



House of Representatives

General Assembly

File No. 502

February Session, 2016

Substitute House Bill No. 5619

House of Representatives, April 6, 2016

The Committee on Government Administration and Elections reported through REP. JUTILA of the 37th Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

***AN ACT CONVEYING CERTAIN PARCELS OF STATE LAND AND
REQUIRING A STUDY OF CERTAIN STATE REAL PROPERTY.***

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 chairperson of the Board of Regents for
3 Higher Education shall convey to the town of Manchester a parcel of
4 land located in the town of Manchester, at no cost. Said parcel of land
5 has an area of approximately .314 acre and is identified as a portion of
6 Lot 60 Block 470 of Manchester Tax Assessor's Map 34, located on the
7 easterly side of Hillstown Road in Manchester, a portion of the
8 Manchester Community Technical College and shown as "Taking
9 Area, Area=13682 SQ. FT.=0.314 acres" on a map entitled "Property
10 Survey, Town of Manchester, Map Showing Land Acquired from the
11 State of Connecticut by the Town of Manchester, Hillstown Road,
12 Manchester, Connecticut, Job Number 96593A11, Phase 8000, Date
13 7/24/1998, Sheet No. 1 of 1... Scale 1"=40', Fuss & O'Neill, Inc.
14 Consulting Engineers." The conveyance shall be subject to the approval

15 of the State Properties Review Board.

16 (b) The town of Manchester shall use said parcel of land for
17 highway and traffic purposes. If the town of Manchester:

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

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

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

21 the parcel shall revert to the state of Connecticut.

22 (c) The State Properties Review Board shall complete its review of
23 the conveyance of said parcel of land not later than thirty days after it
24 receives a proposed agreement from the Board of Regents for Higher
25 Education. The land shall remain under the care and control of said
26 board until a conveyance is made in accordance with the provisions of
27 this section. The State Treasurer shall execute and deliver any deed or
28 instrument necessary for a conveyance under this section, which deed
29 or instrument shall include provisions to carry out the purposes of
30 subsection (b) of this section. The chairperson of the Board of Regents
31 for Higher Education shall have the sole responsibility for all other
32 incidents of such conveyance.

33 Sec. 2. Section 5 of special act 13-23 is amended to read as follows
34 (*Effective from passage*):

35 (a) Notwithstanding any provision of the general statutes, not
36 earlier than October 1, 2014, the Commissioner of Administrative
37 Services, on behalf of the Commissioner of Developmental Services,
38 upon certification of the Commissioner of Developmental Services that
39 the parcel is no longer needed for residential purposes, shall convey to
40 the town of Southbury a parcel of land located in the town of
41 Southbury, at a cost equal to the administrative costs of making such
42 conveyance. Said parcel of land has an area of approximately 45 acres
43 and is identified as a portion of the parcel of land containing the
44 Southbury Training School Personnel Village east of South Britain

45 Road. The Commissioner of Developmental Services shall identify said
46 parcel upon completion of a Class A-2 horizontal survey paid for and
47 completed by the town of Southbury. The conveyance shall be subject
48 to the approval of the State Properties Review Board.

49 (b) The town of Southbury shall use said parcel of land for housing
50 purposes. If the town of Southbury:

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

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

53 (3) Leases all or any portion of said parcel, provided this restriction
54 shall not apply to a lease to a nonprofit organization for senior housing
55 purposes or a sublease pursuant to subsection (c) of this section,

56 the parcel shall revert to the state of Connecticut.

57 (c) The nonprofit organization that enters into a lease in accordance
58 with subdivision (3) of subsection (b) of this section may enter into a
59 sublease with another entity formed for the development, construction
60 and management of low-income senior housing if such sublease is
61 entered into for purposes of enabling state financing or the allocation
62 of federal tax credits and subsequent investment, such as Low Income
63 Housing Tax Credits pursuant to Section 42 of the Internal Revenue
64 Code of 1986, or any subsequent corresponding internal revenue code
65 of the United States, as amended from time to time.

