

**BLACK POINT BEACH CLUB - ZONING COMMISSION
REGULAR MEETING
Friday, MAY 16th, 2014
MINUTES**

A Regular Meeting of the Black Point Beach Club Zoning Commission was held on Friday evening, May 16, 2014 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, Sharon Sklar,
Sebastian Sanzaro, Angela Taylor, Alternate

ALSO PRESENT: David Murray, BP Zoning Enforcement Officer
Mary Cahill, Ex-Officio, BP Board of Governors

ABSENT: Richard Diachenko, Alternate, Jim Mastria Alternate, Mike Cenci

1. Call to Order

Mr. 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 he had seated Angela Taylor, Alternate at the table this evening and 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 no public comments.

5. Approval of Minutes

▪ **March 21, 2014 - Regular Meeting**

Mr. Cosgrove called for a motion or any discussion or corrections to the March 21, 2014 Regular Meeting Minutes.

****MOTION (1)**

Mr. Sanzaro moved to accept the March 21, 2014 Regular Meeting Minutes of the Commission as presented.

Ms. Sklar seconded the motion.

Vote: 5 – 0 – 0. Motion passed.

▪ **April 25, 2014 – Special Meeting**

Mr. Cosgrove called for a motion or any discussion or corrections to the September 27, 2013 Special Meeting Minutes.

****MOTION (2)**

Mr. Sanzaro moved to accept the April 25, 2014 Special Meeting Minutes of the Commission as presented.

Ms. Taylor seconded the motion.

Vote: 5 – 0 – 0. Motion passed.

6. Report from Zoning Enforcement Officer

Mr. Murray reviewed his report. (Attached to end of Minutes) He said that there was only one new item and that it was for the location of an LPG tank. He noted that he would go after the LPG tank screening to get those items completed as the weather is cooperating. He also noted that 39 Woodland had come in with a slight modification to the plan which could be accommodated. He also reported that he had the new/updated application form.

7. Old Business

▪ Continue Discussion/Review of 2012 Zoning Regulations

▪ Definitions

Mr. Cosgrove asked if there were any definitions that they might want to change or improve upon. Under 'Building Height' on Page 2, Mr. Murray said that it was confusing and did not convey what they wanted it to. He suggested that they delete: 'average height of the ... and lowest' so that the new definition would read:

Building Height. *The vertical distance from the highest point of the center of the street parallel to the front lot line of the property to the highest point of flat or mansard roofs, including the top of the parapet, or to the mean level between the eaves and the ridge for gable, hip or gambrel roofs. (See Figure I-BH)*
Figure I-BH would be redrawn to reflect this change and for easier understanding.

On Page 5 it was suggested that '*or Black Point*' be added to Street Right-of-Way in the first line.

Also on Page 5 – under Terrace/Patio it was suggested that 'no more than 2" be added to the definition so that it would read:

A level, landscaped and/or surfaced area located at no more than 2" above ground level with no roof and no structural supports other than subsurface materials.

Mr. Cosgrove noted that definitions with regard to mobile home, motor home and family or housekeeping unit had been changed over time as a result of legal challenges. He suggested that they remain as they are to avoid any issues.

▪ Sections II – V

In Section III – Districts on Pages 7 and 8 Mr. Cosgrove suggested that the Residence District and Business District remain at the margin and that all of the Permitted Uses under each of them be placed under the respective areas – such as moving the business uses that are permitted under Business District for easier readability.

Discussion followed regarding Item g. – Home occupation and the home occupation zoning application. Ms. Taylor said that when she purchased the home that she is in that Mr. McKirdy had informed them that they would need to fill out a Home occupation zoning application as they were doing business from their home. She said that she was sure that a copy must be in their file.

Mr. Murray said that he had not received any requests for one.

Under Section IV – General Regulations it was noted that Item 1. Lots - appears to address the 'blight' issue. Mr. Cosgrove said that in speaking with Attorney O'Connell that he had suggested that they be careful as people tend to pursue lawsuits regarding how they use their property.

