

**Town of New Canaan
Planning and Zoning Commission**

Request

Upon Special Permit and Site Plan applications of Day Pitney LLP, Authorized Agent, for Grace Property Holdings LLC, owners, requesting, pursuant to Section 8.2.B.6.d of the New Canaan Zoning Regulations, an amendment to the Special Permit approved on November 27, 2007 pursuant to Section 3.2.C.14 of the Regulations and previously amended on May 20, 2008 so that the proposed improvements may be built as shown on the plans submitted herewith in accordance with such existing special permit approvals. In addition, in connection with certain proposed site lighting, the applicant seeks special permit approval pursuant to Section 6.11.C.3.f of the Regulations for ornamental up-lighting of landscape features, for property in the Four Acre Residence Zone at 365 Lukes Wood Road (Map 41 Block 38 Lot 77).

Resolution

WHEREAS, the applications were physically received by the Planning and Zoning Department on September 24, 2012.

WHEREAS, the Planning and Zoning Commission (Commission) opened a hearing on said application on October 23, 2012 and conducted subsequent hearings on November 27, 2012, December 12, 2012 and January 29, 2013.

WHEREAS, the Commission conducted deliberations on the closed applications on February 26, 2012, March 5, 2012 and March 26, 2012.

WHEREAS, deliberations were concluded on March 26, 2012 and made the following findings:

1. On November 27, 2007, Grace Property Holdings LLC, was granted a Special Permit, recorded in the New Canaan Land Records in Volume 779, Page 1023, to allow the use of the subject property for Grace Community Church and permitting renovation of the existing buildings and construction of a temporary sanctuary. On May 20, 2008, Grace Property Holdings LLC applied for an Amendment to Special Permit, which was granted. In addition to Phase I as allowed under the November 27, 2007 Special Permit, construction of a permanent sanctuary building with a capacity up to 900 persons was permitted under the 2008 Amendment. The 2008 Amendment also provided as a condition that architectural drawings for the permanent sanctuary building were to be submitted to the Commission for design review. The 2008 Amendment also provided that no additional traffic study would be required unless the permanent sanctuary building proposed a seating capacity of 901-1200 persons. Accordingly, the Commission finds that the Applicant was entitled to proceed with building construction and site activities associated with the approved church based upon the 2007 and 2008 approvals from this Commission, only subject to the limited review pursuant to the 2008 condition set forth above.

2. The Commission finds that two appeals of these 2007 and 2008 were filed, entitled *Mordechai Abel, et al. v. New Canaan Planning and Zoning Commission, et al.*, in the Superior Court in Stamford, Docket Numbers FST 08-4013132S and FST CV 08-4014331S. After extensive litigation, a Memorandum of Decision dated January 6, 2012 was issued by the Court (Mottolese, J.) dismissing the appeals and upholding the Commission's findings and conclusions in a 68-page decision. The Memorandum of Decision discussed and rejected multiple arguments presented by the plaintiffs including traffic claims, property value claims, emergency service claims, long term viability claims, drainage issues, sight lines, concerns of adjacent towns, and other issues.
3. The Commission finds that with the exception of the up-lighting Special Permit being requested pursuant §6.11.C.3.f, that the Site Plan and Special Permit applications being submitted are amendments to the previously approved 2007 and 2008 applications.
4. Evidence presented in the record indicates that Grace Farms Foundation is a not-for-profit charitable foundation established in 2009 in New Canaan, Connecticut, to support initiatives in the areas of faith, the arts, social justice and community.
5. The Commission finds that the data and conclusions contained in the 2007 Traffic Impact and Access Analysis prepared by Frederick P. Clark (Clark) and Associates as well Clark's subsequent submittal information are still relevant and a new traffic study is not required, pursuant to the express terms of the 2008 amendment. Furthermore, the previous approval contemplated a 900 seat sanctuary, whereas the revised application contains a sanctuary with a seating capacity of 716 seats. Furthermore, the Commission notes that traffic data collected by the Connecticut Department of Transportation indicated traffic volumes at the intersections of CT Route 123 and North Wilton Road and Route 123 at the CT/NY line, *which is located at the intersection of Route 123 and Puddin Hill Road*, actually decreased since 2011. In addition, the Commission also recognizes that the above litigation previously brought against the Commission delayed the start of this project and therefore the applicant should not be penalized for the length of time between the previous approval and the present application.
6. There was no written report prepared by a qualified professional or expert testimony received in opposition to the Commission's findings regarding traffic.
7. The Commission finds that a new appraisal is not required since property values were resolved during the 2007 and 2008 applications and upheld by the Court. In addition, the modified site plan, the screening proposed and the low scale of the buildings architecture will in reality result in less visual impact to neighboring properties. Furthermore, since a 1,200 seat sanctuary is no longer being considered and the conclusions reached regarding traffic are in fact still valid, the appraisal data previously submitted are also still valid. The Commission also recognizes that litigation previously brought against the Commission delayed the start of this project and therefore the applicant should not be penalized for the length of time between the previous approval and the present application.
8. There was no written report prepared by a qualified professional or expert testimony received in opposition to the Commission's findings regarding property values.

