PLANNING AND ZONING COMMISSION
ADOPTED RESOLUTION
July 24, 2012

Application: Proposed Amendment to the Darien Zoning Regulations (COZR #2-2012) put forth by the Darien Junior Football League (DJFL)

Name of Applicant: Darien Junior Football League (DJFL)

Name and Address of Applicant &: Applicant's Representative: John Sini, Jr.
36 Birch Road
Darien, CT 06820

Activity Being Applied For: Proposing to modify subsection 405b of the Darien Zoning Regulations to allow temporary lighting of outdoor recreational facilities to be up to thirty (30) feet high.

Dates of Public Hearing: May 22, 2012 continued to June 26, 2012

Time and Place: 8:00 P.M. Room 206 Town Hall

Publication of Hearing Notices
Dates: May 11 & 18, 2012 Newspaper: Darien News

Date of Action: July 24, 2012 Action: ADOPTED WITH MODIFICATIONS WITH AN EFFECTIVE DATE OF SUNDAY, AUGUST 5, 2012 AT TWELVE NOON.

Scheduled Date of Publication of Action: August 3, 2012 Newspaper: Darien News

Following careful review of the submitted application materials and related analyses, the Commission finds:

1. This application put forth by the Darien Junior Football League seeks to modify a subsection of the Darien Zoning Regulations established in 1980. That subsection of the regulations allows outdoor recreational uses and tennis courts within certain residential zones as an Accessory Use Requiring a Special Permit. Lighting or illumination of such recreational facilities or tennis courts is permitted up to a maximum of 20 feet. The application seeks to increase that maximum to 30 feet for temporary lighting.

2. Appendix A8 of the 2006 Town Plan of Conservation & Development (the "Town Plan") reads in part as follows:
   Existing Fields and Courts
   Because of Darien's extremely high land costs, it is more costly than ever to obtain property to create or expand parks. Thus, the community should make the most efficient use of the space it has. This would include the following:
   • *Installation of artificial turf on select fields, which can allow for increased use, especially during rainy or wet weather.*
   • *Irrigation, similarly*

• *Lighting in certain key locations that would allow for use during dusk and into the evening hours.*
• *Expansion of existing fields, to allow for increased flexibility of use. This may require relocating and/or modifying existing facilities to accommodate higher-demand activities.*
• *Continue proper maintenance of the existing facilities.*
However, it is imperative that in each case, the specific site details and potential impacts of these changes be analyzed. By implementing these types of improvements, the Town may be able to meet increasing community demands, while minimizing the need to purchase additional property.

3. The Commission notes that in recent years, they have granted applications for temporary lights up to 20 feet high at two locations—Darien High School and Holahan Field behind Town Hall. The testimony received at those various public hearings and the first-hand knowledge of those lights has given the Commission an understanding of the temporary lighting which could be implemented as part of this zoning regulation amendment. Additional testimony about lighting was provided at the two public hearings on this subject application.

4. If the proposed amendment is adopted, temporary lighting will still require a Special Permit, thereby giving the Commission the opportunity to review applications on a case-by-case basis relative to the Special Permit standards within Section 1000 of the Zoning Regulations. Such a Special Permit application will require that a public hearing be held by the Commission.

5. After some consideration, the Commission has modified the applicant's proposal to only allow such lighting on **public** properties. This will limit the scope of the regulation change from that put forth by the applicant. The applicant's proposal did not distinguish between private and public properties, and therefore would have applied to many more properties within Darien. Given the scope of the above-quoted excerpt from the Town Plan, with its particular emphasis upon the growing use of Town fields and other recreational facilities, this special provision for portable temporary lights is appropriately limited to such Town-owned facilities.

6. To approve a zoning regulation amendment, the Commission must find that it is consistent with the Town Plan of Conservation & Development. The Commission hereby finds that the proposed zoning regulation amendment as modified herein is consistent with the 2006 Town Plan of Conservation & Development, as amended.

NOW THEREFORE BE IT RESOLVED that based upon the review of all of the materials and information, the Commission, acting in its legislative capacity, hereby ADOPTS WITH MODIFICATIONS the ***Proposed Amendments to the Darien Zoning Regulations*** WITH AN EFFECTIVE DATE OF SUNDAY, AUGUST 5, 2012 AT TWELVE NOON, as noted herein:

NEW WORDING IN BOLD, DELETIONS IN STRIKEOUT:
Changes to subsection 405:

b. Outdoor recreational uses and tennis courts. The lighting or illumination of recreational facilities is permitted provided that such lighting shall create no hazard or nuisance upon adjacent properties with reference to the following standards:
   (1) The source of such lights shall be concealed from surrounding residential properties;

(2) All lighting shall be located and be of such design that no illumination shall be directed toward surrounding residential properties;

(3) No **permanent** lighting facilities shall be mounted at a height greater than 20 feet above grade.

(4) **Lighting facilities that are both temporary and portable may be mounted up to 30 feet above grade provided such lighting facilities are:**
   a) **Granted by Special Permit to address the unique characteristics and circumstances of the site and its surroundings;**
   b) **Located on public (i.e. Town-owned) property; and**
   c) **Angled and/or shielded to best prevent direct glare to the surrounding residential properties in compliance with b(1) and b(2), above.**

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