Quillinan  
610 watershed land in Ansonia and Seymour shall be designated the John  
611 C. "Skip " Hobson Watershed Land.

612       Sec. 23. (*Effective from passage*) The Commission on Arts, Culture,  
613 Tourism, History and Film, in consultation with the Office of Policy  
614 and Management, shall study the feasibility of creating a public-  
615 private partnership for the Old Newgate Prison and Copper Mine site

616 in East Granby, between the state and a non-profit organization  
617 dedicated to the preservation of said site. If said commission, in  
618 consultation with said office, determines that such a partnership is  
619 feasible, the study shall include, but not be limited to, examination of  
620 (1) the structure of such a partnership, (2) the role of the non-profit  
621 organization in the operation of the site, and (3) how other states may  
622 address similar partnerships for similar attractions. Not later than  
623 January 1, 2005, the commission, in consultation with said office, shall  
624 submit a report on its findings and recommendations to the joint  
625 standing committee of the General Assembly having cognizance of  
626 matters relating to the Department of Economic and Community  
627 Development, in accordance with the provisions of section 11-4a of the  
628 general statutes.

629 Sec. 24. Subsection (d) of section 32-56 of the general statutes is  
630 repealed and the following is substituted in lieu thereof (*Effective from*  
631 *passage*):

632 (d) (1) In determining that a municipality has been severely  
633 impacted by a prime defense contract cutback the commissioner shall  
634 find that ~~[(1)]~~ (A) one or more businesses in the municipality has  
635 experienced a cancellation of one or more prime defense contracts, or  
636 subcontracts entered into in connection with prime defense contracts,  
637 or a significant reduction in prime defense contract or related  
638 subcontract awards or orders; ~~[(2)]~~ (B) such prime defense contract  
639 cutback has caused or will cause a loss of employment opportunities in  
640 the municipality; ~~[(3)]~~ (C) such prime defense contract cutback has  
641 caused or will cause a severe adverse impact in the municipality. In  
642 making such findings the commissioner may consider the extent to  
643 which the businesses in the municipality are, or were at the period in  
644 time before the prime defense contract cutback occurred, dependent on  
645 prime defense contracts or on subcontracts related to such prime  
646 defense contracts; the extent to which one or more prime defense  
647 contractors in the municipality has or plans to reduce its work force or  
648 the amount of defense subcontract awards or orders which would be  
649 performed by businesses in the municipality; the extent to which the

650 unemployed in the municipality are or were defense workers with  
651 specialized skills not easily transferable to other industries; the  
652 existence of abandoned or underutilized defense-related  
653 manufacturing facilities in the municipality; and any other factors  
654 which the commissioner deems relevant to such finding. (2) The  
655 commissioner's determination that a municipality is severely impacted  
656 by a prime defense contract cutback shall be effective for two years  
657 from the date of the decision of the commissioner. The commissioner  
658 may renew such determination for two additional two-year periods  
659 following a public hearing and upon making the findings required by  
660 this subsection. Notwithstanding the provisions of this subdivision, if  
661 (A) a military installation of the United States Department of Defense  
662 at which military vehicle engines were produced is located in any such  
663 municipality, (B) the military installation is closed pursuant to 10 USC  
664 2687, and (C) the Department of Defense plans to convey the site of  
665 said installation to said municipality, the determination by the  
666 commissioner that the municipality is severely impacted by a prime  
667 defense contract cutback shall remain effective until such conveyance  
668 and any environmental remediation of the site are completed, and  
669 such determination may be renewed for a period not exceeding two  
670 years.

671 Sec. 25. (*Effective from passage*) (a) Notwithstanding any provision of  
672 the general statutes, the Commissioner of Transportation shall convey  
673 to the town of Farmington a parcel of land located in the town of  
674 Farmington, at a cost equal to the administrative costs of making such  
675 conveyance. Said parcel of land has an area of approximately 5 acres, is  
676 located on Shady Lane and is identified as Lot 6A on town of  
677 Farmington Tax Assessor's Map 83. The conveyance shall be subject to  
678 the approval of the State Properties Review Board.

679 (b) The town of Farmington shall use said parcel of land for open  
680 space purposes. If the town of Farmington:

- 681 (1) Does not use said parcel for said purposes;  
682 (2) Does not retain ownership of all of said parcel; or

683 (3) Leases all or any portion of said parcel,  
684 the parcel shall revert to the state of Connecticut.

