May 25, 2020

To Members of the P&Z Commission,

In response to the documents filed by New Canaan Country School for the May 26 meeting, we feel compelled to bring to the Commission’s attention the following issues, and will do so as briefly as possible:

1. **Applicant has offered shifting representations about how much permanent lighting will be visible to the neighbors**

   During his April presentation to the Commission, Attorney Stephen Finn said “the permanent lighting will be **significantly less** than the current construction lighting in part because of a translucent exterior wall system.” (P&Z Commission Minutes). (emphasis added)
Yet its “Application for Amendment to Modify Condition of Existing Special Permit,” presented at the April meeting cited a lighting design by Vitolite Electric Sales, claiming that “there will be **no measurable light** at or beyond the property line.” (emphasis added)

Now, in a new letter for the May meeting, Vitolite has apparently changed its stance, arguing that based on “our design and photometric study we know that the light output will be **reduced by 20%-30% of their maximum**…In comparison at their maximum the new fixtures have about **50% overall lower lumens** to the temporary construction lights.” (emphasis added)

Which is true?

We agree with Commissioners who noted that the issue is one of *perceived* light, and certainly light from so massive a building will be highly visible in a dark sky, especially during Winter months when foliage is at a minimum.

2. **Disclaimer on Damin Sales Lighting “Study” Renders Its Conclusion Meaningless**
With its May 26 presentation, Applicant has included a “lighting study” from Damin Sales. It should be noted, however, the “lighting design disclaimer” on that study states that the layout and lighting design “represents an anticipated prediction of lighting systems performance based upon design parameters and information supplied by others. These design parameters and information provided by others have not been field verified by Damin Sales and therefore actual results may vary from the actual field conditions…The lighting design is issued, in whole or in part as advisory documents for information purposes and is not intended for construction nor the project’s construction documentation package.” (emphasis added)

3. Additional Evening Use of the Gym Strengthens the Need for Shades

We are sympathetic to New Canaan Basketball Association’s need for practice gym space, as set forth in the letter included in Country School’s application. As that May 20 letter states: “For
the upcoming basketball season (2020 – 2021 school year) with no end in sight . . . the NCBA was planning to use the new NCCS gym and its two basketball courts even more extensively for team practices than in past years. Depending on scheduling scenarios this would easily mean 10-12 practices each week and potentially as many as 16 practices a week.” This likely means the gym will be in use — lighted — each evening until 9:00 p.m., four nights per week.

Applicant has described its grant of the Athletics Center as “charitable use.” We feel compelled to refer you to the attached NewCanaanite article from 2016, which reports that Country School raised its fee for New Canaan Basketball Association by more than 30%. No doubt Country School’s motives are entirely charitable, but it nonetheless does generate revenue from other organizations’ use of its facilities, which can be used to offset installation of the shades.

To repeat, we are fully supportive both of local sports and Country School—but the use of the gym until 9:00 pm on almost every winter weekday evening only strengthens the case requiring New Canaan Country School to abide by the original terms of the Special Permit; continuing to mandate the shading of all light from the gym; and denying this Application.
Sincerely,
Jack and Carol Liebau
568 Frogtown Road