

Minutes of BPBCA Zoning Commission Regular Meeting - 05/17/24

Date and time: 05/17/24 6:00 PM to: 05/17/24 6:39 PM

Present: Brooke Stevens, Recording Secretary, Jim Ventres, Zoning Enforcement Official, Jim Fox, Chairman, Jim Allen, Secretary, Keith Turner, Alternate, Mike Walsh, Alternate, John Horoho, Regular Member, Betsy Klemmer, Regular Member, Jason Bookmiller, Alternate, Absent: Joseph Katzbek, Regular Member

CC: Arlene Garrow, Zoning Liaison

Location: BPBCA Clubhouse, 6 Sunset Avenue, Niantic, CT, 06357

Link: <https://app.meetingking.com/meetings/414355>

Topics

1. Call to Order

Note Chairman Fox called the Regular Meeting of the Black Point Beach Club Association Zoning Commission to order at 6:00 p.m. and did roll call; a quorum was present.

2. Additions to the Agenda

Note There were none.

3. Approval of Zoning Minutes

3-1. April 19th, 2024, Regular Meeting Minutes

Note see attached.

 [Minutes-of-BPBCA-Zoning-Commission-Regular-Meeting-04_19_24.pdf](#)

Decision Motion (1)

Mr. Allen moved to approve the Meeting Minutes of April 19th, 2024, as submitted.

Mr. Horoho seconded the motion.

Motion carried, 4-0-0.

Note Mr. Fox said he has a housekeeping item, he misstated Mr. Bookmiller's last name as Bookman.

4. Public Comments

Note Public Comments is the time when members of the Black Point Beach Club Association are invited to speak to the Commission about certain matters. Items, referrals, or applications subject to a decision by the Commission, a public hearing or any matters in litigation may not be discussed.

Note Mr. Deknis, Chair of the Zoning Board of Appeals, was in attendance and noted that things continue to be very quiet, and currently no cases are pending.

5. Reports

5-1. Communications and Correspondence

Note There was none.

5-2. ZEO: Jim Ventres

Note see attached report.

 [ZEO_Report_May_2024.xlsx](#)

Note Mr. Ventres summarized some ongoing projects, both small and large, and discussed how the current regulation stipulates that projects should be finished within a year but delays often occur due to the time taken for permits, reviews, and lining up contractors and supplies.

The Board discussed how this may be an item to revisit and debated changing the regulation. Mr. Ventres added that applicants are currently able to apply for a 6-month extension; this process requires a new application and a \$250 fee.

Note Mr. Ventres suggested extending the standard to 18 months with a 6-month extension due to larger projects and supply chain issues.

Note Mr. Horoho suggested they consider revising regulations to include control over interior work.

5-3. BPBCA Board of Governors Ex-Officio

Note Ms. Garrow said the Board is reviewing with legal counsel on whether the hedges issue should fall under ordinance or regulation. She explained that three major areas of concern have been identified by the town; one has had bushes completely removed, one has had noticeable cutback, and the third is pending further data.

Note Ms. Garrow said they will follow up with the town and legal counsel to resolve the ordinance vs. regulation issue and how the ZEO should continue to enforce current regulations until the issue is resolved.

5-4. Chairman: Jim Fox

Note Mr. Fox discussed how he's spoken with many members of the community and most of them ask questions about the hedges, fences, and intersections, which has been debated by the Zoning Commission for the last 25 years.

Note He noted that nothing seems to be of concern to them in terms of anything they're doing or in terms of the regulations they're reviewing. He has not received any suggestions as to other things they would like to see the Zoning Board address, which he believes speaks to their tendency to be proactive and stay on top of things.

6. Old Business- Review & Discussion of Current Zoning Regulations

Note see attachment.

 [2024_Regulation_review_re_05_17_2024_Zoning_Meeting.docx](#)

6-1. Discussion of different regulations for the third BPBCA District - "Association Property".

Note Mr. Fox said they've been discussing possible changes to zoning regulations, including the new Association District.

Mr. Ventres referenced the proposed regulation modifications (see above attachment) and drafted that accessory buildings in the Association District should not exceed 10% of the total area of the lot and must have a minimum setback. He added that this makes it simple and easy.

