

Town of Easton South Park Advisory Committee

Special Meeting

June 1, 2020

Location: Virtual Meeting via Zoom

Meeting ID: 573 146 5822

Password: SPAC0601

Total attendees: 20

1905 Call to order by John Cunningham

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

Committee member not present: Bob Schrage

1. Reviewed minutes from May 18, 2020 meeting, motion to approve minutes with the following amendment, J Becker requests to amend minutes to note his comment after first two presenters, Trout Unlimited and DEEP, he asked: Based on the last two presentations, the best thing for the trout habitat and quality of the river is to do nothing? DEEP representative responds with, yes, leaving it in its natural state with forest cover would be the best thing for maintaining the trout fishery in the Mill River. Second by T Sanft, vote was unanimous.

2. Public comment: none

3. Old business:

A. Review and discuss May 18 meeting/reports. J Cunningham thanks the presenters; they were well prepared and presented much evidence in regards to preserving the river and its habitat. A Kachele comments that David Brant, ALT, stated that the town came to ALT in regards to the proposed grant; he is not of the understanding that the town or BOS officially solicited the ALT. D Bindelglass comments that Justin Giorlando unofficially contacted ALT while working on other properties, it was not the First Selectman or BOS.

B. Committee member reports on their investigations:

1. Solar farm, presented by T Sanft, she and B Schrage have been in touch with Cathy Alfandre, who helped with SSES solar field. Power would be generated and town would be credited and can be used for other municipal buildings. The town, in this structure, would lease the equipment. They have two other companies to talk with. Warm water runoff concerns were discussed. A Kachele comments a better approach is to go directly to UI for another structure idea, he will provide a contact. J Becker comments do not underestimate the heat that the solar panels can put off and look into pricing and net metering.

2. Agriculture application, J Becker will be in touch with Victor once he is more available, after school is out.

3. Educational nature center, presented by L Keane, this is a vision of a facility not unlike the Audubon facility in Fairfield, but possibly partnering with a

higher education institute, like SHU. This can be a site for fieldwork but also used by students in and out of Easton. More information to come.

4. Do nothing, keep as is, presented by D Senior, he states he does think nothing should be done with property other than having the town clean it up. A Kachele comments that to clean up the site, there are costs involved, possibly adjust this endeavor to note this.

4. New business:

A. Former selectmen present on history of S Park parcel and prior proposals.

1. Robert Lessler shares a history of the parcel, see attached. Reviews history of town obtaining the property and subsequent proposals from 2015. There were six proposals received at relatively the same time. Property could be rezoned to one-acre lots now because the property is no longer in the watershed.

2. Adam Dunsby comments with additional perspective. In 2014, all rights that the prayer center had to extend options for purchase had expired. Proposals came by word of mouth, once the parcel could be sold. Ads were also placed in regional papers to elicit ideas/proposals for the parcel.

3. Scott Centrella comments that at the time that the town purchased the land, the prayer center was a good option. And if needed, the real estate market was healthy, and the land could be rezoned for residential properties, either developed by the town or developers. He also states that anything done with this property will be and always has been met with significant opposition. A Kachele comments that the two SHU proposals came at a time when they had a set amount of capital available, and the golf course and GE property used most of this capital, leaving very little for another purchase. Also, the parcel is not in watershed and one acre zoning is usually where city water is available. BOF got involved and after their analysis, the town would still be in a hole if sold to residential developers. This causes a net loss due to educating a child living in the house. R Ogden requests a cost analysis of single-family homes and its impact on education, maybe from BOE. L Keane requests more information regarding litigation taken against the prayer center. A Dunsby responds that it involved a permit needed for parking, P&Z commission lost on an appeal. T Sanft asks about the clean up of the property. A Dunsby responds that the town did not have the right to go on property to clean up, as it was leased. L Keane suggests that changing the status to open space per D Seniors' proposal would be beneficial, so that the property can be cleaned. J Becker states he would like to see a plan for a clean up day, by this committee, T Sanft agrees. J Becker reminds committee of another proposal, a sequential batch reactor, which would produce much effluent, if it ever failed, it would be a disaster for the river. He also states getting sewage away from the property is next to impossible, as in any of the large development proposals, such as JSS.

5. Public comment: Bill Kupense, 5 Stones Throw RD, comments history is interesting but what is important is what we do now. We will not get the money back we paid for the property. He agrees with A Kachele's assessment in regards to price per pupil cost to the town, if residential development done. He does not condone bullying at all but there is a strong opposition to doing anything with this

property and the vote that passed was to keep it for conservation, preservation and land management. He suggests getting a copy of the lease for the committee to better understand what the town's responsibility is to cleaning up the parcel. He is in favor of not developing the property; any development would cost the town money. D Bindelglass responds that there is a month-to-month lease; he will get it to the committee.

7. Plan for next period: Next meeting June 15. J Becker asks if the committee needs to do anything to facilitate that ALT grant process? D Bindelglass responds that the appraiser has seen the land; the ecological evaluation is in process. The application needs to be filed by July 1 and supporting documents are due by August 1. Letter of intent to sell is non-binding, which will be submitted by July 1. R Ogden suggests adding a report on a residential option, he will take on. A Kachele has been asked to report on a commercial building. He also advises that we reach out to the public, to gather input. A Kachele and L Keane to do.

