

**APPLICATION OF THREE STEWARDS REAL ESTATE, LLC  
FOR SPECIAL PERMIT AND SITE PLAN MODIFICATION AT  
69 MAPLE AVENUE, NORFOLK, CT**

**Norfolk Planning and Zoning Commission  
Final Set of Supplemental Materials – March 19, 2025**



**Counsel:**

Andrea L. Gomes, Esq.  
[AGomes@hinckleyallen.com](mailto:AGomes@hinckleyallen.com)  
Timothy S. Hollister, Esq.  
[thollister@hinckleyallen.com](mailto:thollister@hinckleyallen.com)  
Hinckley Allen  
20 Church Street  
Hartford, CT 06103  
PHONE: (860) 725-6200

**Owner/Applicant:**

Three Stewards Real Estate, LLC  
c/o Ray Hospitality, Inc.  
[rachelelizabethroth@gmail.com](mailto:rachelelizabethroth@gmail.com)  
620 Racebrook Road  
Orange, CT 06477  
PHONE: (267) 912-1728

**Lead Designer / Project Manager:**

Bob Gilchrest  
[aea.bobg@gmail.com](mailto:aea.bobg@gmail.com)  
Allied Engineering Assoc., Inc.  
95 Main Street, 3<sup>rd</sup> Floor  
North Canaan, CT 06018  
PHONE: (860) 824-1400

**Civil Engineer:**

George Johannesen, P.E.  
[aea.george@gmail.com](mailto:aea.george@gmail.com)  
Allied Engineering Assoc., Inc.  
95 Main Street, 3<sup>rd</sup> Floor  
North Canaan, CT 06018  
PHONE: (860) 824-1400

**Architect:**

Rob White, RA, NCARB  
[rob@robwhitearchitect.com](mailto:rob@robwhitearchitect.com)  
Rob White Architect LLC  
441 Oxford Road, Suite 3A  
Oxford, CT 06478  
PHONE: (203) 848-7189

# TABLE OF CONTENTS

## March 19, 2025

### **Tab:**

1. Memorandum, prepared by Hinckley Allen, March 2025
2. Landscape & Stormwater Maintenance Manual, prepared by Allied Engineering Assoc., Inc., March 2025
3. Memorandum regarding compliance with Zoning Regulations and lighting, prepared by Allied Engineering Assoc., Inc., March 2025
4. Responses to March 2, 2025 Robert Green Associates LLC commentary on application, prepared by Allied Engineering Assoc., Inc., March 2025
5. Copy of *Bilik v. Zoning Bd.*, 1996 WL 521177 (Conn. Super. Ct. Sept. 4, 1996), with highlights
6. Fire Flow Test Results

### **Submitted Separately:**

Attachments to responses to March 2, 2025 Robert Green Associates LLC commentary on application, prepared by Allied Engineering Assoc., Inc., March 2025

Electronic version of all application materials

**1**

**MEMORANDUM**

TO: Norfolk Planning and Zoning Commission

CC: Stacey Sefcik, Norfolk Wetlands Enforcement Officer and Zoning Enforcement Officer

FROM: Andrea Gomes, Esq., Hinckley, Allen & Snyder LLP

DATE: March 19, 2025

RE: Final Set of Supplemental Materials – Special Permit and Site Plan Modification Application, The Manor House Inn, 69 Maple Avenue, Norfolk, CT

---

This package summarizes the applicant's responses to questions and comments posed during the March 11, 2025 hearing.

1. Operations. The Commission requested a detailed explanation of the Inn's anticipated operations including, in particular, details on the size and scale of general public use in accordance with Zoning Regulations § 3.05.P.2. In response, the applicant offers the following. (Anticipated guest counts are estimates only based on the applicant's experience in the hospitality industry and industry data.) The applicant will, of course, comply with the 150-person guest maximum in the 1996 special permit, and any other limitations set by Fire Code, as determined by the Norfolk Fire Marshal:

- *General hours of operation:* As noted in the applicant's December 3, 2024 submission, daytime guests are permitted on-site with advanced reservation from 9 AM – 10 PM. Quiet hours for overnight (lodging) guests are between 10 PM and 8 AM.
- *Overnight guests:* As previously noted, the Inn has historically operated nine guest suites (a total of 10 bedrooms), but it currently operates eight guest rooms for up to 16 guests due to Fire Code restrictions. The applicant may reopen one or more of the remaining bedrooms with Fire Marshal approval (see No. 4, below). Industry data provides an average lodging utilization rate of 44%. Thus, with the eight guest rooms currently in operation, the applicant anticipates an average of eight overnight guests on-site at any one time. If the applicant were to revert back to a maximum of 20 overnight guests, the average overnight guest count would be 9 guests.
- *Recreational amenities:* In the normal course, recreational amenities will be open from 11 AM – 6 PM for daytime guests; 11 AM – 8 PM for overnight guests. The applicant anticipates that approximately 12 times per year, the Manor House property will be reserved by a group of guests, such as those attending a family retreat or

corporate outing. In those rare instances, the recreational amenities may open as early as 8 AM. Recreational amenities will be capped at 50 daytime visitors at any given time of day, with passes available for up to three hours in duration. The applicant anticipates that most overnight and daytime guests will enjoy the recreational amenities offered on-site, followed by meal service at the Inn. Industry data indicates that there is a 40% average utilization rate for recreational amenities in this setting – here, that utilization rate indicates an average of 20 guests. As noted above, the applicant anticipates approximately eight overnight guests on average, which means that approximately 12 of the recreational amenity users will be daytime visitors (members of the public with advanced reservations). The recreational amenity building will not house more than 50 guests at any one time. As evidenced by the floor plans for the amenity building, the layout is not conducive to events. *See* Sheets A-4.2 and A-4.3.

- *Meal service:* Breakfast service will be available only for overnight guests, but with a minimum of 24 hours' notice, friends or relatives may join if space allows. Lunch service will only be offered in association with events or groups upon request, and is expected to be infrequent. To start, the Manor House Inn expects to be open for dinner services Thursdays through Mondays. Dinner service is proposed to start at 3 or 4 PM, based on guest needs, and will last no later than 9:30 PM. Daytime visitors must depart the property by 10 PM. Dining seats will primarily be reserved for overnight and daytime guests, with remaining seats available to the general public by reservation only. Industry data provides for a 75% average utilization rate for restaurants. Thus, the applicant anticipates an average of 33 guests for dinner service. As noted above, the applicant anticipates an average of 20 recreational amenity users during any given timeframe. Therefore, approximately 13 dining seats may be used by the public on average, with advanced reservations. If, however, the number of overnight and daytime guests is higher than average (e.g., on weekends), the number of dining seats available to the public may decrease. The applicant's reservation-only policy will ensure that applicable guest maximums are met at all times.
- *Staff:* As noted previously, the property manager and / or innkeepers will reside on-site at all times when the Inn is in operation. Other staff members typically will arrive at approximately 8 AM for breakfast service and/or housekeeping. Dinner servers are likely to arrive by 2:30 PM and are expected to depart by 10:30 PM each night. In rare instances, some staff members may be on-site as early as 7 AM, or as late as 11 PM. Recreational staff members are likely to arrive by 10 AM and depart by 8:30 PM.
- *Events:* The Manor House intends to continue hosting indoor and outdoor events, the vast majority of which will be smaller, intimate events such as bridal showers, afternoon tea, intimate weddings, rehearsal dinners, etc... These events will take place between the hours of 1 PM and 10 PM. Events will reduce the number of available dining seats for members of the public, if not altogether eliminate any such

availability. Regarding the frequency of events, the applicant has proposed a condition of approval limiting the number of large (70+ guests) outdoor events to 12 times per year, which is the same number of outdoor events for the *Friday Nights on the Green* concert series hosted by the Town of Norfolk within the Village Residential Zone. As noted in the approval condition, this 70-person maximum does not include the guests who may be lodging at the Inn, or utilizing the recreational amenities, at the same time. As noted previously, outdoor amplified music will end by 8 PM, which further confirms the applicant's prior statements regarding the Inn focusing on a recreation-based business model over an event-based one.

- *Anticipated guests:* The 1996 special permit limits the number of guests on-site at any one time to 150 persons. As noted above, no more than 50 guests will be in the recreational amenity building at any given time. In addition, as detailed by Fire Marshal Byrne, the applicant is currently limited by the following occupancy loads: (1) not more than 16 overnight guests; (2) not more than 44 indoor dining seats; and (3) not more than 50 guests on the first floor of the Inn. *To be clear, these occupancy loads are not zoning-related, but limits set by the Fire Marshal as required by the Fire Code. Thus, if the applicant improves the Inn, or if the Fire Code changes, additional persons may be allowed indoors without the need for further zoning approval as long as the overall 150-person guest maximum in the 1996 special permit is maintained.*

2. 1996 Special Permit. During the March 11 hearing, Attorney Power claimed, without any applicable legal support, that the missing site plan renders the 1996 permit invalid; “an empty vessel.” As such, Attorney Power argued, the applicant must withdraw the pending application, and re-file for a new special permit application, as if the 1996 permit never existed. Comments were also made by the opposition that the site plan has expired as further support for the claim that the special permit is invalid.

