

**Filing of the Black Point Beach Club Association Board of Govenors
October 22nd, 2020 Meeting Motions and Deferred items.**

MOTION (1)

Dr. Beauchene moved to approve the meeting minutes of September 24th, 2020 as amended.

Ms. Bruce seconded the motion.

Motion carried, 7-0-0.

The Board asked Mr. Fox to proceed with investigating a Plan of Conservation and Development further and Dr. Beauchene suggested inviting Milcone and MacBroom to the next BOG meeting in January.

MOTION (2)

Dr. Beauchene moved to establish a charter revision commission to review the possibility of allowing property held in trust at Black Point Beach Club Association to designate a trustee or member of the trust to vote and/or participate in the governance of the association.

Ms. Bruce seconded the motion.

Motion carried, 7-0-0.

MOTION (3)

Mr. Lombardo moved to accept the Treasurer report as submitted.

Dr. Beauchene seconded the motion.

Motion carried, 7-0-0.

MOTION (4)

Dr. Beauchene moved to accept the report of the Tax Collector as submitted.

Ms. Colangelo seconded the motion.

Motion carried, 7-0-0.

MOTION (5)

Dr. Beauchene moved to reappoint Matt Peary as a full member of the Zoning Commission and appoint Besty Klemmer as an alternate member of the Zoning Commission.

Mr. Lombardo seconded the motion.

Motion carried, 7-0-0.

The Board decided to revisit the issue regarding weeds by Bellaire and the tennis court after the lot lines are laid out and determined.

Ms. Bruce suggested postponing the followup discussion regarding parking and enforcement until January and the Board agreed.

MOTION (6)

Mr. Diachenko moved to amend the fishing hour rules as stated.

Dr. Beauchene seconded the motion.

Motion carried, 7-0-0.

MOTION (7)

Mr. Lombardo moved to adjourn the BPBCA BOG October 22nd , 2020 Special Meeting at 8:28 p.m.

Ms. Bruce seconded the motion.

Motion carried, 7-0-0.

Respectfully Submitted,

Brooke Stevens, Recording Secretary

**Black Point Beach Association
Board of Governors
October 22nd, 2020 Regular Meeting Minutes**

Call in number: 425-436-6363, access code: 436260
(Dial *6 during Public Comments to speak)

Present: Cheryl Colangelo, Chair
Will Fountain
Janet Bonelli
Steve Beauchene
Rick Diachenko
Phil Lombardo
Sharon Bruce

Also Present: Jim Moffett, Association Manager
Al Capozza, Treasurer
Colleen Chapin, ZBA Chair
Brooke Stevens, Recording Secretary

Absent: Ruth Ames, Tax Collector

The Regular Meeting of the Black Point Beach Club Association Board of Governors, was held on Thursday October 22nd, 2020 at 6:00 p.m. at the Black Point Clubhouse located at 6 Sunset Avenue, Niantic, CT; the meeting was teleconferenced from the Clubhouse.

I. Call Meeting to Order & Attendance

Ms. Colangelo called the Meeting to order at 6:05 p.m. and noted the teleconference is being recorded in its entirety and in accordance with the requirements of executive order 7B, issued by Governor Lamont, which allows for public meetings to be held over teleconference; both the meeting recording and meeting minutes will be posted to the Black Point Beach Club website. Ms. Colangelo did roll call and noted a quorum of

Commission members is present. She added that the meeting information was posted on the website as well as social media.

Ms. Colangelo noted they're making some temporal adjustments to this evening's agenda so that the special speakers present will not have to wait until the end of the meeting for their presentation.

II. Approval of Minutes

a. September 24th, 2020

Ms. Colangelo said Mr. Capozza brought to her attention that at the top of the minutes it says it's a special meeting when it was in fact a regular meeting.

MOTION (1)

Dr. Beauchene moved to approve the meeting minutes of September 24th, 2020 as amended.

Ms. Bruce seconded the motion.

Motion carried, 7-0-0.

III. Communications to Board

Ms. Colangelo noted that correspondence from members via email will be part of the record (attached.)

IV. Public Comments

1. Wendy Bourget of 1 Osprey Road said some of the following:
 - She reviewed past minutes regarding fishing hours and being open offseason for all hours was stated by the Board but not actually voted on.
 - She asked if someone could explain what the 5,6 pullback in terms of parking actually means and if it's going to be grass or asphalt.
 - The kayak rack is usually very full and the bikes are all over the road; if we're going to allow parking in the row we might want to allow ample space for an additional kayak rack and a bike rack.
2. William Bayne of 2 Osprey Road said he wanted to thank the Association for restoring the row and noted the additional signage this year has helped, kids have been able to put their bikes there, and during the last storm boats were taken off the boat beach and stored there. He said on the water side cars are generally playing by the rules and parking on the lawn. He added that it has worked really well and is the best he's seen in 25 years.

There were no further public comments.

V. Special orders

a. Plan of Development, zoning commission presentation

Ms. Colangelo asked Jim Fox, the Zoning Chair, to introduce himself and proceed with his presentation. Jim Fox of 15 Blue Heron Road thanked the Board for the opportunity to speak and brought attention to the report by Milone and Macbroom (attached) which was sent to the Board for review. He explained this is an opportunity to establish what is formally referred to as a Plan of Conservation and Development and noted some of the following:

- This is a standard operating procedure of every municipality in the State of Connecticut.
- It's required by Connecticut General Statutes that it be prepared and revised every 10 years.
- As a quasi-municipality we are not required to do this; since we fall under the Town of East Lyme, we generally fall under their jurisdiction.
- Unfortunately there is barely a mention of the beaches in the East Lyme POCD (Plan of Conservation and Development) nevermind Black Point Beach.
- The POCD is essentially a playbook for what each municipality has planned and is usually a fairly comprehensive document.
- It allows the town to touch on every aspect of their infrastructure and put a formal plan together; it involves gathering information from the community and every aspect of recreation police services, fire services, schools and so forth.
- BPBC is a community in flux and going through a tremendous change when you consider the number of people building and/or making Black Point their year round home.
- We now have continuous renovations because people are choosing to make Black Point their year round home.
- We need to think deeper about the needs of our community and people; what we have already is wonderful but do we need to adopt a formal plan (be it a POCD or not) that the community would be heavily involved in?
- The pier project and review of that is something that would fit nicely within an overall plan of development.
- When you think about some of the overall regulation challenges we're facing from a zoning perspective having a formal document endorsed by the Board of Governors would be beneficial.
- It would serve as a type of roadmap for us to follow, review, and update.
- All of us are replaceable, none of us will be here forever, and having a formal plan would provide that playbook for the future.

- It's an opportunity to stabilize and formalize important items we need to undertake as a community.
- As new people join and become part of Black Point they can turn to this document to understand the needs and anticipated plans for the future.

Ms. Colangelo asked if there are currently enough people in the community to gather this type of information and if this is the best time to get started; should we wait until we grow a little and what do they offer that we are unable to do ourselves.

Mr. Fox said Milone and Macbroom is the company who assisted the town of Marlborough and Jim Ventres in the town of Haddam as well and one of the main companies in the State that helps municipalities develop these types of formalized plans. He acknowledged that their proposal is probably more than what we need so there is an opportunity to fine tune it and revise it.

Mr. Fox said in terms of being the right time, that's a challenging question to answer but the longer you wait to determine the right time, you've often waited too long.

Ms. Colangelo said when she asked about waiting to start she meant more in terms of the fiscal investment and not gathering of information by the community and that it was a rhetorical question. Mr. Fox said that could be part of a future conversation. He said if the Board of Governors is curious to know more we could invite Milone and Macbroom to participate in a future discussion at a BOG meeting.

Mr. Fox briefly discussed the proposal and said community involvement is an important part and the creation of a survey would be beneficial but it's also about asking the right questions. He added that it's a continuous dialogue between the community, the Board of Governors, and the firm, and the process associated with the document's development takes around 6 months; the off season is probably the best time to achieve this whether it be this year or next year.

