



STATE OF CONNECTICUT
DEPARTMENT OF TRANSPORTATION

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Office of the
Commissioner

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Public Hearing- March 16, 2015
Government, Administration & Elections Committee

Testimony Submitted by Commissioner James P. Redeker
Department of Transportation

H.B. 6998 - AN ACT CONCERNING THE CONVEYANCE OF CERTAIN PARCELS OF STATE LAND.

The Department of Transportation (CTDOT) offers the following comments on several sections of H.B. 6998, AAC the Conveyance of Certain Parcels of State Land.

Section 1: New Haven- 470 James Street

The Department is opposed to this section.

The previous legislation included language that relieved the Department of the liability of the environmental clean-up of the property. This proposal removed that language and inserted approval from the Department of Economic and Community Development (DECD) and insists that CTDOT is responsible for the property until it is cleaned up. There is no language that speaks to the funding source for the clean-up or a time frame. The property will remain vacant until a remediation plan, cost estimates, and funding source is established.

However, in anticipation that the original language would be changed to put the responsibility for the clean-up on the DOT, funding was entered into the Hazardous Bond Fund Plan for fiscal years 2016 (\$200K for soil evaluation) and \$4M in 2017 to pay for the remediation of this property. Therefore, if the bond request for fiscal year 2017 gets approved and allotted then there will be funding for the remediation at that time.

It is not clear under this section what approval CTDOT is seeking from DECD. Is DECD providing funding from its Brownfield clean-up fund? These issues should be more clearly defined before requiring the Department to initiate remediation action.

As written, there is a problem with the language if the property is used for economic development as it will not be able to be leased or sold.

Section 2: New Haven- 101 College Street

The Department opposes this section as written.

The City of New Haven will be selling this parcel for economic development. The state should be paid fair market value for all parcels that will be utilized for economic development. All revenues from the sale should be deposited in the State Transportation Fund for a match against federal funds for other transportation projects.

There is a reverter clause that states that if the Town sells or leases the property or uses it for another purpose it will revert to the state. This contradicts the economic development use required by the act. If the Town plans to use the property for economic development, the proposed bill should be revised to transfer the property to the City of New Haven for fair market value plus administrative fees. Section (b) can then be eliminated.

It should also be noted that the Department of Economic and Community Development should weigh in on this transfer as it is an economic development project utilizing state funds.

The section should be rewritten as follows:

Sec. 2. (*Effective from passage*) (a) Notwithstanding any provision of the general statutes, the Commissioner of Transportation after obtaining the approval of the Commissioner of Economic and Community Development, shall convey to the city of New Haven a parcel of land located in the city of New Haven, at no cost. Said parcel of land has an area of approximately 5 acres and is identified as the parcel of land located at 101 College Street, bounded by Church Street, Martin Luther King Jr. Boulevard, College Street and South Frontage Road, and further identified as a portion of the parcel on the map entitled "Connecticut Department of Transportation, Bureau of Highways, Right of Way Map, Town of New Haven, Oak Street Connector, From Howe Street Easterly to the Connecticut Turnpike, dated February 20, 1975, Map Number 92-10, Sheet No. 2 of 3." The conveyance shall be subject to the approval of the State Properties Review Board.

(b) The city of New Haven shall use said parcel of land for economic development purposes. If the city of New Haven:

(1) Does not use said parcel for said purposes;

[(2) Does not retain ownership of all of said parcel; or

(3) Leases all or any portion of said parcel,]

the parcel shall revert to the state of Connecticut. If the City of New Haven sells or leases all or any portion of said parcel, any consideration received by the City of New Haven for the sale or lease of said parcel shall be transferred to the State of Connecticut, Department of Transportation.

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

Section 5: Farmington- Parsons Property Route 4

The Department opposes this section as written.

The Department is unable to transfer this property until Project #51-260 is complete, as this property will be used as a staging area during construction. Additionally, federal funds were used to acquire this property. By virtue of the CTDOT's agreement with the Federal Highway Administration (FHWA), the Department is required to sell the property at fair market value and deposit the funds in the State Transportation Fund as a match for other federally participating projects; or the state must repay the FHWA its share of the cost of the property, \$1,882,068. The property can be conveyed to the Town of Farmington for a price equal to the federal share.

Section 9: Stafford

It is not clear what state agency owns the right-of-way. The Department respectfully requests copies of the deeds referenced in the section as well as a map in order to provide appropriate comments.

Section 12: Portland

The deed referenced in this section indicates that this parcel is owned by the Department of Energy and Environmental Protection (DEEP) not CTDOT.

Section 13: East Hartford- 42-216-9A- Roberts Street

CTDOT does not currently have custody and control of these parcels. These properties were transferred to the Department of Public Safety in 1991.

For further information or questions, please contact Pam Sucato (pamela.sucato@ct.gov) or CJ Strand (carl.strand@ct.gov) at the Department of Transportation, at (860) 594-3013.