685 (c) The State Properties Review Board shall complete its review of  
686 the conveyance of said parcel of land not later than thirty days after it  
687 receives a proposed agreement from the Department of  
688 Transportation. The land shall remain under the care and control of  
689 said department until a conveyance is made in accordance with the  
690 provisions of this section. The State Treasurer shall execute and deliver  
691 any deed or instrument necessary for a conveyance under this section,  
692 which deed or instrument shall include provisions to carry out the  
693 purposes of subsection (b) of this section. The Commissioner of  
694 Transportation shall have the sole responsibility for all other incidents  
695 of such conveyance.

696 Sec. 26. (*Effective from passage*) (a) Notwithstanding any provision of  
697 the general statutes, the Commissioner of Transportation shall convey  
698 to the town of Trumbull, at a cost equal to the administrative costs of  
699 making such conveyance, any parcels of land located in the vicinity of  
700 Route 25 in the town of Trumbull deemed by said commissioner to be  
701 excess to the needs of the Department of Transportation. The  
702 conveyance shall be subject to the approval of the State Properties  
703 Review Board.

704 (b) The town of Trumbull shall use said parcels of land for open  
705 space and recreational purposes. If the town of Trumbull:

- 706 (1) Does not use said parcels for said purposes;  
707 (2) Does not retain ownership of all of said parcels; or  
708 (3) Leases all or any portion of said parcels,

709 the parcels shall revert to the state of Connecticut.

710 (c) The State Properties Review Board shall complete its review of  
711 the conveyance of said parcels of land not later than thirty days after it  
712 receives a proposed agreement from the Department of

713 Transportation. The land shall remain under the care and control of  
 714 said department until a conveyance is made in accordance with the  
 715 provisions of this section. The State Treasurer shall execute and deliver  
 716 any deed or instrument necessary for a conveyance under this section,  
 717 which deed or instrument shall include provisions to carry out the  
 718 purposes of subsection (b) of this section. The Commissioner of  
 719 Transportation shall have the sole responsibility for all other incidents  
 720 of such conveyance.

|  |                     |
|--|---------------------|
| This act shall take effect as follows: |                     |
| Section 1                              | <i>from passage</i> |
| Sec. 2                                 | <i>from passage</i> |
| Sec. 3                                 | <i>from passage</i> |
| Sec. 4                                 | <i>from passage</i> |
| Sec. 5                                 | <i>from passage</i> |
| Sec. 6                                 | <i>from passage</i> |
| Sec. 7                                 | <i>from passage</i> |
| Sec. 8                                 | <i>from passage</i> |
| Sec. 9                                 | <i>from passage</i> |
| Sec. 10                                | <i>from passage</i> |
| Sec. 11                                | <i>from passage</i> |
| Sec. 12                                | <i>from passage</i> |
| Sec. 13                                | <i>from passage</i> |
| Sec. 14                                | <i>from passage</i> |
| Sec. 15                                | <i>from passage</i> |
| Sec. 16                                | <i>from passage</i> |
| Sec. 17                                | <i>from passage</i> |
| Sec. 18                                | <i>from passage</i> |
| Sec. 19                                | <i>from passage</i> |
| Sec. 20                                | <i>from passage</i> |
| Sec. 21                                | <i>from passage</i> |
| Sec. 22                                | <i>from passage</i> |
| Sec. 23                                | <i>from passage</i> |
| Sec. 24                                | <i>from passage</i> |
| Sec. 25                                | <i>from passage</i> |
| Sec. 26                                | <i>from passage</i> |

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either House thereof for any purpose:

## **OFA Fiscal Note**

### **State Impact:**

| <b>Agency Affected</b>   | <b>Fund-Effect</b>          | <b>FY 05 \$</b>            | <b>FY 06 \$</b> |
|--|-----------------------------|----------------------------|-----------------|
| Department of Agriculture;<br>Department of Economic &<br>Community Development;<br>Department of Environmental<br>Protection; Motor Vehicle Dept. | GF - Loss of Asset<br>Value | More than<br>\$1.5 million | None            |
| Transportation, Dept.  | TF - Loss of Asset<br>Value | More than<br>\$1.4 million | None            |
| Transportation, Dept.  | TF - Revenue<br>Gain        | \$65,000                   | None            |
| Treasurer; Prop. Review Bd.  | GF - Cost                   | Minimal                    | None            |
| Reimb. to Towns for Tax Loss on<br>State Property  | GF - Savings                | Minimal                    | Minimal         |
| Commission on Arts, Tourism,<br>Culture, History and Film; Policy<br>& Mgmt., Off.   | GF - Cost                   | Minimal                    | None            |

