

# ***SOUTH PARK ADVISORY COMMITTEE***

***FINAL REPORT***

*Prepared for Easton Board of Selectmen*

*August 2, 2021*

## South Park Advisory Committee

### **I. Background and Organizational Matters**

A. The Selectmen charged the Committee on Feb 20, 2020 as follows:

*There shall be a Committee appointed by the First Selectman on the future use of South Park Avenue which is charged with investigating and reporting to the Board of Selectmen on the options for future use of the approximately 30 acre parcel owned by the Town of Easton since 2008 – located on South Park Avenue and bounded by South Park Avenue and the Mill River.*

*The Committee may consider any future use, whether or not such use is consistent with current zoning, for said parcel. The Committee shall consider the fiscal impact of any future use. The Committee may consider mixed uses. The Committee shall consider whether the Town should retain ownership, sell or lease the property, or engage in a public/private project.*

*The Committee is authorized to contact any and all persons or entities who may have relevant information or interest in the parcel, including but not limited to Town officials and Town organizations.*

*The Committee shall have a minimum of five and a maximum of nine members who shall be residents of the Town of Easton. The Committee shall complete its work and file a written report with the Board of Selectmen on or before June 30, 2020. The Committee shall appoint from its members a Chair and a Secretary and such other officers as it may deem appropriate. The Committee may request an extension of time to complete its work.*

B. The Committee's initial organizational meeting was on March 9, 2020 and was conducted in the Easton Senior Center. In accordance with public policy during the COVID 19 pandemic, the subsequent nineteen (19) meetings were conducted virtually via Zoom.

C. The Committee requested and received two extensions to complete its work with the final extension terminating on June 30, 2021.

D. The following Easton residents were appointed to the Committee:

Jeff Becker	Andy Kachele	Bob Schrage, Secretary
John Cunningham, Chair	Ross Ogden	Dwight Senior
Elliot Leonard, Vice Chair	Tara Sanft	Brian Williams

Lisa Keane served as Committee Sec. until moving from Easton in December, 2020.

E. The Committee was advised that there is approximately \$3 million of bond principal outstanding and the related annual cost to the Town is approx \$405,000 in 2021 and declining to approx \$335,700 in 2030. The bonds are scheduled to be retired in June, 2030 and the total liability to the Town over

## South Park Advisory Committee

that period is \$3,707,000. Upon sale of the property or any portion, according to bond counsel, a corresponding portion of the outstanding bonds must be retired.

### **II. Participants @ meetings (Organizations and individuals that provided formal input to Committee)**

- A. Presentations were made to the Committee by Town officials and relevant Board and Commission members including – Planning and Zoning, Finance, Conservation, former and current Selectmen, Agriculture Commission
- B. A number of relevant organizations presented materials to the Committee including Trout Unlimited, State DEP, Citizens for Easton, Agricultural and Environmental experts, and Aspetuck Land Trust. Presentations were provided to the Committee Secretary and attached to corresponding meeting minutes and subsequently posted to the Town website.

### **III. Projects Reviewed & Summary Comments**

The Committee reviewed projects and concepts for using the property that were internally generated as well as initiated from both resident and outside organizations input. The following is a list of projects annotated with summary comments drafted by the indicated Committee member:

\* **Solar Farm** -Tara Sanft and Bob Schrage – Not recommended - The SPAC entertained the idea of using the land for a solar farm. The concept consists of leasing the land to a company specializing in set up, maintenance and appropriation of solar power. In exchange, the town would get credit for municipal buildings' electricity use. This seemed like it might be a popular idea because the Samuel Staples Elementary School has a similar solar farm that saves money for the school via energy credit. The committee entertained proposals from two companies. Ultimately, the proposal was felt to be economically unfavorable given that the credit and money from the leasing of the land would not be enough to offset the considerable amount owed on the land.

*Andy Kachele - Town would bear the risk of price fluctuation for electricity produced, contract could be assigned to a third party without Town's consent, and no provision guaranteeing no cost to the Town at the end of the contract to restore the property to original condition.*

\* **Agriculture** – Jeff Becker - SPAC investigated growing hops, but found that the upfront costs were too high, and so this concept was abandoned. The economics of growing hemp were far better, and there is great growth potential. A

## South Park Advisory Committee

proposal was made, but a circus ensued, and the Commission shortsightedly voted it down, 4 - 3.

