

PRESS RELEASE

May 19, 2008

***** FOR IMMEDIATE RELEASE *****

Statement Issued by First Selectman Thomas A. Herrmann

The Board of Selectmen is pleased to announce the successful conclusion of negotiations that will enable the Town of Easton to take title to a 29.7 acre parcel of property known as 18-22 South Park Avenue and control its ultimate use. This property is currently the subject of a 72 unit high density, affordable housing application that is scheduled for a trial before the Superior Court in Litchfield. If the negotiated agreements are approved, the Town will be able to preserve Easton's zoning regulations and protect the Mill River, a critically important water course, bringing to an end a decade of threats and challenges to both on this site. These agreements will transfer title to the property from Running Brook Farm, LLC to the Town and, in turn, enable the Town to sell a purchase option to a non-profit entity known as the New England Prayer Center, a newly organized Christian group. Due to revenue generated from the sale of the option, the costs associated with acquiring the property will have no impact on property taxes over the next two fiscal years. Indeed, if the New England Prayer Center purchases the property as planned, property taxes will not be impacted by this agreement.

If this purchase goes forward with the Town's support, I am particularly pleased to note that the entire purchase price of \$6.15 Million is expected to be recouped by the Town. At closing, the New England Prayer Center will pay the Town \$300,000 for a lease and purchase option agreement. This agreement will allow the New England Prayer Center to lease the property and over the next two years, purchase it from the Town for \$6.15 Million (with credit given for the \$300,000 already paid). It will be the responsibility of The New England Prayer Center to make application with the appropriate Town boards and commissions for use of the property as a prayer center consistent with Easton's existing zoning regulations. No applications have been made to date nor have any approvals been promised. The Town will be further protected in this transaction by a series of deed restrictions, which will restrict any future owners of this property from using it in a manner inconsistent with Easton's single-family residential zoning. These deed restrictions are only possible if the Town takes title to the property as this plan provides.

If, however, at the end of two years, the option is not exercised by the New England Prayer Center, the Town has the opportunity to rezone this property as one acre, single-family residential, and up to 14 lots may be sold by the Town. Under either of these proposals, the Town is expected to recoup the cost of the acquisition. These agreements must still be approved by the Planning & Zoning Commission, the Board of Finance, and Town residents by a machine vote.

By way of background, the owner of this property, Running Brook Farm, LLC, applied to the Conservation Commission and the Planning & Zoning Commission in 2005 for this 72-unit affordable housing development. This property has been at risk for many years: there were other applications for multi-family housing before the most recent one. After extensive hearings, both commissions turned down this proposal in early 2006. The cases have been pending in a special court in New Britain assigned for affordable housing appeals. We have had numerous settlement conferences with the assistance of a Superior Court judge. Although we strongly believe that we have solid grounds to defend our position in court, the harsh reality of affordable housing cases throughout the State of Connecticut is that local commissions lose approximately 70% of the time. The State of Connecticut has shifted the burden to the towns to justify denials of affordable housing projects, and the legal reasons allowed to deny such applications have been severely limited by the courts. Faced with this reality, our objective has been to negotiate a resolution which ensures that Easton's single-family zoning will remain intact.

In conclusion, I am extremely pleased to announce this proposed settlement, which has been negotiated with the assistance of a number of our Town officials, who have been most helpful with their advice and suggestions. If all of the approvals are received, I am confident that we will have preserved our local zoning and protected an important water course as well the essential rural character of our community with no increased tax burden. I ask all residents to come together and support this proposal in order to preserve and protect the Easton we all know and love.