Note: GF=General Fund; TF=Transportation Fund

### **Municipal Impact:**

| <b>Municipalities</b>  | <b>Effect</b>          | <b>FY 05 \$</b>            | <b>FY 06 \$</b> |
|------------------------|------------------------|----------------------------|-----------------|
| Various Municipalities | Gain of<br>Asset Value | More than<br>\$2.9 million | None            |
| Various Municipalities | Revenue<br>Loss        | Minimal                    | Minimal         |
| Various Municipalities | Revenue<br>Gain        | Potential                  | Potential       |

## **Explanation**

### **State Impact**

The state impact: (1) a loss of asset value to the General Fund of more than \$1.5 million; (2) a loss of asset value to the Transportation Fund of more than \$1.4 million; (3) a minimal cost for making the conveyances (less than \$1,000 each); and (4) a net revenue gain of \$65,000 to the Transportation Fund in FY 05 for the sale of property in

Sec. 21 and the change in the terms of property transfer in Sec. 11. There is also a minimal saving to the state for payments-in-lieu-of-taxes (PILOT) to the degree that these properties are eligible for PILOT (property and buildings located in a highway right-of-way are not eligible for PILOT.) These conveyances also represent a potential revenue loss to the state to the extent that the state could have sold or leased the properties at fair market value.

The conveyances are subject to the review and approval of the State Properties Review Board (SPRB). The SPRB is required to review each conveyance within 30 days. Deeds or any other instruments necessary for the conveyances must be executed and delivered by the State Treasurer. These requirements are part of the respective agencies normal operations and can be accomplished with existing staff and resources.

The Commission on Arts, Tourism, Culture, Tourism, History and Film (CATCHF) and the Office of Policy and Management (OPM) are required to conduct a feasibility study for creating a public/private partnership for Old Newgate Prison and Copper Mine Site. This will result in a minimal workload increase, which can be handled within routine agency duties for both CATCHF and OPM.

### ***Municipal Impact***

The municipal impact is: (1) a gain of asset value of more than \$2.9 million to certain municipalities; (2) a minimal revenue loss for PILOT payments to the degree that the parcels are eligible for PILOT; and (3) a potential revenue gain to various municipalities for those properties that are used for economic development purposes and become fully taxable.

### ***Further Explanation***

The tables below summarize each section. Table 1 summarizes property conveyances and shows the fiscal impact of each. The parcels must be used for the purposes specified in the language (labeled "Use

Restriction”) or the property will revert to the state. Table 2 summarizes adjustments in the conditions of prior land conveyances, which has minimal fiscal impact unless noted. Table 3 summarizes other provisions and shows the fiscal impact of each.