\* Preserve and Protect – Dwight Senior - Of all the options explored by the South Park Advisory Committee for our town-owned property on South Park Avenue, the Preserve and Protect option is the most beneficial from many standpoints – economics, quality of life, environmental benefits, and fulfillment of the town's desires as expressed by our citizens when we approved the funds to buy the property in 2008.

\* Environmental Nature Center – Lisa Keane –Not Recommended. With the absence of a University or similar non-profit sponsor represents a significant capital expense for the Town without substantial benefits for the Town or a clear path to recover the Town's investment.

\* Town pool and related recreation suggestions – Andy Kachele - Various suggestions from the community including a pool, splash pad/spray park, playground, recreation center including gym and fitness equipment – For any of these possibilities the Town owned property on Morehouse Road would be a better location.

\* Cemetery – John Cunningham – Not recommended – Limited public interest and demand. The initial project economics for the Town did not warrant further consideration.

\* Community garden allotments – Andy Kachele – Not recommended - Little expressed public demand and would impact any other uses.

\* Low income housing for seniors – Kachele and Cunningham - An extensive review was not undertaken by the Committee as past studies have shown little interest from Easton residents. Projects typically require heavy subsidies which, if provided by other than Easton taxpayers, mandate equal access for noncurrent residents.

\* Bike and horse riding trails – Andy Kachele -Size and configuration of the parcel would limit trails to relatively short distances and thus not be of a type desired by most riders.

\* Prayer Center - Sale to Blazes – Andy Kachele – Not recommended at present but could be beneficial at some time in the future. Proposal from the Blazes is for a portion, not fully defined, of the property for approximately \$1,000,000. Proposal could be for as few as 4 or as many as 10 acres. The area desired by the Blazes would significantly impact the usability of the remainder of the property.

## South Park Advisory Committee

\* Llama preserve – John Cunningham – Concept informally communicated by real estate agent but principle declined to develop formal proposal for Committee consideration.

\* Residential development – Ross Ogden - As a commission, we examined multiple residential options for the South Park property, including 1) single family housing development under current three-acre zoning, 2) single-family housing development under one-acre zoning, which would require a zoning change, and 3) the possibility of selling the property as a single lot for an estate or gentleman's farm. Ultimately, the commission concluded that while all three options were within the character of the town and the neighborhood, the likely sales price would not be enough to clear the bond and was therefore an insufficient economic return on investment. Further, there were discussion/concern that ongoing property tax revenues would not be enough to cover the incremental cost of education for additional children within the new households under options one and two.

\* Commercial development – Elliot Leonard and John Cunningham – Two parties reviewed respective feasibility studies for developing projects on the property – 1) University housing for graduate students and 2) senior independent living facility. Neither organization could prioritize their projects into full proposals due to their concentration on pandemic related matters. When the management team of the respective organizations have sufficient capacity, it is likely that attractive proposals will be presented to the Town for consideration.

### **IV. Observations and Conclusions, and Committee Members' Comments**

A. The Committee unanimously agreed that the Selectmen decision process be guided by comprehensive conservation principals independent of specific project(s) considered for the property.

B. There was also unanimous agreement that while the Town owns the property efforts should be taken to maintain this important asset with a greater level of care and attention than has been exercised over the last thirteen years.

C. The Committee was made aware of a State of CT grant application submitted by Aspetuck Land Trust (ALT) to purchase approximately nineteen (19) acres of the Town's thirty (30) acre parcel. The Town's Conservation Commission supported ASL's grant application. At 2020 year end the Committee advised the Selectmen of its support as well for the following reasons:

- ALT has a proven record of outstanding property management and would provide professional care of that acreage.
- The 19 acres consisted of acreage adjacent to the Mill River and also undevelopable wetlands.

## South Park Advisory Committee

- A guest speaker noted that by dividing the parcel in two pieces, the value of the remaining eleven (11) acres would become more attractive and its value likely increased. This opinion was not validated through a formal appraisal process and the Committee members held differing opinions on its accuracy.

D. No specific projects are being recommended for Selectmen's attention at this time. While a couple of projects that potentially met criteria for consideration, complicating factors, primarily as a result of the pandemic, did not allow sponsoring enterprises to submit a proposal for formal Committee consideration.

E. Among the Committee membership there was strong support to maintain the property as open space. (See above project – Preserve and Protect). Some community members that met with the Committee also advocated that going forward the Town should maintain the property as open space.

F. After several presentations and extensive discussion, the Committee voted 4-3 to recommend to the Selectmen that they decline a proposal to farm hemp on the property.