66 [(c)] (d) One hundred and twenty days prior to the transfer, the
67 town of Southbury shall conduct an environmental impact evaluation
68 in accordance with part I of chapter 439 of the general statutes of said
69 parcel. The town shall pay all costs and fees associated with
70 conducting such evaluation. Prior to the transfer of the property, the
71 town shall submit such evaluation to the Secretary of the Office of
72 Policy and Management. Based upon a review of the environmental
73 impact evaluation by the secretary, additional terms and conditions or
74 adjustment to the deed or other instrument may be required by the

75 secretary or the secretary, in the secretary's sole discretion, may
76 terminate the proposed transfer.

77

78 [(d)] (e) The State Properties Review Board shall complete its review
79 of the conveyance of said parcel of land not later than thirty days after
80 it receives a proposed agreement from the Department of
81 Administrative Services. The land shall remain under the care and
82 control of said department until a conveyance is made in accordance
83 with the provisions of this section. The State Treasurer shall execute
84 and deliver any deed or instrument necessary for a conveyance under
85 this section, which deed or instrument shall include provisions to carry
86 out the purposes of subsections (b) [and (c)] to (d), inclusive, of this
87 section. The Commissioner of Administrative Services shall have the
88 sole responsibility for all other incidents of such conveyance.

89

90 Sec. 3. (*Effective from passage*) The Commissioner of Administrative
91 Services, in consultation with the Secretary of the Office of Policy and
92 Management and the Commissioner of Developmental Services, shall
93 conduct a study evaluating any real property owned by the state in the
94 town of Glastonbury that is zoned for residential use by local zoning
95 authorities but is located in a zone authorized to contain commercial
96 structures, as authorized by the town. Upon the completion of the
97 study, the Commissioner of Administrative Services shall submit a
98 report, in accordance with the provisions of section 11-4a of the general
99 statutes, to the joint standing committee of the General Assembly
100 having cognizance of matters relating to government administration
101 and any other joint standing committee of the General Assembly
102 having cognizance of each state agency owning any such property.
103 Such report may recommend transferring any such property and any
104 legislation necessary to expedite the approval process for any such
105 proposed transfer under state and local authority.

106 Sec. 4. (*Effective from passage*) (a) (1) Notwithstanding any provision
107 of the general statutes, the Commissioner of Mental Health and
108 Addiction Services shall convey to the city of Middletown a parcel of
109 land located in the city of Middletown and any improvements on said

110 parcel, for the sum of one dollar. Said parcel of land has an area of
111 approximately 3.38 acres and is identified as a portion of the parcel
112 containing the Connecticut Valley Hospital and contains the Mary
113 Shepherd Home.

114 (2) The parcel is further described as follows: Beginning at an iron
115 pin in the northwesterly property line herein described and the
116 southerly property line of land of the state of Connecticut and at a
117 point along the easterly street line of Eastern Drive, thence southerly
118 on a bearing of South 11 degrees, 54 minutes, 38 seconds East, a
119 distance of 199.99 feet along said street line to an iron pin, thence
120 running southeasterly on a curve to the left having a radius of 391.01
121 feet a distance of 138.93 feet to an iron pin, thence southeasterly along
122 street line on a bearing of South 29 degrees, 39 minutes, 46 seconds
123 East, a distance of 79.59 feet to an iron pin thence running on a curve to
124 the left of radius 24.59 feet a distance of 38.84 feet to an iron pin on the
125 northerly street line of Bow Lane thence running on a curve to the
126 right having a radius of 1234.96 feet a distance of 197.33 feet along said
127 street line to an iron pin thence running northeasterly on a bearing of
128 North 22 degrees, 10 minutes, 23 seconds East, a distance of 50.40 feet
129 to an iron pin on the westerly side of Harvey Drive thence running
130 northeasterly on a bearing of North 13 degrees, 53 minutes, 26 seconds
131 East, a distance of 92.82 feet to an iron pin thence running
132 northwesterly on a curve to the left of radius 428.21 feet a distance of
133 186.36 feet to an iron pin thence running northwesterly on a bearing of
134 North 14 degrees, 11 minutes, 28 seconds West, a distance of 144.86
135 feet to an iron pin on the southerly property line of the land of the state
136 of Connecticut thence southwestly along said line, a bearing of South
137 84 degrees, 17 minutes, 26 seconds West, a distance of 155.80 feet to an
138 iron pin, thence running southwestly on a bearing of South 13
139 degrees, 43 minutes, 7 seconds West, a distance of 57.40 feet to an iron
140 pin, thence southwestly on a bearing of South 31 degrees, 22
141 minutes, 50 seconds West, a distance of 48.51 feet to an iron pin thence
142 southwestly on a bearing of South 76 degrees, 48 minutes, 43 seconds
143 West, a distance of 135.45 feet to the iron pin being the point of
144 beginning.

