

Letter: Grace Farms' Proposed Changes To Zoning Regulations Opens 'Pandora's Box' throughout Town

By: JENNIFER HOLME & DAVID MARKATOS | May 8, 2017

To the Editor:

Saturday, May 13th, marks the one year anniversary since our neighborhood formally asked the Planning and Zoning Commission to investigate the activities taking place at Grace Farms. Twelve months later, notwithstanding the former Town Planner's June 2016 report to the Commission that the Foundation is conducting a myriad of unpermitted activities at Grace Farms, our neighborhood is confronted with no enforcement of the conditions set forth in the 2013 Special Permit, and an applicant overtly refusing to come into compliance with that permit.

This begs the question: Is there enforcement of zoning regulations in New Canaan? Reflecting on the past year with Orchard's End Spa on Oenoke Ridge, One Kings Lane's "residential retail" decorating showroom on Cross Ridge Road, the "sober house" on West Road, the long-standing parked RV on Hoyt Street, and the Luke's Wood Road house with imposing driveway gates and pillars, we know that enforcement, while ephemeral, does exist. As residents of New Canaan, we are all required to follow the zoning regulations; they are intended to guide land use activities in New Canaan in ways that will enhance community character, provide assurances and certainty to property owners when they buy into a neighborhood of its general characteristics, and protect public health, safety, and welfare. In other words, these regulations form one of the principal building blocks of the social contract we share living in New Canaan.

Over the past year, more than 186,000 people (based on the Foundation's own visitor data) have been in our backyards; we have listened to an unpermitted outdoor "sound sculpture" that until recently played dawn to dusk every hour; we have experienced strangers watching and waving at us in our backyards; and we have suffered a level of light pollution at night equivalent to that of a 70-story skyscraper lying on its side as the River Building casts a glow across our respective horizons each evening. Yet there is still no enforcement by the Commission of the 2013 special permit issued for Grace Community Church; nor has Grace Farms Foundation voluntarily agreed to come into compliance with the terms of that special permit. If the Foundation's latest application is approved by the Commission, based on the Foundation's own visitor data and proposed management plan of events and activities at Grace Farms, we conservatively estimate that the number of people in our backyards would increase by nearly 100,000 to a staggering 271,400 in the first year following approval.

After withdrawing its application for a second time in three months, Grace Farms Foundation is now asking for an unprecedented change to New Canaan's zoning regulations—to allow for multiple principal uses in the town's residence zones. If approved, as specifically applied to Grace Farms, this text amendment change to the regulations would then legally permit two additional principal uses at Grace Farms—club & organization and philanthropic institution—in addition to the religious institution use approved in 2013.

What does this mean as a practical matter? That any owner in the residence zones—be it the half-acre, 2-acre or 4-acre zone—could apply to the Commission to build 2 primary residences on one lot, or add a rooming house, a bed & breakfast, a day care center, a medical office, a club, a conference center, and/or a group home to their property, to give just a few examples. Does allowing this level of intensity into our residence zones make any common sense? To us, it simply unmask's Grace Farms Foundation's objective to change, at any cost, the zoning regulations to their benefit and to the material detriment of every other property owner in New Canaan's residence zones. The proposed text amendment would turn our residence zones into *de facto* commercial, mixed-used zones. The Greek parable of "opening Pandora's box" comes to mind.

Grace Farms Foundation should honor the promises it made to the town, the Commission and the neighborhood in 2013, and limit the activities at Grace Farms to that of Grace Community Church. If the Foundation's intentions have now moved beyond the church, nothing prevents the Foundation from conducting additional community center and philanthropic-related activities in downtown New Canaan and in partnership with our local merchants and public institutions where the infrastructure has been specifically designed to handle that level of intensity of use. In fact, there are town capital assets, such as the Outback, Playhouse, and Irwin Park Carriage Barn, to name a few, that are available to the Foundation. We see that approach as a "win-win" for New Canaan. Jennifer Holme & David Markatos

