

Filed In East Lyme Town
Clerk's Office

Jan 25, 19 95 AT 3:00 AM
Desley A. Blais
East Lyme Town Clerk

ZONING COMMISSION
REGULAR MEETING OF JANUARY 19, 1995
MINUTES

PRESENT: Chairman Wayne Fraser, Norm Peck, Paul Formica, Shawn McGlaughlin.
Ex-Officio Donn Jourdan, Zoning Enforcement Officer Bill Mulholland.

PUBLIC DELEGATIONS

There were none.

PUBLIC HEARING 1.:

ZONING COMMISSION PROPOSAL TO AMEND THE EAST LYME ZONING
REGULATIONS TO PERMIT SHARED PARKING IN CA AND CB COMMERCIAL
ZONES

Chairman Fraser called the public hearing to order at 7:33 p.m. He noted that this public hearing was properly posted in The Day on January 9, 1995 and again on January 16, 1995. Mr. Fraser then read the Proposed Shared Parking Amendment into the record (identified as Attachment A).

Mr. Formica read the first paragraph of the letter from the Planning Commission dated January 11, 1995 into the record (identified as Attachment B).

Mr. Formica read Town Planner Jeanne Davies memø of January 9, 1995 up to the section titled Private Parking Lots, into the record (identified as Attachment C).

Mr. Formica read a letter from Southeastern Connecticut Council of Governments Regional Planning Commission, signed by Russell Wells dated January 10, 1995 into the record (identified as Attachment D).

Mr. Formica read a letter from Winnifred Olson for the Connecticut River Estuary Regional Planning Agency dated January 10, 1995 into the record (identified as Attachment E).

Chairman Fraser read a memo from Town Planner Jeanne Davies dated January 18, 1995 regarding shared parking options into the record (identified as Attachment F).

Chairman Fraser then requested that anyone present wishing to speak in favor of the proposal identify themselves for the record.

Mr. Binger Anderson of 17 Stonecliff Drive stated that he was a member of the Vision 2000 group. He noted that Andy Pappas was unable to attend, but had sent a letter which he proceeded to read into the record (identified as Attachment G).

Mr. Paul Bobinski of Hopkins Drive stated that he was in favor of the parking proposals with some reservations. He said that shared parking was necessary in order to help

the businesses in town. He questioned if under these new provisions, if Smith Pharmacy could not utilize their upstairs and if they proceeded to join in an agreement with the Mitchel Trust, could they then utilize the upstairs.

Chairman Fraser responded they could if there was an agreement.

Mr. Bobinski noted that he could not see what harm would be caused if the owner was allowed to share his parking. He stated that if a commercial property is used as a residence, the owner pays more taxes on this property because it is commercial. He noted that if this commercial property were to be rented to a prospective business, it would help the town since fewer town services would be utilized and the higher commercial tax rate would be collected. He added that he would like the Commission to delete Item 4 under Section 25.5.

Dave Waddington of 19 Cherry Street noted that the proposed provisions addressed CA and CB zones, but marine districts had been left out. He stated that he would like to see the marine districts incorporated into these provisions. He added that Dad's Restaurant and Boats Inc. have utilized shared parking for year on merely a handshake and it worked very well.

Commission member Bill Dwyer entered the meeting at 8:02 p.m. and noted that he would sit as a non-voting member for this public hearing.

Mr. Waddington continued that he wanted to take the seating at the right side of his restaurant and elevate the deck. He added that the Zoning Enforcement Officer had informed him that this could not be done since he did not have enough parking. He noted that shared parking would improve his property by enhancing the visual aspect of the business. He added that the elevation of the deck would also make all of his restaurant handicap accessible.

Donn Jourdan, speaking as a resident, stated that he was in favor of the shared parking concept put forth by this Commission. He noted that Branford had a history of 99 year leases and that their municipal parking had no bearing on this discussion since it was much further away than the 500' limit that this Commission is thinking about. He added that because of the extreme distance, the municipal parking lot in Branford was not utilized.

Mr. Dwyer noted that Branford specifies 500' in their regulations and there is not mention of 99 year leases.

Chairman Fraser inquired if there was anyone wishing to speak in opposition to the proposal.

No one spoke in opposition.

Mr. Peck suggested using Dad's Restaurant and Boats Inc., as an example of the shared parking exercise. He added that Dad's Restaurant utilize the parking area in the summers and Boats Inc., utilize this area in the winters; therefore, seasonal use.

