

**PLANNING AND ZONING COMMISSION  
ADOPTED RESOLUTION  
July 24, 2018**

**Application Number: Site Plan Application #301, Special Permit Application #301, Land Filling & Regrading Application #433**

**Street Address: 560 Middlesex Road  
Assessor's Map #6 Lot #149-B**

**Name and Address of Applicant & Property Owner: Town of Darien  
2 Renshaw Road  
Darien, CT 06820**

**Name and Address of Applicant's Representative: Jayme J. Stevenson, First Selectman  
Town of Darien  
2 Renshaw Road  
Darien, CT 06820**

**Activity Being Applied For: Proposal to construct/install two parking areas composed of porous asphalt and gravel, an approximately 0.5+/- mile stone chip pedestrian walking/jogging pathway, single story storage shed, and a portable bathroom at 560 Middlesex Road; including construction of a stormwater management system, minor regrading of the property, and installation of ancillary signage and fencing and to perform related site development activities. Proposal to utilize the property for programmed/active and passive recreational uses and activities as well as periodic special events with restrictions on use.**

**Subject Property: The 16.296+/- acre subject property is situated on the south and east side of Middlesex Road approximately 300 feet west of its intersection with Mansfield Avenue (Connecticut Route 124).**

**Zone: R-2**

**Date of Public Hearing: June 19, 2018  
Deliberations held: July 17, 2018**

**Time and Place: 7:30 p.m. Auditorium Darien Town Hall**

**Publication of Hearing Notices  
Dates: June 7 & 14, 2018 Newspaper: Darien Times**

**Date of Action: July 24, 2018 Action: APPROVED WITH CONDITIONS**

**Scheduled Date of Publication of Action: Newspaper: Darien Times  
August 2, 2018**

**The Commission has conducted its review and findings on the bases that:**

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- the proposed use and activities must comply with all applicable provisions of Sections 400, 850, 880, 940, 1000 and 1020 of the Darien Zoning Regulations for the Commission to approve this project.

- the size, nature, and intensity of the proposed use and activities are described in detail in the application, the submitted plans, and the statements of the applicant whose testimony is contained in the record of the public hearing, all of which material is incorporated by reference.

Each member of the Commission voting on this matter is personally acquainted with the site and its immediate environs.

Following careful review of the submitted application materials and related analyses, the Commission finds:

1. On April 23, 2012 the Town entered into a tax settlement agreement with the Ox Ridge Hunt Club, putting in place a 30-year open-space deed restriction and a 40-year Right of First Refusal for the benefit of the Town if any portion of the Hunt Club property was sold or leased.
2. On January 24, 2017, the Ox Ridge Hunt Club and the Town of Darien received approval from the Planning & Zoning Commission, as part of Subdivision Application #619, to divide the 36.915+/- acre Ox Ridge Hunt Club property into two lots, with the northern lot of 16.296+/- acres being purchased by the Town of Darien (the subject property). The Commission finds that the subject property, as evidenced by two areas with eroded paving, has two informal parking areas that can be accessed through three existing gates from Middlesex Road.
3. The Commission finds that the permitted uses of the subject property under the modified Open Space Deed Restriction, negotiated as part of the purchase of the property from the Ox Ridge Hunt Club include the following:
  - All current uses;
  - Passive recreation, including but not limited to picnicking walking trails, and hiking;
  - Natural grass athletic fields;
  - Irrigation, septic, sewer and drainage systems;
  - Grading and filling reasonably necessary;
  - Parking as required by Special Permit use;
  - Temporary, removable seating;
  - One (1) building limited to one story and 1,000 square feet for use as public restrooms, storage, and a possible concession stand;
  - Other uses agreeable to the Town and the Ox Ridge Riding and Racquet Club;
  - The Ox Ridge Riding and Racquet Club may use the transferred property for one week each June for the annual Ox Ridge Charity Horse Show and at other times upon mutual agreement that do not interfere with Town use.

