

**MEETING MINUTES  
SPECIAL MEETING  
Easton Board of Selectmen  
June 16, 2016 – 7:00 p.m.  
Library Community Room**

Present: Adam Dunsby, Carrie Colangelo, Robert Lessler  
Adam Dunsby called the meeting to order at 7:00 p.m.

1. Robert Lessler moved and Carrie Colangelo seconded a motion to approve the minutes of the Easton Board of Selectmen Meeting of June 2, 2016 with the following correction; agenda item 4. The sixth sentence "busses" should be corrected to "buses". Motion passed unanimously.
2. Adam Dunsby read an offer letter from John J. Petillo, PH.D., President of Sacred Heart University. In summary, Sacred Heart University proposes to purchase the South Park property for Six Million Seven Hundred Thousand dollars (\$6,700,000). The land would be used for an athletic field, tennis courts and a natatorium (with Town access and scheduled use permitted). Mike Kinney of SHU, spoke more in depth regarding the scope of the project including limitations. A portion of the parcel would be donated to the Aspetuck Land Trust. Additional property would also remain in the ownership of the Town to provide a buffer to existing residential homes. SHU would also pay the Town Twenty-Five Thousand Dollars (\$25,000) per annum for an easement over that buffer to access University own property. The river would be adequately protected and accessible to the public. With "low impact" lighting on the property, SHU proposes neither concerts nor use of the facility between the hours of 11:00 pm – 5:00 am. Questions from the public were fielded by Mr. Kinney regarding preservation, limitations and construction material to name a few. Mike Larabina of SHU also spoke briefly on the proposal and suggested that residents come visit the campus of SHU to see what they are all about. There was a lengthy discussion following the presentation with many questions and comments from the public.
3. Robert Maquat chairman of the Planning and Zoning Commission presented a report regarding Senior Housing on the South Park property. The report addressed the need for Senior Housing, the suitability of the South Park location and an appropriate image of what that community would look like with two schematics presented. John Hayes and Robert Maquat took many public questions regarding the housing plan layout, septic alternatives and proposed preservation plans. There was a lengthy discussion following the presentation with many questions and comments from the public. The full report is attached to these minutes.
4. No additional presentations on South Park property were brought forth.
5. Robert Lessler moved and Carrie Colangelo seconded a motion to approve a tax refund as recommended by Christine Calvert, Tax Collector: 1. BRYAN MCCANN - \$15.25. Motion passed unanimously.
6. Adam Dunsby read a press release regarding the South Park Bridge closure. Effective June 16, 2016 the bridge will be open only to single alternating on-lane traffic for the foreseeable future.
7. Carrie Colangelo moved and Robert Lessler seconded a motion to approve the Driveway Variance and Indemnity Agreement for 28 Adirondack Trail (Lot 2) Adirondack Estates, LLC.
8. Robert Lessler moved and Carrie Colangelo seconded a motion to enter Executive Session to discuss litigation French v Easton at 9:30 p.m. Motion passed unanimously. Adam Dunsby requested the presence

of Attorney Monestersky and Chief Shaw of the Easton Police Department. The Board of Selectmen returned from Executive Session at 9:40 p.m.

9. Carrie Colangelo moved and Robert Lessler seconded a motion to approve consent of the settlement of the matter of French v Easton. Motion passed unanimously.
10. A resident spoke in hopes that the K-9 program would return to Easton. Another asked of the settlement details but was told the insurance company was handling that matter.
11. Robert Lessler expressed his gratitude to Senator Chris Murphy and Congressman Jim Himes for their efforts in gun safety.
12. Carrie Colangelo moved and Robert Lessler seconded a motion to adjourn at 9:55 p.m. Motion passed unanimously.

3A~06-16-16

## Report of Planning and Zoning Commission, June 14, 2016

Subject: POTENTIAL SENIOR HOUSING AND THE TOWN'S  
PROPERTY AT 18 & 22 SOUTH PARK AVENUE

### A Town Planning Issue

During 2015 the Planning and Zoning Commission commenced a program to update Easton's Town Plan of Conservation and Development 2006, as required by the General Statutes.

Section 8-23 (a) (1) of the Statutes directs that "At least once every ten years the (planning) commission shall prepare or amend and shall adopt a plan of conservation and development for the municipality." Subsection (2) (e) of the same law requires that the plan consider "(ii) expansion of housing opportunities and design choices to accommodate a variety of household types and needs;" At present Easton Zoning Regulations allow, by right, a single-family dwelling and one accessory residential apartment, by special permit, on a single residential lot.