Mr. Dwyer noted that this utilization was illegal.

Mr. Peck stated that the chart in Attachment A does not provide for seasonal sharing.

Chairman Fraser disagreed stating that seasonal periods do not matter as long as only one is using at the time. He pointed out Section 25.5 Item 1; cooperating activities maintaining different hours of operation.

Zoning Enforcement Officer Mulholland noted that if someone wanted to expand their business with a second story, if he got 10 new parking spaces through a shared agreement, this person could get a permit. He questioned if these provisions should be applicable to new construction. He noted that the formula works easier and cleaner when applied to one lot with mixed used development.

Mr. Formica stated that this should work for everyone.

Mr. Dwyer noted that the example cited earlier of Dad's Restaurant and Boats Inc., is one of shared use, not shared parking.

Mr. Formica noted that an amendment would have to be approved to incorporate seasonal use. He inquired if a business could add additional seating if they gleaned extra parking spaces through an agreement.

Mr. Mulholland noted that this would be possible, as this provision is now written.

Mr. Dwyer noted that the Commission's intent was if you had a small lot, this provision would enable you to get more spaces.

Mr. Formica questioned why they had not considered marine zones. He suggested that the Commission go back and re-think things and perhaps reduce the minimum parking requirements. He added that they should be zoning for the future. He noted that this is a great concept, but some of these other ideas should be incorporated.

Mr. Bobinski noted that East Lyme was constantly losing businesses and this Commission should be making it easier for the businessmen to stay in town.

Mr. Dwyer noted that an extensive amount of research went into the drafting of these provisions. The following references were cited:

- Town of Groton Regulations - Section 7.2
- Town of Branford Regulations - Sect 42.1
- The Concept of Shared Parking, "American Planning Assoc."
- Design, Operation and Management of Shared Parking "American Planning Assoc."
- Flexible Parking Requirements by T. P. Smith
- Niantic Parking Study, East Lyme, CT August, 1984
- Transportation Research Board (Parking Small Communities) Jan. 10, 1993
- Parking Study Update, Planning Department, October 6, 1994

Mr. Dwyer noted that the lease portion of the provision could be stronger. He added that there was no way that a private residence should be turned into a parking lot. He stated that the residents were there before the Commission made this a CA zone. Mr. Dwyer continued to say that this town is very lax in their parking regulations and have been very kind to existing businesses. He added that the formula will work in 99% of the cases that will arise. He suggested adding the word "prime" to Section 25.5, subsection 1., to read:

The shared arrangement will permit demonstrably more efficient utilization of parking spaces, which are otherwise under utilized; for example, the cooperating activities maintain different prime hours of operation.

He also suggested changing Section 25.5, subsection 5 from stating "in accordance with the table below" to numbering the table so that it could be referred to easily; "in accordance with Table #1.

Chairman Fraser questioned the way the provision reads and the Commission's intent. He noted subsection 4,; it was the landowner's responsibility, not the Town's if he gives away spaces. He added that we do not restrict the landowner from the use of his property.

Mr. Mulholland inquired at what point the regulations would be applicable.

Chairman Fraser suggested deleting the word "special" from subsection 3. He also stated that in subsection 6, the agreement should be for more than one year.

Mr. Waddington inquired if other towns that were researched, allow CM zones in their shared parking regulations.

Mr. Dwyer responded that Groton does not have any CM zones; they have shared parking in waterfront areas only.

Chairman Fraser noted that in order to add CM district, the Commission would have to go back to all of the State agencies again and hold new public hearings. He stated that if this were to be approved, an amendment could be added at a later date to cover this matter.

Mr. Peck requested more information on the overlay.

Mr. Mulholland stated that this was an alternative to what the Commission was presently considering. He noted that he could report back to the Commission with a more definitive report on this alternative.

Mr. Bobinski noted that if shared parking is approved, it should be available to everyone.

There was a consensus of the Commission to close the public hearing regarding the Zoning Commission's proposal to amend the East Lyme Zoning Regulations to permit Shared Parking in CA and CB Commercial Zones at 8:55 p.m.

PUBLIC HEARING 2: ZONING COMMISSION PROPOSAL TO AMEND THE EAST LYME ZONING REGULATIONS TO ALLOW PARKING LOTS AS A PRIMARY USE IN CA AND CB COMMERCIAL DISTRICTS.