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4. The applicant proposes to refurbish and expand two existing parking areas composed of porous asphalt and gravel. The applicant also proposes to construct a 0.5+/- mile stone chip pedestrian walking/jogging pathway, and locate a single story storage shed, and a portable bathroom at 560 Middlesex Road; including construction of a stormwater management system, minor regrading of the property, and installation of ancillary signage and fencing and to perform related site development activities. Proposal to utilize the property for programmed/active and passive recreational uses and activities as well as periodic special events with restrictions on use.
5. The Commission finds that the proposed modifications to the property are limited and the planned activities are envisioned to fit the land as it exists today.
6. The subject property is located in the One-Family Residential – 2 Acre Zone (R-2). Section 404(d) of the residential zoning regulations allows for “social and recreational uses serving a community need or convenience” while Section 404(e) allows for “municipal uses of the Town of Darien intended to meet the needs of the local community.” The Commission finds that the proposed improvements and associated uses of Highland Farm qualify as both uses. This property is not considered a dedicated parkland.

#### OTHER APPROVALS

7. The Board of Selectmen approved the proposed uses of the subject property on January 29, 2018, and directed the First Selectman and Town Administrator to take such steps as necessary to apply for a Special Permit from the Planning & Zoning Commission to allow the uses. These uses are outlined below under ‘Proposed Uses of the Property’.
8. The Architectural Review Board (ARB) reviewed the proposed storage shed at their April 17, 2018 meeting. The ARB issued a favorable report in a letter dated April 20, 2018.

#### IMPROVEMENTS TO THE PROPERTY

9. The Town of Darien is proposing to use the existing lawn for both active and passive recreational activities. A designated field area is located in the general proximity of center of the property in order to take advantage of the site’s existing flat topography.
10. A 0.5+/- mile stone chip walking path is proposed around the property to provide accessible access to the fields and a walking, jogging, or rolling trail for visitors.
11. A gravel area is proposed to house a portable bathroom and a prefabricated 240+/- square foot equipment shed. The 12’ x 20’ Dutch barn style storage shed will house maintenance equipment and materials in addition to Town Parks & Recreation equipment to be used on-site. As recommended by the Architectural Review Board, the color of the shed is proposed to align with the Ox Ridge Riding and Racquet Club color scheme. Opaque, wooden fencing is proposed along the south and southeastern side of the gravel area to provide screening for the portable bathroom for adjoining property owners, passersby, and visitors to the site.

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12. A variety of site furniture is proposed to be located on the site including, but not limited to trash and recycling receptacles, doggie bag dispensers and disposal receptacles, benches and tables, and other similar items.
13. Wooden paddock fencing, with black wire mesh, similar in character to that used on the Ox Ridge Riding and Racquet Club property, is proposed along the shared property line with the Club (the southern property line).

**TRAFFIC AND PARKING**

14. Two separate parking areas are proposed that consist of porous asphalt drive aisles and unmarked gravel parking stalls. A total of 92 formal parking spaces are provided between two parking areas. Both parking areas feature one-way traffic circulation to prevent dead-end conditions and to allow for narrower parking lots and their entrance and exit drives. Surrounding the perimeter of each parking area is a post and chain fence. The fencing will be equipped with detachable chains at each end of the drive aisles to allow for overflow parking for approximately 150 vehicles on the grass during large events.
15. The Commission finds that traffic generation for the site will be largely dictated by the schedule of games and other programmed activities. As noted by the applicant's traffic consultant and the Commission's peer review traffic consultant, traffic generation and potential impacts to area roadways can be limited if start and finish times for the games and other programmed activities are separated by at least 30 minutes. Although there may be the same level of traffic entering and exiting the two parking areas, the actual impact with at least 30 minutes of separation between programmed activities would minimize traffic congestion.
16. The Commission acknowledges that appropriate ancillary signage is proposed and may be installed within each of the two parking areas to facilitate traffic circulation in addition to providing site identification and posted Town rules.
17. The Commission finds that traffic on Middlesex Road and at the site access drives to Middlesex Road will operate at acceptable levels of service during peak hours, and therefore, mitigation is not necessary to accommodate the increase in traffic due to the proposed uses of the property.
18. Based on June 4, 2018 comments on the proposal from Nancy Herling, EMT, Director of Darien EMS-Post 53 and comments from Chief Ron Riolo of the Noroton Heights Fire Department, the Commission finds that the project would not adversely affect response times of the first responders within the area.
19. The Commission believes that the property will have sufficient parking capacity through a combination of regular (92 parking spaces) and overflow parking areas (approximately 150 parking spaces). The Commission finds that the total of 92 parking spaces within the two proposed parking areas is an appropriate size to accommodate the anticipated parking demand for public access and programmed activities at the site.

