Robinson+Cole

JOHN P. CASEY

88 Howard Street, Suite C-1
New London, CT 06320
Main (860) 275-8200
Fax (860) 275-8299
jcasey@rc.com
Direct (860) 275-8359

Also admitted in Rhode Island

RECEIVED
FEB 04 2016
CITY OF NEW LONDON
OFFICE OF DEVELOPMENT & PLANNING

February 1, 2016

Barry M. Levine, Chair
Planning and Zoning Commission
City of New London
City Hall, 2nd Floor
181 State Street
New London, CT

Re: **Zoning Regulation Amendment Application of New London Maritime Society, Inc.**

Dear Chairman Levine and Members of the Commission:

On behalf of our client, New London Maritime Society, Inc., ("NLMS") I submit the enclosed application for Zoning Regulation amendments that would allow, by special permit, a new use in the R-1 and R-1A zoning districts, Events and Tours for Historic Property Preservation. The proposed amendments outline conditions under which such a use could be permitted. This application would also amend the sign regulations to include a "Historic Property" as a type of use allowed certain signs. The application would also amend certain parking regulation standards, in recognition of the site constraints and existing conditions that exist for a Historic Property subject to special permit approval, to allow parking in a driveway without benefit of access to an approved garage or carport, and to allow tandem parking where site conditions prevent compliance with Section 614.C(8)(a). Finally, where a Historic Property subject to Special Permit approval is served by an existing curb cut and parking is limited to the site driveway, the proposed amendments would allow backing out of a driveway.

Note that this application is limited to amending the Zoning Regulations and is not submitted in conjunction with any application for approval of property owned by NLMS.

This application is being submitted to establish a permitting process for NLMS to use and preserve its historic Lighthouse, as a condition for settling litigation over its use of the Lighthouse.

Robinson+Cole

We look forward to the opportunity to present this application to you. We respectfully request your consideration at the earliest possible date that conforms to the statutory requirements for a zoning regulation amendment.

Sincerely,

John P Casey

John P. Casey

Enclosure

Copy to: Susan Tamulevich, Director, New London Maritime Society, Inc.

CITY OF NEW LONDON
CONNECTICUT
OFFICE OF DEVELOPMENT & PLANNING
Planning, Zoning, & Wetlands Division

181 State Street
New London CT
06320
(860) 437-6379
(860) 437-4467 FAX

-APPLICATION-
Planning & Zoning Commission-

APPLICATION # _____

Applications and all supporting materials (**18 COPIES/SETS OF EACH PLUS THE ORIGINAL**) shall be submitted to the Office of Development and Planning at least eighteen (18) days prior to a regularly scheduled meeting in order to be received at that meeting.

Please be advised that this application will not be considered complete unless all of the information required on this form and in the regulations are submitted. The Commission will reject the proposal if the application or plans are incomplete.

1. For the following activity: (Check the Applicable Type of Application)

- [✓] Zoning Regulation Amendment
- [ ] Zone Map Amendment
- [ ] Subdivision Regulation Amendment
- [ ] Other

2. N/A
Street Address(es) of Proposed Zone Map Change (ZONE MAP AMENDMENT ONLY)

3. Briefly describe the proposed Zone Map, Zone Regulation Amendment or Subdivision Regulation Amendment:
Amend: Section 400.3 R-1 and R-1A Special Permit Uses; Table 2 Residential Zone Sign Matrix; Section 614.B(1) Off-street Parking Standards; and Section 614.C, Design Layout and Location [of Parking], Subsections (1) and (8).

4. _____
Tax Map/Block/Lot Lot Area Zoning District

5. Is the property located within 500 feet of the City Line?
✓ YES _____ NO

6. Has the appropriate Inland Wetland Application been submitted?
_____ YES _____ NO ✓ NA

7. Is any portion of the site within the Coastal Area Management Boundary?
✓ YES _____ NO

8. Is any portion of the site within a Flood Hazard Area?

✓ YES _____ NO

9. Has any previous application been filed with the Planning & Zoning Commission/City Council in connection with these premises?

_____ YES ✓ NO

TYPE OF APPLICATION	DATE OF APPLICATION

10. Attach a letter addressed to the Planning and Zoning Commission that thoroughly describes the following:

- [✓] The purpose of the Zone Map and/or Regulation Amendment
- [ ] Noise, vibrations, air pollution, glare/heat, electromagnetic radiation, dangerous materials/hazardous wastes
- [ ] Any other relevant information or impact, positive or negative, to the neighborhood
- [ ] .

