
OLR Bill Analysis

sSB 1196

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

SUMMARY:

This bill (1) authorizes conveyances of state property in Cheshire, Wethersfield, Fairfield, Farmington, Bristol, and Monroe; (2) authorizes land exchanges in Tolland and Haddam; and (3) releases deed restrictions on properties in Tolland and Coventry.

EFFECTIVE DATE: Upon passage

NEW CONVEYANCES

The bill requires the following conveyances from the agencies to the towns named for the purpose specified:

1. the Department of Correction to Cheshire for parking (5 acres for administrative costs of the conveyance),
2. the Department of Transportation (DOT) to Wethersfield for municipal purposes (two parcels totaling .3606 acre at no cost),
3. DOT to Fairfield for open space (.2 acre at no cost),
4. DOT to Farmington for open space and recreation (1.6 acres for the administrative costs of the conveyance),
5. DOT to Bristol (.11 acre at fair market value plus administrative costs), and
6. DOT to Monroe (.5 acre at fair market value plus administrative costs).

Each conveyance is subject to the State Properties Review Board's

(SPRB) approval within 30 days. Conveyances with a specified purpose (all but the Bristol and Monroe properties) revert to the state if the recipient uses the parcel for any purpose other than that specified in the bill. Additionally, the Fairfield and Farmington parcels revert to the state if the state requires them for transportation purposes.

When an agency conveys property at fair market value, the value is determined by the average appraisals of two independent appraisers chosen by the agency's commissioner.

LAND EXCHANGES

Tolland

The bill authorizes a land exchange between DOT and Tolland. It requires DOT to convey a 1.3 acre parcel to Tolland in exchange for a 2.2 acre parcel. It requires the Tolland parcel to contain improvements comparable to those on the DOT parcel, as determined by the DOT commissioner. The exchange (1) must be made simultaneously and in consideration of the other and (2) is subject to SPRB approval.

Haddam

The bill requires the Department of Environmental Protection (DEP) and Riverhouse Properties, LLC to enter into an agreement to exchange parcels of land in Haddam or other consideration of approximately equal value. DEP must convey a 17.4 acre parcel to Riverhouse in exchange for land or other consideration which may include all or a portion of an 87.7 acre parcel owned by Riverhouse. It prohibits DEP from conveying any land with frontage along the Connecticut River. The exchange is subject to SPRB approval.

The bill also requires (1) the specific description of land or other consideration conveyed to be established by mutual agreement and (2) DEP and Riverhouse to make all reasonable efforts to reach the agreement by December 31, 2011. The agreement must identify the portion of the land conveyed to Riverhouse that will remain open to the public, but the bill does not require any portion of the parcel to remain open to the public.

DEED RESTRICTIONS RELEASED

The bill releases a deed restriction on a 9.7 acre parcel conveyed in 2003 from DOT to Tolland. It allows Tolland to (1) use the parcel for economic development rather than open space purposes and (2) lease or sell the property. These uses are prohibited by the deed restriction. However, Tolland must pay DOT fair market value for the parcel in order to release the deed restriction (the prior conveyance was made for administrative costs).

The bill also removes a deed restriction that required a certain building owned by the Coventry Historical Society, Inc. to be used for museum and meeting place purposes. It authorizes the society to sell the building free of these deed restrictions, subject to SPRB's approval. The society must use proceeds from the sale for maintenance or related costs of its other properties.

BACKGROUND

Legislative History

The Senate referred the bill (File 609) to the Finance, Revenue and Bonding Committee, which reported a substitute that (1) eliminates a requirement that DEP hold a public hearing on the Haddam land exchange and (2) requires the agreement between DEP and Riverhouse to identify which portion of the land conveyed by DEP will remain open to the public.

COMMITTEE ACTION

Government Administration and Elections Committee

Joint Favorable Substitute

Yea 13 Nay 2 (04/01/2011)

Finance, Revenue and Bonding Committee

Joint Favorable Substitute

Yea 52 Nay 0 (05/10/2011)