The applicant is befuddled by these statements. First, both the Town Attorney and the applicant's counsel have confirmed repeatedly that the validity of the 1996 special permit is beyond this Commission's purview. Second, the applicant is unaware of any legal authority that provides that a site plan that was filed but subsequently lost after a special permit approval renders the special permit void or “empty.” This would run afoul of the principles that special permits run with the land, *see* 9B Conn. Prac., Land Use Law & Prac. § 50:1 (4th ed.) (“When a special permit is issued by the zoning commission or other agency designated in the zoning regulations, it remains valid indefinitely since the use allowed under it is a permitted use subject to conditions in the zoning regulations.”); and that municipal commissions are presumed to have properly performed their duties, in accordance with applicable law, *see Hyde v. Plan. & Zoning Comm'n*, 1998 WL 695438, at \*3 (Conn. Super. Ct. Sept. 28, 1998). Moreover, it would contradict the reality that some special permits do not have accompanying site plans such as, for example, a special permit for a parade. Lastly, while Attorney Power is correct that site plans do expire, the plain language of the statute makes clear that the expiration date is for “all work in connection with such site plan,” not the validity of the associated use. *See* C.G.S. § 8-3(i).

3. Clarifications. During the March 11 hearing, Attorney Power made a number of other statements regarding the applicant's proposal that are simply not true. For avoidance of all doubt, the applicant responds as follows:

- While the validity or scope of the 1996 special permit is beyond this Commission's jurisdiction, the 1995-1996 application documents make clear that the "Related Uses" approved by the Commission are not limited to serving only overnight guests, but include daytime / "non overnight" guests as well. *See* December 1995 Letter from the Tremblays at Tab 3 of December 3, 2024 application package ("It is our wish to offer these related uses to non overnight as well as overnight guests."). Indeed, the Tremblays were known for hosting outdoor concerts and events with the hope of attracting local residents rather than lodging guests.
- The applicant is not proposing to increase the 150-guest maximum on-site.
- The applicant has not claimed that it has the unlimited right to operate 25 guest rooms without an approved site plan to that effect. While the 1996 special permit capped the number of guest rooms on-site to 25, as provided in the Country Inn Regulations, the applicant cannot accommodate 25 separate guest rooms in the current Inn, and understands that any material physical additions to the property would require separate Commission approval. If the applicant thought otherwise, it would not be before the Commission now with this application.
- The applicant has not proposed a parking area with 58 spaces, nor does the applicant *want* 58 parking spaces. As the applicant explained, a 58+ space parking area would only be necessary if the applicant were prioritizing an event-based business model for which attendees would arrive and depart en masse, and which would require additional vendor and staff parking. As clearly shown on the site plan, the proposed parking area is for 45 spaces for the proposed recreational-based business model.
- The proposed parking area is not "proof" that the applicant is "gearing up" to host events. The Manor House Inn's 1996 special permit explicitly permits events on-site, and the Inn has always hosted events of varying sizes and frequency. Moreover, the applicant has specifically acknowledged that it intends to continue hosting events. To insinuate that the parking lot is a loophole through which the applicant will operate is ridiculous.

4. Overnight guests. As detailed in the applicant's March 6 submission, the Inn operated nine guest suites (totaling 10 bedrooms, with a maximum 20 overnight guests) for years until the Norfolk Fire Marshal took the position in 2023 that the Fire Code limited occupancy to 16 overnight guests. As a result, the applicant closed two of the bedrooms, and currently operates eight guest rooms. That being said, if the applicant receives Fire Marshal approval to reopen one or two additional bedrooms, it will do so, and should not require additional zoning approval. In other words, the scope of the present application includes the applicant's ability to operate up to 10 bedrooms if it receives Fire Marshal approval at some future date. The record shows that nine guest suites with a total of ten bedrooms were in use, and thus contemplated,

when the 1996 special permit was approved. Moreover, with a 150-person guest maximum on-site, the proposed operations will not change as a result.

5. Engineering questions. As requested by staff, an Operations and Maintenance Plan for all landscaping and stormwater improvements, prepared by Allied Engineering, is at Tab 2. Allied has also prepared a brief memorandum confirming that (1) the site plan complies with the Zoning Regulations; and (2) the proposed lighting is the minimum required by the Zoning Regulations and for emergency access and circulation. *See* Tab 3. The applicant also reminds the Commission that all parking lot lighting will be dimmed to 20% when not in use (meaning, when not triggered by motion sensors), and even at 100% capacity, will not trespass beyond the property line. *See* Sheet C-6.1 (photometric plan showing no trespass beyond property line). In response to the public's concerns with lighting from the amenity building, the applicant again reminds the Commission that there is no trespass beyond the property line. That being said, an approval condition is proposed (No. 10, below), requiring the applicant to turn off all interior lights within the recreational amenity building by 9 PM every night, excluding any lighting required for safety reasons.

6. Drainage Report. The applicant's consulting engineer, George Johannesen, P.E., has prepared a response to the March 2 "Engineering Review Comments," prepared by Robert Green Associates LLC. *See* Tab 4. As noted therein, the wetlands comments are irrelevant to this Commission's evaluation of the pending zoning application, and the requested drainage-related information is either not required or not applicable to the proposed improvements. That being said, we have responded to each comment, and have provided additional information for the Commission's review.

7. Screening. Section 3.05.P.9.c of the Country Inn Regulations provides that "[a]ll parking shall be screened from view from the surrounding residences." In addition to the existing stone wall along Maple Avenue and existing trees along the western, northern, and eastern property lines, the applicant has proposed additional plantings to further screen the site from neighbors and passersby. Along Maple Avenue in particular, the applicant has proposed a row of evergreen plantings which will be planted during Phase I of the proposed construction, at 6-7 feet in height. As discussed during the March 11 hearing, Connecticut law is clear that "screening" does not require *complete* screening or invisibility. *See Bilik v. Zoning Bd.*, 1996 WL 521177 (Conn. Super. Ct. Sept. 4, 1996) (rejecting opposition's claim that applicant's proposed plantings did not "appropriately screen" the proposed commercial property due to differences in grade and size, and noting that "the plaintiffs have erroneously taken the phrase 'appropriate screening' to mean that the commercial property must be rendered invisible to the plaintiffs.... However, the regulation does not suggest, nor was the Board required to find that the defendants' building would be "invisible" from the plaintiffs' house."). A copy of *Bilik* is at Tab 5. In sum, the applicant has satisfied Regulation § 3.05.P.9.c.

8. Storage Garage. At the March 11 hearing, Commission Barron stated that the applicant's March 6 memorandum erroneously stated that the storage garage is located 36 feet from the side (northerly) property line. Commission Barron was correct; the storage garage will



be located 17 feet from that property line. The applicant apologizes for that oversight. Nevertheless, the storage garage still complies with the minimum 15-foot side yard setback for “accessory buildings for storage purposes” in the VR Zone. *See* §§ 3.04 and 3.05.P.7.

Commission Barron also indicated that the proposed 720 sf (36x20) storage garage may be oversized and too close to the property lines, particularly when compared to the size of nearby sheds / accessory structures. Respectfully, the applicant disagrees. First, there is no limit in the Zoning Regulations on the size of an accessory storage structure and, as noted above, the storage garage complies with the minimum setback requirements in the Regulations. Second, the proposed storage garage is appropriately scaled and located for its intended use, relative to the size of the site (5 acres) and the Inn itself (approximately 7,000 sf). Moreover, there are a number of accessory structures in the vicinity of the site that are located on smaller parcels, yet larger than the proposed storage garage. For example, the Norfolk Assessor’s database for 48 Maple Avenue, a 0.39 acre parcel with a single-family residence, provides that the property also has a 840 sf garage, a 240 sf shed, and two barn structures totaling more than 950 sf. Similarly, 41 Maple Avenue, a 0.48 parcel with a single-family residence has a 1,780 square foot garage. Finally, the proposed storage garage is smaller in square footage than, and an improvement over, the existing, deteriorated carport and shed on-site, which will be demolished with this plan.

9. Aquarion Water. The applicant has not yet received the requested will-serve from Aquarion. That being said, Aquarion currently serves the site and the fire flow test (at Tab 6) confirms that there is adequate water pressure to accommodate the enhanced operations. The approval condition previously proposed by the applicant, requiring submission of the Aquarion will-serve prior to the issuance of a building permit, is copied again below (no. 11).

10. Proposed Approval Conditions. In light of the foregoing, the applicant proposes the following approval conditions:

- a. The applicant will not amplify music later than 8 pm each night. In addition, the applicant will monitor sound levels at the property lines to ensure compliance with the applicable State or local regulations regarding noise.
- b. The applicant will submit confirmation of water service from Aquarion Water prior to obtaining a building permit.
- c. The applicant will not host more than twelve (12) large outdoor events on-site per calendar year without written permission from the Planning and Zoning Commission. A large outdoor event is defined as an outdoor event of more than 70 guests. The maximum guest count for these outdoor events shall not include guests who are on the property for other reasons, including overnight (lodging) and daytime (recreational) guests.
- d. The applicant will turn off all interior lights within the recreational amenity building by 9 PM every evening. For purposes of this approval condition, “interior lights” does not include lighting required for safety purposes, or by Fire or Building Code.

**2**

# Manor House Inn

69 Maple Avenue, Norfolk, Connecticut 06058



## Landscape & Stormwater Maintenance Manual

**Prepared By:**

Allied Engineering Associates, Inc.  
95 Main Street, 3<sup>rd</sup> Floor  
North Canaan, Connecticut 06018

**March 17, 2025**

## Introduction

The purpose of this Landscape/Stormwater Maintenance Manual is to serve as a general reference and practical guideline to assist and direct those responsible for on-site maintenance at the **Manor House Inn** located at 69 Maple Avenue, Norfolk, Connecticut. It is the intent of this manual to establish a 'standard of care' for the proper maintenance of the existing and proposed landscape and stormwater structures.