G. A majority of the Committee (7 of the 9 members) - Cunningham, Kachele, Leonard, Ogden, Sanft, Schrage, and Williams) concluded that the Town maintain a "wait and see" position for the time being and should also be open to projects that present the following attributes:

- Ecologically sound to appropriately protect the Mill River.
- Fiscally sound by providing, at a minimum, an amount of capital to the Town that allowed the retirement of outstanding bond principle without using additional funds.
- Low Municipal services (school, public safety) demand
- Supported the Town's affordable housing objectives
- Diversify the Town's tax base
- Aligned with the Town's esthetic and community standards.

**The following report section was designed to allow Committee members to present their conclusions and recommendations for action.**

### **1. Andy Kachele's recommendations for action**

*At present there is no combination of proposals that generates revenue to come close to covering our remaining bonded debt. Only the Blaze and Aspetuck Land Trust proposals offer immediate payment that could only be used to reduce the outstanding debt. The debt reduction would have to be applied to the final years of the bonds and thus would produce no Town budget benefit for several years. Both would also possibly significantly affect the property's potential for*

## South Park Advisory Committee

*other future uses. Leasing of a portion of the property on a season by season basis for farming could be beneficial but should be for a pure lease based on a competitive bid process and provide financial guarantees that at the end of the growing season the land would be restored with a suitable cover crop planted. Such an arrangement must not significantly hinder other future uses. Any future use of the property must also be sensitive to the need to protect the Mill River. Of all the proposals examined by the Committee to date I do not see any that warrant taking immediate action, including the Blaze, Aspetuck and hemp farm proposals. I would recommend no action be taken at the present time but that the Selectmen keep an open mind and make clear that they are open to new ideas from the public.*

### **2. Dwight Senior's recommendation for action:**

*Of all the options explored by the South Park Advisory Committee for our town-owned property on South Park Avenue, the Preserve and Protect option is the most beneficial from many standpoints – economics, quality of life, environmental benefits, and fulfillment of the town's desires as expressed by our citizens when we approved the funds to buy the property in 2008.*

*Economics: Open space is the most economical use of space for the town compared to residential development and commercial development. Residential development invariably increases school enrollment and expenses to the town. Commercial development increases use of town services such as police, fire, EMS, etc. If the property is sold, there is no guarantee of a positive cash flow nor any control of re-sale by the purchaser which could result in damaging consequences for the town and its property values (which have been shown to increase for homes near open space). The annual cost to carry the debt is approximately \$160 on a per capita household basis (after nine years the cost will be zero). Annual maintenance cost (mainly grass cutting) is less than \$2,000. A one-time cleanup cost is estimated to be \$5,000.*

*Selling the property will cause us to sacrifice the following precious, irreplaceable benefits:*

*Quality of Life For Our Townspeople: Preserving and protecting this property as open space provides the town with a family-friendly environment including catch and release fishing in the Mill River, picnicking, hiking, photography, bird watching, and simply a quiet, bucolic place for relaxing and enjoying the beautiful surroundings.*

*Environmental Benefits: Easton's role within the densely developed region of southwestern Connecticut has been that of providing pure water, clean air, and permanent green space to support a livable environment for all the people of the area. Water runs downhill, therefore any development in the upper portion of this South Park Ave. property can jeopardize the river situated on the lower portion of the property. This was discussed early on at SPAC meetings and recorded in the minutes. By preserving and protecting all of our South Park Ave. property from future development, our town will be helping to ensure*

## South Park Advisory Committee

*the continuance of this environmental benefit for our region, for our citizens' quality of life, and for our property values.*

*Fulfillment of Easton's Strongly Expressed Desire to Preserve and Protect This Irreplaceable Property: On June 17, 2008, Easton held a town referendum to approve the purchase of this property wherein our town voted by a significant margin (75% to 25% – 1,249 votes in favor vs. 412 votes against) to purchase this property specifically "for preservation, conservation and land use control purposes." Since then, some public officials have hired legal council to interpret this clear cut language in ways that may better suit their desires and ambitions for this property. Deviation from the stated purpose of preservation and conservation could likely be challenged by our citizens, particularly those who voted in favor of the referendum.*

### **3. John Cunningham's, Elliot Leonard's, Ross Ogden's, & Bob Schrage's recommendation for action.**

*With the exception of the sale of a portion of the parcel (approx 18 acres) to the Aspetuck Land Trust, no other identified projects are recommended for action. The Aspetuck Land Trust proposal to purchase a 19-acre portion of the property along the Mill River accomplishes the following:*

