

GLFPC Summary/Interpretation of the GLA Community Property Committee Meeting January 28, 2016

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as a volunteer service by GLFPC.***

Your suggestions are welcome should there be oversights or errors.

Community Property Chair Charlotte Mizzi convened this committee meeting in the kitchen area of Liberty Hall at 6:30 pm with a Pledge of Allegiance. Committee member Kevin Newby was present; Ed Dobrowski was absent. About a dozen landowners attended the meeting.

Mizzi's particular agenda called for planning and scheduling of six neighborhood meetings, three in NG and three in SG, to discuss the future of the 20 acres of common land, which is known as the soccer field.

However, a landowner quickly went back to Mizzi's statement at the January meeting that, despite legal questions waiting for lawyer reply, she chose to push forward with the above agenda. Mizzi replied it would still be some time before legal answers would be forthcoming.

From there, the attention became focused on two key questions. First was the need to know whether the 20 acres is for private or public use and second, is whether GLA would have to give the land back to the donor, Church Universal and Triumphant (CUT) if the members choose not to use it as the deed is believed to require.

Per the deed the land was given to GLA in 2002 for the use of Glastonbury residents and "the surrounding Emigrant area" for recreation and sport activities.

Given that all GLA roads are private, an attendee said it could be problematic if it is determined that the deed requires that the land be available for "public use." In the past when soccer games were a regular occurrence, Mizzi explained that players and supporters were viewed as guests. But if members of the surrounding Emigrant area can use the land at any time, that is something different. Hence, lawyer input.

On another legal matter, Mizzi reported GLA's lease with the soccer field group, known as the Paradise Valley Recreation Center, was terminated a few months earlier, largely because there are so few children in Glastonbury. She also stated that GLA does not pay real estate taxes on the land.

GLFPC Note: *Our research after the meeting shows that GLA actually pays about \$100/year in real estate taxes on this 20 acre parcel.*

In reflecting on the need to use the land for recreation, one attendee suggested that walking paths could be developed for very little money. Another suggested that if milkweed were planted there, the area could serve as a way station for Monarch butterflies. Mizzi claimed that these ideas are the reasons why she wants neighborhood meetings.

Another landowner asked if the committee thought the board would actually listen to the association members for once and work with them. Before he was finished, Mizzi cut in saying "...and that is why" only to be waylaid by the landowner who retorted, "Excuse me, but this is why I was asking if the board would vote opposite of what the landowners want!"

Mizzi then clarified that, as with the adoption of the Master Plan, any decision on the use of this land would have to be supported with a 51% majority vote of the members.

"And that will be a monumental task," Newby stated. Not so, countered a landowner. If the voting directions were such that those who want to support the matter should not vote and only those who oppose the matter should vote, it would be easier than one might think to get a 51% majority.

Aside from the legal questions, others said now is the time to be really sober. The facts are that GLA has no money for any new project. And if extra money can be found, they said it should go to upgrade GLA roads. They called all plans and visions for the former soccer field a fantasy and a pipe dream. They remembered, per an agenda from one of the committee meetings last fall, Mizzi had proposed that GLA might build an on-site community center with a swimming pool, steam and sauna facilities, among other amenities.

To counter this, Mizzi said that developing a spa was just one of several ideas being tossed around, and whether GLA had money or not, it was still important to have a vision for what could possibly be.

When Newby suggested that when in five years GLA becomes financially sound, then we could begin to get serious about development. One of the attendees piped in, saying the reality of GLA ever being financially sound is unrealistic. She turned to a fellow landowner who has been doing an extensive study of GLA roads to ask him what would be the cost of bringing our roads up to county standards. After a moment of mental calculations, he declared that the association is looking at 2 ½ million dollars. A collective "gulp" could be heard.

To answer the question of whether a new community center could be interpreted as a recreational use per the deed restrictions, most said yes. Especially, said one landowner, if there was a ping-pong table in the middle of the room. Laughter followed.

Still, others speculated that the cost of building a community center could be less with volunteer help and that the existing infrastructure of on-site electricity, water, septic and even some parking would save money too.

Another said that speculating about anything was pointless until we know if:

A. Members want to give the land back to the church and direct as much money as possible for roads, or

B. Do members prefer to invest a small amount of money in a plan which would in turn go to

the members for a vote?

Looking at the 2016 allocation of \$1850 for maintaining the area, someone asked whether we should stop mowing and just let the grass grow. Someone else said, let the deer eat the grass and if the grass is not watered as is being done now, it will not grow all that much anyway.

Another said he felt that that all planning should be on hold until the first \$100,000 of past-due assessment money was collected – he said this was not to earmark that money for something at the old soccer field, but to just make sure there was money on hand for important matters.

Noting that he was not an attorney and yet familiar with legalese, one landowner volunteered to research what the county's park-land requirements are for a subdivision like GLA, and if the idea of letting the land go fallow during a planning process could keep GLA from having to give the land back to the church. He anticipates he will have some insight and answers in about 4-6 weeks. Mizzi gave him the go-ahead.

Consensus at the end of the meeting showed support for the first step of asking the members if they wanted to give the land back to CUT so that GLA can focus on bigger problems. There was also an agreement that nothing further should be done until the committee had an answer to the “public or private use” question. Concerns were voiced however about what the church might do with the land if it is given back.

GLFPC Note: After the fact, a number of landowners began researching the situation. Through a Cadastral study, it was learned that the church owns 5 parcels (about 180 acres) completely surrounding this 20 acres of common land owned by the association. Among growing concerns are Mizzi’s claim that some church-owned parcels are exempt from GLA governance.

Mizzi speculated that unless someone complains, GLA could reasonably assume that taking time to plan for the future of this land will not jeopardize GLA's deed to the property.

A final consensus was to make no plans until all legal matters were sorted out.