It should be noted that maintenance procedures are constantly being improved upon through the use of more advanced application techniques, materials, and philosophies. As a result, this manual focuses on procedures only. **The maintenance contractor will be responsible for practicing and maintaining the most current and environmentally conscience techniques, materials and philosophies available.**

The following manual is separated into sections covering monthly maintenance, as well as, general maintenance procedures related to lawn areas, trees, shrubs, planting beds, rain gardens, stormwater structures and snow removal. These items are described in greater detail under separate headings including specific methods pertaining to each procedure.

# **I. Monthly Maintenance Schedule**

*Refer to General Recommendations for specific detailed information.*

## **▪ JANUARY AND FEBRUARY**

Weeks 1 through 8

**Trees:** Prune deciduous trees as required when temperatures are above 40 ° F degrees. (Arborist)

**Stormwater Structures:** Inspect all stormwater structures to ensure that they remain clear of snow or debris.

**General:** Report all damaged walkway pavements that may pose a safety or tripping hazards to the Property Manager immediately.

Remove snow and ice from all specified site pavements, as required. Do not use sodium chloride products which will damage plant material and lawn areas. Use de-icing products which are ECO friendly and the most effective for the appropriate air/pavement temperature.

Police entire site area and all planting beds on a weekly basis and remove all accumulated debris and litter.

## **▪ MARCH**

Weeks 1 and 2

**Trees:** Complete pruning of trees and flowering trees that flower after June 30th, and all evergreens. Recycle debris, whenever possible. (Arborist)

**Shrubs:** Complete pruning of shrubs that flower after June 30th, and all evergreens. Recycle debris, whenever possible. (Arborist)

**Stormwater Structures:** Inspect all stormwater structures to ensure that they remain clear of snow or debris.

**Rain Gardens:** Inspect rain gardens and remove any sediment and debris at the stormwater pipe outfall, as required. Repair any erosion or damage at the rain garden inlet. Follow all recommendations for trees and shrubs

above.

**General:** Report all damaged walkway pavements that may pose a safety or tripping hazards to the Property Manager immediately.

Remove snow and ice from all specified site pavements, as required. Do not use sodium chloride products which will damage plant material and lawn areas. Use de-icing products which are ECO friendly and the most effective for the appropriate air/pavement temperature.

Police entire site area and all planting beds on a weekly basis and remove all accumulated debris and litter.

#### Weeks 3 and 4

**Trees:** If season is advanced fertilize all trees. Do not allow fertilizer to fall on paved areas. (Arborist)

**Shrubs and Groundcover:** If season is advanced fertilize all shrubs and groundcover. Do not allow fertilizer to fall on paved areas.

**Stormwater Structures:** Inspect all stormwater structures to ensure that they remain clear of snow or debris.

**Rain Gardens:** Inspect rain gardens and remove any sediment and debris at the stormwater pipe outfall. Repair any erosion or damage at the inlet.

Follow all recommendations for trees and shrubs above.

**General:** Report all damaged walkway pavements that may pose a safety or tripping hazards to the Property Manager immediately.

Remove snow and ice from all specified site pavements, as required. Do not use sodium chloride products which will damage plant material and lawn areas. Use de-icing products which are ECO friendly and the most effective for the appropriate air/pavement temperature.

Police entire site area and all planting beds on a weekly basis and remove all accumulated debris and litter.

## ▪ APRIL

### Weeks 1 and 2

**Lawn:** If lawn diseases are present (consult local agricultural extension office for proper diagnosis) apply recommended fungicide, as required.

Water newly planted lawn areas as required until fully established.

If season is advanced mowing should be done, as required. Do not mow grass shorter than three inches (3").

**Trees:** Remove and replace dead trees only when directed by the Owner.

Water newly planted trees, as required until fully established.

Inspect trees for any insect pests and disease. (Arborist)

Examine trees for damage from winter storms. Remove and/or repair all winter damaged limbs or branches (recycle debris, whenever possible).  
(Arborist)

**Shrubs and Groundcover:** Remove and replace dead shrubs and groundcover, as required.

Water newly planted shrubs, groundcover/perennials, as required until fully established.

Inspect shrubs and groundcover for any insect pests and disease.

Examine shrubs for damage from winter storms. Remove and/or repair all winter damaged limbs or branches (recycle debris, whenever possible).  
(Arborist)

**Plant Beds:** Re-edge by hand all plant bed edges, as required.

Remove any weeds from landscape beds.

**Stormwater Structures:** Inspect all stormwater structures to ensure that they remain clear of snow or debris.

Inspect all catch basin sumps and remove all built-up sediment.

**Rain Gardens:** Inspect rain gardens and remove any sediment and debris at the stormwater pipe outfall. Repair any erosion or damage at the inlet.

Follow all recommendations for trees and shrubs above.

**General:** Report all damaged walkway pavements that may pose a safety or tripping hazards to the Property Manager immediately.

Remove snow and ice from all specified site pavements, as required. Do not use sodium chloride products which will damage plant material and lawn areas. Use de-icing products which are ECO friendly and the most effective for the appropriate air/pavement temperature.

Police entire site area and remove accumulated leaves from lawn areas, planting beds, and pavements (recycle debris, whenever possible).

#### Weeks 3 and 4

**Lawn, Trees and Shrubs:** Continue and complete work from the previous two weeks.

Continue to water newly planted lawn, trees, shrubs, groundcover/perennials as required until fully established.

**Groundcover/Perennials:** Prepare beds that have perennial flowers, being careful not to work the soil when excessively wet.

Remove any weeds from landscape beds.

**Stormwater Structures:** Continue and complete work for the previous two weeks.

**Rain Gardens:** Continue and complete work from the previous two weeks.

**General:** Report all damaged walkway pavements that may pose a safety or tripping hazards to the Property Manager immediately.

Sweep/wash all parking areas of de-icing materials following all winter activities.

Police entire site area and all planting beds on a weekly basis and remove all accumulated debris and litter.



## ▪ MAY

### Weeks 1 and 2

**Lawn:** Mowing will, most likely, need to be done once weekly, during periods of high rainfall (recycle clippings, whenever possible- refer to General Recommendations).

**Trees:** Inspect plant material for disease and pests. (Arborist)

Water newly planted trees, as required until fully established.  
Continue pruning early flowering trees (recycle debris, whenever possible).  
(Arborist)

**Shrubs:** Inspect plant material for disease and pests. (Arborist)

Water newly planted shrubs, as required until fully established.

Continue pruning early flowering shrubs (recycle debris, whenever possible).  
(Arborist)

Remove weeds from shrub and groundcover beds.

**Stormwater Structures:** Inspect all stormwater structures to ensure that they remain clear of debris.

**Rain Gardens:** Inspect rain gardens and remove any sediment and debris at the stormwater pipe outfall. Repair any erosion or damage at the inlet.

Loosen, aerate or replace soils to ensure water infiltration (must infiltrate in 48 hour period).

Follow all recommendations for trees and shrubs above.

**General:** Report all damaged walkway pavements that may pose a safety or tripping hazards to the Property Manager immediately.

Police entire site area and all planting beds on a weekly basis and remove all accumulated debris and litter.

## Weeks 3 and 4

**Lawn:** Continue mowing, as necessary (recycle clippings, whenever possible- refer to General Recommendations).

Continue watering newly planted lawn areas as required until fully established.

**Trees:** Inspect plant material for disease and pests. (Arborist)

Continue pruning early flowering trees (recycle debris, whenever possible). (Arborist)

Continue watering newly planted trees, as required until fully established.

**Shrubs and Groundcover:** Inspect plant material for disease and pests. (Arborist)

Continue pruning early flowering shrubs (recycle debris, whenever possible).

Continue watering newly planted shrubs and groundcover, as required until fully established.

Remove weeds from shrub and groundcover beds.

**Stormwater Structures:** Inspect all stormwater structures to ensure that they remain clear of debris.

**Rain Gardens:** Inspect rain gardens and remove any sediment and debris at the stormwater pipe outfall. Repair any erosion or damage at the inlet.

Loosen, aerate or replace soils to ensure water infiltration (must infiltrate in 48 hour period).

Follow all recommendations for trees and shrubs above.

**General:** Report all damaged walkway pavements that may pose a safety or tripping hazards to the Property Manager immediately.

Police entire site area and all planting beds on a weekly basis and remove all accumulated debris and litter.

Test soil samples from tree and shrub/groundcover beds (refer to General Recommendations. (Arborist)

## ▪ JUNE

### Weeks 1 through 4

**Lawn:** Continue mowing, as necessary (recycle clippings, whenever possible-refer to General Recommendations).

Continue watering newly planted lawn areas as required until fully established.

**Trees:** Inspect plant material for disease and pests. (Arborist)

Complete pruning early flowering trees (recycle debris, whenever possible). (Arborist)

**Trees and Shrubs:** Inspect plants for scale insects. If scale insects are present, spray as required. (Arborist)

Continue any pruning that is required of early flowering ornamentals (recycle debris, whenever possible). Inspect evergreens for mites and spray, as required. (Arborist)

Continue watering newly planted trees and shrubs, as required until fully established. Hand and 'deep root' water all plants if the season has been excessively dry.

**Shrubs:** Complete pruning early flowering shrubs (recycle debris, whenever possible). Inspect plant material for disease and pests. (Arborist)

**Plant Beds:** Weed all plant bed and groundcover areas, as required, maintaining 'continuously' weed free.

**Stormwater Structures:** Inspect all stormwater structures to ensure that they remain clear of debris.

**Rain Gardens:** Inspect rain gardens and remove any sediment and debris at the stormwater pipe outfall. Repair any erosion or damage at the inlet.