Mr. Fox said discussions around a POCD have come at zoning meetings and with Ms. Chapin.

Ms. Bruce thanked Mr. Fox for the explanation of the proposal and observed that it sounds like he's talking about a strategic plan for the beach. She said when she first looked at the estimate it seemed high but is actually in league with the cost for professional consultants; if you divy it up over time or by household it works out to be

\$35 per house. Ms. Bruce said she thinks there is value in this and meeting the needs of the community.

Dr. Beauchene said he thinks it would be a good guide for the community and assistance for the various task forces. He said what is most crucial to him is that it's a means for the community to have a voice.

Mr. Diachenko said he doesn't think we currently have a plan for 10-20 years out and this shows the need for one and realizing that this is going to be a living document subject to change as times change it what is appealing to him; this would be a good opportunity to put some formality behind the financial planning the Capital Improvement and Fiscal Planning Committee is doing.

Ms. Bonelli said having a plan is a fantastic idea and she thinks the community would like to know both what the plan is and to participate in formulating one.

Mr. Lombardo said he thinks having a plan is a good idea but he has questions about timing given Covid, and if now is practical. He asked if a plan should be made at the same time Zoning is making regulation changes.

Mr. Fox said he doesn't think that any of the changes they're considering would conflict with a future plan but could act as a guide for any changes that might need to be changed. He suggested fine tuning the proposal to get a more accurate cost for the creation of a POCD.

Ms. Colangelo thanked Mr. Fox for all his work and the Board asked him to proceed with investigating this further. Dr. Beauchene suggested inviting the firm to the next BOG meeting in January.

b. Trusts and voting rights

Anita Schepker discussed trusts and voting rights and shared some of the following:

- The way old charters were written for beach associations was that you had to be a person to vote.
- As our laws have changed and as tax laws have changed many people now put their homes in trust.
- We now have a significant amount of people who can't vote in a meeting or for people who will serve on the Board because their homes are in trust.
- Some beach associations have amended their charters to say that if a home is in a family or personal trust and not a corporation or corporate trust, then one

person from that property who is listed as a beneficiary or trustee may have one vote; this person can change year to year.

- Oak Grove Beach and a beach in Westbrook have changed their charters for this very reason.
- A very specific and rigorous statutory procedure is required to change the charter and is called initiating a charter revision commission.
- 5 to 15 people would need to be selected to hammer out the details of revising the charter and there has to be public hearings which are noticed.
- If you decide to move forward you have to take that proposal to the state legislator because you're amending state legislation.
- The changes are voted on by the entire membership.
- Partnerships and corporations would not be permitted to vote.
- The first step is for the Board to initiate a charter revision commission to look at this issue.
- You can limit what you would like the commission to review to a specific issue or encourage a broader review of the charter.
- Your first step would be to vote as a Board if you would like to establish a charter revision commission, who would serve, and the parameters of what will be addressed.
- The revision commission by law can choose to look into what they like but it must be voted on by the membership.

Mr. Diachenko said it sounds like the earliest anything could change would be January of 2022 and Ms. Schepker said that is correct. She said you can canvas the community for volunteers and ask them to review the section regarding trusts. Ms. Schepker said there are already three beach communities who have the language regarding trusts and voting in their charters from which they can work from.

Ms. Schepker said this would fall under a special act so we would not lose any provisions of our charter.

Dr. Beauchene asked if each trust would have to register with the Association and Ms. Schepker said if and when this happens you can require that the name/point person be submitted annually.

Ms. Bruce thanked Ms. Schepker for her expertise.

Ms. Colangelo said we can vote to determine having a charter revision commission but not actually appoint the members this evening.

MOTION (2)

Dr. Beauchene moved to establish a charter revision commission to review the possibility of allowing property held in trust at Black Point Beach Club Association to designate a trustee or member of the trust to vote and/or participate in the governance of the association.

Ms. Bruce seconded the motion.

Motion carried, 7-0-0.

Ms. Colangelo said she will post a request asking for interested participants. Ms. Schepker said they will have to determine if someone can serve on the commission if their property is in trust.

VI. Reports

a. Treasurer

Ms. Colangelo noted the report supplied by Mr. Capozza (attached), asked if he had anything he would like to add, and Mr. Capozza said he believes it's self explanatory and has no further comments.

MOTION (3)

Mr. Lombardo moved to accept the Treasurer report as submitted.

Dr. Beauchene seconded the motion.

Motion carried, 7-0-0.

b. Tax Collector

Ms. Colangelo noted the report supplied by Ms. Ames (attached.) Ms. Ames said liens will be recorded at the end of October but that demand notices have to be 2 years old or the attorneys won't handle it.

MOTION (4)

Dr. Beauchene moved to accept the report of the Tax Collector as submitted.

Ms. Colangelo seconded the motion.

Motion carried, 7-0-0.

c. Piers

Dr. Beauchene said he has been in contact with Rich Pinder and the pier is done, and they have sealed it. Mr. Pinder is anticipating an annual maintenance of the pier, seal, pinup and seal siding costing at most \$5,000 per year. He's also been in contact with the firm that looked at our remaining piers and he will have a maintenance plan for us at the end of this week or middle of next week.

d. Zoning Liaison

Dr. Beauchene said Matt Peary's term ended in July and the Zoning Commission is requesting he be reappointed. He said Barbara Koenig who serves as an alternate is interested in leaving and when they previously sought interested parties through the website Betsy Klemmer expressed interest in serving; the Commission would like to replace Ms. Koenig with Ms. Klemmer.

MOTION (5)

Dr. Beauchene moved to reappoint Matt Peary as a full member of the Zoning Commission and appoint Besty Klemmer as an alternate member of the Zoning Commission.

Mr. Lombardo seconded the motion.

Motion carried, 7-0-0.

Ms. Colangelo asked for any updates on Sea Breeze and Sea Crest and Dr. Beauchene shared that the pins on the Sea Breeze property have been documented and found; the owner of the property has been amenable to all requests by the Zoning Commission. He said the sidewalk that comes out into the Sea Breeze right-of-way may be a little long but they're willing to cut it; the owner wants to put a fence up and sod right to the roadway and will put it back to a condition better than before. Dr. Beauchene said he wants to have a meeting with Jim Ventres in regards to Sea Crest and the handful of unregistered vehicles.

e. Long Term Capital/Fiscal Planning Task Force Committee

Mr. Lombardo said their most recent meeting was cancelled and they will reschedule it once they receive the report Dr. Beauchene discussed during his pier report.

f. Association Manager

Mr. Moffett referenced his monthly report (attached) which he sent to the BOG for review and said he few action items to discuss which are listed in his report with pictures:

- Custom metal fabrications for \$858.63
- A power washing of all the swim rafts and floats
- The painting of the buoys themselves

Mr. Fountain asked about the welding done by Mr. Nebelung and Mr. Moffett said he agreed not to charge us since we're unhappy with the results.

Mr. Moffett said he wants to say how thankful he is for Will Fountain, Mike Johnson and Skip, and all the help they provide almost every weekend keeping everything in order and assisting with projects. He said Mike Coffey has allowed us the use of his water for powerwashing free of charge and wants to thank him for that.

Ms. Colangelo, Dr. Beauchene and Mr. Moffett discussed painting the buoys and the durability of materials they might utilize.

Mr. Moffett said the sum total for the action items is \$2,408 and falls under waterfront maintenance.

Ms. Colangelo discussed the request for maintenance funds submitted by Mr. Fountain which includes power washing all waterfront equipment, repairing piling clamps, replacing missing clamps, repair of gangways and the like. She said Mr. Fountain is asking for approval of up to \$4,000 to cover all parts and repairs.

Mr. Moffett clarified that what he's asking for is part of this \$4,000.