Chairman Fraser called the public hearing to order at 8:59 p.m. He noted that this public hearing had been posted in the New London Day on January 9, 1995 and again on January 16, 1995. He read the proposal into the record (identified as Attachment H).

Mr. Formica read the second paragraph of Attachment B - letter dated January 11, 1995 from the Planning Commission into the record.

Mr. Formica read the section pertaining to private parking lots of Attachment C - letter dated January 9, 1995 from Jeanne Davies, into the record.

Mr. Formica read the section pertaining parking lots as primary uses - from Attachment D - letter from SCCOG dated January 10, 1995 into the record.

Mr. Mulholland noted Section 24 of the Zoning Regulations call for a number of things that are required for parking lots such as landscaping, sidewalks, etc.

Mr. Mulholland also noted that there was no minimum of spaces proposed for in this amendment.

Chairman Fraser noted that no one was present to address the Commission on this topic. He suggested closing this public hearing so they could deliberate in the regular meeting.

The public hearing regarding the Zoning Commission's proposal to amend the East Lyme Zoning Regulations to allow parking lots as a primary use in CA and CB was closed at 9:14 p.m.

The regular meeting of January 19, 1995 of the Zoning Commission was called to order at 9:15 p.m.

Acceptance of Minutes - January 5, 1995

MOTION (1)

Mr. Peck moved to approve the minutes of the regular meeting of the Zoning Commission for the meeting of January 5, 1995 as submitted.

Seconded by Mr. Formica. Motion passed unanimously.

Zoning Commission Proposal to Amend East Lyme Zoning Regulations to Permit Shared Parking in CA and CB Commercial Zones

Chairman Fraser inquired what was the pleasure of the Commission regarding this matter.

Mr. Formica suggested putting something out there on this subject, and then immediately going back to make adjustments. He noted that he was uncomfortable with the way it was written and he was not sure that he could support it in its present form.

Mr. McGlaughlin suggested discussing it, but not passing it as it; he suggested making the language clearer.

Mr. Dwyer suggested discussing the points that the Commission did not agree on; at this point we don't know what we could add to make it more comprehensive.

Chairman Fraser suggested discussing the proposal, but not acting on it tonight. He stated that a discussion period could be scheduled for the next meeting. He added that the Commission must be comfortable with what they are doing.

Mr. Peck suggested inserting the word "exclusively" to Section 25.5, subsection 4 to read:

Any special permit issued under this section shall apply only to the specific activities in force at the time it was granted and shall not include any property devoted exclusively to residential use.

Mr. Peck noted that he was against encouraging pavement; a home should not be replaced with a parking lot. He stated that it seemed incomplete as it was. Perhaps the Commission could pass and consider adding the CM District and a seasonal provision.

Mr. Formica stated that the purpose of the section was to specify criteria for shared parking. He added that the overlay zone takes out our purpose and that Regulations 24 and 25 are restrictive to site plan restrictions. He suggested that subsection 4 end after the word "granted", since this would be restrictive to the residential property owner. He noted that regarding subsection 6, the Town Clerk should be able to check the lease expiration but, one year was a bit short. He added that the calculation of the parking formula was complicated and that he believed that those with existing businesses will try to use this. He suggested that the CM zone be added.

Mr. McGlaughlin inquired on Section 25.5, subsection 4, why wasn't residential use eligible.

Mr. Dwyer stated that he would like residential left in subsection 4. He inquired why the word special should be deleted.

Chairman Fraser responded that by virtue of the word "special" they must come before the Zoning Commission. He suggested that the lease term cited in subsection 6, be increased to a minimum of five years. He added that he would like to review an addition of a CM zone separately. He suggested dropping the word "special" ; subsection 4, stop after the word "granted"; subsection 7, should state one lot mixed used development.

Mr. Mulholland requested that the Commission review East Lyme Zoning Regulations Section 10.3.7.

Mr. Peck noted he was not sure the word "special" should be removed; he was opposed to strictly residential.

MOTION (2)

Mr. Formica moved to table Item 3., Zoning Commission Proposal to amend the East Lyme Zoning Regulations to permit Shared Parking in CA and CB Commercial Zones until the February 2, 1995 meeting of the Zoning Commission to permit further investigation and discussion.

Seconded by Mr. McGlaughlin. Motion passed unanimously.

