

Special Town Meeting January 19, 2012

Lachat

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Special Town Meeting was called to order at 7:15pm in the Town Hall Meeting Room by First Selectman Gayle Weinstein.

Pursuant to Article 2 of the Weston Town Charter and §8-24 of the Connecticut General Statutes, the voters of the Town of Weston, Connecticut, are hereby warned and notified that a Special Town Meeting will be held in the Weston Town Hall Meeting Room, 56 Norfield Road, Weston, Connecticut, on Thursday, January 19, 2012 at 7:15P.M to discuss and vote on an Agreement between the Town of Weston and the Nature Conservancy, a Town Lease between the Town of Weston and the Nature Conservancy and a Conservancy Lease between the Town of Weston and the Nature Conservancy with regard to the Lachat property:

Ms. Weinstein recommended that we appoint Barbara Reynolds as Moderator. Motion moved to appoint Barbara Reynolds as the Moderator of the meeting. Motion seconded and passed unanimously.

Ms. Reynolds appointed Woody Bliss as Parliamentarian.

Laura Smits, Susan Moran registrars and Theresa Brasco assistant registrar will be vote counters if required.

Ms. Reynolds read the State Statute on eligibility to vote and fraudulent voting.

All non-voting attendees were asked to sit in the designated area.

Ms. Reynolds noted that Sharon Shattuck would be the clerk for the meeting.

Ms. Reynolds read the rules for addressing the Town Meeting and methods of voting.

Ms. Weinstein moved “Be it Resolved that the Weston Town Meeting authorize First Selectman Gayle Weinstein, acting on behalf of the Town of Weston, to sign the Agreement and Amendment to the Cooperative Agreement, the mutual leases with the Nature Conservancy and the Amended and Restated Conservation Restriction Agreements, with regard to the LaChat property. Further, the First Selectman is authorized to make minor revisions to these documents, if necessary.” Motion seconded.

Mark Harper, Goodhill Road asked about the difference between the first lease and agreement that we voted on in a previous meeting, and the one we are voting on tonight. Mr. Tracey said the changes that occurred since the vote at the first meeting came from two sources. The Planning and Zoning Commission made a number of suggestions to the agreements after they were approved. The changes were intended to protect the Town and they made some very good recommendations which were accepted by the Board of Selectmen and approved by the Board of Selectmen.

The second set of changes was requested by the Nature Conservancy. They relate primarily to the way in which the endowment will be distributed going forward.

Mr. Harper asked if it in any of the agreements that the Town has permission to demolish any of the building and are we at this meeting voting in this agreement to allow the Selectman to demolish any of those buildings? Mr. Tracey said it is not the purpose of this meeting and it is not the purpose of the documents. The documents have always said that the Town can demolish buildings and can alter buildings if it wants to and it always had the right to. These documents are purely for the purpose of separating us from the Nature Conservancy once and for all so we can use this for a positive way for the Town. The money stays intact and is not divided and is used to either renovate or to maintain the properties. Mr. Tracey said that there is an \$80,000 fund that is separate and we got permission from the Nature Conservancy to take that out whenever we want not only for maintenance but for renovation if we want.

Ginger Jespersen, Heritage Lane said she believes there is a conflict with Leon's Conservation Agreement which says to leave the property undeveloped but we are coming forth with a new lease agreement that says we can put in solar panels, fence, walls, irrigation system etc. She doesn't think that that is the vision he had.

Mr. Tracey said that these were Planning and Zoning changes. First, nothing in the lease permits the Town to do anything that is inconsistent with the conservation easement. The conservation easement takes precedent. Second, there has been no change to the conservation easement since it was first issued in Leon Lachat's time with one exception and that is to allow farming. Ms. Weinstein said that we are not discussing the use of the property tonight. That is a community discussion that we still have to have. The only way anything can happen with the Lachat property is to bring it back to the Town for a vote.

Don Eldon, Godfrey Road asked for an explanation of the 8-24 process and why these alternatives weren't brought before us and why it was left with Planning and Zoning. Ms. Weinstein said Planning and Zoning has that right and she explained the process.

Liz Ward, Godfrey Road wanted to follow up on what Ms. Weinstein said that nothing could be done without Town approval, she asked if that included demolition. Ms. Weinstein said the Board of Selectmen would have public hearings on that. They have not discussed it.

Robert Turner, Katydid Lane asked to what degree are the uses that are going to be made at this property restricted or described within this motion that we are moving on. As he understands it, it is still open as to how the property is going to be used. Ms. Weinstein said that was correct but anything that we do need to be in the spirit of the original proposal.

Margaret Wirtenberg, Wilson Road as a former Planning and Zoning member said if this is a lease is the Town exempt from going to Planning and Zoning to ask about anything.

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Mr. Tracey said that the Town still co-owns the property in its entirety and therefore it is Town property.

William McDonough, Scatacook Trail, asked about maintenance and that the lease states that the Town has no obligation to do anything and nothing has been done to the house in the last 10 years. Ms. Weinstein said that not a whole lot of work had been done but it is not because of the release of the money.

Robert Turner said he agreed with Mr. McDonough that the spirit in which the Town came into possession of this property by Mr. Lachat has been lost. He said we owe the Lachat gift more than lip service.

Mr. Muller, Weston Road said the important point to recognize is that we have had occasion to vote on what to do with this building. We opted to work in partnership with the group that is looking to preserve the building but there is a procedure that has to be followed to allow us to get to the point where there is a public dialogue about what to best adhere to the wishes of Mr. Lachat. The decision we make tonight is a precursor to that discussion. He said it is critical that we do not mix the two together. The decision on what to do with the broader property has to wait until we are in a position to have that discussion which we can only have once we agree on the terms of the separation and that is what we are here to vote on.

Mark Harper, Goodhill Road said he wants the community to rest assured that he was part of the deal originally when Leon made it and we are not going to allow any politicians or anybody else in this Town to do anything with the buildings or anything else that are against Leon's wishes. We made this perfectly clear at some of the previous meetings and that is why the building is not torn down and that is why we are now having this agreement. He is satisfied with the agreement and believes that we should vote in favor of the agreement.

Margaret Wirtenberg called the question. Mr. Muller seconded. Motion carried.

At 7:50pm Ms. Weinstein moved to adjourn. Mr. Tracey seconded and the motion carried.

Respectfully submitted

Judy M. DeVito
Administrative Assistant