Ms. Colangelo said it would be more practical to up the amount to the full \$4,000 since it all falls under waterfront maintenance.

The Board approved by consensus \$4,000 for waterfront maintenance noting that it's already a budgetary item.

Ms. Colangelo asked about the weeds on Bellaire by the clay tennis court which they discussed at the previous meeting and Dr. Beauchene said he was given the surveys to their property and to Ms. Lowneys' and that he and Mr. Moffett will locate the steel pins in order to layout the property lines. Ms. Colangelo said if we're responsible we certainly need to address it.

The Board decided to revisit this item after the lot lines are laid out and determined.

VII. Old Business

a. ROW surveys

Dr. Beauchene said he had a long conversation with Dave Coonrod, the surveyor who works almost exclusively in Black Point given that he is semi-retired. He has asked Mr. Coonrod to review his records to determine where abutters have pinned their property so that we theoretically know where the right-of-ways start; Mr. Coonrod is going to put all his data together and that it may not require a whole lot more surveying.

Dr. Beauchene said he would like Mr. Coonrod to lay out pins not already there and that he will come back to the Board with a figure for this as well as more information.

Mr. Fountain asked that waterfront equipment be moved to the Whitecap right-of-way so that he may work on it for the Winter. Mr. Fountain asked how much space is needed and Mr. Moffett estimated half the parking lot.

The Board agreed that the Whitecap parking lot will not be available for use by the Community during Winter.

b. Parking and enforcement followup

Ms. Bruce suggested postponing this item until January and the Board agreed. Ms. Colangelo thanked Ms. Bruce and Mr. Fountain for their diagrams.

VIII. New Business

a. Employee Annual Reviews

Ms. Colangelo said she spoke with Mr. Lombardo who is our personnel expert and they discussed the employee annual reviews amongst the pandemic and Mr. Lombardo had the following remarks:

“ It has been a long and event filled season at Black Point Beach and our staff and the Board have put in an extra effort to navigate the impacts of Covid; we're

nearing Winter break and we all deserve a respite. I recommend that this year we do an informal employee review process this evening by giving our staff the thanks they deserve and renewing their contracts. However, we will accommodate anyone who has a need to formally meet with the Board and discuss employment issues.”

Ms. Colangelo said she endorses this whole heartedly asked the Board for their thoughts.

The Board agreed to amend the annual employee review process this year and renew the contracts of Mr. Capozza, Ms. Ames, Mr. Moffett and Ms. Stevens.

b. Fishing Hours

Ms. Colangelo discussed the comments made by Ms. Bourget at the onset of the meeting and the concern that the updated fishing hours in our rules and postings conflict; the rules state fishing is unlimited for members and their guests between September 15th and May 15th and there is no record of this being voted on. She reminded the Board that they’ve received a request that the long term rule of fishing between 6am and 11pm all year round be restored.

Ms. Colangelo suggested that under Section IV, Other Regulations, including that “fishing from Association property is allowed by members and their guests only from May 16th to September 14th fishing is allowed between 6pm and 11pm only; from September 15th to May 15th fishing is permitted between 6am and 11pm only.”

MOTION (6)

Mr. Diachenko moved to amend the fishing hour rules as stated.

Dr. Beauchene seconded the motion.

Motion carried, 7-0-0.

Mr. Lombardo said our signs regarding fishing will need to be changed and Ms. Colangelo asked Mr. Moffett to see to this.

Ms. Colangelo said they’ve received a request that the hard tennis courts be available until November 15th and asked Mr. Moffett for his thoughts, and he responded that he thinks it’s a great idea.

The Board agreed to leave the hard tennis courts open until November 15th.

The Board briefly discussed Mr. Diachenko and Ms. Bruce’s request for an executive summary report which restates the motions accompanying the minutes and asked Ms. Stevens for her thoughts. She responded that she feels it’s redundant, the motions are in bold for a reason, and that a yearly index of motions/decisions would be more practical. She added that she would be happy to accommodate the request if that’s what the Board chooses.

Ms. Bruce said both the summary and index would be beneficial and Mr. Lombardo said the summary should also include any deferred items. Ms. Colangelo is uncomfortable asking for two extra tasks.

The consensus of the Board was that a separate summary accompany and proceed the meeting minutes.

IX. Further Public Comments & Board responses

1. Wendy Bourget of 1 Osprey thanked the Board for reconsidering the fishing hours and asked the name of the surveyor when discussing the ROWs. She asked that Ms. Bruce contacts her in regards to the park task force. She said that update dates be listed on the website here and said she thinks the meeting highlights are a great idea.

Dr. Beauchene said the name of the surveyor is David Coonrod. He said if he has adequate info they will go with him otherwise Fred Guenther, who has also done extensive work in Black Point.

2. Margaret Casey of 17 Sea View said she and her sister are glad trust and voting rights are being addressed; they previously inquired about changing this individually and are glad this will be done by the community.
3. Cindy Trocki of 22 Blue Heron said some of the following:
 - The executive order by the Governor said meetings should be held for crucial and time sensitive issues only.
 - The reference to the association being in our name is very confusing- we're not an association but a municipality.
 - Our charter says any person over the age of 18 who owns or may own any land within the limits shall be entitled to vote at any meeting.
 - She has given J.J. Smith maps to the Board twice is considered a master plan and a POCD because it shows a cluster of houses with open space.
 - She would like the zoning minutes to be followed by any of the documents submitted or emailed during that meeting.
 - She wants everyone to have a clear understanding of what we own.
 - The surveyor Guenther's previous work which has been posted on the website was lacking.
 - Dave Coonrod should be going by the merestones which the maps clearly show.
 - She would be disappointed to see Mr. Coonrod or Mr. Guenther employed to complete these surveys.

X. Adjournment

MOTION (7)

Mr. Lombardo moved to adjourn the BPBCA BOG October 22nd , 2020 Special Meeting at 8:28 p.m.

Ms. Bruce seconded the motion.

Motion carried, 7-0-0.

Respectfully Submitted,

Brooke Stevens, Recording Secretary

From: cherylcolangelo@gmail.com,
To: lyme1234@yahoo.com, bog@blackpointbeachclub.com,
Subject: Re: FOI Public Outreach Workshop 9/28/2020
Date: Tue, Sep 29, 2020 8:40 am

Hi Barbara,
Glad you joined us last night.
We are fortunate to have access to Mr. Hennick, and will continue to call him with our questions.
Cheryl

On Mon, Sep 28, 2020 at 9:10 PM babara johnston <lyme1234@yahoo.com> wrote:
Hello BOG - I do appreciate your holding the workshop tonight. Mr. Hennick did a great job explaining FOI.

It was a real good session to learn just how the word 'public' was explained. I believe much has not been understood in the past BOG in the learning about FOI.
Please give Mr. Hennick a call if you have any questions to be answered in the future as he offered.
Barbara Johnston
35 Sea Crest Ave.

From: jallen31@atlanticbb.net,
To: bog@blackpointbeachclub.com,
Cc: jim0752@comcast.net,
Subject: Association Boat Landing Docks
Date: Wed, Sep 30, 2020 1:12 pm

The purpose of this correspondence is to ask the Black Point Beach Club Association Board of Governors why all the Association's (three) boat landing docks were removed on September 17, 2020, with absolutely no prior notice given to any of the Association members who utilize these docks.

It has been my experience that the majority of Marinas in the area have seasons that run from April 15th to October 15th.

I can understand removing the damaged "Boat Launch" dock at Sea View Avenue, however by removing all the docks (Main beach and South beach) you have denied members who have moorings, the ability to land and/or pick up passengers and thus prematurely ended our boating season by a month.

Thank you

Jim Allen
31 Sea Spray Avenue
Black Point

From: cherylcolangelo@gmail.com,
To: bog@blackpointbeachclub.com,
Subject: Fwd: Boaters
Date: Wed, Sep 30, 2020 5:14 pm

I will share with BOG, and this can be part of a discussion on boating policies.