2045 Motion to adjourn by J Becker, second by A Kachele, vote is unanimous.

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Password: 7k@cQ69t

Minutes submitted June 4, 2020 by Lisa Keane, SPAC Secretary

South Park Avenue Overview:

The property known as South Park Avenue is a 29 acre parcel on the border of Easton, Trumbull and Fairfield. As you go down the hill past Exit 47 of the Merritt Parkway on Park Avenue, the property is on the right side of the road just at the bottom of the hill. Until 2008, it had been owned by one family for many years. There is one main house on the property and five outbuildings in various states of disrepair. Like all of Easton, it is on a septic system.

The property is shaped like a triangle standing on end with the longest side of the triangle being South Park Avenue. The Mill River forms the north east and south east border of the property with Trumbull. This is a sensitive water body and is one of only 9 rivers in New England that can support the Brook Trout fish. It is also home to the Brown Trout fish which is also at risk. There is a large wetlands area in the north of the property that limits development in this area. Finally, there is a major gas line that runs right across the middle of the property from South Park Avenue to the river (east/west) right at about the widest section of the property.

Over the years, several developers have expressed interest in the property for various uses. The most recent two or three proposals prior to 2008, involved age restricted housing and/or affordable housing. Developers have often proposed affordable housing projects pursuant to Connecticut General Statute Section 8-30j. This is a state law that allows developers to override local zoning rules in order to expand access to moderate (not low) income housing.

In about 2006, a developer purchased the property from Gina Blaze, the owner occupant of the property. The deal was largely seller financed so the developer paid the owner little or no money up front and the developer gave the owner a mortgage for the balance of the purchase price. However, before the zoning and approval process ran its course, the real estate market collapsed in the recession and the developer wanted out. In July 2008, the town reached an agreement with the developer (owner) and the Blazes (mortgagee) in which the town bought the property for \$6,150,000. This was more than the property was worth at the time but it let the developer recoup its costs and pay off the mortgage. The town was happy because we now finally controlled the future use of the property. The Blazes' received an option to purchase the property from the town in exchange for their position as mortgagees of the property in order to pursue their dream of creating a prayer center on the site.

The deal with the town gave the Blazes and the New England Prayer Center a two year option to purchase with the ability to extend that option for up to an additional four years under certain circumstances. They agreed to pay \$300,000 in each of the first two years of the option. The price per year went down after that during the additional four years. As it turned out, the Blazes'/Prayer Center were able to extend the option all the way to the end of the six year term. However, in July 2014, all options expired and, notwithstanding requests from them to make a new deal with a new term, the town owned the property free and clear of any claim from the Blazes'/Prayer Center. The Blazes' have continued to live in the main house on the property all this time. Since the summer of 2014, they have been paying rent to the town.

In 2015, the town advertised the property to solicit interest in development projects. At one point, there were six proposals on the table which were presented at a public forum. The

projects were 1) a recreational complex by Sacred Heart University including a natatorium, tennis courts, practice quality ball fields, a track, etc., 2) a 200 unit continuum of care facility by Jewish Senior Services, 3) & 4) two different age restricted housing projects, 5) a ten year farming project which could thereafter become a housing development, and 6) a picnic table and nothing else by CFE.

In addition, Planning and Zoning looked at how many houses the land could support under its current 3 acre zoning and if re-zoned as 1 acre plots. Under the 3 acre plan, the site could support 7 to 9 houses. If re-zoned to 1 acre, the site could support 12 to 14 houses. When our zoning rules were created, this parcel was in the 3 acre zone because it was watershed property. However, when the water treatment plant on Buck Hill Road was completed in the 1990's, this property was no longer in the watershed and so, could be re-zoned as 1 acre without impacting the definitions in our zoning rules.

On a 2-1 vote, then Board of Selectmen supported the Sacred Heart project. We had an agreement in principal with SHU. However, when SHU purchased another property, they were no longer interested in the site.

In the SHU project and the JSS project, the deal would have included significant use of the new facilities by town residents. Hence, the town could have had some version of an indoor town pool, upgraded playing fields and access to assorted other recreational and cultural attractions.

The neighbors have opposed any change for the property. Indeed, it was in significant part due to their litigation that the Prayer Center was not able to close on the property during the 2008 to 2014 time period.

The remaining balance on the bond for the original purchase price is now somewhat under \$4,000,000.

*Prepared by R Lessler for the South Park Advisory Committee
May 2020*

South Park Avenue Future Use Financial Calculations May 7, 2015, revised to August 4, 2015

	JSS	Mystic	SHU	Lenoci	Hold It
Purchase Price	\$10,000,000* Town is responsible for cost of sewer connection	\$3,000,000	\$7,000,000	\$3,000,000	<\$6,000,000> 5M left on bond at present
Annual Revenue	\$720,000* Assumes 160 taxable units @4500 per unit	\$500,000* This is developer's number. But @ \$600/house X 70% X 30 mills = 630/yr	\$120,000* Dunsby's current PILOT estimate	\$30,000* During the initial 10 yr period. After 11 houses built = \$175,000/yr	\$36,000* Assumes rent for house at \$3000/mo.
10 Year Payout Net of Bond of 5M	\$12,200,000	\$3,000,000	\$3,200,000	<\$1,700,000>	<\$4,640,000>
20 Year Payout	\$19,400,000	\$8,000,000	\$4,400,000	\$50,000* Assumes 11 houses @750ea X70% X 30 mills = 15,750/ea X 11 = \$173,250 but likely substantial costs for school age children	<\$4,280,000>
30 Year Payout	\$26,600,000	\$13,000,000	\$5,600,000	\$1,800,000* but likely substantial costs for school age children	<\$3,920,000>