11. The following information should also be included:

- ☐ Location map (500' scale)
- ☐ Plot plan – in place of A-2 survey and a Site Development Plan if waiver granted (dimensions of lot, adjacent streets/side walks, other existing uses, and or any other relevant information)
- ☐ Façade/Elevation Drawings
- ☐ Other _____

The undersigned hereby acknowledges that this application and statements submitted herewith are true to the best of his/her knowledge and conform to the Zoning Regulations of the City of New London and that approval of the plan is contingent upon compliance with all requirements of said regulations. The undersigned hereby authorizes the New London Planning & Zoning Commission and its agents, the right to enter upon the subject property for the purpose of inspection and enforcement of the Zoning and Subdivision Regulations. ALL NAMES MUST BE PRINTED AND SIGNED.

New London Maritime Society, Inc.

APPLICANT (PRINT)/***(If a Corporation – Please Print Name of Member Representing Corporation)***

150 Bank Street		860-447-2501	860-447-8086
ADDRESS		PHONE NUMBER	FAX NUMBER
New London	CT	06320	nlmaritimedirector@gmail.com
TOWN/CITY	STATE	ZIP	EMAIL

APPLICANT'S SIGNATURE — DATE

Susan Tamulevich, Director

John P. Casey, Attorney for Applicant, Robinson & Cole LLP

AGENT (PRINT)

88 Howard Street, Suite C-1		860-275-8359	860-275-8299
ADDRESS		PHONE NUMBER	FAX NUMBER
New London	CT	06320	jcasey@rc.com
TOWN/CITY	STATE	ZIP	EMAIL

John P Casey

AGENT'S SIGNATURE — DATE

New London Maritime Society, Inc.

PROPERTY OWNER (PRINT) George A. Sprecace, M.D., President, NLMS

Upon penalty of perjury, I represent by this signature that I have the consent, authority and agreement of all other owners of the involved properties to submit this application.

150 Bank Street		860-447-2501	860-447-8086
ADDRESS		PHONE NUMBER	FAX NUMBER
New London	CT 06320		nlmaritimedirector@gmail.com
TOWN/CITY	STATE	ZIP	EMAIL

Susan Tamulevich, Director — 2/3/16

PROPERTY OWNERS SIGNATURE — DATE

George A. Sprecace, M.D. — 2/3/16

PROPERTY OWNERS SIGNATURE — DATE

Upon penalty of perjury, I represent by this signature that I have the consent, authority and agreement of all other owners of the involved properties to submit this application.

P:\PZC\ApplicationForms\PZC_Application(modified).DOC

New London Maritime Society
New London Harbor Lighthouse
Proposed Amendments
To the
Zoning Regulations of the City of New London

Amendment to Special Permit Uses, R-1 and R-1A Zoning Districts

400.3 Uses permitted subject to issuance of a Special Permit by the Planning and Zoning Commission in accordance with the requirements of Article VIII, Section 810 of this regulation. ...

ADD:

13) Events and Tours for Historic Property Preservation, subject to the following requirements:

(a) A Historic Property is a property listed on the National Register of Historic Places or otherwise recognized for its historic significance by the sources cited in Section 830.H, Historic Structure.

(b) The events and tours permitted shall be for the principal purpose of preserving the Historic Property and using it to promote cultural and historic education and appreciation of New London's heritage.

(c) Modifications of the Historic Property that would cause it to be removed from the National Register will void the Special Permit approval.

(d) Public visitation in the form of tours offered to the general public and special fundraising events shall be permitted subject to the following:

(1) Public visitation shall only occur as specified in a visitation schedule submitted by the applicant as part of the Special Permit application.

(2) The schedule shall include the total number of visitors allowed per day and per year, the days and hours during which tours may be offered, and the maximum size of any single tour group.

(3) The Special Permit application shall include a description of the maximum number of fundraising events per year and the maximum number of attendees at any one event.

(4) The Special Permit application shall include a description of the means by which visitors will gain access to the Historic Property, including arrangements for assembling tour groups and providing for vehicular, pedestrian and water access, as applicable.