Loosen, aerate or replace soils to ensure water infiltration (must infiltrate in 48 hour period).

Follow all recommendations for trees and shrubs above.

**General:** Report all damaged walkway pavements that may pose a safety or tripping hazards to the Property Manager immediately.

Police entire site area and all planting beds on a weekly basis and remove all accumulated debris and litter.

## ▪ JULY

### Weeks 1 through 4

**Lawn:** Mow, as required (recycle clippings, whenever possible- refer to General Recommendations). Pay particular attention to the sufficiency of water in order for lawn areas to remain green during dry periods. Adjust cutting height of mowers to three and a half inches (3-1/2").

**Trees and Shrubs:** Inspect plants for aphids, scale insects and mites, and spray as required. (Arborist)

Continue watering newly planted trees and shrubs, as required until fully established. Hand and 'deep root' water all plants if the season has been excessively dry.

**Plant Beds:** Weed planting and groundcover beds, as required.

**Stormwater Structures:** Inspect all stormwater structures to ensure that they remain clear of debris.

**Rain Gardens:** Inspect rain gardens and remove any sediment and debris at the stormwater pipe outfall. Repair any erosion or damage at the inlet.

Loosen, aerate or replace soils to ensure water infiltration (must infiltrate in 48 hour period).

Follow all recommendations for trees and shrubs above.

**General:** Report all damaged walkway pavements that may pose a safety or tripping hazards to the Property Manager immediately.

Police entire site area and all planting beds on a weekly basis and remove all accumulated debris and litter.

## ▪ **AUGUST**

### Weeks 1 through 4

**Lawn:** Mow, as required (recycle clippings, whenever possible- refer to General Recommendations). Pay particular attention to the sufficiency of water in order for lawn areas to remain green during dry periods. Adjust cutting height of mowers to three and a half inches (3-1/2").

**Trees and Shrubs:** Do not fertilize any woody plants until the following spring.

Continue to check trees and shrubs for pest and control as required.  
(Arborist)

Maintain adequate moisture for newly planted trees and shrubs (where applicable). Hand and 'deep root' water all plants if the season has been excessively dry.

**Plant Beds:** Weed planting and groundcover beds, as required.

**Stormwater Structures:** Inspect all stormwater structures to ensure that they remain clear of debris.

**Rain Gardens:** Inspect rain gardens and remove any sediment and debris at the stormwater pipe outfall. Repair any erosion or damage at the inlet.

Loosen, aerate or replace soils to ensure water infiltration (must infiltrate in 48 hour period).

Follow all recommendations for trees and shrubs above.

**General:** Report all damaged walkway pavements that may pose a safety or tripping hazards to the Property Manager immediately.

Police entire site area and all planting beds on a weekly basis and remove all accumulated debris and litter.

## ■ SEPTEMBER

### Weeks 1 and 2

**Lawn:** Mowing should continue at the prescribed three and a half inches (3-1/2"), unless weather begins to cool. Adjust cutting height back to three inches (3") when cooler weather is evident (recycle clippings, whenever possible- refer to General Recommendations).

**Trees and Shrubs:** Examine plants for pests, and spray as required, but do not use pesticides, unless absolutely necessary. (Arborist)

Maintain adequate moisture for newly planted trees and shrubs (where applicable). Hand and 'deep root' water all plants if the season has been excessively dry.

**Plant Beds:** Maintain the weeding of all planting beds and groundcover areas, as required.

**Stormwater Structures:** Inspect all stormwater structures to ensure that they remain clear of debris.

**Rain Gardens:** Inspect rain gardens and remove any sediment and debris at the stormwater pipe outfall. Repair any erosion or damage at the inlet.

Loosen, aerate or replace soils to ensure water infiltration (must infiltrate in 48 hour period).

Follow all recommendations for trees and shrubs above.

**General:** Report all damaged walkway pavements that may pose a safety or tripping hazards to the Property Manager immediately.

Police entire site area and all planting beds on a weekly basis and remove all accumulated debris and litter.

## Weeks 3 and 4

**Lawn:** Continue to mow, as required (recycle clippings, whenever possible- refer to General Recommendations).

Re-seed lawn areas, as required.

**Shrubs and Groundcover:** Remove and replace dead shrubs and groundcover, as required.

**Plant Beds:** Maintain the weeding of all planting beds and groundcover areas, as required.

**Stormwater Structures:** Inspect all stormwater structures to ensure that they remain clear of debris.

**Rain Gardens:** Inspect rain gardens and remove any sediment and debris at the stormwater pipe outfall. Repair any erosion or damage at the inlet.

Loosen, aerate or replace soils to ensure water infiltration (must infiltrate in 48 hour period).

Follow all recommendations for trees and shrubs above.

**General:** Report all damaged walkway pavements that may pose a safety or tripping hazards to the Property Manager immediately.

Police entire site area and all planting beds on a weekly basis and remove all accumulated debris and litter.

Begin to rake early-falling leaves (recycle debris, whenever possible).

## ■ OCTOBER

### Weeks 1 through 4

**Lawn:** Aerate lawn as outlined under General Recommendations-Lawn.

Mow, as required (recycle clippings, whenever possible- refer to General Recommendations). Lower cutting height to three inches (3").

**Trees:** Remove and replace dead trees only when directed by the Owner.

**Shrubs and Groundcover:** Remove and replace dead shrubs and groundcover, as required.

Fertilize all shrubs and groundcover beds. Do not allow fertilizer to fall on paved areas.

**Plant Beds:** Maintain the weeding of all planting beds and groundcover areas, as required.

**Stormwater Structures:** Inspect all stormwater structures to ensure that they remain clear of debris.

**Rain Gardens:** Inspect rain gardens and remove any sediment and debris at the stormwater pipe outfall. Repair any erosion or damage at the inlet.

Follow all recommendations for trees and shrubs above.

**General:** Report all damaged walkway pavements that may pose a safety or tripping hazards to the Property Manager immediately.

Police entire site area and all planting beds on a weekly basis and remove all accumulated debris and litter.

Leaf removal should be carried out weekly throughout the month. Do not permit leaves to accumulate longer than seven (7) days.

## ▪ **NOVEMBER**

### Weeks 1 through 4

**Lawn:** Make last mowing of the year during the end of the first week in November (recycle clippings, whenever possible- refer to General Recommendations). Adjust cutting height of grass to two and a half inch (2-1/2").

**Perennial Beds:** Dead-head and prune all perennials, with exception of perennials left for winter interest.



**Stormwater Structures:** Inspect all stormwater structures to ensure that they remain clear of debris.

Inspect all catch basin sumps and remove all built-up sediment.

**Rain Gardens:** Inspect rain gardens and remove any sediment and debris at the stormwater pipe outfall. Repair any erosion or damage at the inlet.

Follow all recommendations for trees and shrubs above.

**General:** Report all damaged walkway pavements that may pose a safety or tripping hazards to the Property Manager immediately.

Police entire site area and all planting beds on a weekly basis and remove all accumulated debris and litter.

Leaf removal should be carried out weekly throughout the month, as required. Do not permit leaves to accumulate longer than seven (7) days.

## ▪ DECEMBER

### Weeks 1 through 4

**Lawn Trees, Shrubs, and Groundcover:** Apply one (1) application of anti-desiccant in early December to all trees, shrubs and groundcover, when temperatures are above 40 ° F. (Arborist)

**Stormwater Structures:** Inspect all stormwater structures to ensure that they remain clear of snow or debris.

**General:** Report all damaged walkway pavements that may pose a safety or tripping hazards to the Property Manager immediately.

Remove snow and ice from all specified site pavements, as required. Do not use sodium chloride products which will damage plant material and lawn areas. Use de-icing products which are ECO friendly and the most effective for the appropriate air/pavement temperature.

Police entire site area and all planting beds on a weekly basis and remove all accumulated debris and litter.

## II. General Recommendations

### ■ SOIL TESTING

Soil testing to be done every 3 years. Take, at least, six (6) representative samples from planting bed/lawn areas in May. Mix each soil sample thoroughly, remove stones and debris and submit each composite sample for testing. Do not include thatch. Accurately record each test sample location. (Arborist)

Submit each sample to a certified agricultural soil testing laboratory and have each soil sample tested for pH, soluble salts, nitrate (N03), phosphorus (P) and potassium (K).

#### Optimum Ranges:

pH:	6.2 – 6.5
Soluble Salts:	less than 100 ppm
Nitrate (N03):	50 - 100 ppm
Phosphorous (P):	8 - 12 ppm
Potassium (K):	80 - 120 ppm

The soil testing laboratory should have the experience and capability to satisfactorily conduct agricultural soil and nutrient analysis to provide nutrient recommendations. The testing laboratory is to determine the exact amount of soil additives and fertilizer (including recommended fertilizer ratio) to be applied to the planting bed areas in order to maintain the optimum ranges noted above.

### ■ LAWN AREAS

Fertilization: Fertilize no more than twice a year - once in May-June (not before spring green up), and once in September. Use slow-release formulations (50 percent or more water-insoluble nitrogen) to encourage more complete uptake.

Fertilize at a rate of no more than ½ pound of nitrogen per 1000 square feet. Typically apply one-half to one-third (or less) of that recommended on the fertilizer bag label and then monitor lawn response and adjust as needed.

Use a phosphorus-free fertilizer on lawns near or bordering waterbodies, unless

soil tests indicate that the soils are low in phosphorus.

