

Town of Easton South Park Advisory Committee

Special Meeting

April 20, 2020

Location: Virtual Meeting via Zoom

Meeting ID: 573 146 5822

Password: SPAC0420

Total attendees: 49

1904 Call to order by John Cunningham

Committee members present: John Cunningham, Ross Ogden, Tara Sanft, Lisa Keane, Bob Schrage, Jeff Becker, Elliot Leonard, Andy Kachele, Dwight Senior

1. Reviewed minutes from April 13, 2020, meeting, motion to approve minutes by Ross Ogden, second by Jeff Becker, vote was unanimous.

2. Public comment: Vivian Hardison- asked for overview of committee actions, review given by J Cunningham, charge and first actions taken thus far. The end product of the committee will be a series of suggestions given to Board of Selectmen regarding the South Park property. We are not a decision making body.

Ira Kaplan- please introduce the members of the committee, done

Debra Klein- Is there an offer of \$600,000 for 12 acres of the property? J

Cunningham responds this committee has not requested any proposals at this time; there has been an unsolicited conversation and proposal to the First Selectman but not by this committee. We will hear more about the proposal tonight in our P&Z presentation.

A Kachele clarifies that at this time, we are an exploratory committee but could in the future, solicit proposals.

Vivian Hardison- Will the committee engage in a public hearing at any point? J

Cunningham responds that is not in the charge of this committee, that would fall under the Board of Selectmen's actions once our report is made.

D Bindleglass confirms that a public hearing would be held before any action taken on the property.

3. Old Business:

a. No comments from committee members regarding last meeting.

b. A Kachele reports on follow up to Finance's report: Bond Council confirms any proceeds from a sale of all or a portion of property would have to be used to pay down principal on bond. We do not know yet if any purchase would trigger the need for the bond to be fully repaid, it will be reported to committee as soon as made clear. Per council, any sale would have to be approved by bond council. BOF looked at impact of a sale of 800k for next fiscal year, savings of 18k a year in interest, repayment would end in 2027, not 2029. C Calvert to report back with final bond council information/criteria.

c. E Leonard reports on follow up to the Conservation Commission's conditions for prior approvals and/or denials of the permit applications the

Commission has dealt with, *see attached*. Elliott confers that these are his interpretation of the segregations asked for by the committee. These are Conservation Commission recommendations from the time of the different proposals/applications ending in 2008. This is the best available information that the Conservation Commission could supply based on prior works done that could be provided to any potential interested parties.

d. Our presence on the town's website is much improved, thank you D Bindelglass and town hall.

4. New Business:

a. & b. Planning and Zoning/Land Use report by Justin Giorlando (acting Land Use Director) and Robert Maquat. (Planning and Zoning Commission chairman), *see attached*. J Giorlando spoke on Aspetuck Land Trust grant opportunity, Open Space Watershed Land Acquisition grant from the CT Dept of Energy and Environmental Protection. Intent is to acquire land for open space protection, grant pays up to 65% of value of land based on federal yellow book appraisal. Application is due July 1, this is an extension due to Covid 19. ALT can purchase property from the town and use the grant in that process, they would make up the remaining 35% as the purchaser. The town can't maintain ownership and apply for the grant. ALT has shown interest in the land, as they already own sections of the land adjacent to the Mill River. ALT board is interested and the idea was presented to D Bindelglass. The total South Park property would need lot line revisions, as ALT is not interested in entire property. Grant would be for roughly 17 acres of land along the Mill River, 200 feet from the river, wetlands and flood planes, to include NDDDB bubbles (Natural Diversity Database, keeps data on endangered/threatened species). Grant requires a yellow book appraisal, an ecological report, Metrocog will assist with application, and a lot line revision will need to be done. Prior experience with ALT has been favorable, per R Maquat. No lot line revisions/upgrades have been done, minimal maintenance done by town since purchasing.