ZONING COMMISSION PROPOSAL TO AMEND THE EAST LYME ZONING REGULATIONS TO ALLOW PARKING LOTS AS A PRIMARY USE IN CA AND CB COMMERCIAL DISTRICTS

Chairman Fraser noted that the intent was clear; to allow parking lots in town. He added that this proposal will allow both municipal and private parking lots.

Mr. McGlaughlin cited Section 1.41a stating that parking garages were not allowed.

Chairman Fraser stated that as written, it would restrict parking garages and possibly carports.

Mr. Mulholland noted that this might not restrict carports, Section 1.8 cites any structure with walls and a roof. He suggested that the word "structure" could be utilized in 1.41a, after the word "building", this would insure that it is only a parking lot.

MOTION (3)

Mr. Formica moved to amend the East Lyme Zoning Regulations to allow parking lots as a primary use in CA and CB Commercial Districts and approve proposed provisions 8.2.11, 9.2.7 and adding new subsection 1.41a., proposals effective upon publication.

Seconded by Mr. Dwyer.

Aye: Chairman Fraser, Mr. Formica, Mr. Dwyer, Mr. McGlaughin.

Nay: Mr. Peck.

Motion passed 4-1.

Chairman Fraser noted there was no new business on this evening's agenda.

COMMENTS FROM EX-OFFICIO

Mr. Jourdan noted that the budget review for the Zoning Commission was on February 21, 1995 and that the meeting would commence at 7:00 p.m.

MOTION (4)

Mr. Formica moved to adjourn the January 19, 1995 regular meeting of the Zoning Commission at 10:03 p.m.

Seconded by Mr. Dwyer. Motion passed unanimously.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Darlene C. Stevens". The signature is fluid and cursive, with a long horizontal stroke at the end.

Darlene C. Stevens, Acting Recording Secretary

Attachment A

EAST LYME ZONING COMMISSION
PROPOSED SHARED PARKING AMENDMENT

The East Lyme Zoning Commission proposes to amend the zoning regulations by adopting the following language:

SECTION 22.5 SHARED PARKING IN CA & CB DISTRICTS

The purpose of this section is to specify criteria under which businesses may share off street parking facilities. Such shared parking will be by Special Permit when issued by the Zoning Commission in accordance with the following provisions found in Section 25.5.

SECTION 25.5

- 1) The shared arrangement will permit demonstrably more efficient utilization of parking spaces, which are otherwise under utilized; for example, the cooperating activities maintain different hours of operation.
- 2) There shall be no "reserved parking" other than that allocated for handicapped use.
- 3) Shared Parking areas shall be within 500 feet of the activities applying for the Special Permit.
- 4) Any Special Permit issued under this section shall apply only to the specific activities in force at the time it was granted and shall not include any property devoted to residential use.
- 5) Any agreement developed in accordance with this section shall bear the signatures of the tenant and owners of the relevant properties. The terms of such agreement shall be set forth in sufficient detail to permit the Zoning Commission to judge their effectiveness. The number of permitted shared parking spaces shall be calculated in accordance with the table below.
- 6) Any special Permit granted under this section shall be recorded in the Town's land records and shall be valid for a minimum period of one year. Application for renewal of such permit shall be made in accordance with the above provision.
- 7) Calculating Parking for CA & CB
The applicant shall calculate the peak parking space requirements by following these steps:
 - a) Determine the minimum amount of parking required for each land use as though it was a separate use, using the requirements of Section 22.1.
 - b) Multiply each amount by the corresponding percentage for each of the five periods shown in the chart below.
 - c) Calculate the column total for each time period.
 - d) The column with the highest value is the parking space requirement.

	WEEKDAY		WEEKEND		NIGHT TIME
	DAYTIME /	EVENING	DAYTIME /	EVENING	MIDNIGHT
	9:00 AM 6:00 PM	6:00 PM MIDNIGHT	9:00 AM 6:00 PM	6:00 PM MIDNIGHT	6:00 AM
OFFICE	100%	10%	10%	5%	5%
RETAIL	70%	70%	100%	70%	5%
MOTEL/HOTEL	75%	100%	75%	100%	100%
RESTAURANT	50%	100%	100%	100%	10%
ENTERTAINMENT/ RECREATIONAL	40%	100%	80%	100%	10%
MIXED USE RESIDENTIAL	30%	100%	60%	80%	100%
CHURCH	25%	25%	100%	100%	5%
THEATER	50%	100%	50%	100%	5%

In the event that municipal parking areas become available, twenty percent (20%) of the required shared spaces specified above may be met through the use of such areas.