**Table 1: Property Conveyances**

| Sec. | From | To/Location                                 | Acres         | Value  | Use Restriction                                |
|------|------|---|---------------|--|--|
| 1    | DOT  | Town of Plainfield                          | 139.2         | \$98,000                                     | Open space & passive recreation                |
| 2    | DMV  | City of New Britain                         | 1.22          | \$550,425                                    | Economic development                           |
| 3    | DECD | Human Resources Agency of New Britain, Inc  | .32           | \$17,800                                     | Medical or open space                          |
| 4    | DOT  | Town of Old Saybrook                        | 2.9<br>8.2    | \$78,378<br>\$221,622                        | Open space & recreation                        |
| 5    | DOT  | Town of New Canaan                          | 6.78          | \$675,000                                    | Open space                                     |
| 8    | DOAg | Town of Newtown                             | 12            | \$247,600                                    | Municipal purposes                             |
| 9    | DECD | Nutmeg Housing Development Corp./Colchester | 5.72          | \$240,000                                    | Affordable housing                             |
| 10   | DOAg | Town of Newtown                             | 23.25         | \$490,000                                    | Open space & recreation                        |
| 13   | DOC  | Waterbury Fire Chiefs Association/Cheshire  | Approx.10     | N/A  | Firefighting training & education              |
| 16   | DOT  | Town of Trumbull                            | 15,144 sq ft  | \$75,000                                     | Open space                                     |
| 17   | DOT  | Town of Enfield                             | .207<br>.234  | \$104,900<br>\$101,600                       | Open space                                     |
| 18   | DOT  | Town of Enfield                             | 1.3           | 65,300                                       | Open space                                     |
| 19   | DOT  | MBI, Inc/Norwalk                            | .261<br>.176  | N/A<br>N/A                                   | Convey parcels to Human Services Council, Inc. |
| 20   | DEP  | Town of Willington                          | 4.993         | N/A  | Recreation                                     |
| 25   | DOT  | Town of Farmington                          | 5             | \$200,000                                    | Open space                                     |
| 26   | DOT  | Town of Trumbull                            | Not specified | N/A  | Open space                                     |
|      |      |   |               | <b>General Fund Total \$1,545,825</b>        |  |
|      |      |   |               | <b>Transportation Fund Total \$1,419,800</b> |  |

**Table 2: Changes in Prior Conveyances**

| Sec. | From | To/Location               | Reference            | Language Change   |
|------|------|---------------------------|----------------------|---|
| 7    | DOT  | City of Norwalk           | PA 00-168, Sec 6     | Release land use restriction  |
| 11   | DOT  | Anthony Barbino/Bethlehem | SA 03-19, Sec. 24(a) | Change cost of land from fair market value To administrative of making conveyance – Revenue Loss of \$1,000 |
| 12   | DOAg | Town of Groton            | PA 00-168, Sec 9(a)  | Parcel boundaries are redefined   |

**Table 3: Other Provisions**

| Sec. | From        | To/Location                           | Purpose  | Fiscal Impact   |
|------|-------------|---------------------------------------|--|---|
| 6    | DEP         | Town of Voluntown                     | Exchange state land (15.24 acres) for town land (15.46 acres)  | None  |
| 14   | DMR         | PRA at Somerset, LLC/ Glastonbury     | Exchange 1 acre parcel with building for 1 acre parcel with building                                 | None  |
| 15   | DEP         | Town of Wallingford                   | Protected land may be used for ball field in exchange for replacement land                           | None  |
| 21   | DOT         | Colossale Construction Co/New Britain | Sale of 1.15 acres to build houses on  | \$66,000 revenue gain   |
| 22   | -           | Ansonia/ Seymour                      | Change name: Quillinan watershed to John C. "Skip" Hobson Watershed                                  | None  |
| 23   | CACTHF/ OPM | East Granby                           | Study feasibility of creating public/private partnership for Old Newgate Prison and Copper Mine Site | Minimal workload increase within routine agency duties for CATCHF and OPM |

House "A" strikes the language of the original bill and has the fiscal impact stated above.

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**OLR Bill Analysis**

sHB 5648 (as amended by House "A")\*

**AN ACT CONCERNING THE CONVEYANCE OF CERTAIN PARCELS OF STATE LAND****SUMMARY:**

This bill:

1. conveys parcels of state property to the (a) towns of Cheshire, Colchester, Enfield, Farmington, New Britain, New Canaan, Newtown, Norwalk, Old Saybrook, Plainfield, Trumbull, and Willington and (b) Human Resources Agency of New Britain; Nutmeg Housing Development Corporation; Area Waterbury Fire Chiefs Association; MBI, Inc.; and Colossale Construction Company;
2. requires the Department of Environmental Protection (DEP) commissioner to exchange with Voluntown two parcels of located in the town and to charge the administrative costs to the town;
3. requires the state to release its rights with respect to a parcel the Department of Transportation (DOT) conveyed to Norwalk in 2000 for urban renewal, economic development, and housing purposes;
4. requires DOT to charge Anthony C. Barbino, to whom a 2003 special act conveyed a parcel of land in Bethlehem, for the administrative costs of the conveyance instead of the parcel's fair market value;
5. sets out the boundaries and description of the Noank Aquaculture-Marine Laboratory, which a 2000 act required the agriculture commissioner to convey to Groton, and which was described in the act by a reference to a deed located in the Groton land records;
6. designates the area known as the Quillinan watershed land in Ansonia and Seymour as the "John C. 'Skip' Hobson Watershed Land;"
7. requires the Commission on Arts, Culture, Tourism, History, and Film (CACTHF), in consultation with the Office of Policy and Management (OPM), to study the feasibility of creating a public-private partnership for the Old Newgate Prison and Copper Mine site in East Granby; and