9. The Commission finds that Sanjit Shah on October 23, 2012, filed a Notice of Intervention pursuant to §22a-19 and §22a-19a of the General Statutes.

a. The Commission finds that that this intervenor filed a verified pleading and has alleged claims within the jurisdiction of this Commission. The Commission finds that this intervenor has not proven that the applicant's proposed conduct is reasonably likely to have the effect of unreasonably polluting, impairing or destroying the public trust in the air, water or other natural resources of the State. More particularly, the Commission finds that the intervenor has not set forth sufficient, credible and quantifiable evidence of the following effects:

- likely increase in volume of stormwater runoff or the likely decrease in ground water recharge.
- degradation of water quality due to extensive soil disturbance, fill and slope creation pose a significant risk for adverse impacts to the wetlands and watercourses from erosion and sedimentation.
- no subsurface drainage systems are provided on the plan and may lead to lowering the seasonal ground water tables leading to an increased rate of drainage to the down slope wetlands and watercourse or during dryer months, the subsurface drainage system will cause a reduction of ground water recharge to the wetlands from the uplands.
- lack of subsurface sewage disposal details and adequate design.
- lack of adequate accommodation for infiltration and flow attenuation, due to increased impervious surface coverage will lead to increased runoff poised to have a significant adverse impact on wetlands and watercourses.
- degradation of water quality because of the discharge from basin 2 poses a threat for erosion and possible sedimentation into wetlands.
- inadequate soil testing for construction and detention basins, missing fore bays and level spreaders for detention basins, increase in post-development runoff, diversion of runoff to different receptors, scope of site disturbance.
- up-lighting of landscape features can adversely impact flora and fauna.

b. With regard to the above claims, based upon the evidence in the record, the activities proposed will not have the effect of unreasonably impairing or destroying the public trust in the air, water, or other natural resources of the State. The intervenor presented only the following evidence into the record:

- Soil Science and Environmental Services, Inc. regarding Wetland Application Review for Grace Property Holdings, LLC 8 page report and Figure 1 to Mr. Shah from Thomas W. Pietras, Professional Wetland and Soil Scientist dated 10/09/12 and date stamped received by Planning and Zoning 10/23/12.
 - Martinez Couch and Associates, LLC Regarding 365 Lukes Wood Road, New Canaan, CT, MCA Project Number 32-267, 18 page report to Attorney Shansky from Robert E. Couch, PE, dated 10/15/12 and date stamped received by Planning and Zoning 10/23/12.
- c. The intervenor's conclusions were mere speculation or general concerns and no substantial evidence was presented. These allegations were not substantiated and, in fact, they were contradicted by the town's consultant, Stantec Consulting Services, Inc., and contradicted expressly by the following consultants reports, plan and testimony:
- Letter from McChord Engineering Associates, Inc. dated 11/27/12 regarding response to Martinez Couch Associates, LLC Application Review (8 pages).
 - Letter from South Norwalk Electric & Water (SNEW) dated 10/15/12 (3 pages).
 - Letter from McChord Engineering Associates, Inc. dated 11/27/12 regarding response to SNEW letter (4 pages).
 - Letter by Michael S. Klein (10 pages) from Environmental Planning Services dated 11/27/12 regarding Response to Soil Science and Environmental Services Review.
 - Report by Stantec dated 12/15/12 (20 pages).
 - Stormwater Management Report revised 12/17/12 by McChord Engineering Associates, Inc.
 - 100-Year Flood Study dated 12/17/12 by McChord Engineering Associates, Inc.
 - Response to Stantec Peer Review by McChord Engineering Associates, Inc. dated 12/17/12 (4 pages).
 - Project Memo – Proposed Cut and Fill Analysis dated 01/07/13 McChord (2 pages).
 - Letter from Stantec dated 1/7/13, regarding peer review of McChord (2 pages).
 - Memorandum from Briggs Geddis to Kathleen Holland Regarding Grace Property Holdings LLC dated 01/14/13.
-
- Site Plans, as revised 1/22/13
 - i. Site Grading and Soil Erosion Control Plan (C-300)
 - ii. Overall Site Development Plan (C-100)
 - iii. Site Utility Plan (C-400)
 - iv. Site Utility Plan (C-401)
 - v. Septic Notes & Details (C-700)