It was further noted that the Town utilizes a 'Junk Yard' definition whereby it tries to work with the owner towards a resolution over a period of time. Letters are sent with a certified letter being sent the third time with a copy sent to the Town Attorney noting that any legal fees would be charged in accordance with the State Statutes. The idea is to get the owner to work with them towards a resolution of the issue rather than to create lawsuits.

The following definition was offered:

Junk Yard – An area of land, within or without a building, used for deposit, collection or storage of discarded materials, such as waste paper, rags or sheet metal, used building materials, house furnishings, machinery,

vehicles or parts thereof, etc. A deposit or the storage on a lot of one (1) or more wrecked or broken down vehicles or parts of one (1) of more such vehicles for one (1) month or more shall be deemed a junk yard.

Mr. Cosgrove suggested that this could be added to their definitions and that they could work with an owner over the summer towards final resolution for the following summer. This would take care of the next item on the agenda.

Further discussion involved tents, mobile homes, motor homes and the storing of one boat, boat trailer, camping trailer or utility trailer on a lot.

- Blight – addressed previously.

Mr. Cosgrove suggested that as they had covered a lot of items and Section V involved dimensional requirements that they pick up with Section V at their next meeting. (Bottom of Page 10)

8. New Business

There was none.

9. Next Meeting of the Commission – 6/20/2014

Mr. Cosgrove said that their next meeting is on Friday June 20, 2014.

10. Public Comments

Mr. Cosgrove called for any comments from the public.

Barbara Johnston, 35 Sea Crest asked about the FEMA regulations for buildings on the waterfront. Mr. Cosgrove said that the Town takes care of that and that the Building Official looks for elevation certificates. Further ground zero is the road in front of the house.

11. Executive Session if Necessary

12. ADJOURNMENT

Mr. Cosgrove called for a motion to adjourn.

****MOTION (3)**

Mr. Sanzaro moved that the Regular Meeting of May 16, 2014 be adjourned at 7:34 PM.

Ms. Sklar seconded the motion.

Vote: 5 – 0 – 0. Motion passed.

Respectfully submitted,

Karen Zmitruk,
Recording Secretary

May 2014

Zoning Projects	2014							
App'l No.	Date	Address	Name	Map/Block	Project	Fee	Appr/Denied	Status
	9/17/13	16Osprey	Villecco	5.19/100	New house	600	A	In progress
	9/17/13	63 Bellaire	Brett	?	2 car garage	450	A	In progress
	10/8/13	29 Sunset	Stevens	5.14/128	New deck	75	A	In progress
	10/10/13	1 Sunrise	White		LPG tank	45	A	Needs screening
	10/26/13	22 Brightwater	Malloy	5.19/70	Addition	600	A	In progress
DM-2	11/18/13	21 Ridge Trail		?	Generator, LPG tanks	45	A	Needs screening
DM-3	11/30/13	26 Whitecap	Adams	5.14/45	LPG tank	45	A	Needs screening
DM-5	12/20/13	39 Whitecap	Colangelo	5.14/39	2nd floor add.	600	A	In progress
DM-7	1/1/14	10Seaview	Ladegard	5.15/35	New house	600	A	In progress
DM-9	2/1/14	43 Seaview	Green	5.14/89	Gazebo	150	A	
DM-10	2/22/14	4 Seabreeze	Arcata	5.15/54	New house	600	A	In progress
DM-11	2/22/14	4 E. Shore	Lynch	5.11/63	Shed	45	A	In progress
DM-13	3/14	32 Sunset	Pagani	5.14/58	New deck	150	A	In progress
DM-14	3/14	39 Woodland	Carlson	5.10/5	Add garage/bdrm	600	A	In progress
DM-16	5/7	63 Bellaire	Brett		LPG tank	75	A	
DM-17								
DM-18								

DM-14
DM-16

May 2014 Report