8. specifies the circumstances under which the Department of Economic and Community Development (DECD) commissioner's determination that a municipality is severely impacted by a prime defense cutback must remain effective until the property's conveyance and environmental remediation are complete, and allows him to renew the determination for up to two years.

All of the conveyances and the exchange of properties are subject to State Property Review Board (SPRB) approval. The sale of New Britain property to the Colossale Construction Company is for \$66,000 and the others are at a cost equal to the administrative cost of the conveyance, which the recipient pays.

The conveyed property reverts back to the state if the recipient does not use it for the stated purpose. With three exceptions, the conveyed property also reverts to the state if the town fails to retain ownership or leases it. Colchester and New Britain can lease, but not sell, the property. Newtown can lease its parcel from the Department of Agriculture to the Pootatuck Fish and Game Club for recreational purposes.

The bill allows the Department of Mental Retardation (DMR) commissioner to enter into an agreement with PRA at Somerset, LLC, to build a residential board and care residence for six people with mental retardation in Glastonbury. It requires PRA at Somerset, Inc. to convey the land and residence to DMR upon the facility's completion, at which point DMR must convey to PRA at Somerset, Inc., a parcel of land less than one acre located at 2955 Main Street. This exchange is subject to SPRB review.

The bill allows the town of Wallingford, with the DEP commissioner's approval, to convert certain land for use as a ball field. It specifies the information that the town must include in its application and certain requirements that must be met for DEP approval. Upon approval, a permanent conservation easement must be executed for the replacement land and the original easement modified to allow its use as a ball field.

\*House Amendment "A":

1. adds (a) the DEP and Voluntown exchange, (b) the DMR building agreement, (c) several DOT conveyances to the towns of Trumbull

- and Enfield, and (d) the DOT conveyances to MBI, Inc. and Colossale Construction Company;
2. adds a Department of Correction (DOC) conveyance to the Area Waterbury Fire Chiefs Association;
  3. specifies that the cost of the 2003 conveyance to Anthony C. Barbino is for administrative costs, not the property's fair market value;
  4. allows Wallingford to build a ball field;
  5. adds a DEP conveyance to Willington;
  6. renames the Quillinan watershed land in Ansonia and Seymour;
  7. requires CACTHF and OPM to conduct a feasibility study on a public-private partnership for Old Newgate Prison and Copper Mine;
  8. adds a provision regarding the severe impact of a prime defense contract cutback; and
  9. requires the Department of Motor Vehicles (DMV), rather than DOT, to convey a parcel of land in New Britain, and the Department of Public Works (DPW), rather than the Department of Agriculture, to convey a parcel in Newtown.

The amendment eliminates the following conveyances:

1. two CACTHF parcels and personal property in East Granby to Old Newgate Prison and Copper Mine;
2. from DOT to adjacent landowners, a right-of-way in Wilton;
3. from DEP, a parcel to Voluntown and four parcels to Farmington; and
4. from DOT, a parcel in Trumbull.

The amendment also eliminates a requirement that OPM, in consultation with DMR, DPW, Department of Public Safety, and the city of Meriden, conduct a feasibility study to determine a portion of state land in Meriden that can be conveyed to that city without requiring relocation of existing DMR facilities.

EFFECTIVE DATE: Upon passage

#### **DOT CONVEYANCES TO TOWNS**

The bill requires DOT to convey the following property located in the recipient town, for the purposes specified:

1. four parcels to Enfield for open space and municipal purposes (.207 acre, .234 acre, and two totaling 1.3 acres);
2. one parcel to Farmington for open space (5 acres);
3. one parcel to New Canaan for open space (6.78 acres);
4. two parcels to Old Saybrook for open space and recreational purposes (2.9 acres and 8.2 acres);
5. two parcels to Plainfield for open space and passive recreational purposes (139.2 acres total); and
6. one parcel to Trumbull for open space (15,144 square feet) and another parcel to Trumbull for open space and recreation (parcels near Route 25 that exceed DOT's needs).