- vi. Septic Notes & Details (C-701)
- Site Plans, as revised 12/14/12
 - i. Site Grading and Soil Erosion Control Plan (C-300)
 - ii. Site Grading and Soil Erosion Control Plan (C-301)
 - iii. Site Grading and Soil Erosion Control Plan (C-302)
 - iv. Construction Phasing Plan (C-500)
 - v. Construction Phasing Layout (C-501)
 - vi. Construction Details (C-600)
 - vii. Construction Details (C-601)
- Site Lighting
 - i. Site Lighting (E-101)
 - ii. Site Lighting (E-102)
- Landscaping Plans, as Revised 1/25/13
 - i. Overall Landscape Plan (L-200)
 - ii. Landscape Plan (L-210)
 - iii. Landscape Plan (L-220)
 - iv. Landscape Plan (L-230)
 - v. Landscape Details (L-700)
 - vi. Planting Details (L-930)
- Landscaping Plans, as Revised 1/29/13
 - i. Overall Landscape Plan (L-200)
 - ii. Section Key Plan, L2.00
 - iii. Section A – Sanctuary, L3.00
 - iv. Section B – Dining, L4.00
 - v. Section C – Gymnasium, L5.00
 - vi. Section A – Curt/Bissonnette Residence to the South Parking Lot, L1.00
 - vii. Curt/Bissonnette Residence – Plant Palette, L2.00
 - viii. Plant Schedule – Proposed Screening Curt/Bissonnette Residence, L3.00
 - ix. Section Key Plan, L1.00
 - x. Section A – Alford Residence to the Fork in the Entry Road, L2.00
 - xi. Section B – Alford Residence to the North Parking Lot, L3.00
 - xii. Section C – Kekedjian Residence to the North Parking Lot, L4.00
 - xiii. Section D – Kekedjian Residence to the South Parking Lot, L5.00
 - xiv. Alford and Kekedjian Neighbors – Plant Palette, L6.00
 - xv. Plant Schedule – Proposed Screening, Alford and Kekedjian Residences, L6.00

The intervenor presented no further evidence beyond this initial report during the public hearing.

The intervenor's conclusions were mere speculation or general concerns, but no substantial evidence was presented.

10. The Commission finds that Mary Shah, Savyna and Mordechai Abel and Daniel and Karen Cooper on January 14, 2013, filed a Notice of Intervention pursuant to §22a-19 and §22a-19a of the General Statutes.

a. The Commission finds that that these intervenors filed a verified pleading and have alleged claims within the jurisdiction of this Commission. The Commission finds that these intervenors have not proven that the applicant's proposed conduct is reasonably likely to have the effect of unreasonably polluting, impairing or destroying the public trust in the air, water or other natural resources of the State. More particularly, the Commission finds that the these intervenors have not set forth sufficient credible and quantifiable evidence of the following effects:

- likely increase in volume of stormwater runoff or the likely decrease in ground water recharge.
- degradation of water quality due to extensive soil disturbance, fill and slope creation pose a significant risk for adverse impacts to the wetlands and watercourses from erosion and sedimentation.
- no subsurface drainage systems are provided on the plan and may lead to lowering the seasonal ground water tables leading to an increased rate of drainage to the down slope wetlands and watercourse or during dryer months, the subsurface drainage system will cause a reduction of ground water recharge to the wetlands from the uplands.
- lack of subsurface sewage disposal details and adequate design.
- lack of adequate accommodation for infiltration and flow attenuation, due to increased impervious surface coverage will lead to increased runoff poised to have a significant adverse impact on wetlands and watercourses.
- degradation of water quality because of the discharge from basin 2 poses a threat for erosion and possible sedimentation into wetlands.
- inadequate soil testing for construction and detention basins, missing fore bays and level spreaders for detention basins, increase in post-development runoff, diversion of runoff to different receptors, scope of site disturbance.
- up-lighting of landscape features can adversely impact flora and fauna.

- ii. Overall Site Development Plan (C-100)
- iii. Site Utility Plan (C-400)
- iv. Site Utility Plan (C-401)
 - v. Septic Notes & Details (C-700)
 - vi. Septic Notes & Details (C-701)
- Site Plans, as revised 12/14/12
 - i. Site Grading and Soil Erosion Control Plan (C-300)
 - ii. Site Grading and Soil Erosion Control Plan (C-301)
 - iii. Site Grading and Soil Erosion Control Plan (C-302)
 - iv. Construction Phasing Plan (C-500)
 - v. Construction Phasing Layout (C-501)
 - vi. Construction Details (C-600)
 - vii. Construction Details (C-601)
- Site Lighting
 - i. Site Lighting (E-101)
 - ii. Site Lighting (E-102)
- Landscaping Plans, as Revised 1/25/13
 - i. Overall Landscape Plan (L-200)
 - ii. Landscape Plan (L-210)
 - iii. Landscape Plan (L-220)
 - iv. Landscape Plan (L-230)
 - v. Landscape Details (L-700)
 - vi. Planting Details (L-930)
- Landscaping Plans, as Revised 1/29/13
 - i. Overall Landscape Plan (L-200)
 - ii. Section Key Plan, L2.00
 - iii. Section A – Sanctuary, L3.00
 - iv. Section B – Dining, L4.00
 - v. Section C – Gymnasium, L5.00
 - vi. Section A – Curt/Bissonnette Residence to the South Parking Lot, L1.00
 - vii. Curt/Bissonnette Residence – Plant Palette, L2.00
 - viii. Plant Schedule – Proposed Screening Curt/Bissonnette Residence, L3.00
 - ix. Section Key Plan, L1.00
 - x. Section A – Alford Residence to the Fork in the Entry Road, L2.00
 - xi. Section B – Alford Residence to the North Parking Lot, L3.00
 - xii. Section C – Kekedjian Residence to the North Parking Lot, L4.00
 - xiii. Section D – Kekedjian Residence to the South Parking Lot, L5.00

- xiv. Alford and Kekedjian Neighbors – Plant Palette, L6.00
- xv. Plant Schedule – Proposed Screening, Alford and Kekedjian Residences, L6.00

These intervenors have presented no further evidence beyond this initial report during the public hearing.

These intervenors conclusions were mere speculation or general concerns, but no substantial evidence was presented.

THEREFORE, BE IT RESOLVED, that upon a motion made by Ms. Grzelecki and seconded by Mr. Scannell the Commission voted unanimously to approve both the Special Permit and Site Plan Applications with the following conditions, modifications and restrictions, which supersede and replace those conditions recorded in the New Canaan Land Records in Volume 779, Pages 1023-1025 and Volume 791, Pages 0611-0613.

1. 365 Lukes Wood Road, Map 41, Block 38, Lot 77, a 47.98 acre parcel, owned by Grace Property Holdings, LLC (the property) and improvements is approved as a Religious Institution as defined in the New Canaan Zoning Regulations.
2. ~~This approval shall not apply to the use of the adjoining parcel to the north, Map 41, Block 38, Lot76, a 26.38 acre parcel owned by the Grace Farms Foundation.~~
3. The property shall be improved in accordance with the following approved plans:
 - Property Survey Depicting Property of Smith Ridge Road prepared by Rocco V. D’Andrea, Inc., dated September 4, 2012.
 - Site Plans, as revised 1/22/13
 - i. Overall Site Development Plan (C-100)
 - ii. Site Utility Plan (C-400)
 - iii. Site Utility Plan (C-401)
 - iv. Septic Notes & Details (C-700)
 - v. Septic Notes & Details (C-701)
 - Site Plans, as revised 12/14/12
 - i. Site Grading and Soil Erosion Control Plan (C-300)
 - ii. Site Grading and Soil Erosion Control Plan (C-301)
 - iii. Site Grading and Soil Erosion Control Plan (C-302)
 - iv. Construction Phasing Plan (C-500)
 - v. ~~Construction Phasing Layout (C-501)~~
 - vi. Construction Details (C-600)
 - vii. Construction Details (C-601)