----- Forwarded message -----

From: Will Fountain <mrwill34@gmail.com>
Date: Wed, Sep 30, 2020, 2:09 PM
Subject: Boaters
To: Cheryl Colangelo <cherylcolangelo@gmail.com>

Seems some people are not aware that we are a beach club not a full scale marina or yacht club. If anyone has a boat still in the water they can pass under the Niantic-Waterford bridge and use the state boat launch site on the Waterford side. It has a large ramp, a pier along side and ample room to remove any rigging your boat may have. I do not believe we are under any obligation to the boaters but we do try to accommodate them when possible

Sent from my iPhone

From: cmaries70@icloud.com,

To: bpzoning@gmail.com, bog@blackpointbeachclub.com,

Subject: 2 Sea Breeze Ave

Date: Fri, Oct 2, 2020 1:21 pm

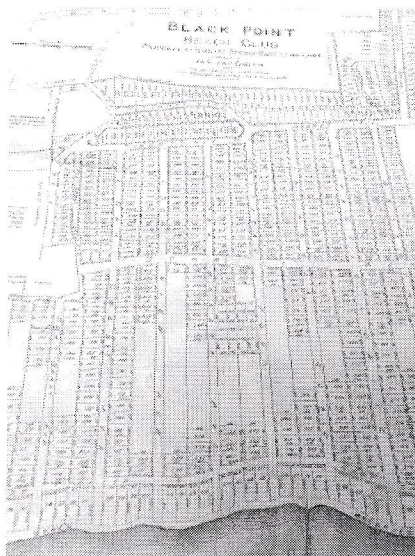
Attachments: image3.jpeg (6717K), image2.jpeg (7907K)

Good Afternoon Jim,

I am inquiring about an application for any of this development At 2 Sea Breeze Ave and all documents for the work being done there as well as to BPBCA ROW by Owner's hired people. I have seen BPBCA BOG Rules and Regulations read no one is to use any of BPBCA ROW's for personal use. Is there a survey required by 2 Sea Breeze, if not, there needs to be one done in order to continue work, in my opinion.

Sent from my iPhone

2 Attached Images



From: cherylcangelo@gmail.com,

To: jallen31@atlanticbb.net,

Cc: bog@blackpointbeachclub.com, jim0752@comcast.net,

Subject: Re: Association Boat Landing Docks

Date: Fri, Oct 2, 2020 4:25 pm

Hello Jim,

My apologies for the lack of notice re removing boating docks. In the future, we will send out an email via the Black Point membership email list and will continue to remind members to submit their email addresses for our records so we can reach as many as possible..

Since BP does not have the resources that private marinas do, we must be more conservative in our decisions regarding the seasonal removal of launches. In the past few years, BP equipment has sustained expensive damages due to unpredicted (or underpredicted) storms or swells, thus the inclination to close things down earlier than in the past. In the most recent case, damage was done to the Sea Breeze launch by unpredicted high swells and the launch was not safe. As it is very costly to have equipment removed individually, it was decided to remove everything at once. The board is working on a plan for the future to both protect our docks and make them available for as long as possible to the membership.

Please consider sharing your ideas of possible solutions with Jim Moffett and/or the board as we grapple with this dilemma.

Thanks. Cheryl

On Wed, Sep 30, 2020 at 1:13 PM jallen31@atlanticbb.net <jallen31@atlanticbb.net> wrote:

The purpose of this correspondence is to ask the Black Point Beach Club Association Board of Governors why all the Association's (three) boat landing docks were removed on September 17, 2020, with absolutely no prior notice given to any of the Association members who utilize these docks.

It has been my experience that the majority of Marinas in the area have seasons that run from April 15th to October 15th.

I can understand removing the damaged "Boat Launch" dock at Sea View Avenue, however by removing all the docks (Main beach and South beach) you have denied members who have moorings, the ability to land and/or pick up passengers and thus prematurely ended our boating season by a month.

Thank you

Jim Allen

31 Sea Spray Avenue

Black Point

From: cherylcolangelo@gmail.com,
To: witan@aol.com, bog@blackpointbeachclub.com,
Subject: Re: Suggested fishing regulation
Date: Fri, Oct 2, 2020 3:48 pm

Thanks, John. We touched on this at the last board meeting and I hope to return to it at the October meeting.
Cheryl

On Fri, Oct 2, 2020 at 8:03 AM <witan@aol.com> wrote:

Cheryl:

Tis the season and we're encountering lots of after-hours fishermen, AND we've found many of these are non-residents. It would help if when we're confronting them for waking us in the wee hours... again... that we can just say "*not after 11 O'clock*" without having to argue about whether or not they belong here. Help!

This is to ask that the BOG correct the fishing regulations, restoring the long-time rule *extending* permission off-season to allow fishing all day (6 AM to 11 PM). I'm sure it was unintended but the "new" regulation as posted would allow fishing at all hours of the night.

By the way, this is not just a South Beach issue. Of course no one wants folks lurking around their neighborhoods at all hours... any more than anyone wants them playing tennis or basketball or hanging out in their cars in our parking lots at those hours ... particularly people who don't live here! The restored regulation would bring fishing back in line with our other curfew regulations protecting those neighborhoods... and for the same reasons.

And it's not a minor matter as we and our neighbors here at South Beach are repeatedly disturbed in the wee hours... just as we're trying to get the rest and relaxation we invest in here at Black Point. Not to mention that it exposes our homes to vandalism (or worse... invasion!)... and is an injury insurance liability for the Association.

Meanwhile... while you are correcting the regulation, I thought you might also consider that the wording of the recent edition *could be interpreted* to mean:

- a) that the rules apply only to members and guests...not to non-members.
- b) that by specifying piers and jetties, fishing from our *beaches* is OK by anyone at any time.

Here is my crack at suggested regulation rewording:

SECTION IV. Other Regulations and Limitations of Liability

1. **New Rules for Fishing. – Fishing from Association Property is allowed by members and their guests only. From May 16 to September 14, fishing is allowed between 6 p.m. and 11 p.m. only. From September 15 – May 15, fishing is allowed between 6 a.m. and 11 p.m. only.**

Existing regulation

1. New Rules for Fishing. – From May 16 – September 14, fishing by members and their guests is allowed on the ends of all piers and jetties between 6 p.m. and 11 p.m. only. From September 15 – May 15, fishing hours are unlimited for members and their guests.

Bottom line... please at least correct and post ASAP the regulation to allow off-season fishing between 6:00 AM and 11:00 PM.

John

John Bourget
President

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www.WitanIntelligence.com
Marketing Research & Intel-based Strategy
01 (860) 675-0231

Over 30 years helping remarkable clients *"Know to Grow!"*

In a message dated 10/1/2020 7:19:35 PM Eastern Standard Time, rldfam1@aol.com writes:

Sent your texts to Cheryl and BOG. The reaction was slow so I resent to individual emails instead of BOG group text. Your concerns are valid but those controlling agenda are selective. Please send directly to Cheryl.

Rick

Sent from my iPhone

On Oct 1, 2020, at 2:25 PM, Witan@aol <witan@aol.com> wrote:

Wondering if you had a chance to bring this up with the Board. 'Tis the season and We're encountering lots of after-hours fishermen, AND many of these are non-residents. It would be great if at least we can boot them for the after-hours rule! Help!

John Bourget
WitanIntelligence.com
(860) 675-0231

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On Sep 13, 2020, at 9:34 AM, witan@aol.com wrote:

Suggested regulation wording

SECTION IV. Other Regulations and Limitations of Liability

1. New Rules for Fishing. – Fishing from Association Property is allowed by members and their guests only. From May 16 to September 14, fishing is allowed between 6 p.m. and 11 p.m. only. From September 15 – May 15, fishing is allowed between 6 a.m. and 11 p.m. only.