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20. The Commission acknowledges that for many years, the Ox Ridge Riding and Racquet Club has used the subject property (which was previously owned by the Club) for equestrian activities, sporting events, non-for-profit events, and overflow parking for large events such as the June horse show. The Board of Selectmen has authorized the Club to continue such arrangements into the future for the annual June horse show.

**LANDSCAPING & VISUAL IMPACTS**

21. The existing landscaping on-site consists of mowed lawn surrounded by a rock wall and perimeter trees which will be largely preserved as part of this application.
22. As part of the recent Special Permit/Site Plan approval for the Ox Ridge Riding and Racquet Club, the Club was required to plant a minimum of twelve (12) six foot high arborvitae and/or other evergreen trees along their northern property line shared with the Town of Darien. The Commission finds that these plantings are sufficient to effectively screen activities between the town-owned property and the Club.
23. Along the easterly property boundary, an area of meadow is proposed to provide visual and ecological interest. Additionally, within the 25-foot wide landscape buffer between the parking areas and the roads, in addition to the existing rock wall and trees, selective plantings of shrubs and smaller trees are proposed to soften the view of the parking areas without obstructing the scenic view of the property.

**STORMWATER MANAGEMENT**

24. A Drainage Summary Report and Operations and Maintenance Plan dated April 10, 2018 and last revised May 23, 2018 for the existing and proposed stormwater features installed on the site was prepared and submitted by Redniss & Mead. That report was peer reviewed by Professional Engineer Joe Canas of Tighe & Bond. The Commission finds that the proposed stormwater management system will provide zero increases in the predevelopment peak runoff rates through the use of two crushed stone reservoirs located below the porous asphalt drive aisles in the parking areas. The proposed reservoirs in addition to treating water quantity will treat water quality for the runoff volume associated with the first inch of rainfall.
25. The Commission finds that the proposed stormwater control measures, including short-term erosion controls to be implemented prior to and during construction, and long-term sediment removal from stormwater runoff following the completion of the project will serve to sufficiently mitigate water quality impacts.
26. The Commission finds that there will be no adverse impacts on any neighboring properties from stormwater runoff.

**LAND FILLING & REGRADING**

27. The applicant has indicated that the slope that is adjacent to the drainage gully alongside the former sand ring will be regraded and all re-grading associated with maintenance of the field will be limited to less than six inches of grade change.

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**SCHEDULE & PHASING**

28. The Commission finds that the completion of improvements is dependent on available funding the Town's budget process/cycle. Proposed improvements will be constructed in phases, potentially over a period of years. Initial phases could include establishing curb cuts and demarcating temporary parking areas to allow for public access to the property. Phasing may result in the staggering of the construction of one permanent parking area ahead of the other

**PROPOSED USES OF THE PROPERTY**

29. The applicant proposes the following uses of the property with respect to public access, programmed activities, and special events as approved by the Board of Selectmen:

**A. Public Access**

1. From dawn to dusk, seven days per week, 365 days per year:
  - a. However, dogs shall be allowed on-leash only.

**B. Programmed Activity**

1. Months of September through March:
  - a. Monday through Friday – 7:00 a.m. to 10:00 a.m. and 3:00 p.m. until dusk (no programmed activities between 11:00 a.m. and 3:00 p.m.)
  - b. Saturdays – 9:00 a.m. to the earlier of 6:00 p.m. or dusk.
  - c. Sundays – 12:00 p.m. to the earlier of 6:00 p.m. or dusk.
2. Months of April through August:
  - a. Monday through Friday – 7:00 a.m. to 6:00 p.m.
  - b. Saturday – 9:00 a.m. to 6:00 p.m.
  - c. Sunday – 12:00 p.m. to 6:00 p.m.

**C. Special Events**

1. Ten (10) Town sponsored special events and five (5) non-profit sponsored special events per year:
  - a. Daytime events beginning after 9:00 a.m. with setup no earlier than 8:00 a.m.
  - b. Evening events concluding by 10:00 p.m. with cleanup concluding by 11:00 p.m.
  - c. Non-profit sponsored special events to comply with the rules and regulations set by the Town Parks & Recreation Department.

30. The Commission acknowledges that the Board of Selectmen approved the proposed uses of the subject property on January 29, 2018, and directed the First Selectman and Town Administrator to take such steps as necessary to apply for a Special Permit from the Planning & Zoning Commission to allow the uses.

**PUBLIC COMMENTS RECEIVED**

31. During the public hearing on June 19, 2018 and via email, the Planning & Zoning Commission heard from a number of Darien residents regarding concerns about the proposed use and intensity of use of the property. The Commission acknowledges such comments and finds that the improvements and uses of the property being proposed by the applicant, as conditioned

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herein, constitute a reasonable use of the property for the benefit of residents of Darien as a whole. The Commission finds that the conditions of this approval are reflective of comments and concerns heard by the Commission at the public hearing on June 19, as well as comments received by the general public via e-mails and letters submitted for the record during the public hearing process.

32. Many comments received were related to preserving the 'look and feel' of the subject property, allowing for programmed activities, adjusting the amount of parking, traffic, and regulating programmed activities and events. At the public hearing it was noted that the relocation of the proposed driveway, storage shed, and portable bathroom on the west side of the site, opposite of the Andrews Cemetery, would likely require the removal of several mature trees along the site's frontage with Middlesex Road.

**SPECIAL PERMIT FINDINGS**

33. The site plan has been reviewed by the Commission and is in general compliance with the intent and purposes of Section 1000.
34. The location and size of the use and the nature and intensity of the proposed operation conforms to the applicable requirements of Section 1005 (a-g) and will not adversely affect public health, safety and welfare. The proposal conforms to the standards for approval as specified in Section 1005 (a) through (g) of the Darien Zoning Regulations.
35. The design, location, and specific details of the proposed use and site development will not adversely affect safety in the streets nor increase traffic congestion in the area, nor will they interfere with the patterns of highway circulation in such a manner as to create or augment unsafe traffic conditions between adjoining developments and the district as a whole.

**NOW THEREFORE BE IT RESOLVED** that Site Plan Application #301, Special Permit Application #301, and Land Filling & Regrading Application #433 are hereby approved subject to the foregoing and following stipulations, modifications and understandings:

- A. Construction and other site development activity shall be in accordance with the following plans as required to be modified herein:

**ENGINEERING PLANS**

Plans generally entitled '560 Middlesex Road, Darien, CT' prepared for the Town of Darien by Redniss & Mead, dated April 10, 2018, last revised May 23, 2018:

- Sheet SV-1, Aerial Vicinity Exhibit;
- Sheet SV-2, Topographic Vicinity Exhibit;
- Sheet SE-1, Site Development Plan;
- Sheet SE-2, Sedimentation & Erosion Control Plan;
- Sheet SE-3, Notes & Details;
- Sheet SE-4, Details;
- Sheet SE-5, Images of Details;

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- Sheet SE-6, Porous Parking Sections;
- Sheet EXH-1, Coverage Comparison;
- Sheet EXH-2, Slope Exhibit.