Do not apply fertilizer prior to when rain is forecast, which can reduce fertilizer effectiveness and increase the risk of surface and groundwater contamination.

Do not apply fertilizer to saturated or frozen ground. Avoid spreading fertilizer on impervious surfaces (sidewalks, patios, driveways, etc.).

Leave a buffer strip of unfertilized grass or other vegetation around waterbodies.

Mowing and Trimming: The lawn areas are to be mowed and trimmed whenever the height of grass exceeds the specified height of cut by one inch (1") (i.e.: if two and one half inch (2-1/2") cutting height is desired then cut when lawn reaches three and one half inches (3-1/2") .

- Height of cut for lawns during cool weather shall be three inches (3").
- Height of cut for lawns during warm weather (above eighty five degrees Fahrenheit (85° F) shall be three and a half inches (3-1/2").
- Season end final height of cut for lawn shall be two and a half inches (2-1/2").

Mowing should be by power driven 'reel type' or 'rotary' mowers to achieve a uniform clean cut. Mowers are to be sharpened a minimum of twice per season.

Uncut edges left by mowing shall be neatly trimmed by hand or with a power edger or trimmer, at least, after every other mowing. Trimming shall be done more often, if necessary, to maintain a thoroughly neat appearance.

'Grasscycle' grass clippings by leaving clippings on the lawn after each mowing. Mowing frequency as specified. Mow when grass is dry, whenever possible. When grass is too wet or clippings too long (over 1"), clippings are to be picked up and removed by means of catcher, sweeper, vacuum or raking (recycle clippings, whenever possible) .

Do not remove more than one inch (1") of the grass at each mowing. Do not cut shorter than three inches (3"). Change the direction of travel after each cutting (usually ninety degrees (90°) of previous direction of travel).

Insect and Disease Control: All lawn areas are to receive careful inspections weekly during the growing season to determine if any insects or diseases are present.

Whenever an inspection reveals grub or chinch bug presence, immediate application of an approved organic insecticide with low toxicity, control application is to be made. Application shall be made at the rates and by the methods recommended by the manufacturer. Method of application shall be so as to give complete and uniform coverage to the entire lawn areas.

Whenever inspection reveals the beginning of fungus damage, immediate application shall be made of an approved organic lawn fungicide. Application shall be made at the rates and by the methods recommended by the manufacturer. Repeat applications shall be as recommended by the manufacturer and must be watered-in.

Raking: All lawn areas shall be hand raked thoroughly, at least, three (3) times each year in early spring, mid-summer and mid-autumn. This raking is intended to remove accumulated clippings, dead grasses, leaves and debris, and thereby prevent the buildup of a thatch condition which encourages fungus. Additional raking and/or use of a leaf blower may be necessary to remove fallen leaves in autumn, which must be removed at least once weekly from October 1st until all are removed.

Raking may be by flexible tine, bamboo, or metal rakes and should be sufficiently vigorous to remove the materials mentioned above. Leaf blowers may be used for additional leaf/debris removal.

Aeration: Aerate lawn areas by means of a 'Hollow Tine Coring' type aeration machine with a drag mat. Core diameters should range from on half inch (1/2 ") to three quarter inch (3/4 ") with a depth of penetration of three (3) to four (4) inches. Aerate only when soil is moist and before fertilizer application. Never aerate soils which are dry.

De-Thatching When Required: Use a vertical blade de-thatching machine. Rake dead thatch, then mow to trim away loose ends of grass stems.

Rolling Due to Frost Heaving: Roll lawn areas early spring with a water ballast weighing one hundred to two hundred pounds (100-200 lbs.) to compress areas heaved by frost. Depressed areas should have the sod pulled back and top-

dressed with screened topsoil to correct grade.

## ■ TREES

Fertilization: All trees shall receive organic liquid fertilization once annually starting in early spring. Late season fertilization should not be made, in order to promote the greatest winter hardiness. (Arborist)

After fertilization, all soil surfaces or mulches shall be surface cultivated to eliminate crusting and facilitate the free distribution of nutrients throughout the root area during natural rainfall.

Pruning and Trimming: All trees shall be pruned lightly, at least, once each year. Pruning shall remove any dead wood, bad structural conditions which may be developing, such as crossing branches, narrow crotches, etc. Further trimming shall be done to encourage dense, compact habit, attractive shape and to preserve the proper scale for each location. Deciduous shade trees shall be trimmed during mid to late November. (Arborist)

Deciduous flowering trees which flower before June 30th shall be trimmed immediately after flowering.

Deciduous flowering trees which flower after June 30th shall be trimmed in late March.

All pruning must be provided by an arborist licensed by the State of Connecticut.

Cultivation: All tree saucers shall be continuously cultivated as necessary to prevent and eliminate weed growth and protect from surface soil compaction. Pull back all mulch from tree root collar. Do not allow mulch to accumulate above the root collar.

Insect and Disease Control: Inspections of all tree plantings shall be carefully made weekly to detect the emergence, buildup or mere presence of any diseases and insects. Whenever pests are observed, additional specific sprays of appropriate control materials shall be made to susceptible tree species. (Arborist)

Apply seasonal insect and fungus control on all plant material based upon the

recommendations from the most recent edition of The Cornell Guide for Planting and Maintaining Trees and Shrubs.

## ▪ SHRUBS AND GROUNDCOVER

Fertilization: All shrubs shall receive organic granular slow-release fertilization once annually starting in early spring. Late season fertilization is discouraged, in order to promote greatest winter hardiness.

After fertilization, all soil surfaces or mulches shall be surface cultivated to eliminate crusting and facilitate the free distribution of nutrients throughout the root area during natural rainfall. Pull back all mulch from the root collar areas.

Liquid fertilize all groundcover bed areas using water soluble organic fertilizer. End fertilization once all groundcover beds are full and heavily foliated. Apply fertilizer at rates recommended by the manufacturer.

Pruning and Trimming: All shrubs shall be pruned lightly, at least, once each year. Pruning shall remove any dead wood, poor structural conditions which may be developing, such as crossing branches, narrow crotches, etc. Further trimming shall be done to encourage dense, compact habit, attractive shape and to preserve the proper scale for each location. Evergreen shrubs planted in hedge layouts shall be trimmed in mass to further develop the hedge appearance.

Deciduous flowering shrubs which flower before June 30th shall be trimmed immediately after flowering.

Deciduous flowering shrubs which flower after June 30th shall be trimmed in late March.

Groundcovers may be trimmed, at any time, during the active growth period to encourage a dense and thick carpet effect.

Any new planting shall be re-trimmed during the growing season, when necessary, to preserve scale for location, to encourage dense compact habit, or to remove any dead or damaged branches.

Cultivation: All plant beds and mulched areas shall be continuously cultivated as necessary to prevent and eliminate weed growth and protect from surface

soil compaction.

Insect and Disease Control: Inspections of all plantings shall be carefully made weekly to detect the emergence, buildup or more presence of any diseases and insects on all plantings. Whenever any such pests are observed, additional specific sprays of appropriate control materials shall be made to susceptible plant species. (Arborist)

Winter Protection: All evergreen/broadleaf evergreen shrubs and groundcover shall be protectively sprayed with an anti-desiccant during early winter and again in late winter, Application shall be made by sprayer using an anti-desiccant when drying can occur before freezing temperatures. Apply when air temperatures are above 40° F. Early-December is the recommended time for application.

## ■ TREE, SHRUB AND GROUNDCOVER PLANTING BEDS

Pruning: Prune only to maintain natural loose form of the plant. Do not prune flowering trees and shrubs until flowering cycle is complete. (Tree pruning by CT State licensed arborist)

Bed Maintenance: Hand weed all planting/groundcover areas, be sure to always remove the weed root system. Continuously maintain all areas weed free.

Fertilizers: Fertilizing of trees and shrubs should be based on the soil tests for pH and fertilization including observation of plants' health and vitality.

If fertilizer is required, apply type and at rates recommended by the soil testing laboratory.

Mulching: In all tree saucers, shrub beds and groundcover areas, re-spread or top-dress mulch after the existing mulch has been cultivated. Apply additional mulch as required to replace or replenish to the maximum depth of two inches (2"). Do not allow mulch to accumulate past a total depth of two inches (2").

Mulch to be natural organic, double-shredded hardwood bark, dye and chemical free, dark in color.

Anti -desiccant: Winterize all evergreen/broadleaf evergreen shrubs and

groundcover with applications of an anti-desiccant. Apply as per manufacturers recommendations. Make sure to spray inside of plants. Application should be done after rain and when plant material is free from dust and the daytime air temperature is above forty degrees Fahrenheit (40° F.)

## ■ **STORMWATER MANAGEMENT**

*(To meet all requirements referenced in the latest edition of the Connecticut Stormwater Quality Manual)*

Stormwater Structures: Stormwater structures should be inspected at least once a month and after every storm to ensure they are clear of debris. They should be cleared of all snow after each storm event.

Each stormwater structure should be cleaned at least twice each year, in spring and fall. Cleaning includes removal of sediment from sump and removal of trash and debris from grate. No catch basin at any time will be more than fifty (50) percent full.

Additional maintenance recommended in the fall to remove trash, leaves, and other debris. Areas that experience significant accumulation of leaves, the recommended fall maintenance should be performed after leaf fall and before the first snowfall.

Catch basin cleanings (solid material, such as sand, silt, leaves, and debris removed from storm drainage systems during cleaning operations) should be properly disposed of either via reuse, or via disposal at an approved site. (Note: Before reuse of the sand and organic matter it is recommended the material should be tested as they can carry various contaminants such as heavy metals.)