While correcting the regulation, I thought you might also consider that wording of the recent edition of the regulation *could be interpreted* to mean that the rules apply only to members and guests...not to non-members. Also, by specifying piers and jetties, the wording implies that fishing from our *beaches* is OK by anyone at any time.

Existing regulation

1. New Rules for Fishing. – From May 16 – September 14, fishing by members and their guests is allowed on the ends of all piers and jetties between 6 p.m. and 11 p.m. only. From September 15 – May 15, fishing hours are unlimited for members and their guests.

John Bourget
President

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In a message dated 9/13/2020 9:03:04 AM Eastern Standard Time, witan@aol.com writes:

This is to remind you to correct the fishing regulations to include the times-of-day for off-season fishing (6AM - 11PM) that had somehow been dropped. Important to correct before we get too far into the season.

Of course no one wants folks out there at all hours any more than anyone wants them playing tennis or basketball then ... particularly people who don't live here!

Congrats on your 3rd place yesterday! Even more so considering the winds! Wendy and I were getting wet just motoring around slowly! Hard to take photos rocking around so much. As the wind picked up we had to go in. It was nice seeing you guys yesterday prepping for the race. Glad you got whatever fixed in time. BTW... I don't know about Annie Longo,

but Prescott Littlefield is *unbeatable* so a third in this race is terrific!

John

John Bourget
President

Succeed Sooner!

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01 (860) 675-0231

Over 30 years helping remarkable clients "*Know to Grow!*"

From: cmaries70@icloud.com,

To: bpzoning@gmail.com, bog@blackpointbeachclub.com,

Subject: Map of BPBCA WITH Map2 taped to it, to complete the whole area of BPBC PROPERTY

Date: Fri, Oct 2, 2020 5:25 pm

Attachments: image0.jpeg (4610K), image1.jpeg (5919K)

Dear BOG OF BPBCA,

The Maps of BPBC are duly filed with the East Lyme Town Clerks Office, where Brooke Stevens, our Secretary for BPBCA, also works.

The Maps note Roads will be improved only in front of lots on shown map. See below:

That is in the middle of the original map to the left and to the far right towards the bottom says: end of town road.

It shows merestones locations, specifically on East Shore and BPBCA ROW at Sea Breeze Ave Opening being 40' in width. To find a merestone one might have to dig down about 1'-2'.

I dropped by BPBCA BOG Cheryl Colangelo's and left this map to be on file for all of the members of the Municipality.

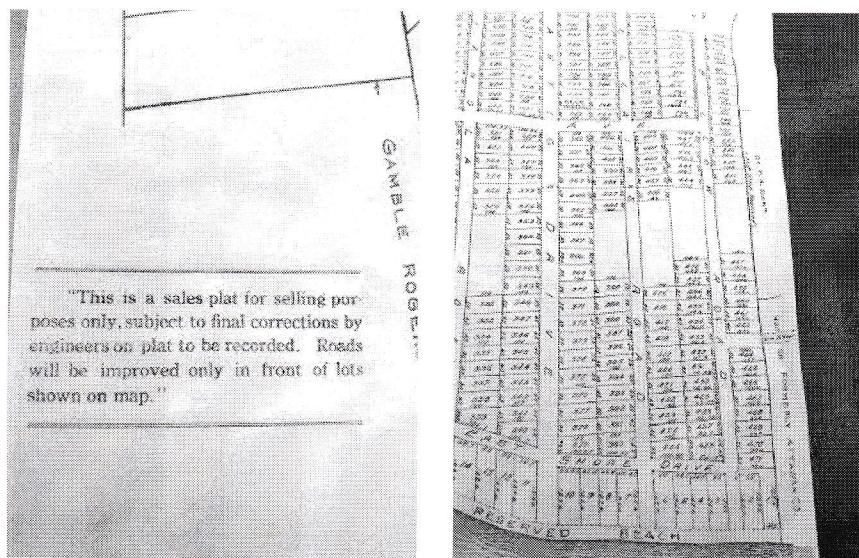
Maybe it can be put at the Club house and well as being on file.

Sincerely,

Cindy Trocki

Sent from my iPhone

2 Attached Images



From: cmaries70@icloud.com,

To: bpzoning@gmail.com, BOG@blackpointbeachclub.com,

Subject: Stopping Encroachment and personal use of BPBCA PROPERTY ROW

Date: Sat, Oct 3, 2020 10:51 am

I am looking for a response and plan before the owner Mario Costa at 2 sea Breeze Ave has his workers finish up and leave, leaving encroachment on BPBCA property.

Sent from my iPhone

> On Oct 2, 2020, at 1:21 PM, Cindy Trocki <cmaries70@icloud.com> wrote:

>

> Good Afternoon Jim,

> I am inquiring about an application for any of this development At 2 Sea Breeze Ave and all documents for the work being done there as well as to BPBCA ROW by Owner's hired people. I have seen BPBCA BOG Rules and Regulations read no one is to use any of BPBCA ROW's for personal use. Is there a survey required by 2 Sea Breeze, if not, there needs to be one done in order to continue work, in my opinion.

> <image3.jpeg>

>

> <image2.jpeg>

>

> Sent from my iPhone

From: cherycolangelo@gmail.com,

To: sharonbruce926@gmail.com, bog@blackpointbeachclub.com, bpbcmanger@gmail.com,

Subject: parking task force

Date: Sun, Oct 4, 2020 12:37 pm

Hi Sharon,

Some thoughts and questions on the task force report for discussion at a bog meeting, along with thanks for your work.

- BP stickers for golf cart parking may be confusing as, even now, many people think they can use stickers for parking their cars
- Several people have asked for a second parking tag for convenience in two car families; giving golf cart owners the option of two parking passes (or, parking options) may be perceived by car owners as inequitable
- Could we have diagrams illustrating where on the ROWs parking would be considered in relation to size of ROW, size of cars and golf carts, and possible obstructions? For example, carts backing into spaces on Whitecap may block access to ramp, benches, and places for carriages and bikes.
- Has anyone tested out the spatial process of parking (coming and leaving) on grassy strip of Nehantic when the lot is full and people are walking on ROW?
- Do we have any record of whether the Whitecap lot was full on weekends this summer?
- Does proposed parking on ROWs apply to cars as well?
- Would ROW parking be on asphalt or grass?
- Would there be posted hours for ROW parking? Enforcement during evenings and winter?
- Since it was just requested that we post/paint "No Parking" on Osprey ROW by many people at South Beach, has anyone in that neighborhood been asked about the proposed change?
- Has the task force considered community response to using public quiet, green spaces as parking areas?

Cheryl

From: doublek115@netzero.net,
To: bog@blackpointbeachclub.com,
Subject: Parking task force
Date: Tue, Oct 6, 2020 10:34 am

Attachments:

I think you're being very naive if you don't think people will park both their golf car and other vehicle at the beach. Why don't you contract with a towing service and post signs like business' do? At least one person has given Jim an attitude. The good news is, you have all winter to discuss this. Thanks for your time.

Tim Silver
67 Sea Crest Ave.

From: cmaries70@icloud.com,

To: bog@blackpointbeachclub.com,

Subject: 2 Sea Breeze Ave

Date: Fri, Oct 16, 2020 2:15 pm

Mr. Mario Costa just sprayed the ground on the left hand side of the stone flower stand, which belongs to BPBC property and Mr. Costa property starts more to the right side of the stone flower pot where one can find a merestone, unless he gets time to remove it. Who is the responsibility party to protect encroachment of BPBCA property from personal use?

Sent from my iPhone

From: cmaries70@icloud.com,
To: bog@blackpointbeachclub.com,
Subject: 2 Sea Breeze Ave
Date: Fri, Oct 16, 2020 2:16 pm

Mr. Costa is planning to put up a fence and deny owners in common use of BPBCA PROPERTY.