The proposed landscaping and plantings for the site are shown on the submitted Site Development Plan referenced above. A standalone 'landscape plan' was not submitted by the applicant.

- B. During the site work, the property owner shall utilize the sediment and erosion controls illustrated on the submitted plan referred to in Condition 'A' above, and any additional measures as may be necessary due to site conditions, including tree protection as may be necessary. Those sediment and erosion controls shall be installed to minimize any adverse impacts during site work and until the area has been revegetated or restabilized. The Planning and Zoning Department shall be notified prior to commencement of work and after the sedimentation and erosion controls are in place. The staff will inspect the erosion controls to make sure that they are sufficient and are as per the approved plans, and as needed by site conditions. All erosion control measures must be maintained until the disturbed areas are stabilized.
- C. Because of the nature of the proposal, the Commission hereby waives the requirement for a Performance Bond.
- D. The proposed portable bathroom(s) shall be placed on-site on an as-needed basis at the sole discretion of the Park and Recreation Department, based upon programming needs. A portable bathroom(s) shall be on-site for all special events, only be placed seasonally on the site between the months of April and November.
- E. The Commission hereby allows the proposed storage shed, portable bathroom, and associated fence/screen and gravel pad to be located anywhere, directly adjacent and along the eastern side of the parking lot in the southwest corner of the property.

#### TRAFFIC & PARKING

- F. The overflow parking areas shall remain closed except for special events and the annual June horse show.
- G. Special events will be scheduled by the Parks & Recreation Department with consideration given to available parking provided on the site.
- H. Because of the limited shoulder widths along Middlesex Road in the vicinity of the site and the visual impact on surrounding properties, no on-street parking adjacent to the property shall be permitted. If required by the Local Traffic Authority, 'No Parking' signs may be installed on the south side of Middlesex Road, generally between Middlesex Road/Ox Ridge Lane and Mansfield Avenue and along the easterly side of Middlesex Road along the site frontage and south of the Ox Ridge Lane intersection.



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- I. The placement of traffic control signage in the direct vicinity of the site shall be at the discretion of the Local Traffic Authority.
- J. Equestrian and vehicular access shall be maintained between the subject property and the Ox Ridge Riding and Racquet Club, through two gates in the proposed fence along the southern property line.

**LANDSCAPING & BUFFERING**

- K. Two locking gates shall be included in the proposed paddock fencing along the shared property line to the south to maintain equestrian and vehicular access between the subject property and the Ox Ridge Riding and Racquet Club. Opaque wire fencing or a similar application shall be placed between or behind the rails to prevent, children, pets, balls or other objects from passing onto the Ox Ridge Riding and Racquet Club property.
- L. The Commission hereby waives the requirements of Section 944 of the Regulations that would otherwise require a 25-foot wide buffer area along and within the boundaries of the subject property, buffering adjacent residential properties from activities on the site. This waiver allows for the views of the site and field to be preserved from Middlesex Road and the adjoining residential properties as expressly desired by many neighbors at the public hearing. The existing trees and rock wall along Middlesex Road shall remain to the greatest extent possible, and shall only be removed to improve sight lines and/or allow access. A tree may be removed in the case where it is dead, dying or diseased.
- M. The Commission requires that plantings be placed within the 50 foot buffer from Middlesex Road, directly adjacent to the proposed parking areas, as noted on the approved Site Development Plan. These plantings, in conjunction with the existing rock wall, shall assist in minimizing visual impacts and screening of vehicles within the two proposed parking areas from neighboring residential properties on Middlesex Road. The Commission acknowledges that the purpose of this screening is to soften the view of the parking areas, but not to screen the desired vistas of the property.
- N. All landscaping planted and shown on the Site Development Plan shall be maintained in a vigorous growing condition throughout the duration of the use of subject property. Any plants not so maintained shall be replaced with new plants at the beginning of the next immediately following growing season.