Handle and dispose of catch basin and storm drainage system cleanings in accordance with CT DEEP guidelines and requirements.

Snow storage and Disposal: Snow accumulations removed from walkways, driveways, and parking lots should be placed in upland areas only, where sand and other debris will remain after snowmelt for later removal.

Snow should not be pushed or dumped into waterbodies or wetlands, structural stormwater BMPs, stormwater drainage swales or ditches, or on top of catch basins.



Avoid storing snow in areas that are unstable, areas of potential erosion, or high points where snow may melt and collect debris as runoff before it enters the stormwater system.

Pollution Prevention: Implement source controls and pollution prevention practices to the maximum extent practicable to minimize stormwater pollution.

Lawn and Landscape Management: Improve soils by adding soil amendments or using mulches to reduce the need for watering by increasing the moisture retained in the soil.

Mow high and keep mower blades sharp. Lawns should not be cut shorter than 3 inches. Keep clippings on the lawn to release stored nutrients back into the soil.

Avoid the use of conventional fertilizers and pesticides. Use organic lawn/plant care methods to the maximum extent practicable. If fertilizer is to be used, follow best management practices to minimize and optimize fertilizer usage:

- Fertilize no more than twice a year (see Monthly Maintenance Schedule).
- Use slow-release formulations (50 percent or more water-insoluble nitrogen) to encourage more complete uptake.
- For lawns Fertilize at a rate of no more than ½ pound of nitrogen per 1000 square feet. Typically apply one-half to one-third (or less) of that recommended on the fertilizer bag label and then monitor lawn response and adjust as needed.
- Use a phosphorus-free fertilizer on lawns/plantings near or bordering waterbodies, unless soil tests indicate that the soils are low in phosphorus.
- Do not apply fertilizer prior to when rain is forecast, which can reduce fertilizer effectiveness and increase the risk of surface and groundwater contamination.
- Do not apply fertilizer to saturated or frozen ground. Avoid spreading fertilizer on impervious surfaces (sidewalks, patios, driveways, etc.).

-Leave a buffer strip of unfertilized grass or other vegetation around waterbodies.

Rain Gardens: Inspect rain gardens at a minimum monthly. Remove any sediment, trash and debris within the rain garden basin and the outfall of the stormwater drainage pipe.

Remove and replace dead plant material.

Maintain plant material per recommendations under tree and shrub recommendations.

Repair inlet erosion and damage after any major storm event or as required.

Loosen, aerate or replace soils to ensure water infiltration. Water within rain garden basin must infiltrate within 48 hours.

#### ▪ **SAND AND ICE REMOVAL**

Maintain the vehicular entrance drive, parking lots, pedestrian walkways, stairs, and ramp surfaces continuously free of ice and snow. After last snow has melted, sweep and wash down all vehicular pavements clean of residual amounts of ice melting chemicals and sand.

Refer to Stormwater Management section (above) for snow storage/disposal.

**3**



**Allied Engineering Assoc., Inc.**

95 Main Street, 3<sup>rd</sup> Floor – East

P.O. Box 726

North Canaan, CT 06018

860-824-1400

860-824-1401 fax

aea.george@gmail.com

Date: 18 March 2025

To: Stacey Sefcik  
Zoning & Wetlands Enforcement Officer  
Norfolk Town Hall  
19 Maple Avenue  
Norfolk, CT 06058

From: Robert Gilchrest, Lead Designer/Project Manager  
George Johannesen, Civil Engineer  
Allied Engineering Associates, Inc.

Re: Manor House Inn Site Improvements; Zoning Regulations Compliance Review/Site Lighting

Allied Engineering Associates, Inc. (AEA) has done a final review of the site plan package, dated March 6, 2025, and has determined that it complies with all applicable provisions of the Norfolk Zoning Regulations and standards pertinent to this application, including but not limited to the applicable requirements in Zoning Regulation § 3.05.P (the Country Inn provisions), § 8.03 (the site plan provisions), and § 8.04 (the special permit provisions). Above and beyond these provisions, we feel, in our professional opinion, that the proposed application meets the purposes of the Regulations as defined in § 1.02:

1. To protect the public health, safety and the general welfare in Norfolk.
2. To help implement *a plan which supports and aligns with Norfolk's Plan of Conservation and Development (POCD)*.
3. To protect (*and promote*) the natural, cultural and historic resources in Norfolk.
4. *Given the history of the Manor House and neighborhood*, to promote the most appropriate use of land in Norfolk with reasonable consideration as to the suitability of such land for particular use.
5. To facilitate adequate provisions and support for transportation, water, sewerage, schools, parks and other public requirements (*i.e. hospitality & recreation*). *In addition, providing support for town organizations, groups and institutions..*
6. To encourage the development of housing and economic diversity *by providing a viable business which brings patrons to town who will support other commercial ventures and town needs.*

Regarding site lighting for this project, AEA has reviewed the Regulations, together with applicable industry standards as outlined by the IESNA (Illuminating Engineering Society of North America). When considering lighting, safety and security were the two most important aspects taken into account by the applicant. AEA provided a lighting plan which balances these goals with regulatory compliance, aesthetics, and sensitivity to the surrounding neighborhood.

The plan proposes lighting for both, parking areas and walkways, including 12' ht. pole, 42" ht. bollard and 24" ht. pathway type, full cut-off, light fixtures. Section 6.09 of the Zoning Regulations states that all exterior lights and sign illumination shall be designed, located, installed and directed in such a manner as to:

- a. prevent direct glare or light trespass;
- b. employ soft, transitional light levels which are consistent from area to area;
- c. minimize contrast between light sources, lit areas and dark surroundings; and
- d. be confined within the target area.

In addition to providing full cut-off fixtures, as required, both the pole and bollard lights will include motion activated sensors. This will allow both fixtures to dim to 20% power when not active and will dramatically reduce the amount of light on the property. In addition, a photometric plan for each fixture (indicating foot-candle (fc) contours) is included in the plan set, confirming that, even at full power, there will be no light trespass beyond the property lines.

In addition to complying with the Zoning Regulations, the applicant has complied with applicable IESNA standards. The spacing of the fixtures ensures that there will be consistent light levels for transition between areas, avoiding contrast between light and dark surroundings. Moreover, in addition to being full cut-off fixtures, the pathway lights, located immediately behind the building, will be completely screened from the surrounding neighborhood.

To summarize, the plan as revised meets all applicable requirements set forth in the Norfolk Zoning Regulations with regards to proposed structures, setbacks, parking, circulation, lighting, landscaping, grading, drainage, utilities, fire safety and building codes, while taking into consideration the surrounding neighborhood. By maintaining and enhancing the significant history of the property we feel this application to be a positive addition to the neighborhood, surrounding community and town. The plans are in alignment with Norfolk's POCD by providing a much needed boost to the local economy and encouraging recreational and nature-centric based tourism to the center of town.

cc: Chris Schaut, Planning & Zoning Commission Chair  
Andrea Gomes, Esq., Hinckley Allen  
Rachel Roth, Three Stewards Real Estate, LLC

4



**Allied Engineering Assoc., Inc.**

95 Main Street 3<sup>rd</sup> Floor – East

P.O. Box 726

North Canaan, CT 06018

860-824-1400

860-824-1401 fax

[aea.george@gmail.com](mailto:aea.george@gmail.com)

Our Job #1075

March 18, 2024  
Town of Norfolk, CT  
Planning and Zoning Commission  
19 Maple Ave.  
Norfolk, CT 06058

RE: Manor House Inn

Dear Commissioners,

At the last Planning and Zoning Meeting, comments were introduced by the opponents of the project from an engineer in Terryville, CT. Although, we are only required to respond to requests for information from the Commission and staff, we will respond to this letter.

I will respond with the same numbers used in the original letter.

**Wetlands**

1. While irrelevant to the Planning and Zoning Commission's evaluation of the pending zoning application, it has been clarified several times that the wetlands were flagged in the field by Scott Stevens from Soil Science and Environmental Services in 2022. Scott is the registered professional soil scientist for the firm and has worked with his father (who started the firm in 1978) at the firm since 1987. A report was also submitted to the town.
2. The wetlands have been shown on the plan from the beginning. We received the base drawing, showing the wetlands delineated, in AutoCAD format from Cardinal Engineering who did an A-2, T-2 survey of the property for the owner.

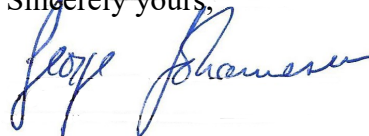
**Drainage Design/Report**

1. The drainage report is complete. It complies with the applicable Zoning Regulations and provides all information required for the Commission and staff to confirm the same. That being said, the applicant will submit under separate cover additional information for the Commission's and staff's review. In addition, the applicant offers the following:

- The existing and proposed drainage areas are shown on the plans.
  - We do not typically include hydrographs in our submissions for projects of this size because they are highly-technical and lengthy. We do, of course, produce them upon the Commission's or staff's request. The hydrographs will be submitted under separate cover for the Commission's reference.
  - We did not provide storm sewer calculations for the storm sewer system because the smallest pipe in either of the drainage areas they are in, at the lowest slope (1%) can handle all the flow in the entire affiliated drainage area for the 100 year storm event.
  - Outlet protection calculations for rip rap size will be submitted under separate cover.
  - Water Quality calculations for the rain gardens will be submitted under separate cover.
2. The soils report shows that these soils are moderately well to well drained soils, which are appropriate for a rain garden.
  3. Percolation tests are normally done when a septic system is proposed. Here, the applicant will continue using public sewer as it does today.

