

BLACK POINT BEACH CLUB - ZONING COMMISSION
REGULAR MEETING
Friday, SEPTEMBER 23rd, 2011
MINUTES

A Regular Meeting of the Black Point Beach Club Zoning Commission was held on Friday evening, September 23, 2011 at 6 PM in the Black Point Beach Association Clubhouse located on 6 Sunset Avenue in Niantic, CT.

PRESENT: Ned Cosgrove, Chairman, Sharon Sklar, Angela Taylor, Alternate

ALSO PRESENT: Robert Dawes, BP ZEO

ABSENT: Steve Reed, Secretary, Sebastian Sanzaro, John Manuck, Jim Mastria, Alternate, Richard Diachenko, Alternate

1. Call to Order

Chairman Cosgrove called this Regular Meeting of the BPBC Zoning Commission to order at 6:00 PM.

2. Attendance and Establishment of Quorum

Mr. Cosgrove said that they had two regular members seated and seated Angela Taylor, Alternate as a voting member and established that a quorum was present.

3. Correspondence and Announcements

Mr. Cosgrove said that he did not have any correspondence or announcements.

4. Public Comments

Mr. Cosgrove called for comments from the public.

Seth Bailey, 35A Nehantic Drive, owner of 31 Nehantic Drive said that he had a request for clarification of the Zoning regulations regarding grading as it pertains to a project under construction. He noted that the only area in the regulations that addresses grading is under 'Final Grading' – in Section 5, Item 1.d. on page 13. He said that he was looking to backfill along Sunrise to come to the level of his garage.

Mr. Cosgrove asked if the intention was to have it at the same level as the garage if the garage is at the same level as the street.

Mr. Bailey said that it is approximately 1' below however the front of his property comes from Nehantic.

Mr. Dawes, ZEO explained a conversation that he had with Mr. Bailey regarding his concern with the stock piling of the dirt and run off to other property.

Mr. Cosgrove asked Mr. Dawes if he had concerns during and post construction.

Mr. Dawes said yes and added that his concern is that he does not want to be the fall guy on this.

Ms. Taylor said that she understands what is being asked and suggested that they make sure that the information is on the plans.

Mr. Bailey said that the elevation information is on the plans in the Town Hall with the building file.

Mr. Cosgrove asked that Mr. Bailey have a copy made and given to Mr. Dawes so that he would have it also in a file.

Mr. Bailey said that he would do that.

Mr. Goyl, 16 East Shore Drive said that he has an oil tank from 1998 that is sitting in a crawlspace of his house and rusting. He spoke with the Building Official and was told that he could put it in concrete underground however he cannot put it underground as it is too close to the water so it was suggested that he could perhaps put a buried propane tank near the fence. He said that he would install bollards to protect it from any potential mishap.

Mr. Cosgrove asked Mr. Dawes opinion.

Mr. Dawes said that he spoke with Spicer and could not find specifics on how far from the parking lot it has to be as it has to be away from an ignition source. He said that he has concerns with safety.

Mr. Cosgrove suggested that Mr. Goyl contact the Fire Marshal and find out his concerns and those of the Town and work with Mr. Dawes and file an application.

5. Approval of Minutes – August 26, 2011 Regular Meeting

Mr. Cosgrove called for a motion or any discussion or corrections to the August 26, 2011 Regular Meeting Minutes.

Mr. Cosgrove asked that on Page 4 under Adjournment that Ms. Cosgrove be changed to read: Mr. Cosgrove.

****MOTION (1)**

Ms. Taylor moved to accept the August 26, 2011 Regular Meeting Minutes of the Commission as amended.

Ms. Sklar seconded the motion.

Vote: 3 – 0 – 0. Motion passed.

6. Report from Zoning Enforcement Officer

Mr. Dawes reviewed his report (attached) noting that 22 Sea Crest has been completed for some time and that it would be removed from the next report. He noted that most of the projects were moving along and that he had some new items coming in that would be on the next report.

Ms. Taylor asked about 9 East Shore as she had thought that it was taken care of.

Mr. Cosgrove said that the tank and AC unit need to be reviewed. He said to Mr. Dawes that he would meet with him at the site over the weekend and that they would review it together.

****MOTION (2)**

Ms. Sklar moved to approve the ZEO report as submitted.

Ms. Taylor seconded the motion.

Vote: 3 – 0 – 0. Motion passed.

Mr. Cosgrove noted that he has spoken with the Treasurer of the Association and that she is okay with Mr. Dawes dropping off the permit fees with her.

7. Old Business

▪ Continue review of existing Zoning Regulations for potential changes

Mr. Cosgrove suggested that they continue to review the existing Regulations for review and discussion during the spring. He said that he would prefer having a full Commission present to discuss them and that they may just cancel the October meeting also as he has heard that the Board of Governors has cancelled their October meeting and that the water is shut off in the clubhouse sometime during that time frame.

He further said that a public hearing is not required for items that would be added that do not require a fee however; a public hearing is necessary to change the regulations such as they are proposing for Section 5. As such, he recommended that they put all of their suggested changes together for one public hearing during the spring when everyone is back for the season.

He said that Mr. Reed can send a notice to the Board of Governors regarding the fee structure changes citing the items that they have outlined as having no fee as that does not require a public hearing.

8. New Business (if any)

There was none.

9. Next Meeting of the Commission – 10/28/2011

Mr. Cosgrove said that he would leave the date on the schedule at this time but would most likely cancel the meeting.

11. Public Comments

Mr. Cosgrove called for any comments from the public.

Karen Hyland, 50 Sea Spray and 35 Nehantic asked about the changes to the fee structure. Mr. Cosgrove said that they had clearly identified items such as driveways, sidewalks, on-grade patios, flag poles, one landscaping arbor or trellis not over 9' high and repair or replacement of existing fencing as items that would not require a fee but would require an exemption certificate from the ZEO.

12. Executive Session if Necessary

There was no Executive Session.

13. ADJOURNMENT

Mr. Cosgrove called for a motion to adjourn.

****MOTION (3)**

Ms. Taylor moved that the Regular Meeting of September 23, 2011 be adjourned at 7:09 PM.

Ms. Sklar seconded the motion.

Vote: 3 – 0 – 0. Motion passed.

Respectfully submitted,

Karen Zmitruk,
Recording Secretary