**SCHEDULE & PHASING**

- O. The Town may allow access and usage of the site prior to the construction of one or both of the proposed permanent parking areas for daily public access and special events. The temporary parking shall use the existing curb cuts. Temporary demarcation (e.g., boulders, telephone poles, etc.) shall be provided for the temporary parking area(s), prior to any special events occurring at the site.
- P. The Town shall not schedule any programmed activities at the site until at least one of the two proposed permanent parking areas is marked out with temporary fencing. Both permanent

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parking areas shown on the approved plans shall be fully constructed by July 24, 2023.

- Q. The proposed fencing along the property line with the Ox Ridge Riding and Racquet Club shall be installed and a portable toilet shall be located on the property before any programmed activities and special events occur at the site.
- Q. All aspects of this proposal shall be installed/completed on the site with three (3) five (5) years of this action, by July 24, 2021-2023.

#### USAGE/ACTIVITIES LIMITS

- R. The Planning & Zoning Commission hereby permits the following activities to occur on the site subject to the conditions noted. This includes some modifications to the Town's proposal. One such modification is a reduction in the number of special events annually.

##### Public Access.

1. Public access to the property shall be permitted from dawn until dusk, seven days per week, 365 days per year for any activities outside those defined as programmed activities and special events.
2. Dogs shall be permitted on leash only.

##### Programmed Activities.

1. Programmed activities shall be permitted as proposed by the Board of Selectmen as follows:

###### Months of September through March

- a. Monday through Friday – 7:00 a.m. to 10:00 a.m. and 3:00 p.m. until dusk
- b. Saturdays – 9:00 a.m. to the earlier of 6:00 p.m. or dusk.
- c. Sundays – 12:00 p.m. to the earlier of 6:00 p.m. or dusk.
- d. No programmed activities shall occur on the site between 10:00 a.m. and 3:00 p.m. Monday through Friday.

###### Months of April through August

- a. Monday through Friday – 7:00 a.m. to 6:00 p.m.
  - b. Saturday – 9:00 a.m. to 6:00 p.m.
  - c. Sunday – 12:00 p.m. to 6:00 p.m.
2. All programmed activities shall be coordinated and scheduled through the Town Parks & Recreation Department.
  3. A minimum of thirty (30) minutes shall be scheduled between multiple programmed activities occurring at once, at which 30 or more participants in any one program have been registered or are expected to attend. This 30 minute break will allow participants/spectators/visitors for one particular programmed activity to leave the site prior to the arrival of individuals for the next scheduled programmed activity, thus freeing up parking spaces in the parking areas and reducing potential traffic impacts on area roadways, particularly Middlesex Road.

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4. Parking demand associated with programmed activities and public access shall not exceed the number of proposed permanent parking spaces (not to exceed 92 spaces). This means the use of overflow parking areas shall not be permitted for programmed activities in order to properly manage the intensity of use at the property.
5. No amplified announcements or music shall be permitted in connection with programmed activities on the site.

