

## SUBMERGED LANDS LEASE WITH THE STATE OF CONNECTICUT

- The lighthouse awardee needs to negotiate the terms of the lease with CT DEEP.
- Acceptable uses for the lighthouse are: parks, recreation, education, and cultural or historic preservation.
- **Commercial uses are not permitted, this includes hotels, short-term stays, and bed and breakfasts.**
- For any other uses please contact the CT DEEP.
- There are no public access requirements.
- If you transfer or convey the lighthouse to another entity written approval is required by the State.

Q: We've had an inquiry on a possible use for the lighthouse. Sounds like this potential bidder wants to buy it for **Air B&B** purposes. Does this meet the requirements of your ground lease? Or does it put it into a commercial category like a hotel?

**A: We've been asked previously if "Air B&Bs" would be allowed/permitted, but have responded that we consider them to be a commercial use, therefore not a permitted use.**

Q: If the Pennfield Reef Lighthouse cannot be used for any reasonable commercial purposes, then I would be willing to make a residence out of it; however, that would require the property being granted a legal address in Fairfield, inclusive of a mailing address (and mailbox) and all required utilities any other home in the town would be provided. Would the CT DEEP be willing to consider a clause that says if I am not able to procure a legal residential address and mandated utilities, then I can use the property for unrestricted short-term leases, provided it conforms to the other terms in the lease?

**A: If the applicant wants to make a residence out of the lighthouse, he/she would have to defer to the appropriate regulatory officials. Residential uses are permitted by the Lease, subject to local and State permitting approvals. What does he/she mean by "unrestricted short-term leases"? Again, if it is along the lines of short-term rentals, we would consider that a commercial use.**

Q: An expedited path to adding the necessary docking facilities. The lighthouse is not safe for residential or commercial or any use without a proper dock. I would like to have some sort of guarantee that permissions to add appropriate docking would not be unreasonably withheld."

**A: If the dock is not safe for residential uses, the applicant would need to request a permit/license from DEEP's Land and Water Resources Division (LWRD) and provide plans for the intended improvements to them. When we permit the activity, we also have to also get approval from the State's Historic Preservation Office (SHPO). The applicant will need to also contact the local Planning and**

**Zoning Office as well as the Army Corps of Engineers to determine local and federal permit requirements for the project. We permitted a prior Lighthouse under this program, for dock improvements (Greens Ledge Light, Norwalk). The Lease indicates that it is the responsibility of the applicant to obtain any/all permit approvals. If the applicant applies for a permit to make dock repairs, LWRD will make every effort to respond to the applicant's request in a timely manner, but we can't "guarantee that permission" or add language to the Lease stating that "it would not be unreasonably withheld."**