145 (3) The conveyance shall be subject to the approval of the State
146 Properties Review Board.

147 (b) The city of Middletown shall use said parcel of land for
148 permanent supportive housing purposes. If the city of Middletown:

149 (1) Does not use said parcel or improvements for said purposes;

150 (2) Does not retain ownership of all of said parcel or improvements,
151 other than a transfer to the successful respondent under subsection (c)
152 of this section; or

153 (3) Leases all or any portion of said parcel or improvements, other
154 than a lease to the successful respondent under subsection (c) of this
155 section,

156 the parcel and improvements shall revert to the state of Connecticut.

157 (c) The city of Middletown may transfer or lease said parcel and the
158 Mary Shepherd Home to the successful respondent of a request for
159 proposals issued by the city to redevelop the Mary Shepherd Home
160 into permanent supportive housing with a focus on veterans.

161 (d) The State Properties Review Board shall complete its review of
162 the conveyance of said parcel of land and improvements not later than
163 thirty days after it receives a proposed agreement from the
164 Department of Mental Health and Addiction Services. The land and
165 improvements shall remain under the care and control of said
166 department until a conveyance is made in accordance with the
167 provisions of this section. The State Treasurer shall execute and deliver
168 any deed or instrument necessary for a conveyance under this section,
169 which deed or instrument shall include provisions to carry out the
170 purposes of subsections (b) and (c) of this section. The Commissioner
171 of Mental Health and Addiction Services shall have the sole
172 responsibility for all other incidents of such conveyance.

173 Sec. 5. (*Effective from passage*) (a) Notwithstanding any provision of
174 the general statutes, the Commissioner of Transportation shall lease to

175 the town of Greenwich for the Bruce Museum a parcel of land located
176 in the town of Greenwich under terms to be negotiated by the
177 department and the town. Said parcel of land has an area of
178 approximately .35 acre and is identified as a twenty-five-foot-wide
179 parcel located between interstate 95 and the Bruce Museum in the
180 town of Greenwich, and a portion of Block 2 Lot 545 of Greenwich
181 Assessor's Map 286 and is further described as the parcel of land
182 depicted on a map entitled "Property of the Town of Greenwich Bruce
183 Museum, Greenwich, CT, dated 7/26/90, revised 3/26/91, by SE
184 Miner & Co. Inc." The lease shall be subject to the approval of the State
185 Properties Review Board.

186 (b) The town of Greenwich shall use said parcel of land for open
187 space and public parking purposes for the Bruce Museum. If the town
188 of Greenwich:

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

190 (2) Subleases all or any portion of said parcel,

191 the lease shall terminate and the parcel shall revert to the state of
192 Connecticut.

193 (c) The State Properties Review Board shall complete its review of
194 the lease of said parcel of land not later than thirty days after it
195 receives a proposed agreement from the Department of
196 Transportation. The land shall remain under the care and control of
197 said department until a lease is entered into in accordance with the
198 provisions of this section. The Commissioner of Transportation shall
199 have the sole responsibility for all other incidents of such lease.

200 Sec. 6. Section 150 of public act 12-2 of the June special session, as
201 amended by section 7 of special act 15-1 of the June special session, is
202 repealed and the following is substituted in lieu thereof (*Effective from*
203 *passage*):

204 (a) Notwithstanding any provision of the general statutes, the
205 Commissioner of Economic and Community Development shall

206 convey to the city of New Britain a parcel of land located in the city of
207 New Britain, at a cost equal to the administrative costs of making such
208 conveyance. Said parcel of land has an area of approximately .32 acre
209 and is identified as Lot 71 on New Britain Tax Assessor's Map B7B, and
210 is described in a warranty deed dated February 29, 1996, and recorded
211 in Volume 1217 at page 438 of the city of New Britain Land Records.
212 The conveyance shall be subject to the approval of the State Properties
213 Review Board.

