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April 15, 2024

South Windsor Planning & Zoning Commission
1540 Sullivan Avenue
South Windsor, CT 06074

Re: Proposed Football Stadium

Dear Chairman Wagner and Commission Members:

This letter is in follow up to our prior correspondence and are statements made at the March 26, 2024 Public Hearing concerning the current application for Special Exception by the Board of Education to build a new lighted football stadium and additional athletic facilities on the high school campus. As was stated on the record, the intent is to ensure compliance with your regulations concerning this non-residential use in a Residential Zone. Our client's properties at 36 Mountain View Road directly abut both the existing football stadium and the new proposed football stadium.

The abutting property owner at 36 Mountain View Road is in a very unique situation. If approved, their property would be bordered by two (2) large synthetic turf fields with significant seating capacity and a high level of usage. The Commission should apply the highest level of scrutiny in holding the applicant to the requirements of the Regulations as set forth in Article 6 and Section 11.9 Appendix I of the Zoning Ordinance which apply "to non-residential uses permitted in residential zones, i.e., all uses requiring site plan approval".

As part of any approval of this project we would request that the following conditions be attached to any such approval:

1. Extending the current fence with a new 8'-10' chain link fence extending the entire length of the project which abuts the neighboring property on Mountain View Road (**Section 6.2.5(c)**).
2. Planting and maintaining a dense vegetated buffer inside of the newly erected fence will serve to prevent anyone from climbing the fence into abutting property. "The purpose of buffers is to mitigate visual, noise, pollutants and other impacts between residential and non-residential uses, and between low-density and high-density residential uses. Buffers shall be designed to: enhance visual interest; screen undesirable views; screen undesirable noise; filter air pollutants and odors; and separate human activities. See Appendix I for more information on buffer descriptions and designs." (**Section 6.2.4 A**).



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3. Per **6.2.4 B 2(a)**, “The field of view between abutting residential and non-residential **uses/zones** shall be obscured visually within 5 years time to such an extent that activity on the abutting lot is not immediately apparent. The field of view between abutting residential and non-residential **uses/zones** shall be substantially obscured visually by the maturity of the planting. At the time of the application, this shall be illustrated through cross-sections showing the buffer at the time of planting, at five years and again at maturity”
4. Such plantings to include 8’ - 10’ evergreen variety plantings staggered and clustered in accordance with **Section 6.2.4(b)**. “Evergreen trees shall be a minimum of 8-10 feet in height at the time of plantings; deciduous shade trees shall be a minimum of 3” caliper and 10-12 feet in height at the time of planting; and flowering trees shall be a minimum of 8 feet in height at the time of planting and 2 1/2” caliper. See Appendix I, Section 11.1.9.2 Cross section illustrations” The screening should also include low growing vegetation filling in gaps.
5. In addition to screening the view to the proposed field, these plantings should be placed in areas around the parking lot to prevent light from the reconfigured parking and drive aisles to the abutting property. Per **Section 6.2.5**, the purpose of the screening “is intended to provide a visual screen and reduce noise from the feature, land use or activity from any protected property”. “Perimeter landscaping is required around all parking areas. Planting along the perimeter of a parking area (including screening, landscaping, or buffering) will not be considered as part of the interior landscaping requirement.” (**Section 6.4.6 B**).
6. Hours of Operation should be established for the use and per **Section 6.3.6**, “Any unnecessary lighting should be reduced after the close of business. Applicant may be required to control the lighting through timing devices and/or motion detectors”.
7. Ensuring that any loudspeakers used before and during the game (including loud music which is used during the pregame warm-ups) are directed away from our property lines and are operated at a regulated volume which is always supervised by someone in a position of authority.
8. There should be no further encroachment into the buffer where the proposed extended pedestrian walk is to be located and that **the walk be significantly screened from the abutting property** in the manner consistent with the previously cited Regulations to create a visual barrier between the residential and non-residential uses.



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9. Establish and enforce specific rules regarding usage of the field including hours, access, decibel levels (50 decibels or less) and supervision requirements for both Board sanctioned events and for community users.
10. A point of contact should be identified who will be responsible for addressing complaints and concerns of the abutters if the project moves forward. There are current rules but they have not been enforced and complaints have not been addressed.
11. Cut-off lighting for all parking lot lights and walkway lighting such that the lighting shines downward and does not bleed over the property lines.
12. The intended number of nighttime events in which the field will be used should be identified by the applicant.
13. All events using the new field should have security and where necessary law enforcement to oversee crowds and enforcement of rules.
14. The applicant should eliminate the usage of portable external loudspeakers at the existing field once a new facility is opened. The external speakers are being used in addition to the Public Address system currently maintained at the existing field.

As a Commission you have the authority to place these minimal conditions upon the Applicant. These are minimum requirements as contained in your Regulations and should only be used as a minimum baseline for protecting the neighboring residential properties. While our client is in a unique position with regard to the location of their properties, your Ordinance has clearly provided protections for such residential properties where non-residential uses will be permitted in Residential Zones.

Very truly yours


Lawrence S. Shipman

Cc: Erik and Elizabeth Hill