- Site Lighting
 - i. Site Lighting (E-101)
 - ii. Site Lighting (E-102)

- Landscaping Plans, as Revised 1/25/13
 - i. Overall Landscape Plan (L-200)
 - ii. Landscape Plan (L-210)
 - iii. Landscape Plan (L-220)
 - iv. Landscape Plan (L-230)
 - v. Landscape Details (L-700)
 - vi. Planting Details (L-930)

- Landscaping Plans, as Revised 1/29/13
 - i. Section Key Plan, L2.00
 - ii. Section A – Sanctuary, L3.00
 - iii. Section B – Dining, L4.00
 - ~~iv. Section C – Gymnasium, L5.00~~
 - v. Section A – Curt/Bissonnette Residence to the South Parking Lot, L1.00
 - vi. Curt/Bissonnette Residence – Plant Palette, L2.00
 - vii. Plant Schedule – Proposed Screening Curt/Bissonnette Residence, L3.00
 - viii. Section Key Plan, L1.00
 - ix. Section A – Alford Residence to the Fork in the Entry Road, L2.00
 - x. Section B – Alford Residence to the North Parking Lot, L3.00
 - xi. Section C – Kekedjian Residence to the North Parking Lot, L4.00
 - xii. Section D – Kekedjian Residence to the South Parking Lot, L5.00
 - xiii. Alford and Kekedjian Neighbors – Plant Palette, L6.00
 - xiv. Plant Schedule – Proposed Screening, Alford and Kekedjian Residences, L6.00

- Architectural Plans dated September 24, 2012
 - i. Level 1 Plan (A-101)
 - ii. Sanctuary Plan – LVL 1 (A-102)
 - iii. Sanctuary Plan Basement (A-103)
 - iv. Library & Offices Plan – LVL 1 (A-104)
 - v. Living Dining Plan – LVL 1 (A-105)
 - vi. Living Dining Plan – Basement (A-106)
 - vii. Foyer Plan – LVL 1 (A-107)
 - viii. Gymnasium Plan – LVL 1 (A-108)
 - ix. Gymnasium Plan – Basement (A-109)
 - x. Barn –East BLDG – LVL 1 (A-110)
 - xi. Barn –West BLDG – LVL 1 (A-111)

- xii. Site Elevations (A-200)
 - xiii. Sanctuary Elevations (A-201)
 - xiv. Library Elevations (A-202)
 - xv. Living – Dining Elevations (A-203)
 - xvi. Foyer Elevations (A-204)
 - xvii. Gymnasium Elevations (A-205)
 - xviii. Barn Elevations (A-211)
 - xix. Barn Elevations (A-212)
 - xx. Site Sections (A-250)
 - xxi. Building Sections – Sanctuary (A-251)
 - xxii. Building Sections – Library, Offices & Living (A-252)
 - xxiii. Building Sections – Gymnasium (A-253)
 - xxiv. Building Sections – Barn (A-254)
4. Any modification to the approved plans listed above, which in the opinion of the Zoning Inspector, result in a change or intensification of Use or increase vehicular traffic requires an amendment to the Special Permit.
-
5. To the extent the applicant and Curt/Bissonnette, owners of 1328 Smith Ridge Road, reach an agreement on any adjustments and additional landscaping in areas near the 1328 Smith Road, all referencing documents should be submitted to the Zoning Inspector. In the event that an agreement is not reached, the Zoning Inspector will make a final determination prior to the issuance of the Zoning Permit on the sanctuary building to determine whether additional landscaping is necessary.
6. To the extent the applicant and the Markatos', owners of 1218 Smith Ridge Road, reach an agreement on any adjustments and additional landscaping in areas near the 1218 Smith Road, all referencing documents should be submitted to the Zoning Inspector. In the event that an agreement is not reached, the Zoning Inspector will make a final determination prior to the issuance of the Zoning Permit on the sanctuary building to determine whether additional landscaping is necessary.
7. Worship services meant for the entire congregation shall only occur within the Sanctuary.
8. Should the Applicant conduct multiple services in one day, it shall provide appropriate time between services in order for parishioners from the first service to depart prior to parishioners arriving for the second service.
9. During Sunday services, major holiday worship services, or other large events, when full capacity within the sanctuary is reasonably expected, no other use of the church facility which results in any substantial traffic impact shall occur at the same time.
-
10. The property shall not be used as a school as defined in the Regulations, except for religious education and/or a nursery (preschool) school.
11. There shall be no renting or use of any portion of the property including any building or the athletic field to outside commercial or for-profit organizations.
12. While the Commission acknowledges that as part of its religious mission, the Applicant, among other activities, pursues interfaith meetings and charitable initiatives, the use of