A Kachele voices concern that in order to meet this deadline for the grant of July 1, this advisory committee would not be able to consider any other options and given the history of the property, it is not advisable to proceed without public input. Can we defer the grant application until next year, as this would take up more than half of the property? There are many more considerations for the committee to explore. Justin clarifies appraisals are due August 1. The value of having an appraisal and ecological study done would benefit this committee and others in the future. A letter of intent would have to be submitted with the grant if pursued, therefore town would be obliged to sell if the grant is received. This committee's fact finding is not yet complete, per our initial plan. This committee to recommend to the First Selectman that these two reports be funded for the use of future recommendations, as this committee does not have a budget. J Giorlando approximates cost of yellow book appraisal as \$3,000 and an ecological report as \$2,000.

Comment by D Bindelglass, pursuing this grant application could be perceived by the public as us rushing through the process. Although it is possible that before July 1, we could hold a public hearing, the town could find funding for an ecological report but it will be hard to do this with the care, transparency and the open process

that we strive for. If the public overwhelmingly supported this, we could rush if that is what the town wants.

B Lessler comments is it possible to work on a parallel path, continuing on our work in this committee, while the grant application is also pursued through Land Use department.

R Maquat speaks to the value of the remaining 12 acres, if property split. This property is outside the public watershed water supply. The town has flexibility with this property and zoning regulations. It is prudent to explore all options. Can it generate meaningful revenue for the town?

D Senior expresses concern that the committees/commissions are moving very fast. Alan Goldbecker, comments that there is another property that the ALT is purchasing in town. Advises that an appraisal should be done first and foremost.

Grant Monsarrat comments his concerns that any development on the upper 12 acres would affect the environmental preservation of the land of the lower 17 acres.

A Kachele states that our job as public servants is to find what the majority of the town citizens want done with this property. A report from P&Z from June 2016 might be helpful, if circulated to the members of this committee.

L Keane asks does the ALT actively maintain their properties in regards to preservations? They have an active land management program, per R Ogden.

E Leonard makes a motion that the Board of Selectmen funds the ecological study and property appraisal, second by B Schrage.

A Kachele amends the prior motion; this committee makes a **recommendation** that the Board of Selectmen funds the ecological study and necessary property appraisal, second by B Schrage, unanimous pass.

c. Committee site visits. R Ogden offered a walk last week, one more will occur later this week.

d. Meeting schedule discussion, we would like the first and third Mondays. Monday, May 4 may conflict with BOF meeting per A Kachele.

2144 Motion to adjourn by A Kachele, due to Zoom disruption, second by L Keane, call discontinued

Minutes submitted on 04/23/2020 at 0830 by Lisa Keane, SPAC Secretary

INLAND WETLAND AND CONSERVATION ISSUES AND CONDITIONS

- ASSUMPTIONS:
1. One parcel
 2. Two parcels - Aspetuck Land Trust and Construction Site

Construction possibilities:

Residential housing
Senior Housing Development
Corporate Headquarters
Corporate Office Facility
University Facility
University Sports Center – including Pool and Recreational Facility

ONE PARCEL– The conditions set forth on second half of page 5 and page 6 Of Conservation Considerations

TWO PARCELS

PARCEL ONE ASPETUCK LAND TRUST - Approximately 17 acres

PROPERTY ADJACENT TO THE MILL RIVER AT LEAST 200 FEET OF THE MILL RIVER AT ALL POINTS

The following conditions:

No clear cutting around and within 200 feet of the river

Open space areas around the river for restricted use only

Restrictive easement over any open space to ensure protection of the river's riparian habitat by limiting public access only for restrict usage only

Pesticide and fertilization applications to be consistent with Integrated Pest Management guidelines of the State of Connecticut

Prior to any construction a permanent four foot high rail fence to be constructed along the entire length of the limit of disturbance which are the trees growing along the top of the slope but no closer than 100 feet from the Mill River

Due to the sensitivity of the area, an environmental and engineering consultant must be employed for regular assessment and periodic reporting to the Conservation Commission

Cash bond covering the various conditions should the development fail

Landscaping plan for the impacted areas

Open space requirement - minimum 15 acres

Limited use of impervious surfaces in and around the river and the trout fisheries

The wetlands in the current condition provide low flow recharge, water quality improvement and wildlife habitat in this open space

Threat of destabilizing existing steep slopes adjacent to the river thereby causing erosion and sediment deposition within the river

Risk of major environmental damage to the river from the Aquarian Water Treatment plant evidenced by the 2003 chlorine spill that severely damaged the fish population

Tersana Drive drainage access: work with DPW to clean up the area and install a plunge pool; this would provide a controlled runoff from Tersana Drive and address sediment loading from the same area.