On December 4, 2015 the Easton Board of Selectmen sent a written request to the Planning and Zoning Commission which referenced the Town-owned South Park Avenue property and requested a report on the following questions:

1. Is there a need for Senior Housing in Easton?
2. If so, would the Town property at 18-22 South Park Avenue be a suitable or appropriate location?
3. What would an appropriate Senior Housing Community look like?

To address the questions posed by this request we have examined current housing trends in the area, interviewed the director of the Easton Senior Center and the Town's Municipal Agent for the Elderly, conducted meetings with a national developer of senior housing and have researched technical studies accompanying the three recent development applications for the South Park Avenue site. We also conducted an extensive analysis of the Town-owned 29.6 acre site at 18-22 South Park Avenue to determine its feasibility for a Town sponsored age-restricted community.

### Changing Trends in New Residential Development

Realtors who have spoken to the Commission have pointed to changing life styles and housing trends in this post-recession era. Foremost among these trends are shrinking household sizes, an aging population and the desire of senior adults – especially the "empty nesters" age 55 and older – for more compact housing and maintenance – free living accommodations. Many of these active adults are not yet in retirement mode but no longer need or desire a four or five bedroom dwelling and the maintenance obligation which accompanies it. This changing preference is demonstrated in the housing statistics of the area which currently show low numbers for new single-family dwellings being constructed but robust growth in townhouses and "luxury" apartments.

Changing Trends in New Residential Development (continued)

Several privately-developed age-restricted projects in other towns have been investigated to test this hypothesis.

In Weston a 14.54-acre tract is currently proposed for an AACD ("Active Adult Community District") Zone which would accommodate 24 dwelling units in 6 "houses" of 1750 – 2250 square feet each, plus over 30 detached "carriage house" garages, limited to residents age 55 and over. In Ridgefield "Coach Homes", an "over 55" project of 54 units comprised of condominiums and town houses on 10 acres of land sold by the Town, is nearing completion of first-phase construction and 51 of these units have been sold or are under binder just since November 2015. In Bethel, outside the village area, a 136-unit townhouse and duplex age-restricted residential project is under construction. In Newtown two "age 55 +" communities are under construction by the same developer. Prices within these projects range from \$350,000 to \$750,000 per unit, depending on size and features. Virtually all are 2 to 3 bedrooms units, sometimes with a loft or studio. Many have 2-car garages, and all feature association maintenance.

Although the resident senior population of Easton, as reported by the Town's Agent for The Elderly and by the Senior Center Director, strongly prefers to remain "at Home" in their current dwellings, increasing age-related disability and economic pressures may force many of the town's seniors to relocate elsewhere. Affording this segment of the local population an opportunity to remain in this community would seem to be an appropriate social goal as well as an enhancement to Easton's civic image as an attractive residential community for all ages.

Planning Process: The South Park Avenue Site

The 29.6 acre property which comprises the site at 18 and 22 South Park Avenue is more particularly described on Town Assessor's Maps 5502D and 5513B, Blocks 3 and 16, and by two certified Class A-2 survey maps which accompanied development applications in 2003 and 2009.

For the purpose of this study the portion of the site which is suitable for development was carefully plotted and measured, excluding the entire lowland wetland and flood plain area. A small, narrow, shallow and poorly-drained area adjacent to the mid-point of the site's street frontage, has not been excluded from the site because it appears to have been created by past development activity.

The proposed developable site consists of a gently contoured 18-acre (more or less) terrace of gravelly, well-drained Charlton and Hollis soils, roughly triangular in shape, bounded on the west by South Park Avenue and on the northeast and southeast by low-lying wetlands and flood plains of varying widths along the Mill River. The Mill River forms the northeasterly and

Planning Process: The South Park Avenue Site (continued)

southeasterly boundaries of the tract. Steep bluffs separate most of the developable terrace from the site's lowlands, which are classified as "100-year" flood plains by Federal Emergency Management Agency FEMA mapping. State of Connecticut and U.S. Geological Survey mapping also establish that the terrace is a stratified drift aquifer highly sensitive to groundwater contamination due to its rapidly permeable soils.

