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Lights of Contention

Council may consider the issue of lights-out at SMC

By Sophie Braccini

When should the field go dark? The Moraga Town Council is scheduled to review Saint Mary's College's appeal of a planning commission decision to reduce the number of hours during which the college can illuminate an intramural sports field when it meets at 7 p.m. Feb. 27 in the Joaquin Moraga Intermediate School auditorium. Recent weeks have seen an escalation of the dispute between the college and neighbors who continue to complain about the lights. SMC has retained an attorney to defend its perceived rights. In a letter to the town, Brother President Ron Gallagher stated that the college has abided by all of Moraga's regulations and that while SMC will continue to make every effort to accommodate its neighbors, its first duty is to its students.

The basis for the college's appeal of the planning commission's decision to turn off the lights at 9 p.m. instead of 10 p.m. was first explained in a letter the college sent to Moraga's planning director, which reads in part: "The reduction in hours inhibits the College's ability to provide co-curricular opportunities vital to its educational programs and its mission of serving the mind, body and spirit of all of our students." The letter makes an additional argument that the initial approval never addressed lights, only noise-the college says it has done its best to mitigate light spillage and glare into adjacent neighborhoods.

Two groups of neighbors, residents in the Bluffs and around Fernwood Drive, have joined forces to ask the college to limit what they perceive as a bright and noisy nuisance.

In its March, 2011 approval of the new sports field Moraga's design review board declared that the lights must be turned off at 10 p.m. to reduce the potential for noise from players on the field late at night, but that planning staff could change lights-out to 9 p.m. if residents living near the college complained about the noise.

At the time, nobody foresaw problems with light spillage-the town had no experience with 70-foot-high lights shining brightly near neighboring homes every night of the school year.

Today some residents, although they continue to affirm their love of Saint Mary's, say the lights, and noise, are a serious nuisance.

"The lighted sports field continues to be the source of intrusive noise and light trespass, violating the permit conditions by denying us the peaceful enjoyment of our homes," wrote David Gow, who lives in the Fernwood neighborhood, in a letter to the town. The 20 neighbors who signed that letter have no major concerns about occasional lights and noise that are part of the life of the campus, but they feel that the almost-constant lighting of the new field at night disrupts or degrades their quality of life. Gow adds that not everyone dislikes the noise and the light. "A couple on Fernwood who are Saint Mary's alumni told me that they moved there to see the lights and hear the noise," he said.

Neighbors in the Bluffs are even closer to the campus and began organizing early to ask for mitigation. They would like the town council to deny the appeal. And in a letter to the college transmitted through Dr. Larry Bienati, a Moraga resident and former SMC professor who agreed to try to mediate the dispute, they asked that the design of the system be re-examined on the grounds that the field is currently lit to the level required for broadcasting and that 40 percent less light would be adequate for an intramural field.

In a carefully crafted response, SMC agreed to retain a lighting engineer to re-evaluate the lights but preserved its right to act or not to act. The college also hired Lozano Smith, attorney at law, to defend its legal standing. Its argument is that the initial permit only refers to noise, not light, as possible grounds to restrict the operating hours of the field's lights, and that the planning commission's decision is a violation of the college's vested property rights. When it meets, the council will have three options: deny the appeal and require lights-out at 9 p.m.; approve the appeal and allow the lights to stay on until 10 p.m.; or continue the issue to a future date.

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