Sent from my iPhone

From: cherylcolangelo@gmail.com,
To: cmaries70@icloud.com,
Cc: bog@blackpointbeachclub.com,
Subject: Re: 2 Sea Breeze Ave
Date: Fri, Oct 16, 2020 2:33 pm

Hi Cindy

What is your source for this info?

On Fri, Oct 16, 2020, 12:17 PM Cindy Trocki <cmaries70@icloud.com> wrote:

Mr. Costa is planning to put up a fence and deny owners in common use of BPBCA PROPERTY.

Sent from my iPhone

From: brookers2@aol.com,

To: lyme1234@yahoo.com,

Cc: jimfox4@gmail.com, jallen31@atlanticbb.net,

Subject: RE: Messed-up Black Point Public Hearing for Zoning change of Regulations Oct 17, 2020

Date: Fri, Oct 16, 2020 11:28 pm

Attachments: Screenshot_20201016-231551_Drive.jpg (799K)

Hi Barbara,

I'm sorry your having difficulty navigating everything. If you look at the past zoning meeting minutes you will see that the next regularly scheduled meeting was for October 16th and the commission decided to change the regular meeting for after the public hearing on the 17th, since it didn't make sense to have a meeting Friday followed by another on Saturday. I've attached a screen shot of the number to call which is highlighted at the bottom. I won't be attending tomorrow's meeting since I have to do overtime for the Town but if you're having difficulty with zoom I'd recommend reaching out to Jim Moffett. He's a great resource for anything zoom related. If I can help in any way or answer any questions please let me know. I hope all is well with you.

Best wishes, Brooke

Sent from my Samsung Galaxy smartphone.

----- Original message -----

From: babara johnston <lyme1234@yahoo.com>

Date: 10/16/20 7:18 PM (GMT-05:00)

To: brookers2@aol.com

Subject: Messed-up Black Point Public Hearing for Zoning change of Regulations Oct 17, 2020

Hi Brooke - I've tried to have people listen (COVID19CT) to Public Hearing for Black Point change of Regulations but I am so confused trying to find tomorrow's agenda ? Plus much else. Oct. 16th is still in the former minutes, changed to Oct. 17th but most won't try to read on since it's probably too late. Call info etc.

I don't find the usual information ie: Dial by location, Meeting ID & access code ? Call number on notice is soooooo confusing. Is area code 425 etc ?

Please have Mr. Fox present it better next time. I really think & believe this hearing should be canceled & not be held. It's (public hearing) for a Zoning change as you are aware. It's been advertised wrong- they did it to me years ago & this time I'm experienced to it !!!

It's not your fault but the same old-same old for Black Point !!!

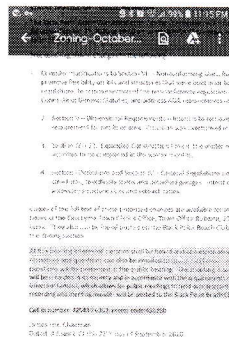
Please do what you can to help it would be much appreciated.

Sorry for late email,

Barbara Johnston

35 Sea Crest Ave.

1 Attached Images



From: lyme1234@yahoo.com,
To: bog@blackpointbeachclub.com,
Subject: BP Zoning Hearing Oct, 17, 2020
Date: Sat, Oct 17, 2020 1:34 pm

Hi to all on the BP BOG - I hope the BOG listened to the very sad Zoning Public Hearing held today via viral conference calling. It appears what was called a 'public hearing' was not handled as required especially by the CGS or FC addressed before any permits are issued of what was proposed.
I can say this quote: "If I were to remain silent, I would be guilty of complicity" - "Albert Einstein".

Please correct these serious mis-steps of BP Zoning Comm.
ASAP & thank you .
Barbara Johnston
35 Sea Crest Ave.

From: lyme1234@yahoo.com,

To: bog@blackpointbeachclub.com,

Subject: Agendas & info for meetings not complete

Date: Mon, Oct 19, 2020 6:38 pm

Hello BOG - I do find so many errors in agendas & time, places, information & not on a timely manner per FOI. Black Point recently had Mr. Hennick address FOI but it does not seem to working ? Maybe another session s/b held for the really needing to be addressed, not like before due to the COVID-19 ?

Please bring whomever doing agendas up to date & on a correct fashion.

Thanks,

Barbara Johnston

35 Sea Crest Ave.

From: cherylcolangelo@gmail.com,

To: chapin@pobox.com, brookers2@aol.com,

Subject: Re: Comments for the Record - 10/17/2020 Zoning Public Hearing

Date: Tue, Oct 20, 2020 12:51 pm

Thank you, Colleen, for this comprehensive and thoughtful response. I will have it included in with the BOG minutes.

On Tue, Oct 20, 2020, 12:10 PM Colleen Chapin <colleen.chapin@gmail.com> wrote:

See attached. Hopefully, these can be included for the public record.

colleen

From: cherylcolangelo@gmail.com,
To: cmaries70@yahoo.com,
Cc: bog@blackpointbeachclub.com,
Subject: Re: connect to BPBCA business info. notifications
Date: Wed, Oct 21, 2020 12:59 pm

Hi Cindy,

We cannot email all our notifications to members individually, but all of that information is posted on the website, blackpointbeachclub.com, within 24 hours of the meetings, as per FOIA.

We have a discussion of a charter commission on the agenda of tomorrow's bog meeting.

Cheryl

On Tue, Oct 20, 2020 at 5:09 PM Cindy Trocki <cmaries70@yahoo.com> wrote:

Dear BOG of BPBCA,

I am interested in any meetings and discussions about BPBCA meetings, and specifically communication about BPBCA Charter.

I am requesting any and all notifications of such purposes, be sent to my email address above, so I have an opportunity to be present to the information being shared.

I am also looking for how the Charter Commission was formed and does the members, not ones on the BOG Board but other members, have an opportunity to be part or on the Charter Commission?

I have much to learn and questions to be answered about understanding what we have in this Charter, deeds, and maps to ensure changes won't cause BPBCA property owners to lose its SPECIAL ACTS through adopting home rules.

In order to change our Special Acts, the BPBCA BOG have to adopt Home Rules?

Getting a basis to understanding what BPBCA Municipality has in its Charter and what are the changes necessary for the BOG needs to run **the purpose of its business**.

Sincerely,

Cindy Trocki, member of BPBC Property **in simple fee, vested, and common deed**
22 Blue Heron Road
Niantic, Ct 06357
508-561-8761

P.S. If one would look through the minutes of the meetings of this Board, one would see I have asked this Board to put BPBCA Charter on an agenda, so I can understand it, as well as all of the members.

P.S.S. BPBCA Charter/Special Acts are unique and helps our community to have a separation from The Town of East Lyme.

The Town of East Lyme has Fiduciary roles because we are a Municipality having this Charter, specifically East Lyme receives aids from the State and holds the monies in a **Fiduciary Fund** for OUR roads.

The Town of East Lyme are to care and maintain BPBC Property roads, street, Lanes, ect. **with State aid**.

The Town of East Lyme have a right to the pipes for **water distribution** in BPBC property roads, as a water company.

This Charter is the laws of BPBCA Municipality, along with deeds and maps.

From: cfg16@sbcglobal.net,
To: bog@blackpointbeachclub.com,
Subject: Comment on Trusts
Date: Thu, Oct 22, 2020 6:58 pm

To Whom It May Concern -

I am quite concerned regarding the discussion today 10/22/2020 on in "Trust" Properties. My concern is that just because you are the trustee or beneficiary of the trust it does not make you the owner of the property. I believe that only the owners should have the right to vote and right to be on the board. Generally it requires an individual to pass before the individual named in the trust becomes an actual owner. I believe you should seek legal guidance on this to determine who is the actual "owner" of the property. I do not agree with allowing individuals just because they are named in the trust to have the right to vote or be on the board. Only owner(s) should have this right.