6-2. Discussion regarding prohibiting Metal Buildings.

Note Mr. Ventres said they have a whole section listing prohibited uses- metal buildings, quads, huts, pods, and shipping containers for human habitation and as accessory structures. He explained that this language clarifies that accessory structures are prohibited for use as primary or secondary dwellings.

Note The Board discussed how accessory buildings shall not exceed 10% of the total area of the lot and shall have a minimum setback of twenty 20 feet from all property lines.

6-3. Discussion regarding definition of Detached Garages.

Note Mr. Ventres and the Board discussed the definition of detached garages. Mr. Ventres said the International Building Code treats detached garages as roof structures and that a garage with a walkway and roof is considered an attached structure.

Note Mr. Ventres stressed the importance of ensuring regulations are clear, succinct, and well-established to avoid court-related matters, or confusion due to different interpretations between architects, engineers, and the like.

Note Mr. Ventres and Mr. Fox discussed how they have to accept the International Building Code's definition.

6-4. Review of Wall, Fences & Hedges.

Note Mr. Ventres reviewed the existing regulations for walls, fences, and hedges, and compared them with Crescent Beach regulations, which included fence height limits, transparency requirements, and the construction and facing of fences. He noted that he used the Crescent Beach regulations as a template for their revisions.

Note The Board further discussed the regulation and having fences forward of the house to be more neighborly and hospitable.

Mr. Ventres said Giant's Neck Beach's regulation allows covering 20% of the property line with a fence, which is being revised.

Note The Board discussed choosing between three heights for walls, fences, and hedges.

Note There was uncertainty on how to handle decorative stone walls on the front side of the property line, and the Board debated the height and material of walls, and they're not typically transparent.

Note The Board discussed considering adding to the definition that stone walls in the front must be transparent or have height restrictions.

Note The Board further discussed the height and material of walls in front of houses and there was a consensus that walls in the front should not exceed 24 inches if they are not transparent. There was also agreement that walls should not be made of cinder block or cement block.

Note Mr. Ventres observed that there is difficulty in regulating aesthetics as beauty is subjective, and there are challenges in defining what constitutes native material.

Task Mr. Ventres said he will write up some options for wall regulations and give the team a month to review and provide feedback.

Owned by Jim Ventres, Zoning Enforcement Official

7. New Business

7-1. Discussion of “Public Hearing” date.

Note Mr. Ventres discussed the need to post decisions in the New London Day and shared that the previous posting cost around \$1,800. He said it makes sense to combine postings for multiple items to save costs.

Note The Board discussed altering hedge height at intersections.

Note Mr. Fox said Attorney Branse suggested addressing this through an ordinance, that the current Board of Governors turnover expected next week may delay progress, and expressed uncertainty if the new Board will have time to prioritize this issue.

Note The Board discussed revisiting the regulation change they proposed in 2019, of taking it down to 36 inches and bring it back to 20 feet, so that they extend the curb line or the edge of the street.

Note The Board discussed the importance of tightening up this regulation to hopefully improve safety until the Board of Governors addresses this issue.

Note Mr. Horoho observed that if the Board of Governors ultimately choose to do an ordinance much of the particulars will have already been established.

Task Mr. Ventres said he will write this up and provide a diagram for clarification.

Owned by Jim Ventres, Zoning Enforcement Official

Note Mr. Ventres suggested they take another month so he can draft the new language and the Board can review it and make determinations before scheduling a public hearing.

8. Adjournment

Note The next regularly scheduled meeting is scheduled for June 21st, 2024.

Decision MOTION (2)

Mr. Allen moved to adjourn the May 17th, 2024, Regular Meeting of the BPBCA Zoning Commission at 6:39 p.m.

Ms. Klemmer seconded the motion.

Motion carried, 4-0-0.

Note Respectfully Submitted,
Brooke Stevens, Recording Secretary

Task Summary

New Tasks

Task Mr. Ventres said he will write up some options for wall regulations and give the team a month to review and provide feedback.

Owned by Jim Ventres, Zoning Enforcement Official

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