

**BLACK POINT BEACH CLUB - ZONING COMMISSION**  
**REGULAR MEETING**  
**Friday, MARCH 23rd, 2012**  
**MINUTES**

A Regular Meeting of the Black Point Beach Club Zoning Commission was held on Friday evening, March 23, 2012 at 6 PM in the Black Point Beach Association Clubhouse located on 6 Sunset Avenue in Niantic, CT.

PRESENT: Ned Cosgrove, Chairman, Steve Reed, Secretary, Sebastian Sanzaro, Jim Mastria, Alternate, Richard Diachenko, Alternate, Angela Taylor, Alternate

ALSO PRESENT: Robert Dawes, BP ZEO

ABSENT: Sharon Sklar, John Manuck,

**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 three regular members seated and seated Richard Diachenko, Alternate and Jim Mastria, Alternate as voting members and established that a quorum was present. He noted that Mr. Reed would have to leave the meeting early as he had another engagement.

**3. Correspondence and Announcements**

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

**4. Approval of Proposed Zoning Commission 2012 Calendar**

Mr. Cosgrove said that they had received a copy of this and asked if there were any comments. He asked that they make a motion to approve it so that it could be filed with the Town Clerk. (Copy also attached to Minutes)

**\*\*MOTION (1)**

**Mr. Mastria moved to approve the 2012 Zoning Commission Meeting Calendar as presented.**

**Mr. Reed seconded the motion.**

**Vote: 5 – 0 – 0. Motion passed.**

**5. Public Comments**

Mr. Cosgrove called for comments from the public.

Barbara Johnston, 35 Seacrest Ave., said that she could not get the current agenda for the meeting to print out from the website. She said that while it came up on the screen that when she picked on the printer friendly version that the agenda that came up was from last year and not the one for this meeting.

Mr. Reed said that he would check it. He said that he saw that it came up properly but had not gone to print it from the website.

Ms. Johnston asked that as they have a new ZEO that he come with extra copies of his report so that they can get one at the meeting. She also said that the fourth of July is coming up and there will be some events that will last during the weekend of July 6, 7 and 8 and that she wants to see extra security put on to make

sure that people do not shoot off fireworks all weekend long. She said that last year it was awful with all of the noise and smoke and that the fireworks are illegal and should not be shot off.

Mr. Cosgrove said to Ms. Johnston that she is speaking to the wrong entity as they do not have anything in the regulations about fireworks and they also do not have a budget or any money to give to anyone. He suggested that she speak to the Board of Governors at their meeting as they can instruct the Manager in how they would like that to be handled.

#### **6. Approval of Minutes – September 23, 2011 Regular Meeting**

Mr. Cosgrove called for a motion or any discussion or corrections to the September 23, 2011 Regular Meeting Minutes.

#### **\*\*MOTION (2)**

**Mr. Sanzaro moved to accept the September 23, 2011 Regular Meeting Minutes of the Commission as presented.**

**Mr. Mastria seconded the motion.**

**Vote: 5 – 0 – 0. Motion passed.**

#### **7. Report from Zoning Enforcement Officer**

Mr. Dawes said that he has been busy throughout the winter and has not had any problems to report. He reviewed his report (attached) noting that some items are almost complete and most are moving along as the weather this winter has been conducive to building and remodeling.

(Note: 6:17 PM – Mr. Reed left the meeting; Ms. Taylor, Alternate was seated to replace him)

Mr. Sanzaro asked about the elevation of the stone wall on the pool side of the new house at 11 Seaview Ave. He said that he thought that it was rather high.

Mr. Cosgrove said that there are many lots that are terraced.

Mr. Sanzaro also said that he thought that the foundation at 75 East Shore is larger than it should be.

Mr. Dawes said that he would check the plan in relation to what is there.

Ms. Taylor asked about making the driveway wider at her own property while they are doing so much other work and if they needed a new permit or if they could just add it to the current one.

Mr. Cosgrove suggested that she file a new 'no fee' permit just for that so that there is no question about it.

#### **8. Old Business**

##### **▪ Discuss Zoning Regulation changes approved during 2011**

Mr. Cosgrove suggested that they discuss this at their next meeting when more members are present. He noted that these could be found in the August 26, 2011 Minutes of the Commission.

##### **▪ Continue Review of Existing Zoning Regulations for Potential Changes**

Mr. Cosgrove asked if there were other items that anyone wanted for discussion.

Mr. Sanzaro said that he would like them to review fences and that he would like them not to allow them or at least to not allow them on the water side as they block the view; or have very low fences.

Ms. Taylor said that she would not be in favor of denying people the right to have fences.

Mr. Dawes noted the underground propane tanks that are up for discussion.

He said that they could be treated as any other accessory structure – there are very few properties where it would be an issue. He asked that they come to some agreement.

Mr. Diachenko said that he feels that they have to come up with something better for the non-conforming lots with respect to a front landing/porch rather than the 4' x 4'. We are an aging community and many people have trouble – especially with a walker, wheelchair, etc with turning around and getting in the door. He said that it needs to be wider.

Mr. Mastria said that he would like the regulation of having only two finished floors changed as it handicaps people such as himself who are on 40' x 100' lots. He said that he would like to have a finished basement.

Mr. Cosgrove said that regulation went in to prevent people from finishing basements and renting them out. Mr. Mastria suggested that they allow a variance for the 40' x 100' grandfathered lots.

Mr. Diachenko asked about windmills and height and how they would handle that if they had to.

**9. New Business**

▪ **Underground Gas Storage Tanks**

Mr. Dawes noted that the cap rises up higher than is allowed by the regulations and asked that they discuss how they want to handle this for their next meeting.

**10. Next Meeting of the Commission – 4/27/2012**

Mr. Cosgrove asked that they think about comments on Mr. Dawes, the ZEO for the next meeting as it is time for them to do a six month review on his performance. He asked Mr. Dawes if he wanted it to be held in open forum or in Executive Session.

Mr. Dawes said that he would like it to be in Executive Session.

**11. Public Comments**

Mr. Cosgrove called for any comments from the public.

There were none.

**12. Executive Session if Necessary**

No Executive Session.

**13. ADJOURNMENT**

Mr. Cosgrove called for a motion to adjourn.

**\*\*MOTION (3)**

**Mr. Diachenko moved that the Regular Meeting of March 23, 2012 be adjourned at 7:12 PM.**

**Mr. Mastria seconded the motion.**

**Vote: 5 – 0 – 0. Motion passed.**

Respectfully submitted,

Karen Zmitruk,  
Recording Secretary