Thanks so much. - Cynthia
cfg16@sbcglobal.net
860-719-2879
9 East Shore Drive

From: cherylcangelo@gmail.com,
To: cfg16@sbcglobal.net,
Cc: bog@blackpointbeachclub.com,
Subject: Re: Comment on Trusts
Date: Thu, Oct 22, 2020 8:44 pm

Thanks, Cynthia. There will be more opportunities for members to discuss this as we explore the process.

Cheryl

On Thu, Oct 22, 2020, 6:58 PM Cynthia Girgenti <cfg16@sbcglobal.net> wrote:
To Whom It May Concern -

I am quite concerned regarding the discussion today 10/22/2020 on in "Trust" Properties. My concern is that just because you are the trustee or beneficiary of the trust it does not make you the owner of the property. I believe that only the owners should have the right to vote and right to be on the board. Generally it requires an individual to pass before the individual named in the trust becomes an actual owner. I believe you should seek legal guidance on this to determine who is the actual "owner" of the property. I do not agree with allowing individuals just because they are named in the trust to have the right to vote or be on the board. Only owner(s) should have this right.

Thanks so much. - Cynthia
cfg16@sbcglobal.net
860-719-2879
9 East Shore Drive

From: Kim-Craven@comcast.net,

To: cherylcolangelo@gmail.com, slbvmd@gmail.com, Rldfam1@aol.com, SharonBruce926@gmail.com,
BOG@BlackPointBeachClub.com, janet.bonelli@gmail.com,

Subject: Committee to Reorganize Charter

Date: Thu, Oct 22, 2020 9:43 pm

Attachments:

To the Board of Governors,

I would like to be considered for the Committee to reorganize the charter.

I am presently 1 of 3 people on the committee to reorganize our Bylaws and Declaration of Covenants, Conditions and Restrictions for our Association in Florida.

Thank you,

Kim Craven

Cell 413-530-8990

Email Kim-Craven@comcast.net

Sent from XFINITY Connect App



MILONE & MACBROOM

October 19, 2020

Mr. James Fox
Zoning Commission Chairperson
Black Point Beach Club
15 Blue Heron Road
Niantic, CT 06357

**RE: Plan of Conservation & Development (POCD)
Black Point, Connecticut
MMI #141.17366.P0001**

Dear Mr. Fox:

Milone & MacBroom, Inc. (MMI) is pleased to submit this proposal to assist Black Point Association Zoning Commission (Commission) with creating a POCD that reflects the community's values and provides a roadmap in order to achieve your goals and maintain the community's quality of life.

For over 20 years, our certified planners have specialized in municipal plans of development, land use and zoning, coastal resiliency and Municipal Coastal Programs (MCP), and public engagement. We envision this process as an opportunity to develop a long-term framework for future planning. Our Team is excited by this opportunity to work hand-in-hand with the Commission and community members to develop this planning document for your community.

PROJECT UNDERSTANDING

Creating a POCD will enable Black Point to refine its own strategy for maintaining and sustaining the high quality of life offered by the community. Every community has unique conditions (physical, natural, and social) and a corresponding unique vision. At times, the most difficult task is to match these conditions and the vision through a process resulting in community consensus. Our Team strives to ensure that the vision and goals enshrined in a POCD are formulated by well-informed local decision makers and an engaged community, not the consultant selected to facilitate the process. Our Project Team understands that its role in a comprehensive community planning process is to provide information and technical advice, to help guide the steering committee through the planning process, and to advance meaningful community participation, not to control the direction a community plan may take.

Our proposed Scope of Services for this assignment is provided on the following pages. Having completed numerous POCDs over the past decade, we have developed a systematic approach to the planning process, producing high-quality products for our clients. While we rely on systematic processes, our approach to each assignment is tailored to meet the desires, unique concerns, and issues faced by the community.

SCOPE OF SERVICES

1.0 Project Initiation

An initial meeting with the Commission will occur at the outset of the project. The meeting will address project tasks and schedules to formalize the work plan. Sources of information will be confirmed and data gaps identified. Project deliverables with associated review periods will be discussed and confirmed. The Project Team and Commission will also brainstorm a preliminary list of stakeholders and finalize the public engagement plan (see Task 3 below).

Finally, MMI will tour the Black Point community, preferably guided by Commission members, in order to learn about the local nuances.

2.0 Baseline Conditions

It is our understanding that the Town of East Lyme is in the process of updating the Town's POCD. Additionally, in 2018 the Town completed a Coastal Resilience, Climate Adaptation, and Sustainability Study (CRCASS). Collectively, these documents provide a wealth of information on topics ranging from land use to demographics to coastal environments.

The Project Team will compile baseline mapping and other data for Black Point and its surroundings. It is assumed that this will largely rely on the recent and ongoing work by the Town of East Lyme and will be supplemented by locally available information. It is important for the Commission and public to understand the physical, social, and environmental features and limitations of the area.

3.0 Community Engagement

The Project Team believes public input should be sought throughout a comprehensive planning process in order to create meaningful goals and recommendations. While the final public outreach plan will be determined during project initiation, we recommend using the following strategies to engage the community:

Website and Social Media

The Project Team will develop content for posting on the Black Point Beach Club Website. Content will include an introduction to POCDs, the process and schedule, meeting dates, and other materials as appropriate. A Commission designee will review and coordinate the mechanics of posting information.

The Project Team will assist the Commission, or a designee, in preparing appropriate postings for Black Point's social media accounts to alert the community of opportunities to engage in the planning process and report on progress.

Online Survey

Online community surveys are a useful tool for engaging the community and providing valuable data, provided that there are reasonable response rates that are representative of the community's demographics. A survey conducted early in planning process can help to identify community assets, issues, and concerns, and begin to formulate the vision for the future.

The Project Team proposes to conduct one (1) online survey. The Project Team will generate draft survey instruments to be reviewed by the Commission, with up to two rounds of edits made by the Project Team prior to posting on Survey Monkey.

The Project Team will compile an executive summary of survey results, including cross-tabulation analyses as appropriate, for use in further public engagement and planning. Complete tallies and write-in responses will also be furnished to the Commission.

Interviews

As a follow-up to the online survey, the Project Team will conduct 1 day of interviews either in person or via phone/video conference with stakeholders as necessary to facilitate updates of information and better understand issues and objectives.

Community Forum

Community forums are intended to be both informational and interactive. These events typically consist of a brief presentation, a series of hands-on exercises, and live audience polling. We recommend holding a forum after the community survey. This forum will be used to further refine the overall vision for the Plan and for the community over the next decade. One POCD community forum is included in this proposal.

Commission Meetings

Additional opportunities arise for broad public input through Commission meetings and open lines of communication. In order to conduct an efficient process, the Project Team assumes that regular meetings of the Commission will occur (virtually or in person). Up to four such meetings have been included in this proposal.

4.0 Vision and Objectives

Based on the community input, the Project Team will facilitate a strategizing meeting with the Commission to discuss and draft the overarching vision, community values, and complementary objectives for the POCD.

5.0 Draft Plan

Based on the outcomes of all previous tasks, the Project Team will create a Draft POCD including an action agenda. It is envisioned that the POCD will be a graphically rich, goals-oriented document that succinctly conveys the community's values and priorities for the next decade. The

Project Team will provide electronic copies of the Draft Plan for review. The Commission will be responsible for communicating to the Project Team any changes or modifications to be made prior to preparation of the Final POCD.

6.0 Final Plan

After adoption by the Commission, the Project Team will prepare and submit a final POCD document in *Microsoft Word* and PDF format.

TIME FOR COMPLETION

The Project Team expects to complete the above-described tasks in approximately 6 months from authorization to proceed, to ensure ample time for the public outreach plan, and statutory requirements for adoption. At the project initiation meeting a formal schedule identifying key milestones, review periods, and deliverables will be prepared during the initiation meeting.