~~Abstract #~~
4
EXAMP

EXAMPLE SECT.

OFFICE 22.1.11 1/250 sq ft 10,000 = 40 SPACES

RESTAURANT 22.1.6 1/50 sq ft 2,000 = 40 SPACES

TABLE I SPACES REQ'D

OFFICE 40 4 4 2 2

RESTAURANT 20 40 40 40 4
60 REQUIRED

20 SPACE GAIN

EXAMPLE SECT

THEATRE 22.1.8 1/5 SEATS 500 SEATS = 100 SPACES

RESTAURANT 22.1.6 1/50 sq ft 2000 = 40 SPACES

SPACES REQ'D

TABLE I 50 100 50 100 5
20 40 40 40 4

140 REQUIRED MINUS MUNICIPAL 20% = 112

"0" GAIN IF THERE IS NO PUBLIC PARKING AVAILABLE

A Hachment B

Town of East Lyme
Planning Commission



P.O. Drawer 519
Niantic, CT 06357

(203) 739-6931
Fax (203) 739-3330

January 11, 1995

Mr. Wayne Frasure, Chairman
East Lyme Zoning Commission
P. O. Drawer 519
Niantic, CT 06357

Re: Referral from Zoning Commission - Proposed Revisions to Zoning Regulations concerning Section 22.5 and Section 25.5 Pertaining to "Shared Parking" by Special Permit in CA and CB Commercial Districts and Sections 8-2-11 and 9-2-7 Pertaining to Parking Lots as a Permitted Use in CA and CB Commercial Districts

Dear Mr. Frasure:

At its meeting on January 10, 1994, the Planning Commission discussed the proposal to revise the Zoning Regulations (Sections 22.5 and Section 25.5 pertaining to "Shared Parking" in CA and CB Commercial Districts. The Planning Commission felt that the intent of the proposed regulations was correct and that the Zoning Commission's efforts to relieve some of the business owners from the current onerous parking requirements in the Zoning Regulations is an admirable goal. However, the Planning Commission felt that the shared parking proposal would be difficult to administer and enforce, and that a preferred approach would be in the concept of an overlay zone suggested by Ms. Davies. The Planning Commission recognizes the importance of moving in the direction of relieving parking requirements but feels that the overlay zone is a better concept than the shared parking. A copy of a memorandum from Ms. Davies to the Planning Commission relative to her review and evaluation of the proposal is enclosed herewith.

In regard to the proposal to revise Sections 8-2-11 and 9-2-7 of the Zoning Regulations to allow parking lots as a primary use in CA and CB Commercial Districts the Planning Commission recommended that the proposal not be adopted for the following reasons:

- (1) There is little commercial land left in town to develop and that parking lots would be taxed at a much lower rate than other commercial uses.
- (2) The proposal contains no specifications to protect the town and that the use of commercial properties strictly for parking business is not consistent with the intent of the Plan of Development.

Very truly yours,

Alice E. Johnson
Secretary

Enclosure

Attachment C

Town of East Lyme

P.O. DRAWER 519

NIANTIC, CONNECTICUT 06357



PLANNING DEPARTMENT

(203) 739-6931

DATE: January 9, 1995

TO: Planning Commission Members

FROM: Jeanne Davies, Town Planner *(JD)*

RE: SHARED PARKING PROPOSAL
Review and Evaluation/ Planning Department

EVALUATION OF THE PROPOSED AMENDMENT:
 Section 22.5, 25.5 - Shared Parking in CA & CB Districts
 Section 8 and 9 - Parking Lots

The amendment proposals attempt to provide a solution to problems with distribution of parking within the village of Niantic, to provide shared parking for parcels within CA commercial zones, and to provide regulations for private parking lots. The proposed amendments was evaluated in context with the existing parking conditions in Niantic and East Lyme, other shared parking regulations, guidelines for shared parking regulations by the Urban Land Institute, and the Plan of Development guidelines.

EXISTING PARKING CONDITIONS IN NIANTIC AND EAST LYME

Niantic village is the location of the CB zone within East Lyme. The building infrastructure and layout of the village are mostly conversions of existing buildings or houses or built prior to site plan and parking regulations. While there is adequate parking to service a potential expansion of business within the study area, parking availability is unevenly distributed among private property owners, large amounts of potential parking are undelineated, traffic flow and access to available parking is confusing, access to on-street parking can be difficult due to deliveries from the street or employee parking in on-street spaces. The deficit for parking for the eleven lots identified prevents these properties from expanding their businesses or even fully utilizing the existing building.