the property for multi-organizational conferences and/or usage as a conference center is not part of this approval.

13. The proposed gymnasium and athletic field shall be incidental and accessory to individuals and activities related to the Applicant and shall not be rented or used by outside organizations without the approval of the Commission.
14. The granting of this Special Permit does not obviate the applicant's obligation to obey all federal, state and local laws, or to obtain any required federal, state and local permits.
15. The Applicant shall comply with §8.2.A.6 of the Regulations.
16. Lines-of-sight at the entranceway shall be maintained in accordance with the previously approved 10-lot subdivision. Final approval to be reviewed and approved by the Town Engineer.
17. In order to establish baseline road conditions; immediately prior to the initiation of any site disturbance or construction activity, the Applicant shall, in conjunction with the Town Engineer and the Towns of Lewisboro and Pound Ridge, assess the conditions of the roadways leading to the Property, including Puddin Hill Road and Lukes Wood Road.
18. There shall be no deliveries of fill prior to 8:30 a.m., which corresponds to the decrease in peak hour of traffic on Puddin Hill/Lukes Wood Road as identified in the June 2007 traffic report prepared by Frederick P. Clark Associates.
19. The applicant shall ensure that there is no dust from site disturbance and construction or from uncovered soil and materials piles. Whenever possible topsoil piles should be seeded to prevent erosion and allow the piles to blend into the landscape. In addition, the applicant shall ensure that soils and materials piles are screened from neighboring properties whenever feasible.
20. Dump trucks or similar construction vehicles being used to transport materials such as fill to the Property shall not use West Road in Pound Ridge, unless permission is obtained from the Town of Pound Ridge.
21. During construction activities, the Applicant shall ensure that all vehicles exiting the site do not track mud onto any area roadways.
22. All activities for the prevention of soil erosion, such as silt fences and hay bales shall be under the direct supervision of a certified engineer, who shall employ the best management practices to control stormwater discharges and to prevent erosion and sedimentation to otherwise prevent pollution, impairment, or destruction of wetlands or watercourses. Erosion controls are to be inspected by the Applicant weekly and after rains and all deficiencies must be remediated within twenty-four hours of finding them.
23. The Applicant shall take all necessary steps to control storm water discharges to prevent erosion and sedimentation, and to otherwise prevent pollution of wetlands and watercourses.
24. Bi-annually (Spring and Fall), the Applicant shall cause all elements of the stormwater management system identified by the Applicant in the two page memo "Stormwater Facilities Maintenance Plan" to be inspected by a technically qualified individual, to check for compliance with maintenance of the system; and the inspector shall submit a report of such findings and recommendations to Grace Property Holdings LLC with a copy to the Planning and Zoning Department. To assure proper functioning of the

stormwater system, any and all issues identified in the report shall be repaired/corrected within 30 days of notice to Grace Property Holdings LLC.