### **DOT CONVEYANCES TO OTHER PARTIES**

The bill requires DOT to convey two parcels (.261 acre and .176 acre) in Norwalk to MBI, Inc. by quitclaim deed, and requires MBI, Inc. to convey the parcels to the Human Services Council, Inc., or to an entity that Human Services Council, Inc. either controls or in which it has a direct or indirect ownership interest.

DOT must also convey to Colossale Construction Company a 1.15-acre parcel of land in New Britain for \$66,000. The company may use the parcel for residential purposes. If the company does not use it for residential purposes, the bill requires the company to erect a stockade fence around the parcel's perimeter and abstain from developing, or using for commercial purposes, any part of it that is less than 100 feet from the abutting property to the south of the parcel.

### **OTHER DEPARTMENT CONVEYANCES**

The bill requires the following departments to convey state property:

1. Department of Motor Vehicles to New Britain for economic development purposes (1.22 acres);
2. DECD to Human Resources Agency of New Britain, Inc., property in New Britain for medical or open space purposes (.32 acres);
3. DPW to Newtown for municipal purposes (12 acres);
4. DECD to Nutmeg Housing Development Corporation, property in Colchester for affordable housing (5.72 acres);
5. Department of Agriculture to Newtown for open space and recreational purposes (23.25 acres);
6. DOC to Area Waterbury Fire Chiefs Association, property in

- Cheshire for firefighting educational and training purposes (approximately 10 acres); and
7. DEP to Willington for recreational purposes (4.993 acres).

### **WALLINGFORD BALL FIELD**

The bill allows Wallingford, with the DEP commissioner's approval, to convert for use as a ball field some or all of the land it acquired under the protected open space and watershed land acquisition grant or the Charter Oak open space grant program. It requires the town, as a condition of the conversion, to provide replacement land. The town's application for approval must include (1) evidence that alternative lands were considered and an explanation of why they were not acceptable, (2) appraisals acceptable to the commissioner for the protected open space and the replacement land, and (3) maps acceptable to the commissioner of the protected open space and replacement land. The bill prohibits the commissioner from approving an application unless he determines the replacement land is of equal or greater monetary, recreational, and natural resource conservation value as the protected open space and was purchased to replace the ball field land. Upon the commissioner's approval, a permanent conservation easement must be executed for the replacement land and the conservation easement for the original protected land modified to allow its use as a ball field.

### **CACHTF FEASIBILITY STUDY**

The bill requires CACTHF, in consultation with OPM, to study the feasibility of creating a public-private partnership for the Old Newgate Prison and Copper Mine site in East Granby. The partnership would be between the state and a nonprofit organization dedicated to preserving the site. If the commission determines the partnership is feasible, the bill requires the study to include an examination of (1) the partnership's structure, (2) the nonprofit organization's role in operating the site, and (3) how other states address public-private partnerships for similar attractions. The bill requires the commission to report its findings and recommendations to the Commerce Committee by January 1, 2005.

### **MUNICIPALITIES SEVERELY IMPACTED BY PRIME DEFENSE CONTRACT CUTBACKS**

By law, in order to determine that a municipality has been severely impacted by prime defense contract cutbacks, the DECD commissioner must find that (1) a business in the municipality had at least one prime defense contract cancelled or reduced, (2) the cutback has caused or will cause a loss of employment opportunities in the municipality, and (3) the cutback has caused or will cause a severe adverse impact in the municipality. If a U.S. Defense Department military installation that produced military vehicle engines is located in such a municipality, the installation is closed due to base closures or realignment under federal law, and the Defense Department plans to convey the installation site to the municipality, the bill specifies that the commissioner's determination remains in effect until the conveyance and any environmental remediation of the site are completed. It also allows the determination to be renewed for a period of up to two years.

By law, any municipality the commissioner declares to be severely impacted by a prime defense contract cutback is deemed a distressed municipality and becomes eligible for grants for non-defense-dependent development projects.

### **COMMITTEE ACTION**

Government Administration and Elections Committee

Joint Favorable Substitute

Yea 14    Nay 2