The CA zones in East Lyme are located primarily along the main collector streets, Route 161 and Route 156 (excluding Niantic Village). Most of the commercial uses along these corridors and in Flanders have been constructed within the last 20 years. For the most part each lot is able to provide the necessary parking for most retail uses.

PROPOSED AMENDMENTS AND EVALUATION

Shared Parking

The proposed amendment is similar to a Branford zoning regulation allowing shared parking for mixed uses within the commercial zones. In reading the proposed amendment and subsequently speaking with the town planner in Branford, it would appear that the regulations which allow agreements between property owners are difficult to implement and enforce. To date, the planner is not aware of businesses on separate lots which have taken advantage of the regulation. In the event that two or more property owners decide to make an agreement, it was recommended by the Branford attorney that nothing less than a 99 year lease would be acceptable. The percentages for shared parking are used primarily for mixed uses on one lot. Although there is a shortage of parking spaces, most of the shared parking problems in the downtown area have been alleviated by the creation of municipal parking by the Town of Branford. In summary, Branford's planner indicated that the present regulations for shared parking ~~work~~ were not really workable for the area businesses.

The proposed amendment to be considered by the East Lyme Zoning Regulations may not produce a solution to the problems of parking distribution in the village of Niantic. The percentages that are listed would be appropriate to a one lot mixed-use development, but may not be applicable to Niantic. Based on comments from the Branford planner, the proposed amendment would ~~be~~ extremely difficult for the Zoning Officer to enforce due to frequent changes of use, subsequent changes in the percentages, and maintenance of records between property owners and special permits.

In addition, it is not recommended that the shared parking provisions be applied to both CA and CB. The CA zone applies to area where there is adequate land area for existing development and proposed development to obtain parking in the event that the property owner wants to expand. The original intent of the shared parking regulations was to alleviate problems within the central business district (s) where site planning has not occurred due to the historic nature of the building infrastructure. If there is a need for shared parking and other zoning criteria for central business districts within Flanders village, it is recommended that Flanders be rezoned to a CB zone.

PRIVATE PARKING LOTS

If private parking lots and/or structures are permitted within CB and CA zones, special permit criteria should be outline within the special permit and site plan review sections.

In evaluating the proposed amendment and the Plan of Development, it would appear that the use of the limited amount of commercial property available within the Town for private parking would not be the highest and best use for a commercial lot. A paved area of land is assessed at approximately one dollar per square foot, where a commercial structure is assessed at a higher value. The need to expand the commercial tax-base within the Town to alleviate the residential tax burden is outlined within the Plan of Development in Section 5, page 29-30. It is therefore recommended that the use of property for parking lots be discouraged.

- Attached
1/11/94

SOUTHEASTERN CONNECTICUT COUNCIL OF GOVERNMENTS
REGIONAL PLANNING COMMISSION
139 Boswell Avenue, Norwich, Connecticut 06360
(203) 889-2324/Fax: 889-1222

Mr. Wayne Fraser, Chairman
East Lyme Planning & Zoning Commission
Town of East Lyme
P.O. Drawer 519
Niantic, CT 06357

January 10, 1995

Dear Mr. Fraser:

I am writing in response to your correspondence dated November 29, 1994 pertaining to:

- 1) Proposed zoning regulation amendment to permit private parking lots as primary uses in CA or CB zones by special permit.
- 2) Proposed zoning regulation amendment to allow shared parking in CA or CB zones by special permit.

These referrals were submitted to this agency in accordance with Section 8-3b of the Connecticut General Statutes and were received on December 1, 1994.

Regarding parking lots as primary uses: The committee was concerned that the hours of operation, vehicle emissions, lot lighting, and lack of proper landscaping buffers on smaller properties could adversely impact neighboring properties, which if located near a town border may cause adverse intermunicipal impact.

Regarding shared parking: The committee believes that the proposal in its current form is completely unenforceable and would be nearly impossible to administer. The committee is not aware of any successfully administered shared parking situations of this type.

Changes in tenants and uses would be difficult to track once agreements are created. The committee expressed its concern that this proposal attempts to bypass the fundamental zoning philosophy that each land use and parcel should have a specified amount of parking. Furthermore, the lack of an enforcement mechanism and either the uneven creation of such agreements or the sudden termination of an agreement by any of the parties would result in

chaotic parking arrangements and a parking deficit.