The Mill River, which traverses the northeasterly and southeasterly sides of the property for a distance of approximately 3,100 feet, is a Class A watercourse that supports a cold water fishery. The State of Connecticut Department of Environmental Protection Inland Fisheries Division has categorized this section of the Mill River as a Class 1 Wild Trout Management Area, described as having an abundant natural reproduction of brown trout, one of only nine such streams in Connecticut. Because this segment of the stream is only about four-fifths of a mile below the Easton Lake water-supply reservoir dam, it is especially prone to the effects of contamination during warm weather dry spells when minimal quantities of water are released from the dam and the stream has severely limited dilution capacity. Consequently, this segment of the Mill River adjacent to the site is on the State of Connecticut's Section 303d (Federal Clean Water Act) list as an impaired water body since it does not, at various times, meet the State's ambient water quality standards for indicator bacteria. Beaches a short distance downstream in Fairfield have been closed at numerous times each summer due to excessive bacterial counts in the river. In November 2005, the Connecticut Department of Environmental Protection, Bureau of Water Management, wrote to the Town advising of U.S. Department of Environmental Protection Agency (EPA) approval of the State agency's "Total Maximum Daily Load Analysis" (TMDL) requirements for reduction of indicator bacteria in the Mill River. (November 28, 2005 letter to Hon. William J. Kupinse, First Selectman.).

In effect, the Town of Easton was ordered by the State of Connecticut to implement a plan to reduce contaminants in this particular segment of the Mill River by 55% of TMDL in order to meet the EPA's water quality standards under Section 303 (d) of the Federal Clean Water Act.

There are no sanitary sewers in Easton, and the Town does not have a Water Pollution Control Authority. Such authority would be required to oversee the operation of any private sewage collection and treatment system generating more than 5,000 gallons of sewage per day (gpd).

While public sanitary sewers exist in nearby sections of Trumbull and Fairfield, these facilities are physically separated from Easton by the intervening Mill River and are not currently available to serve projects in Easton.

To protect such sensitive lands as streambelts and water supply watersheds, the Town has consistently followed a sewer-avoidance policy as recommended by the State DEEP and incorporated in the Conservation and Development Policies Plan for Connecticut 2013-2018, as most recently adopted by the State General Assembly.

Planning Process: The South Park Avenue Site (continued)

There have been several development applications for this site, two proposed by Running Brook Farm, LLC. The first Running Brook Farm application sought a zoning amendment to create a “floating zone” for age-restricted dwellings. This amendment would have authorized one dwelling unit per acre on watershed land, or one dwelling unit per half-acre on off-watershed land, resulting in 44 units of housing on the South Park Avenue site. This application was denied in 2004 because its density provisions constituted an unacceptable threat to water quality on Easton’s water-supply watersheds and to the Mill River at the South Park Avenue site. The second application was an “affordable housing” proposal, pursuant to Section 8-30(g) of the General Statutes, not restricted to seniors. This application sought a rezoning of the South Park property to a “Housing Opportunity Development District”, to accommodate 72 units of manufactured housing at a density of five dwellings per acre. In its 2006 denial of this latter application the Commission found that the “sequencing batch reactor” community sewage treatment system, located at the edge of the developable plateau, was defective in design and posed a serious risk to the water quality of the nearby Mill River. In each of these applications other problems were identified as well, including lack of parking, inadequate renovation of storm water, and serious fire hazards – many of these problems attributable to the excessively dense proposed development.

The clear inference from the history and geography of this site is that its upland areas, due to highly permeable soils, are not suitable for highly intensive development and its lowland flood plains are critically important for protection of the ecology and water quality of the Mill River.

Accordingly this study has focused on an appropriate level of development for the upland area, within the natural capacity of soils on the site to safely renovate any and all wastes, and on permanent conservation of the riverine Mill River corridor. The long-established suggested standard of safety for wastewater renovation, generally endorsed by the State’s Environmental Protection (DEEP) and Public Health (DOH) Departments, is that residential density should not exceed one dwelling unit per half acre of suitable soil site area where public water supply is provided and where on-site sewage disposal occurs<sup>1</sup>. For this density a household of four persons (four or five bedrooms) and 300 gallons per day of water consumption is the basis for the standard.

Typical occupancy ratios for age-restricted dwellings are in the range of 1.5 to 1.8 persons per dwelling unit, reflecting the lack of resident children and lower numbers of adults in an average household, in contrast to unrestricted or all-ages households, typically of 3 to 5 persons or more. Consequently water consumption and sewage demand for age-restricted dwellings is, on average, less than half that of conventional 4 to 5 bedroom dwellings. This demographic fact enables an

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<sup>1</sup>Carrying Capacity of Public Water Supply Watersheds: A Literature Review of Impacts on Water Quality From Residential Development, by Doenges, Allan, Jontos Jr., and Liebler, March 1990, CT DEP Bulletin 11 (130 pages plus Appendices A-L).