Failure to do so would result in the sediment impairing the water quality of the Mill River

Provide access easement along the Mill River and adequate buffer along the river to protect existing tree canopy

Minimum parking at the southern-most part of the property off South Park for public access to the Mill River for fishing

Maintain the meadow on the undeveloped parts of the site by minimal mowing not more than twice a year to discourage accumulation of unwanted water fowl, particularly the Canadian Geese.

Clearing of the picnic area of the building and all manmade objects

Asphalt roadway to be replaced by a gravel path (by the picnic area)

Tennessee Gas Pipeline going through the property – careful planning with that company

PARCEL TWO --- Approximately 12 acres

The following conditions:

In case of construction, protecting all mature trees by using construction fencing

Restrictive easement over any open space to ensure protection of the river's riparian habitat by limiting public access only for passive recreation

Pesticide and fertilization applications to be consistent with Integrated Pest Management guidelines of the State of CT.

Prior to any construction, a permanent split rail fence to be constructed along the entire length of disturbance line which are the trees growing along the top of the slope but no closer than 100 feet from the Mill River

Depending on the construction plans, the 100 foot buffer might be acceptable should the development be significantly above the flood plain

Due to the sensitivity of the area, an environmental and engineering consultant must be employed for regular and periodic reporting to the Conservation Commission

Cash bond covering the various conditions should the development fail

Construction in stages

Construction and stabilization of the detention basins

Asphalt roadway to be replaced by a gravel path

Landscaping plan for the impacted area

Open Space requirement – min. 15%

Limited use of impervious surfaces in and around the Mill River and the trout fisheries

Threat of thermal impacts of excessive construction

Threat of destabilizing existing steep slopes adjacent to the river thereby causing erosion and sediment disposition within the river

Tennessee Gas pipeline going through the property – careful planning with that company

Minimum parking at the southern-most part of the property off South Park for public access to the Mill River for fishing

Maintain the meadows on the undeveloped parts of the site by minimal mowing, not more than twice a year to discourage accumulation of unwanted water fowl, particularly Canadian Geese.