**Special Events.**

1. A special event shall be defined as a planned gathering where more than 92 vehicles will be parked. Except for the Ox Ridge Horse Show, no more than 240 vehicles shall be parked on-site at any one time. This is the area within 120 feet of Middlesex Road, shown as "Area Available for Overflow Parking" on Sheet SE-1 of the approved plans, of more than 100 but not more than 300 individuals for a special event/purpose.
2. Town and/or non-profit sponsored gatherings of less than 100 individuals shall be considered programmed activities as conditioned by this approval.
3. Special events shall be limited to a maximum of eight (8) annual Town sponsored and/or non-profit sponsored special events.
4. The June charity horse show, sponsored by the Ox Ridge Riding and Racquet Club, which has and will continue to operate on a portion of the subject property (as permitted by the Board of Selectmen), shall not count towards the eight annual special events permitted on the site.
5. Where reasonably practicable, the Commission encourages special events to be scheduled on Fridays and Saturdays.
6. Special events shall conclude by 10 p.m. on Fridays and Saturdays and by 8 p.m. Mondays through Thursdays and on Sundays.
7. Setup and breakdown for such special events may occur within two (2) days of the event and may not occur before 8 a.m. or after 9 p.m. on weekdays and Sundays or after 11 p.m. on Fridays and Saturdays.
8. Where reasonably practicable, any special events shall occur on the northern half of the property so as to avoid conflicts with equestrian activities at Ox Ridge Riding and Racquet Club.
9. All special events shall comply with all applicable rules and regulations set by the Town Parks & Recreation Department.
10. No programmed activities or special events shall occur during the annual June Ox Ridge Riding and Racquet Club horse show.
11. The Commission strongly encourages the applicant to coordinate all special events with the Ox Ridge Riding & Racquet Club so as to avoid conflicts with horse shows, tournaments and other events that have been planned for and are occurring at the Club.
12. The applicant shall not schedule any special events at the same time as special events are scheduled at the Ox Ridge Riding and Racquet Club.
13. All special events shall be coordinated and scheduled through the Town Parks & Recreation Department.
14. Each January, the Parks & Recreation Department shall submit to the Planning & Zoning Department a list of scheduled special events, and notify the Department as the event list is

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modified throughout the year. A list of all events for the remainder of 2018 shall be submitted by September 1, 2018.

- S. Any desired modifications by the applicant to these permitted uses, and associated conditions placed on the uses, by the Commission shall require prior review and action by the Planning & Zoning Commission.

**PROHIBITED ACTIVITIES**

T. In order to minimize potential conflicts with equestrian activities occurring on the adjacent Ox Ridge Riding and Racquet Club property to the south, the following activities shall be prohibited on the entire property:

1. Dogs off leash.
2. Hitting golf balls.
3. The flying of objects (e.g. kites, drones, model rockets and airplanes, etc.).

~~4. Amusement attractions or rides.~~

~~5. Fireworks or pyrotechnic displays.~~

The following activities shall be prohibited within 250-300 feet of the shared property line with the Ox Ridge Hunt Club:

a. Amusement attractions or rides. Any amusement attractions or rides may only be placed once a year, for up to two (2) days.

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**CERTIFICATIONS REQUIRED**

- U. The stormwater systems shall be installed at the same time the associated parking areas are constructed on the site. The applicant's project engineer shall provide a certification that the stormwater management (drainage) system is installed in full compliance with the approved plans.
- V. The granting of this Permit does not relieve the applicant of responsibility of complying with all applicable rules, regulations, and codes of other Town, State, or other regulating agencies.
- W. In evaluating this application, the Planning and Zoning Commission has relied on information provided by the applicant. If such information subsequently proves to be false, deceptive, incomplete and/or inaccurate, the Commission reserves the right, after notice and hearing, to modify, suspend, or revoke this permit as it deems appropriate.
- X. This permit shall be subject to the provisions of Sections 858, 1009 and 1028 of the Darien Zoning Regulations, including but not limited to, implementation of the approved plan within three years of this action (July 24, ~~2021~~2023). This will allow for implementation of the various project aspects over multiple years, and may be extended as per Sections 858, 1009 and 1028.

All provisions and details of the plans shall be binding conditions of this action and such approval shall become final upon compliance with these stipulations and the signing of the final documents by the Chairman. A Special Permit form and Notice of Drainage Maintenance Plan shall be filed in the Darien Land Records prior to the start of the work to finalize this approval.

PLANNING AND ZONING COMMISSION  
ADOPTED RESOLUTION  
SITE PLAN APPLICATION #301, SPECIAL PERMIT APPLICATION #301  
LAND FILLING & REGRADING APPLICATION #433  
TOWN OF DARIEN / HIGHLAND FARM, 560 MIDDLESEX ROAD  
JULY 24, 2018  
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