Planning Process: The South Park Avenue Site (continued)

age- restricted residential project to be planned, provided restricted to no more than two senior residents per household, for twice the number of residential units ordinarily be accommodated at the one-dwelling-per-half-acre standard discussed above. In other words, if the suitable soil area at 18-22 South Park Avenue is capable, with public water service, of accommodating 17 or 18 single-family dwellings, it is also capable of accommodating 34 to 36 age-restricted dwelling units. It is also worth noting that water consumption per person is typically less per person for senior households than for “family” households, which provides a safety allowance for site planning. The site impact for a “seniors-only” project is also typically less than for a conventional subdivision of single-family houses, because of more compact house “footprint” per family (less land coverage), lesser traffic and reduced paving for parking and other developed space.

Conclusion and Schematic Plan

The South Park Avenue site has the following favorable characteristics for a potential age-restricted residential community:

- Recommended on Town Plan 2006 for reclassification from “Rural” to Suburban Residential (one acre per dwelling density);
- Level well-drained terrain, 18 of 29 total acres are well-elevated above Mill River flood plain;
- Soils are generally favorable for on-site sewage disposal systems;
- Public water supply is located in South Park Avenue along the property frontage; and
- The site is consistent with State water protection policy for on-site sewage disposal, due to suitable soils, public water service availability, and a location not on public water supply watershed.

A low-density age-restricted residential community can be planned at the 18-22 South Park Avenue site to be compatible with its surroundings as follows:

- An attractive low-density residential community would be similar in appearance to the “A” Residential neighborhood on the opposite side of South Park Avenue through design of individual houses of two units each, planned to resemble single family dwellings in appearance, size, and spacing.
- The traditional-style dwellings could be designed to accommodate two-bedroom units within each house, centered in a spacious landscaped lawn area. This 18-acre community site could accommodate 17 or 18 two-unit dwellings consisting of 34 to 36 rental or condominium dwelling units at a density no greater than would be a single family subdivision of one acre lots permissible at this site.<sup>2</sup>

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<sup>2</sup> This density established by the Town Plan.

Conclusion and Schematic Plan (continued)

- Including an affordable component in the design of the dwellings could create ten qualified affordable units, of benefit to limited-income seniors and to the Town's efforts to provide affordable dwellings without impact on sensitive watersheds.
- The site is admirably adaptable to a spacious residential community of 17 or 18 house sites, a short internal roadway and an eleven-acre open space corridor with walking trails, fully protecting the pristine character of the Mill River.

A schematic plan accompanies this report to illustrate a feasible layout for 17 dwellings, each of which would incorporate two restricted units of two bedrooms within each unit. The plan does not show the location of a community building which would be desirable and could be accommodated near the center of the site to provide for social and recreational facilities.

This particular off-watershed site is the only significant opportunity presently available in the Town of Easton for such use and should be seriously considered as a highly desirable option for Easton's residential future.



Analysis of Financial Benefits to the Town Based on Feasibility Plan

Assumptions:

Market values are derived from similar (current, 2016) projects. Assessment equalization and tax rates reflect current Town practice. Town service costs are assumed to be negligible because infrastructure would be maintained by homeowner association. Deed restrictions will control age and occupancy (55+, 2 persons/unit). Layout of community and architectural design will be strictly controlled by Town.

Estimated Revenue to the Town:

- a) Development Capacity of 18-acre Upland Site, Based on On-site Wastewater Treatment (in-lieu-of public sewers) 17 residential houses, with 2 units in each house,  
- condominium-style, restricted, 2-level, duplex houses, 2 bedrooms + studio (each).
- b) Estimated market value of each residential unit (median): \$300,000.
- c) Estimated Gross Real Estate Value After Development: \$10,200,000 (34 x \$300,000).
- d) Town Tax Impact (Estimated Annual Tax Revenue)  
Fair Market Value x Equalization (70%) x Tax Rate (25 mils)  
 $(\$10,200,000 \times 0.7) \times (0.025) = (\$7,140,000) \times (0.025) =$  \$178,500

Note about Development Costs for Suggested Plan

Further research is necessary to determine valid costs for infrastructure (road, common driveways, sewage treatment plans, wastewater management, landscaping) and for house construction. All of these factors will be calculated from the final design plans.