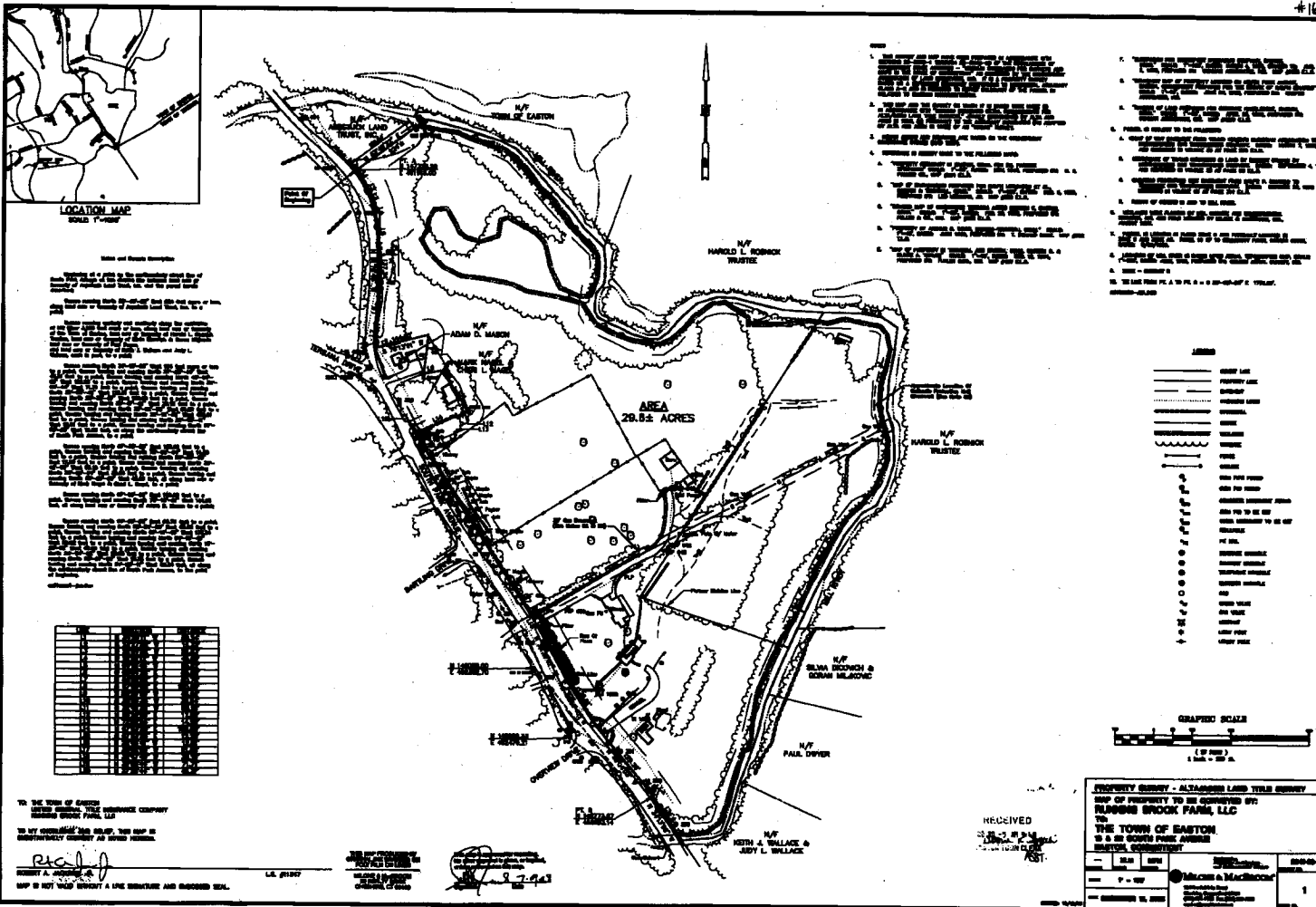
THESE CONDITIONS AND RESTRICTIONS ARE PRELIMINARY ONLY AND THE CONSERVATION COMMISSION RESERVES THE RIGHT TO IMPOSE ADDITIONAL CONDITIONS AND RESTRICTIONS AS PART OF THE PERMIT PROCESS.

Zoning Requirements for South Park Property:

- **Residence B Zone**
 - **No permit**
 - Open Space
 - Agriculture
 - Special Temporary Uses (Municipal/FD/EMS)
 - Pre-existing non-conforming uses
 - **Zoning Permit**
 - Single-family dwelling
 - Special Temporary Uses (non-profits)
 - **Special Permit**
 - Conservation Development
 - Equine Facility
 - Flag/Interior Lot
 - Places of Worship
 - Public/Private Schools
 - Museum/Gallery
 - Cemetery
 - Municipal Uses
 - Private Recreation Facility
 - Utility Facility
 - Country Inn/Spa/Wellness Facility
 - Other Uses
- **Area and Dimensional Standards**
 - **Area and Shape:** 3 acre lots; 2 acre min. buildable; Must fit 150' x 175' rectangle
 - **Frontage:** 200' min.; Flag Lots – 25'-50'
 - **Yard Setbacks:** Front – 50'; 75' from road centerline; Side/Rear – 40'
 - **Building Height:** Two-and-a-half Stories; 35' total
- **Floodplain Overlay**
 - Zone A/AE on property
- **Conservation Development**
 - No more lots permitted than in the “conventional” approach
 - 40,000 SF min. lot size
 - 100' min. lot frontage
 - 50'/75' min. front yard setback; 20' *side yard*; 40' rear yard
 - 2.5 story/35' height limit
 - 80' x 80' building square; no primary or secondary conservation area in square

#1698

#16



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#16