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

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

217 (2) Does not retain ownership of all of said parcel, except for a sale
218 for economic development purposes; or

219 (3) Leases all or any portion of said parcel, except for a lease for
220 economic development purposes,

221 the parcel shall revert to the state of Connecticut. Any sale or lease of
222 said parcel in accordance with this section shall be for the fair market
223 value of the property or lease of said property, as determined by the
224 average of the appraisals of two independent appraisers selected by
225 the commissioner. Any funds received by the city of New Britain from
226 a sale or lease of said parcel for economic development purposes shall
227 be transferred to the State Treasurer for deposit in the [Special
228 Transportation] General Fund.

229 (c) Said parcel of land shall be conveyed subject to an existing right
230 of way of record referenced in the warranty deed described in
231 subsection (a) of this section.

232 (d) The State Properties Review Board shall complete its review of
233 the conveyance of said parcel of land not later than thirty days after it
234 receives a proposed agreement from the Department of Economic and
235 Community Development. The land shall remain under the care and
236 control of said department until a conveyance is made in accordance

237 with the provisions of this section. The State Treasurer shall execute
 238 and deliver any deed or instrument necessary for a conveyance under
 239 this section, which deed or instrument shall include provisions to carry
 240 out the purposes of subsections (b) and (c) of this section. The
 241 Commissioner of Economic and Community Development shall have
 242 the sole responsibility for all other incidents of such conveyance.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	New section
Sec. 2	<i>from passage</i>	SA 13-23, Sec. 5
Sec. 3	<i>from passage</i>	New section
Sec. 4	<i>from passage</i>	New section
Sec. 5	<i>from passage</i>	New section
Sec. 6	<i>from passage</i>	PA 12-2 of the June Sp. Sess., Sec. 150

Statement of Legislative Commissioners:

In Sec. 4(b) and (d), references to "improvements" were added for consistency with Subsec. (a).

GAE *Joint Favorable Subst.*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note

State Impact:

Agency Affected	Fund-Effect	FY 17 \$	FY 18 \$
Dept. of Administrative Services; Treasurer	GF - Cost	Minimal	None
Board of Regents for Higher Education	GF - Loss of Asset Value	Minimal	None
Mental Health & Addiction Serv., Dept.	GF - Loss of Asset Value	Approximately \$1.8 million	None
Resources of the General Fund	GF - Revenue Gain	See Below	See Below
Department of Transportation	TF - Revenue Gain	See Below	See Below
Resources of the Transportation Fund	TF - Revenue Loss	See Below	None

Note: GF=General Fund; TF=Transportation Fund

Municipal Impact:

Municipalities	Effect	FY 17 \$	FY 18 \$
Manchester; Middletown; Greenwich	Gain of Asset Value	See Below	None

Explanation

Section 1 of the bill conveys a 0.314 acre parcel of land at Manchester Community College to the town of Manchester for highway and traffic purposes. The transaction will result in a minimal cost to both the Department of Administrative Services and Office of the State Treasurer and also a minimal loss of asset value to the General Fund. The town of Manchester will realize a corresponding gain in asset values upon completion of the transfer.

Section 2 of the bill modifies the use restrictions on a parcel of land previously authorized for conveyance at the Southbury Training

School and has no fiscal impact.

Section 3 of the bill requires the Commissioner of Administrative Services to conduct a study of state owned property in the town of Glastonbury and has no fiscal impact.

Section 4 of the bill conveys a 3.38 acre parcel containing the Mary Shepherd Home to the city of Middletown for one dollar. The transaction will result in a minimal cost to both the Department of Administrative Services and Office of the State Treasurer and also a loss of asset value of approximately \$1.8 million to the General Fund. The city of Middletown will realize a corresponding gain in asset values upon completion of the transfer.

Section 5 of the bill requires the Commissioner of Transportation to lease a 0.35 acre parcel of land to the town of Greenwich for parking purposes under terms to be negotiated subject to certain restrictions. The Transportation Fund is anticipated to realize a revenue gain through this lease. The size of such gain will be dependent upon the terms negotiated between the town and Department of Transportation.