In my experience, these items are not normally required for a project this small, unless an outside consultant is hired and asks for them. Let me know if you have any questions or comments.

Sincerely yours,

A handwritten signature in blue ink that reads "George Johannesen". The signature is written in a cursive style with a large initial "G".

George Johannesen



**5**

1996 WL 521177

Only the Westlaw citation is currently available.

UNPUBLISHED OPINION. CHECK  
COURT RULES BEFORE CITING.

Superior Court of Connecticut.

Eugene BILIK et al.

v.

ZONING BOARD OF THE  
CITY OF STAMFORD et al.

Nos. CV 950143334S, CV 950143335S.

I

Sept. 4, 1996.

#### MEMORANDUM OF DECISION

DANDREA.

\*1 These two cases involve issues of the constitutionality of an amendment to the Stamford Zoning Regulations and the validity of a related site plan approval. The first, D.N. CV95 0143334, is a declaratory judgment (the “Declaratory Judgment” action) seeking a ruling that an amendment to the Stamford Zoning Regulations enacted by the defendant zoning board is invalid because it is unconstitutionally vague and without appropriate standards. The second, D.N. CV95 0143335, is an appeal (“Site Plan Appeal”) from the said defendant's approval of a certain site plan application. The two cases were consolidated for trial and heard together by the court.

In addition to the Stamford Zoning Board, other defendants are IMRS, Inc., and Richard W. Redness, the applicants in both the zoning amendment and site plan applications. The plaintiffs are the owners of property which abuts the property affected by both applications and they are found to be statutorily aggrieved.

The defendant IMRS, Inc., is the owner of more than 38 contiguous acres of commercially zoned land on the west side of Long Ridge Road in Stamford. The defendant Richard W. Redness is a land planning consultant who joined with IMRS in the applications to the defendant Zoning Board. The plaintiffs own residential property (their own residence) abutting the IMRS property on the west. <sup>1</sup>

The subject of these cases is a two story office building on the defendants' property to which the defendants desired to add an additional two stories. Existing zoning regulations permit three and one-half stories in this C-D Designed Commercial District. <sup>2</sup>

The defendants submitted an application to the Board for an amendment to Section 9,B-5(d) of the Regulations. <sup>3</sup> The defendants also submitted an application for site plan approval, pursuant to Section 7.2 of the regulations, for the two additional floors. The two applications were heard together on the evening of January 4, 1995. On the same evening the Board enacted the zoning amendment <sup>4</sup> and granted the site plan application pursuant to the new regulation.

In the Declaratory Judgment action, the plaintiffs allege that in approving the application the board acted illegally, arbitrarily and in abuse of the discretion vested in it, in that the amendment is unconstitutional and otherwise invalid. The plaintiff also contends that the Board abused its discretion in approving the site plan application because (a) the plan was approved prior to the effective date of the new regulation, and (b) there was insufficient evidence of appropriate screening as required by the amendment.

#### THE DECLARATORY JUDGMENT

On its 38 acre site on Long Ridge Road the defendants are entitled to build, under applicable C-D Designed Commercial District regulations a three and one-half story building. Because they wanted to add two floors to their existing two story building, the defendants filed an application which would permit a four story building on this property. The Board, after public hearing at which the plaintiffs were heard in opposition, approved the application with a slight change in language (see footnote 4). The amendment permits a building to be built in the district to a height of four stories, provided the structures are set back at least four hundred feet from the road, “*are appropriately screened from adjacent residentially zoned land by landscaped treatment and topography, as determined by the zoning board,*” shall not result in a floor area ratio (FAR) exceeding 0.4, and the area of the roof covered by mechanical equipment or penthouses shall not exceed 10 percent.

\*2 It was established at the hearing that the property of the defendants slopes upward from Long Ridge Road to a sharp precipice at its westerly boundary which abuts the property of the plaintiffs; that the defendants' building is a 160 feet from the western property line, that the plaintiffs house is approximately 570 feet from the defendants' building; that the ground floor of the plaintiff's residence is at an elevation of 246 feet and the top of the defendant's proposed addition is at an elevation of 232 feet at its highest point; that the approval requires the defendants to plant some 85 six foot trees as "in-fill" to existing 20 foot trees; that because of the difference in elevation said conifer trees will appear from the plaintiffs' residence to be of greater height; that the building would contain glass walls on its westerly side (facing the plaintiffs); that the "footprint" of the building would remain virtually the same; that because of the topography the building would be four stories to the east but only three stories to the west facing the plaintiffs; and that all other requirements of the regulations are met.

The plaintiffs find fault with the amended regulation in the use of the word "appropriate screening," contending that the board has enacted an ordinance which is impermissibly vague because it does not allow one to know what standards the board will use in applying that requirement and thus does not sufficiently apprise anyone (a developer or the general public) of how land can be used. Plaintiffs claim this to be a defect which violates principles of due process because it "substitutes *pure discretion* for the type of discretion that should have been controlled by a *fixed constitutional standard*."

It is important to note that this court (Lewis, J.) has in this very case held, in denying a temporary injunction to the plaintiffs, that the amendment is constitutional.<sup>5</sup> Therefore, the initial inquiry is whether this decision constitutes the law of the case by which the court should now be bound.

"The law of the case ... is a flexible principle of many facets adaptable to the exigencies of the different situations in which it may be invoked ... In essence, it expresses the practice of judges generally to refuse to reopen what has been decided and is not a limitation of their power ... A judge should hesitate to change his own rulings in a case and should be even more reluctant to overrule those of another judge ... Nevertheless, if the case comes before him regularly and he becomes convinced that the view of the law previously applied ... was clearly erroneous and would work a manifest injustice if followed, he may apply his own judgment."

*State v. Arena*, 235 Conn. 67, 80 (1995). "[W]here a matter has been previously decided in an interlocutory ruling, the court in a subsequent proceeding in the case may treat that decision as the law of the case, if he is of the opinion that the issue was correctly decided, in the absence of some new or overriding circumstance. *Breen v. Phelps*, 186 Conn. 86, 99, 439 A.2d 1066 (1982); *State v. Hoffer*, 174 Conn. 452, 462-63, 389 A.2d 1257 (1978). There is no question that Judge Lewis' decision was an interlocutory order. "... [A]n order granting or denying a temporary injunction is considered interlocutory and therefore is not an appealable final judgment." *Southington v. Pierce*, 29 Conn.App. 716, 720, 617 A.2d 929 (1992); *Ebenstein & Ebenstein, P.C. v. Smith Thibault Corporation*, 20 Conn.App. 23, 25, 563 A.2d 1044 (1989). Of course, "[A]ccording to the generally accepted view, one judge may, in a proper case, vacate, modify or depart from an interlocutory order or ruling of another judge in the same case, upon a question of law." *Breen v. Phelps*, *supra*, 186 Conn. 98-99. The court agrees with Judge Lewis' determination that the contested amendment is, for the reasons set forth therein, constitutional, and thus declares it to be the law of the case. Nevertheless, the court is moved to expound further on the reason for this ruling.

\*3 The plaintiffs have made a facial attack upon the validity of the amendment in question. "Whether specific regulations meet the test of a constitutional exercise of the police power must be determined in the light of the circumstances shown to exist in a particular case." *Helbig v. Zoning Commission*, 185 Conn. 294, 304-05, 440 A.2d 940 (1981); *Teuscher v. Zoning Board of Appeals*, 154 Conn.App. 650, 659, 228 A.2d 518 (1967). When a question of constitutionality is raised, the court presumes the validity and sustains the legislation unless it clearly violates constitutional principles. *Teuscher v. Zoning Board of Appeals*, *id.*, 659. The plaintiff has the burden of overcoming this presumption and the burden is not a light one. *Helbig v. Zoning Commission*, *supra*, 305; and the invalidity of the legislation on constitutional grounds must be established beyond a reasonable doubt. *Adams v. Rubinow*, 157 Conn. 150, 152, 251 A.2d 49 (1968).

The principle that a statute should be construed so as to give effect to the legislative intent, while keeping in view the object of the statute, is applicable to a zoning ordinance. See, *Stephen Reney Memorial Fund v. Old Saybrook*, 4 Conn.App. 111, 113, 492 A.2d 533 (1985). The object of zoning, primarily, is to promote the health, safety, welfare and prosperity of the community. The obvious intent of the suspect language of the amendment, that structures "... are

appropriately screened from adjacent residentially zoned land by landscaped treatment and topography, as determined by the zoning board” is to protect, as best as possible, residentially zoned properties from the buildings and the activities in abutting commercial zones. “When the statute will serve to further the welfare of the citizens of the state, we must make every intendment in its favor.” *Legat v. Adorno*, 138 Conn. 134, 145, 83 A.2d 185 (1951). Although an ordinance must state its standards with adequate clarity, lack of precision is not, in or of itself, offensive to the requirement of due process. See, *State v. Anonymous*, 179 Conn. 155, 164, 425 A.2d 939 (1979). Indeed, the Stamford Zoning Regulations, Section 7.2 Site Plan Review, sets forth detailed standards to be met in approving a site plan, most of which by necessity call for the zoning board to exercise its discretion. The plaintiffs, being adjacent residential owners, are the precise persons the screening and other limitations of the new amendment were designed to protect. By the provisions of the regulation, fair warning it is also conveyed that the Board will seek to impose screening requirements before an application is granted. A developer is alerted that he had best present a reasonable screening plan, and a neighbor is made aware that he may be heard at public hearing on the appropriateness of such a plan. All are aware that the Board is required to insist on appropriate screening “... by landscaped treatment and topography, as determined by the Zoning Board ...” Precisely what the “landscaped treatment” must be is to be determined by the physical circumstances of each case. Whether screening should be by fences, bushes, stone walls, sound barriers or otherwise cannot be forecast in advance. If one were to attempt to fashion a regulation which seeks to set forth the standards for screening all properties under all circumstances, this court finds, as did Judge Lewis, the task “would be well-nigh impossible.”