(5) Public visitation is generally limited to daylight hours (i.e. between sunrise and sunset). Any exceptions to these hours are to be outlined in the application statement.

(e) Parking: Parking shall be provided as required by Section 614 of these regulations. For Historic Properties that propose access by water as part of the visitation plan, but do not propose that the Historic Property serve as the embarkation or debarkation location, no additional parking requirements are necessary.

(f) Signs: All signs shall be located on the site development plan, and shall be described as to area, dimensions, height, materials, and purpose. All signs must be in conformance with the signage regulations for the underlying zone and are subject to the approval of the Planning and Zoning Commission. In all residential zones, signage shall be in conformance with Section 615, table 2.

(g) Evaluation Objectives: In addition to the Special Permit objectives of Section 810 B of these regulations, in considering an application submitted pursuant to this section, the Planning and Zoning Commission shall require, when a Historic Property abuts residential uses, that the applicant minimize impacts on such abutting properties from foot and vehicular traffic and noise and visual impact associated with proposed Historic Property Preservation Events and Tours.

TABLE 2
RESIDENTIAL ZONE SIGN MATRIX

ADD UNDERLINED LANGUAGE:

USE	WALL	FREESTANDING			HANGING
	Max Area	Setback	Max Area	Height	Max. Area
<u>Historic Property</u>	<u>10 sf</u>	<u>5 ft</u>	<u>16 sf</u>	<u>8 feet</u>	<u>8 sf</u>

Section 614 Off-Street Parking and Loading

B. Number of Required Parking and Loading Spaces.

1) Parking and loading spaces shall be provided in all zones in sufficient number to accommodate the motor vehicles of all occupants, employees, customers and any others normally visiting the premises for each new, expanded or change in use in accordance with the following schedule: ...

ADD UNDERLINED LANGUAGE:

Use	Minimum Spaces Parking Required		Minimum Loading Spaces Required
Public library, gallery, Historic Property, or museum	1	200 sq. ft. of gross floor area accessible to public	None

C. Design, Layout and Location

1) Parking Setbacks

a) In an R-1, R-lA, R-2, R-3, R-4, or NB District, parking in the front yard shall be restricted to parking within a driveway that shall not be wider than twenty (20) feet for that portion that passes through the front yard. Any combination of driveways, turnaround areas and vehicle maneuvering areas shall not exceed an area of twenty-five (25) percent of the total area of the front yard. Under no circumstance shall parking be allowed in front of the dwelling unless that parking area is the accessway to an approved parking space, garage or carport. No turnaround area or vehicle maneuvering area shall be more than twelve (12) feet wide. These standards allow parking in a driveway serving a Historic Property in the R-1 and R-1A districts, subject to a special permit under Section 400.3(13), without the benefit of access to an approved garage or carport.

8) Parking Spaces

a) Each required space, exclusive of drives and aisles, shall be not less than eighteen (18) feet long nor less than eight and one half (8 ½) feet wide, and shall be served by an aisle between rows of parking spaces as designated in the attached Figure "Minimum Parking Area Dimensions", except that, where more than one space is provided for any dwelling unit, such spaces may be located in tandem to the required number of parking spaces for that dwelling unit after approval by the New London Planning & Zoning Commission. (Amended 05/02/02)

b) The PZC may, at its discretion and by issuance of a Special Permit allow parking spaces sizes that vary from the standard parking space requirements in facilities where the predominant use is to be non-transient low turnover parking significant number of the daily users park for more than three (3) hours at a time such as multi-family residences, office buildings and industrial facilities. Non-transient parking spaces may be eight and one-quarter (8 ¼) feet wide and sixteen (16) feet long. (Amended 05/02/02)

c) Where site conditions of a Historic Property subject to a Special Permit approval under Section 400.3(13) prevent compliance with Section 614.C(8)(a), and three or fewer parking spaces are required, tandem parking is permitted.

4) Curb Cuts, Ingress and Egress

e) No parking area shall be so designed or constructed as to force a vehicle to back out directly into a public street, provided that this prohibition shall not apply to off-street parking areas for one and two family dwellings. …

h) The prohibition of Section 614.C(4)(e) regarding backing out of a driveway shall not apply where a Historic Property subject to a Special Permit approval under Section 400.3(13) is served by an existing curb cut and parking is limited to the site driveway due to site conditions.