This has the potential of effecting traffic and safety especially along the heavily traveled state arterial roadways. Therefore, the committee finds the potential for adverse intermunicipal impact and recommends against its adoption in its current form.

Sincerely,

A handwritten signature in cursive script that reads "Russell Welles".

Russell Welles
Chairman, Reference Committee

DBS/cg

CONNECTICUT
RIVER REGIONAL
ESTUARY PLANNING
AGENCY

AT SAYBROOK JUNCTION - MARKETPLACE
455 BOSTON POST RD. P.O. BOX 778 OLD SAYBROOK, CT 06475 203/388-3497

Y. Hachmat E

Mr. Wayne L. Fraser
Zoning Commission Chairman
Town of East Lyme
P.O. Drawer 519
Niantic, Connecticut 06357

January 10, 1995

RE: Regional Review of Proposed Changes to East Lyme
Zoning Regulations for Sections 22.5 and Section 25.5.
i.e. Shared parking.

Dear Mr. Fraser:

Thank you for sending the copy of the zoning map of East Lyme. It is a necessary and greatly appreciated tool.

At the January 9, 1995 meeting of CRERPA, members of the Agency discussed the proposed changes to your regulations.

Since the proposed changes do not affect areas on the Old Lyme Town line and Old Lyme already allows combined parking, no intermunicipal concern is perceived.

Harriet Naughton, Chairman of the Referral Committee, heartily endorsed the principle of shared parking and suggested that the concept should be encouraged.

Thank you for the opportunity to comment on these proposals.

For the Agency,
Winifred Olson
Winifred Olson
Planner I

Attachment F

Town of East Lyme

P.O. DRAWER 519

NIANTIC, CONNECTICUT 06357



PLANNING DEPARTMENT

(203) 739-6931

DATE: January 19, 1995

TO: Wayne Fraser, Chairman - Zoning Commission
Bill Mulholland - Zoning Official

FROM: Jeanne Davies, Town Planner *JD*

RE: Shared Parking Options

As discussed, I looked over the possibilities for shared parking options. While I have some ideas for the implementation of an overlay zone, I have not been able to go over these ideas with Mr. Mulholland so that we can develop some final text. I am forwarding a rough outline so you can get the general idea to date:

SUGGESTIONS FOR TEXT MODIFICATION

Section 9B - CB SHARED PARKING DISTRICT - Shared Parking District within a CB Zones containing land as delineated by a zoning map overlay.....

Section 9B.1 - Shared Parking between property owners shall be permitted within each of the six identified blocks delineated on the zoning map overlay described in Section 9B, when all of the following conditions have been met:

1. The shared parking will permit more efficient utilization of.....
2. There shall be no reserved parking
3. There shall be evidence of a legally binding agreement between cooperating property owners recorded in the Town Hall.....
4. There shall be parking spaces available within each block for shared parking purposes for the proposed use to be determined by the Zoning Enforcement Officer based on records maintained by the Zoning Commission and in the Town Hall.....

Section 22.5 - Parking Allowances for Mixed Uses on One Lot - For the purpose of more efficient utilization of parking spaces on one lot, the following allowances shall be permitted for mixed uses on one lot.....

Section 22.5.1 - Percentage calculations for Mix Use Allowances for One Lot Developments

Percentage Table.....

At what G
1/19/95

DEAR MR CHAIRMAN, ZONING COMMISSION MEMBERS.

I APOLOGIZE FOR NOT BEING ABLE TO ATTEND THIS EVENING'S PUBLIC HEARING ON SHARED PARKING. IT IS A SUBJECT OF GREAT IMPORTANCE FOR THE GROWTH OF EAST LYME.

I WOULD LIKE TO COMMENT YOU ON YOUR POSITIVE EFFORTS TOWARD IMPROVING THE QUALITY OF LIFE OF THE BUSINESS COMMUNITY, HOWEVER, I KNOW YOU ARE NOT JUST A BUSINESS COMMISSION, BUT A COMMISSION RESPONSIBLE FOR CONTROLLED AND SMART LAND USE FOR ALL RESIDENTS OF EAST LYME.