- Guarantees the protection of this unique and highly sensitive ecological area for public benefit in perpetuity*
- Creates a 200+ foot buffer between the Mill River and any future development on the balance of the property*
- Complements existing open space to the north, south and east by increasing wildlife habitat and aiding wildlife migration*
- Ensures that the property is professionally managed as open space available for public enjoyment through fishing, hiking, wildlife viewing, painting, and photography*
- Provides for immediate payment to reduce the outstanding debt*
- Requires little to no municipal resources (school, public safety, etc.)*
- Likely increases the value of the remaining portion of the Town owned South Park property (approx 10 acres)*
- Maintains the current natural aesthetic of the area that is in harmony with the character of the town.*

*At the same time, while no other identified projects were identified currently as appropriate for the Board of Selectmen consideration through this current study, we recommend a "wait and see" posture be adopted. The Board would be acting in the best interests of Easton if it is prepared to evaluate selected projects present to the Town which provide clarity in various sectors of the local economy (for example, Universities for graduate housing, Senior Facilities from assistant living to skilled nursing, to Health Care from medical facilities to emergency care operations) that have been complicated by the effects of the pandemic.*



## South Park Advisory Committee

*We conclude that the Town should be open to projects that present the following attributes:*

- Ecologically sound appropriately protecting the Mill River.*
- Fiscally sound by providing, at a minimum, an amount of capital to the Town that allows the retirement of outstanding bond principle without using additional funds.*
- Low Municipal services (school, public safety) demand*
- Support the Town's affordable housing objectives*
- Diversify the Town's tax base*
- Align with the Town's esthetic and community standards.*

### **4. Tara Sanft's recommendations and comments:**

*The many months of review and thought by the committee members into land use of the South Park site has been educational and fruitful. Concepts that resonate most with me include the preservation of the Mill River and the trout population living and breeding there; the state of the land as it exists now is not truly preserved or in any way ready for "open use" and needs significant clean-up to fulfill that mission; and the notion that the money left on the bond is substantial, which limits many projects from moving forward. That being said, I believe the protection of the Mill River is so important that I would support the ALT acquisition and maintenance of this part of the property. I think it is the best step to ensuring this happens and is in line with other Easton parks and preserved land.*

*The remaining projects reviewed were either not materialized (ie, no proposals to purchase the property came to fruition) or deemed not feasible (ie, solar farm) due to financial constraints. I agree with principles set forth for future projects and I hope, as the pandemic lifts, creative ideas can be reignited and entertained which share these principles.*

### **5. Brian Williams' recommendations and comments:**

*I agree with both John's statement and Andy's. I agree that none of the identified uses to date warrant action as they do not return sufficient value to the taxpayers of Easton. I further agree that the proposal from the Aspetuck Land Trust has merit for the reasons John identified. However, accepting this proposal now is not without its challenges including the price relative to the bond amount and other concerns which Andy has touch on. Therefore, I agree a wait and see approach is best when addressing the Aspetuck Land Trust proposal as there may be better alternatives requiring further vetting which could provide a more favorable economic outcome to the town and its taxpayers.*

### **6. Jeff Becker's recommendations and comments:**

## South Park Advisory Committee

*Given the history of the last 50 years, it is clear that this property shall remain open, or farmed. As the West bakes in triple digit heat, with rapidly increasing drought and fires, local farmland will become highly valued.*

*The town should save the South Park property for it's openness, where development presses all around. History will judge any other decision with scorn.*

*Given the economics, it would be foolish to sell any of this property or a part of it to the Aspetuck Land Trust. A sale now means that the taxpayers have spent over 3 million dollars and have nothing to show for it, except a bill for the balance due. A sale to ALT at the current offer isn't a deal worth taking, given that then you've just got a parcel of land without the gem that is the river. But if the sale to ALT came with a deed restriction that no additional easements could be granted, I'd see value in that.*

*The investigation of farming hemp is ongoing, and will continue. I've learned from Fashion Institute of Technology educator Sal Giardina that a fine fiber hemp strain would be highly valuable to the fashion industry, and we will explore this avenue. A partnership may be a possibility. Creating a whole house demonstration project around the hemp industry and hemp products should also be explored.*

*Lastly, process both in this commission, and the town, needs improvement.*