\*4 The plaintiffs have not, in challenging the constitutionality of the amendment, sustained their burden of proving that the effect of the challenged ordinance adversely affects a constitutionality protected right they have. This means a right which they have proven they have under the facts of their particular case and not merely under some possible or hypothetical set of facts not proven to exist. *Adams v. Rubinow, supra*, 157, 152-53.<sup>6</sup>

The court finds that the plaintiffs have not proved beyond a reasonable doubt that the contested amendment to Section 9,B-5(d) of the zoning regulations is invalid for vagueness and unconstitutional.

## SITE PLAN APPEAL

The plaintiffs' first attack on the validity of the Site Plan is that it was illegally heard and approved prior to the effective date of the amendment pursuant to which it was sought. The effective date of the amendment was January 19, 1995. However, the effective date of the site plan approved was also January 19, 1995, thus rendering the plaintiffs' argument untenable. In addition, the plaintiffs cite to no authority for the proposition that the approval of the site plan was flawed because the site plan application was *heard* prior to the effective date of the amendment. It is a common practice in this state for zoning agencies to hear requests for zoning changes and site plan approvals or special exception permits together, and to act upon them simultaneously. See, *Tondro Connecticut Land Use Regulation* (2 Ed.), 191, 192.

The plaintiffs next claim that the Board abused its discretion in approving the site plan application because there was insufficient evidence that the screening proposed and approved was “appropriate.” Acting in an administrative capacity in addressing the defendants' site plan application the Board was required to approve it only upon substantial evidence. It has been said that the substantial evidence rule requires enough evidence “to justify, if the trial were to a jury, a refusal to direct a verdict when the conclusion sought to be drawn from it is one of fact for the jury.” *Kauffman v. Zoning Commission*, 232 Conn. 122, 151 (1995). The substantial evidence rule “... imposes an important limitation on the power of the court to overturn a decision of an administrative agency ... and to provide a more restrictive standard of review than standards embodying review of weight of the evidence or clearly erroneous actions ... The United States Supreme Court, in defining substantial evidence in the directed verdict formulation, has said that it is something less than the weight of the evidence, and the possibility of drawing two inconsistent conclusions from the evidence does not prevent an administrative agency's finding from being supported by substantial evidence ...” (Citations omitted; internal quotations marks omitted) *Dolgner v. Alander*, 237 Conn. 272, 281 (1996).

The court finds in this case that the Board had before it substantial evidence to justify the granting of the site plan application. IMRS, the owner of 38 acre situated on Long Ridge Road, in a C-D Designed Commercial District, filed a site plan application to permit it to add to its existing two story office building to a height of four stories, pursuant to

the provisions of the Stamford Zoning Regulations Section 7.2 (Site Plan Review) and Section 9,B-5(d) (as amended). The plaintiffs own the residential property (their residence) which abuts IMRS's property to the west. The property of IMRS slopes upward from Long Ridge Road to a precipice at its westerly boundary; the commercial building on the IMRS property is 160 feet from its own westerly property line, and approximately 570 feet from the plaintiffs' house. The ground floor of the plaintiffs' residence is at an elevation of 246 feet and the top of the defendant's proposed addition will be at an elevation of 232 feet at its highest point. The building coverage is 5.3%, being less than the allowable 12%, and impervious coverage is lower than the permitted 40%, being 23.6%. The "footprint" of the building will remain virtually the same. Because of the topography of the land, the building would be four stories to the east, but only three stories to the west. All other requirements of the regulations are met. The Board heard extensive testimony and had for its review a submission showing existing conditions, a traffic report, architectural plans and elevations, a site plan with lighting, a sediment and erosion control plan with landscaping, and a cross section of the building and the westerly property line.

\*5 The west side of the building would contain glass walls, which the plaintiffs characterized as "a wall of glass." In point in fact, according to evidence presented, a precast concrete panel system will be used on the west side of the building, with strips or panels of glass with a dark bronze tint. The glass is not of a "reflective" variety, but it is smoked glass through which 45% of the interior light is not filtered. IMRS further proposes to use a film coating on the glass.<sup>7</sup> The applicants proposed, and the Board approved, a plan requiring the owner to plant some 85 six foot trees as "in-fill" to existing 20 foot trees. Because of the difference in elevation between the two properties, the conifer trees will appear from the plaintiffs' residence to be of greater height.

From the above evidence, the Board determined that the applicants' property was "appropriately screened from adjacent residentially zoned land by landscaped treatment and topography." The regulation does not compel the Board to require screening from the plaintiffs' boundary line, or any other specific point on the plaintiff's land. Rather, the Board is charged with a duty to screen the commercial use from the residential property "appropriately." Just what needs to be screened is to be determined by the Board according to the circumstances of each case. For example, a dwelling house may not need to be screened, while other areas of the property

such as a recreational area (e.g., a swimming pool), in the exercise of discretion, might well demand screening from the commercial property.

In this case, the plaintiffs have erroneously taken the phrase "appropriate screening" to mean that the commercial property must be rendered invisible to the plaintiffs. Indeed, the defendants argued before the Board that the extensive screening and the topography would result in the defendants' building being virtually blocked from view from the plaintiffs' residence. However, the regulation does not suggest, nor was the Board required to find that the defendants' building would be "invisible" from the plaintiffs' house. The Board need only have found that the landscaping and topography was adequate to screen appropriately the defendants' property from that of the plaintiffs. The court finds that the Board's conclusion was based upon substantial evidence and upon an honest judgment reasonably and fairly exercised; that upon the record its conclusions were reasonably and logically reached and with proper motives and valid reasons.

Finally, the plaintiffs claim that the Board abused its discretion in approving the application because it reserved to a future date the determination of appropriate screening from other residential property (the Sclafani property). The plaintiffs here have no standing to raise the issue of appropriate screening of another's property, at least in this case where appropriate screening could not immediately be determined because the subject land was vacant. In fact, the affected neighbor has withdrawn its objection, and the screening plan has since been submitted and is satisfactory to the neighbor and to the Board.

\*6 Other allegations contained in the complaints of the plaintiffs in these cases are not addressed herein because they were not argued or briefed and are deemed abandoned.

The appeals in the Declaratory Judgment action and the Site Plan Appeal are dismissed.

So Ordered.

Dated at Stamford, Connecticut, this 4th of September, 1996.

#### All Citations

Not Reported in A.2d, 1996 WL 521177

---

### Footnotes

- 1 In this decision, the defendants IMRS, Inc. and Richard W. Redness will be referred to as “Defendants.” The defendant Zoning Board of the City of Stamford will be referred to as the “Board.”
- 2 Stamford Zoning Regulations, Section 9.B-5(d).
- 3 Prior to amendment, Section 9,B-5(d) of the Stamford Zoning Regulations read as follows:

Building coverage shall not exceed twelve percent (12%) of the lot area in a C-D Designed Commercial District, and shall not exceed twenty-five percent (25%) in those M-D Designed Industrial Districts described in Subsection B, 1(a), (b), (c), (d) and (e) herein, and no building shall exceed three and one-half (3 1/2) stories in height in a C-D Designed Commercial District or such M-D Designed Industrial District; except that on any lot in a M-D Designed Industrial District, having an area of thirty (30) acres or more, building coverage of not more than fifty percent (50%) of the lot area shall be permitted provided no building erected thereon shall exceed two (2) stones in height. No building shall be located at a distance of less than fifty feet (50') from any street on which the lot fronts nor less than one hundred feet (100') from a property line or from the boundary line of a Residential District. In a M-D Designed Industrial District described in Subsection B, 1(f) herein building coverage, floor area ratio, building height, lot size and front and rear yard space shall be governed by requirements of the M-G General Industrial District as set forth in Appendix B of these Regulations, and in addition side yards shall be provided and shall measure not less than the highest point of the building adjacent to such side yard or twenty feet (20'), whichever is less.
- 4 The language of the amendment actually passed by the Zoning Board was somewhat different than that contained in the application, and reads in relevant part as follows: ... And except that on any lot in a C-D Designed Commercial District having an area of thirty (30) acres or more, four (4) stories in height may at the sole discretion of the Board, be allowed provided that the proposed structures are set back at least 400 feet from the street frontage, the buildings are appropriately screened from adjacent residentially zoned land by landscaped treatment and topography, as determined by the Zoning Board, the net usable floor area as defined in Section C above shall not result in a floor area ratio (FAR) exceeding 0.4, and the area of the roof covered with mechanical penthouses and/or equipment shall not exceed 10%.
- 5 The plaintiffs had sought a temporary injunction to enjoin the defendants from constructing its addition until the conclusion of the case. The constitutionality of the amendment was briefed and argued, and in a written memorandum of decision Judge Lewis denied the temporary injunction.
- 6 See, *infra*, “Site Plan Appeal,” for the court's discussion of the factors addressed by the Board in determining the appropriate screening that would protect the plaintiffs.
- 7 The plaintiffs greatest concern in opposition to the application seemed to be that sun light, at certain hours, would reflect toward their residence, and that they also would be disturbed by their view of the interior lighting. They also complained about existing outdoor lighting which the applicants agreed to turn and thus direct away from the plaintiffs' property.

6

