

**BLACK POINT BEACH CLUB - ZONING COMMISSION  
REGULAR MEETING  
Friday, APRIL 27th, 2012  
MINUTES**

A Regular Meeting of the Black Point Beach Club Zoning Commission was held on Friday evening, April 27, 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, Sharon Sklar, John Manuck

ALSO PRESENT: Robert Dawes, BP ZEO  
Mary Cahill, Board of Governors Ex-Officio

ABSENT: Richard Diachenko, Alternate, Jim Mastria, Alternate, Angela Taylor, Alternate

**1. Call to Order**

Chairman Cosgrove called this Regular Meeting of the BPBC Zoning Commission to order at 6:03 PM.

**2. Attendance and Establishment of Quorum**

Mr. Cosgrove said that they had all five regular members present and seated. He 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.

There were none.

**5. Approval of Minutes – March 23, 2012 Regular Meeting**

Mr. Cosgrove called for a motion or any discussion or corrections to the March 23, 2012 Regular Meeting Minutes.

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

**Mr. Sanzaro moved to accept the March 23, 2012 Regular Meeting Minutes of the Commission as presented.**

**Mr. Reed seconded the motion.**

**Vote: 5 – 0 – 0. Motion passed.**

**6. Report from Zoning Enforcement Officer**

Mr. Dawes said that he had provided everyone with a copy of his report. He reviewed his report (attached) noting that some items are now done and others near completion. He noted that 17 Osprey would not be putting up a fence and that the second shed at 27 Seacrest has been removed. He said that he had checked the foundation for the new house at 75 East Shore and that it is not encroaching on the 15' setbacks. He also reported that the stonewall at 11 Seaview is within the allowable range and that it was required by the Town Building Official for the underground drain pipe to drain the property. He lastly reported that he has received several complaints about work starting at job sites prior to 8 AM.

**7. Old Business**

- **Discuss Zoning Regulation changes approved during 2011**

Mr. Cosgrove suggested that they attempt to have everything ready to go to Public Hearing for August.

- **Continue Review of Existing Zoning Regulations for Potential Changes**

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

Mr. Manuck said that he was concerned about third floors and having a discussion on finished basements as some people have them and others do not. He suggested that they might want to change the regulations to specify that it be 'non-living' space in the basement.

Mr. Dawes noted that they can't have three floors of living space above grade.

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

**Mr. Manuck moved that Section V, 1.A. Item e. should be changed to read: 'It shall have no more than two (2) floors of living space above grade.'**

**Ms. Sklar seconded the motion.**

Mr. Sanzaro asked if this would be one of the items for the public hearing.

Mr. Cosgrove said yes.

Mr. Sanzaro said that they are limited by height.

Ms. Cahill said that they are concerned about having people set up rental areas within single family homes as that is not allowed.

Mr. Manuck asked that they vote on this change as presented and see what the public has to say at the public hearing.

Mr. Cosgrove called for a vote on the motion.

**Vote: 5 – 0 – 0. Motion passed.**

Ms. Sklar asked about blight as there is an empty lot next to her property where people openly come and dump their lawn and vegetative debris routinely. She said that she was able to get the Town to clean up some of it that was in the Town right of way but the rest is still rather messy.

Mr. Cosgrove suggested that the owner of the property begin by posting a No Trespassing sign on it.

Mr. Dawes noted that an open lot is unregulated and not apart of zoning and that there is no place for zoning to regulate it until such time that the owner or someone presents plans to construct something on it.

Ms. Cahill said that she would ask the Board of Governors if they have any input on it.

- **Underground Gas Storage Tanks**

Mr. Dawes noted that the cap rises up higher than is allowed by the regulations and asked that they amend them so that it would allow for up to one foot in height for the cap so that his approvals would be in line with the regulations. He said that he is getting a lot more requests for these type of tanks and the placement of them is heavily regulated by the propane gas companies and the State codes as they have to be 10' from the foundation of the house and 10' from any adjacent buildable line. He said that he does not feel that they should have the same restrictions as other accessory equipment as they are not very noticeable – they would stick up a maximum of one foot and are 15" to 18" in diameter.

Mr. Manuck asked that something be written up for them to review at their next meeting and that it include how high above grade they would allow them.

Mr. Cosgrove asked if they wanted to allow them in the front yard or back yard.

Mr. Manuck suggested that they be allowed in the side and back yards.

Mr. Sanzaro suggested that they could be put underground as long as they follow the regulations of the State and the gas companies.

Mr. Cosgrove said that he would write up something for the next meeting for them to look over.

**8. New Business**

There was none.

**9. Next Meeting of the Commission – 5/18/2012**

**10. Public Comments**

Mr. Cosgrove called for any comments from the public.

There were none.

**11. Executive Session if Necessary**

Mr. Cosgrove said that they would go into Executive Session to discuss personnel matters and asked Mr. Dawes if he would like to join them.

Mr. Dawes said no.

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

**Mr. Sanzaro moved that they enter Executive Session at 7:42 PM inviting Ms. Cahill to join them for the purposes of discussion of personnel matters.**

**Ms. Sklar seconded the motion.**

**Vote: 5 – 0 – 0. Motion passed.**

**\*\*MOTION (4)**

**Ms. Sklar moved that they exit Executive Session at 7:50 PM with no action taken and return to Regular Session.**

**Mr. Sanzaro seconded the motion.**

**Vote: 5 – 0 – 0. Motion passed.**

**12. ADJOURNMENT**

Mr. Cosgrove called for a motion to adjourn.

**\*\*MOTION (5)**

**Ms. Sklar moved that the Regular Meeting of April 27, 2012 be adjourned at 7:52 PM.**

**Mr. Cosgrove seconded the motion.**

**Vote: 5 – 0 – 0. Motion passed.**

Respectfully submitted,

Karen Zmitruk,  
Recording Secretary