

ZONING COMMISSION

BLACK POINT BEACH ASSOCIATION  
NANTIC CONNECTICUT  
Regular Meeting  
Black Point Beach Clubhouse  
Saturday, September 25, 2009

1. Attendance & Quorum:

MEMBERS PRESENT: Marianne O'Neil, John Sullivan, Randy Molloy, Edward Cosgrove, Alternate Steve Reed, Alternate John Manuck

MEMBERS ABSENT: Brian Ewings

OTHERS: Michael Mullin, ZEO

Chairman Sullivan convened the meeting at 9:05AM. Mr. Sullivan asked Mr. Manuck to take Mr. Ewings place as a voting member at the meeting. A quorum was present.

2. Announcements and Public Comment

Mr. Sullivan announced that the case Mattison vs. Black Point Beach Club had ended. Plaintiff's counsel withdrew his claims against Mrs. O'Neil and Mr. Beckham. Judge Chatigny entered summary judgment in favor of the remaining defendants, Black Point Beach Club Association, Andrew McKirdy and Anita Schepker. He denied the plaintiff's Motion for Partial Summary Judgment.

There were no members of the public present and therefore no public comments.

3. Approval of Minutes:

A motion to approve the minutes, as written, of the regular meeting held on August 22, 2009 was made by Randy Molloy and seconded by Edward Cosgrove. The motion passed unanimously.

4. Report of Zoning Enforcement Officer, Including Commission Action as Required

The Zoning Officer's report, see attachment A, was reviewed.

The debris on BPBC property at the end of Billow Rd. remains an issue. Mention of the need for a garage to store the equipment was made at the Labor Day informational meeting. Mr. Sullivan will address the Board of Governors in regard to this matter.

Mr. Mullin asked for clarification on adjoining non-conforming lots owned by the same owner. The lots are considered as one lot for Zoning purposes. The lots are not required to be combined as one lot on the East Lyme land records. The interior lot lines, where the lots abut, have no zoning significance relative to setback requirements for any building located on the so joined property.

A discussion of playhouses and playscapes took place. The Commission clarified that playhouses, playscapes, swing sets, etc are not considered structures as defined by our regulations.

Mr. Mullin has received a letter stating the Black Point Market had ceased operation on July 31<sup>st</sup>, 2008. The attorney assumed the taxes would be lowered since the property was no longer being used for business. It was pointed out that Lots 722 and 733 are the business district per the BPBC regulations. It is taxed by East Lyme accordingly.

## 5. Old Business

The hedge and intersection issue was reviewed. Mr. Mullin continues to identify intersections with blocked view due to hedges above 42 inches within 10 feet of the intersection. Mr. Manuck will help Mr. Mullin on Thursday with reviewing and measuring.

Mrs. O'Neil reviewed the minutes of the BPBC Zoning Commission of May 8<sup>th</sup>, 1999 with the Commission. The placement of boats was clarified at that meeting. Boats are required to be behind the front setback building line. The only exception is the period between April 15<sup>th</sup> and Memorial Day, while boats are being prepared for the season. During this period, boats are allowed forward of the front setback building line.

Mr. Cosgrove made a motion seconded by Mrs. O'Neil to add the review of the right to appeal memo to the agenda under Old Business. It was passed unanimously. Mr. Mullin distributed a proposed handout to accompany Zoning applications and permits. The Commission will vote on distribution and notification at the next meeting.

Note: At 11:00AM Mr. Manuck departed. Mr. Sullivan appointed Mr. Reed to be a voting member for the rest of the meeting.

## 6. New Business

Mr. Sullivan reviewed a question from the owners of 11 Billow Rd. They questioned if they had an additional building lot. Mr. Mullin will research the details and report back to Mr. Sullivan.

## 7. Next Meeting

The next meeting will be held on October 24th, 2009 at 10AM in the Clubhouse.

## 8. Public Comment

There was no public comment.

## 9. Executive Session:

Mrs. O'Neil made a motion seconded by Mr. Cosgrove to enter Executive session to discuss personnel issues. It was passed anonymously. The Board went into Executive session to discuss personnel issues at 11:25AM.. The Board exited Executive session at 12:25.

## 10 Adjournment

Mrs. O'Neil made a motion to adjourn, seconded by Mr. Cosgrove. It was passed unanimously. The meeting was adjourned at 12:26.

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Marianne B. O'Neil  
Secretary