25. The Applicant shall submit to the Planning and Zoning Department, written verification from a certified laboratory, that all fill to be utilized at the site is clean and free of any contaminants.
26. The Applicant shall submit to the Planning and Zoning Department a copy of the Long Term Stewardship Plan as approved by the Inland Wetlands Agent.
27. No buildings, as indicated on Overall Site Development Plan C-100, shall be constructed in the area between the southernmost parking lot shall and the property identified as Assessor's Map 41, Block 38, Lot 48.
28. The proposed plantings located between the southernmost parking lot and the property identified as Assessor's Map 41, Block 38, Lot 48 shall be maintained and replaced by the Applicant.
29. Any proposed increase to the number of parking space, above the 226 spaces, expansion of paved surface, or change in parking lot configuration as indicated on the Overall Site Development Plan (C-100), requires an amendment to the Site Plan and Special Permit applications.
30. At no time shall parking for any event at the property occur on any Street as defined in the Regulations or roadway in the State of New York.
31. As agreed to by the applicant and at their expense, Police Officers shall be stationed at the Church driveway/Lukes Wood Road intersection and the intersection of Route 123/Puddin Hill Road during all worship services and events where substantial traffic is reasonably expected.
32. The Applicant or their successors shall submit annual traffic reports to the Commission for a period of five (5) years after the opening of the church for worship services. In addition, the Applicant will conduct an additional traffic report immediately prior to the opening of the church to serve as the baseline of future analysis. The reports should include, but not be limited to, determinations of the Level of Service at the following intersections: the church driveway/Lukes Wood Road, Puddin Hill Road/Route 123, Lukes Wood Road/West Road and Lukes Wood Road/Route 124. In addition to Levels of Service, the report should also evaluate the on-site parking and attendance records obtained from the Church. The traffic report should not only include Sunday services, but also account for mid-week peak activities. The Commission may waive the requirement for the annual traffic report, should they determine that they are no longer warranted.
33. The Commission reserves the right to retain the assistance of its own traffic consultant to conduct an independent peer review of the traffic report, at the Applicant's expense, in accordance with section 8.1.E.2 of the Regulations. Should the subsequent traffic reports indicate that levels of service at the studied intersections have deteriorated since the initiation of church services, the Commission reserves the right to require mitigation remedies, including, but not limited to the placement of additional traffic officers in the vicinity.
34. There shall be no lighting of the proposed athletic field, as indicated on the approved plans.

35. All interior lighting in the River Building shall include motion sensors that shut off interior lighting due to inactivity.
36. Exterior lighting, with the exception of security lighting, shall be turned off by 11:00 p.m. when the facilities are not in use.
37. All exterior lighting shall comply with sections 6.11.B.1, 6.11.B.2, 6.11.B.3, 6.11.B.7 and 6.11.B.8 or as otherwise approved or referenced in this document.
38. All exterior up-lighting shall not exceed 20 watt, ceramic metal halide. In addition, site lighting shall be modified in accordance with the Memorandum prepared by Buro Happold date January 29, 2013.
39. Outdoor use of bullhorns, loudspeakers, or other noise amplifying devices is prohibited.
40. The existing fence shall be maintained around the perimeter of the property to delineate the applicant's property from that of its abutting neighbors.
41. As agreed to by the Applicant, prior to obtaining their Certificate of Occupancy for the last building, the applicant shall, in conjunction with the Town Engineer and the Town of Lewisboro, assess and make arrangements to repair and/or replace and road damage caused by construction activities or construction vehicles accessing the Property.
42. ~~Prior to obtaining their Certificate of Occupancy for the last building, the applicant shall provide written certification by a Landscape Architect regarding the number, types and sizes for all plant material. Plants that are found to be in poor condition shall be identified, replaced and re-inspected within 30 days of said certification, or as soon as possible depending on the time of year.~~
43. Prior to obtaining their Certificate of Occupancy for the last building, the applicant shall submit an As-Built Survey performed to Class A-2 standards. The survey shall also include the open space area, as agreed to as part of the previous approval, which is located on the easterly side of the Church parcel, previously delineated as Exhibit 1 of the May 2008 approval.
44. Prior to obtaining their Certificate of Occupancy for the last building, the applicant shall submit an As-Built Site Plan indicating all the completed improvements on the Property.
45. Prior to obtaining their Certificate of Occupancy for the last building, the applicant shall provide Certificate of Drainage in accordance with the town's Drainage Certification Policy.