Section 6 of the bill modifies a previously authorized conveyance of 0.32 acre in the city of New Britain and redirects the proceeds of such conveyance from the Transportation Fund to the General Fund. There is a corresponding gain of revenue to the General Fund and loss of revenue to the Transportation Fund arising from this change. The scale and timing of such changes is subject to the terms of any subsequent sale or lease of the property by the city of New Britain.

The land conveyances and leases authorized in sections 1, 4 and 5 above are subject to the review and approval of the State Properties Review Board. Deeds or any other instruments necessary for the conveyances must be executed and delivered by the State Treasurer.

The Out Years

The annualized ongoing fiscal impact identified above would continue into the future subject to inflation and the terms negotiated for each conveyance.

OLR Bill Analysis**sHB 5619*****AN ACT CONVEYING CERTAIN PARCELS OF STATE LAND AND
REQUIRING A STUDY OF CERTAIN STATE REAL PROPERTY.*****SUMMARY:**

This bill (1) authorizes (a) conveyances of state property in Manchester and Middletown and (b) a lease of state property in Greenwich, (2) amends prior conveyances in New Britain and Southbury, and (3) requires a study of certain state property in Glastonbury.

EFFECTIVE DATE: Upon passage

§§ 1 & 4-5 — NEW CONVEYANCES AND LEASE

The bill authorizes the following conveyances and lease of state property from the agencies to the towns named for the purpose specified:

1. a conveyance from the Board of Regents for Higher Education to Manchester (.314 acre at no cost for highway and traffic purposes);
2. a conveyance by the Department of Mental Health and Addiction Services to Middletown (3.38 acres and improvements, including the Mary Shepard Home, for \$1 for permanent supportive housing); and
3. a lease by the Department of Transportation to Greenwich for the Bruce Museum (.35 acre under terms to be negotiated by the department and town, to be used for open space and public parking for the museum).

The conveyances and lease are subject to the State Properties

Review Board's approval within 30 days after the board receives the agency's proposed agreement. The property remains under the care and control of the state agency until the conveyance or lease is completed. Except as noted below for Middletown, the conveyances and lease revert to the state if the recipient (1) does not use the property for the specified purposes, (2) does not retain ownership of the entire property (in the case of conveyed property), or (3) leases all or part of the property.

The bill allows Middletown to transfer or lease the parcel and Mary Shepherd Home to the successful respondent to a city-issued solicitation to redevelop the home into permanent supportive housing focusing on veterans.

§§ 2 & 6 — AMENDED CONVEYANCES

Southbury (§ 2)

The bill amends a conveyance, passed in 2013, of a 45-acre parcel from the Department of Administrative Services (DAS) (on behalf of the Department of Developmental Services (DDS)) to Southbury. Under current law, the town must use the parcel for housing purposes but may lease it to a nonprofit organization for senior housing. The bill allows the lessee to sublease the parcel to another entity formed to develop, construct, and manage low-income senior housing. The sublease must be for the purpose of enabling state financing or allocating certain federal tax credits and subsequent investment.

New Britain (§ 6)

The bill amends a conveyance, first passed in 2012, of a .32-acre parcel from the Department of Economic and Community Development to New Britain for economic development purposes. Under current law, New Britain must transfer, to the state treasurer for deposit in the Special Transportation Fund, any funds it receives from selling or leasing the parcel. The bill instead requires that these funds be deposited in the General Fund.

§ 3 — GLASTONBURY STUDY

The bill requires DAS in consultation with the Office of Policy and Management and DDS, to conduct a study evaluating state-owned real property in Glastonbury that is zoned for residential use but is located in a zone authorized for commercial structures. DAS must report to the Government Administration and Elections (GAE) Committee and any other appropriate committee of cognizance. The report may recommend transferring any such property and legislation necessary to expedite the approval process. The bill does not establish a reporting deadline.

BACKGROUND

Related Resolution

SJ 36, reported favorably by the GAE Committee, proposes a constitutional amendment that, with limited exceptions, prohibits the sale, transfer, or conversion of state park or forest land, farm land, or other real property the state holds in fee or in easement for conservation, recreational, open space, or agricultural purposes.

COMMITTEE ACTION

Government Administration and Elections Committee

Joint Favorable Substitute

Yea 15 Nay 0 (03/18/2016)