CONCERNING THE PROPOSED SHARED PARKING REGULATIONS, MY FIRST CONCERN IS IN DEFENSE OF THE ZONING ENFORCEMENT OFFICER MR. MULLHOLLAND. CAN THESE REGULATIONS BE ENFORCED DOWN THE ROAD? CAN MR. MULLHOLLAND TELL PEOPLE THAT WHEN A LEASE AGREEMENT BETWEEN TWO PROPERTY OWNERS RUNS OUT, ONE PROPERTY OWNER CAN NOT RUN HIS BUSINESS ANYMORE BECAUSE OF LACK OF PARKING OR IF SOMEONE WANTS TO ADD ONTO THEIR PROPERTY, HE CAN NOT BECAUSE HE IS LOCKED INTO A LEASE BECAUSE HE WAS SHORTSIGHTED A FEW YEARS BEFORE. I REALIZE THESE REGULATIONS ARE TRYING TO HELP THE BUSINESS COMMUNITY, BUT DOWN THE ROAD. IT MAY CAUSE MORE DAMAGE TO THE ZONING COMMISSION AS FAR AS ENFORCEMENT AND PUBLIC RELATIONS.

MY LAST CONCERN IS, I SAW THESE REGULATIONS AS BEING WRITTEN AS A WAY OF HELPING PART OF THE TOWN THAT SEEMED TO BE LANDLOCKED, THE CB ZONE OF THE VILLAGE OF NIANTIC.

IN THE CB ZONE YOU HAVE BUILDINGS THAT HAVE BEEN THERE FOR YEARS, SIDE BY SIDE, BUILT BEFORE ANY ZONING EXISTED. PLENTY OF PARKING EXISTS, BUT IS NOT EVENLY DISTRIBUTED.

I BELIEVE THAT SHARED PARKING
AND THE POSSIBILITY OF MUNICIPAL PARKING
WOULD DEFINITELY HELP THE CB ZONING
TAKING IN CONSIDERATIONS OF LARGE OPEN LOTS
THAT ALREADY EXIST ~~AND~~ ^{AND} CONDITIONS SUCH AS
THE PROXIMITY OF CHURCHES AND THEIR LOTS.

I DO NOT BELIEVE THOUGH, THAT THE
REGULATIONS SHOULD INCLUDE THE TOWN'S CA
ZONE BECAUSE VERY FEW PROPERTIES EXIST
IN THIS ZONE THAT FALL UNDER THE
"GRANDFATHER" LAWS, THERE ARE OTHER SOLUTIONS
THAT COULD HELP BUSINESSES IN THIS ZONE, POSSIBLY
TAKING INTO CONSIDERATION ^{EASING} EASING THE AMOUNT
OF PARKING NEEDED FOR SOME USES SO WE,
THE COMMUNITY OF EAST LYME, IS NOT LINED WITH
BLACKTOP GIVING US THE LOOK OF LONGHILL RD
IN GRETEN.

THE PEOPLE WHO ARE WORKING ON THE
VISION 2000 PROJECT IN TOWN ARE WORKING
TO IMPROVE THE QUALITY OF LIFE IN EAST
LYME. AESTHETIC AND BUSINESS ATTRACTION
ARE VERY IMPORTANT TO ALL AND I BELIEVE,
WITH A FEW ADJUSTMENTS, THE ZONING COMMISSION
CAN COME UP WITH A SET OF REGULATIONS
FOR PARKING THAT ~~WOULD~~ ^{WILL} BENEFIT ALL.

THANK YOU FOR YOUR CONTRIBUTION TO
THESE MATTERS.

ANDY PAPPAS
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A Hadmut H

Town of East Lyme

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NIANTIC, CONNECTICUT 06357

Zoning Commission

EAST LYME ZONING COMMISSION PARKING AMENDMENT PROPOSAL

The purpose of this amendment proposal is to provide language within the zoning regulations to permit private parking lots as primary uses in a CA or CB Zones. Currently East Lyme's Zoning Regulations do not allow this type of use.

The regulatory vehicle chosen for control is the Special Permit process, which also subjects an application to the specific site plan criteria found in Section 24 of the zoning regulations.

PROPOSED PROVISIONS:

Revise Section 8 CA Commercial Districts by adding new subsection 8.2.11 Parking Lots.

Revise Section 9 CB Commercial Districts by adding new subsection 9.2.7 Parking Lots.

Revise Definitions Section #1 by adding new subsection:
1.41a Parking Lots

An area not within a building where motor vehicles may be stored for the purpose of temporary, daily or overnight off street parking.