FEE SCHEDULE

The total fee for the above scope of services is \$20,000. This fee schedule was developed based on our recent experience assisting other communities with comprehensive planning updates, and includes expenses for the online survey program, printed materials for the workshop, and mileage.

Billings will be submitted monthly on a percentage-of-completion basis. Any additional services requested would be compensated on a per diem fee basis per the MMI preferred fee schedule in effect at that time.

STANDARD TERMS AND CONDITIONS

This proposal is subject to our Standard Terms and Conditions, which are attached hereto and incorporated herein.

ACCEPTANCE

If the above proposal meets with your approval, work may be initiated by signing a copy in the space provided below and returning it to us for our files.

We appreciate the opportunity to be considered for this project and look forward to your acceptance of our proposal.

Very truly yours,

MILONE & MACBROOM, INC.



Michael Zuba, AICP,
Director of Planning

Enclosures

141.17366.P0001-o1920-prop

The above proposal and attached Standard Terms and Conditions are understood and accepted:

By _____ Date _____

(Print name and title)

2020 Preferred Hourly Rates & Reimbursable Expenses

Connecticut Office

Clerical	\$ 65.00	Per Hour
Survey Crew Member	\$ 85.00	Per Hour
Draftsperson/Technician	\$ 85.00	Per Hour
Senior Draftsperson/Technician	\$ 95.00	Per Hour
Inspector	\$105.00	Per Hour
Senior Inspector	\$120.00	Per Hour
Chief Inspector	\$140.00	Per Hour
Resident Project Representative	\$160.00	Per Hour
Engineer/Designer/Planner	\$115.00	Per Hour
Senior Engineer/Designer/Planner	\$125.00	Per Hour
Licensed Professional/Specialist	\$145.00	Per Hour
Lead Licensed Professional/Specialist	\$155.00	Per Hour
Senior Licensed Professional/Specialist	\$175.00	Per Hour
Principal	\$220.00	Per Hour

Reimbursable Expenses

Bond Prints	\$ 2.00	Each
Large Bond Prints	\$ 3.00	Each
Fixed Line Mylars	\$75.00	Each
Color Plots/Mylars	\$30.00	Each
Large Color Plots/Mylars	\$45.00	Each
Photo Copies – 8½ x 11	\$ 0.12	Per Copy
Photo Copies – 11 x 17	\$ 0.24	Per Copy
Color Copies – 8½ x 11	\$ 1.25	Per Copy
Color Copies – 11 x 17	\$ 2.25	Per Copy
Binding 0-200 pages	\$ 6.00	Per Bound Copy
201 or more pages	\$ 7.50	Per Bound Copy
Board Mounting	\$25.00	Each
FedEx – \$0-\$25	\$25.00	Per FedEx
FedEx – Over \$25	Cost	Per FedEx
Mileage	(IRS Rate)	Per Mile

2020 ct pfd hourly rates.doc

STANDARD TERMS AND CONDITIONS

Unless specifically excluded in the Contract, these Terms and Conditions are incorporated by reference into the foregoing proposal or contract and shall be part of the Agreement under which Services are to be performed by Milone & MacBroom, Inc. (**MMI**) for the **Client**.

1. **Method of Payment:** Monthly, **MMI** will invoice **Client** for all Services rendered during the previous month. Invoices will be due upon receipt. Any unpaid invoices and charges will draw late payment fees at 1½% per month commencing 30 days after date of invoice. **Client** shall notify **MMI** in writing of any disputed amount within 10 days after date of invoice; otherwise, **Client** shall be deemed to have waived any objection to all invoice charges and agreed to the invoice being acceptable. Payment thereafter shall first be applied to accrued interest and then to the principal unpaid amount. Lump Sum Fee Price and Fixed Price contracts will be invoiced on a percent-complete basis as determined by **MMI**. Unless otherwise agreed, out-of-pocket costs for mileage, special mailing, reprographics, and similar costs will be invoiced as additional direct expenses. Subconsultant fees will be invoiced at cost plus a 10 percent markup for processing. In the event that **MMI** retains a collection agency or attorneys to recover any monies owed by **Client** to **MMI**, then **MMI** shall also be entitled to recover its reasonable cost of collection and legal costs from **Client**, including, but not limited to, all fees and costs incurred by **MMI** under mediation and litigation proceedings. **MMI** may suspend or terminate any and all of the Services if payment of any invoiced amount not reasonably in dispute is not received by **MMI** within 60 days from the date of **MMI's** invoice. Such suspension of services is done without waiving any other claim against **Client** and without incurring any liability to **Client** for such suspension due to **Client's** breach of payment terms. Termination shall not relieve **Client** of its obligation to pay amounts incurred up to termination.

The **Client's** obligation to pay for the Services performed under this Agreement is in no way contingent upon **Client's** ability to obtain financing, zoning, approval of governmental or regulatory agencies, favorable judgment of lawsuit, or upon **Client's** successful completion of project. Should Services be suspended for a period of ninety (90) days, **MMI** shall be entitled to additional compensation to reinstate work. Lump sum fees, if applicable, quoted in this Contract shall remain valid for a period of twelve (12) months from the date of Contract. Thereafter, they may be adjusted in accordance with **MMI's** current rate structure. Hourly personnel rates may be adjusted on an annual basis.

2. **Level of Services:** The Level of Service will be performed for the exclusive benefit of **Client**. **MMI** will perform the Services using that degree of skill and care ordinarily exercised under similar conditions by reputable members of **MMI's** profession practicing in the same or similar locality at the time of performance. No other warranty, express or implied, is made or intended, and the same are specifically disclaimed.

Client shall not be entitled to assert a claim against **MMI** based on any theory of professional negligence or violation of the standard of care unless and until **Client** has obtained the written opinion from a licensed, independent, and reputable engineering and/or environmental professional, as appropriate for the Services in question, that **MMI** has violated the standard of care applicable to **MMI's** performance of those Services under this Contract. **Client** shall promptly provide such independent opinion to **MMI**, and the parties shall endeavor in good faith to resolve the claim within 30 days.

3. **Deliverables:** All hard paper copies of deliverables, including, and limited to, any and all reports, drawings, plans, and specifications prepared by **MMI** hereunder shall be delivered to **Client** upon final payment for **MMI's** Services. Deliverables may not be used or reused by **Client**, its employees, agents, or subcontractors in any extension of the project or on any other project or any other use without the prior written consent of **MMI**. **Client** agrees that all deliverables furnished to the **Client** not paid for in full will be returned to **MMI** upon demand and will not be used for design, construction, permits, or licensing. All originals of such deliverables shall remain in possession of and the property of **MMI**. Copies of any electronic media or disks of originals of any of **MMI's** deliverables, such as designs, specifications, calculations, CAD documents, etc., shall not be made available unless a specific agreement is made to the contrary as part of the Scope of Services. All the drawings, plans, specifications, and deliverables prepared by **MMI** are instruments of **MMI's** service, and **MMI** shall be deemed the author of them and will retain all common law, statutory, and other reserved rights, including, but not limited to, the copyrights.

MMI shall have the right to include photographic or artistic representations of the Project among **MMI's** promotional and professional materials. **MMI** shall be given reasonable access to the Project to make such representations. **Client** shall advise **MMI** of confidential or proprietary information which should be excluded from promotional materials.

4. **Limitation of MMI's Liability to Client:** In recognition of the relative risks and benefits of the Project to both the **Client** and **MMI**, the **Client** agrees that except for circumstances caused by the willful misconduct of **MMI**, all claims for damages asserted against **MMI** by **Client**, including claims against **MMI's** directors, officers, shareholders, employees, and agents, are limited to the total fee for services rendered or \$250,000.00, whichever is less. **MMI** is solely responsible for its personnel only, and no others. **MMI** shall not be responsible for any special, incidental, indirect, or consequential damages (including loss of profits) incurred by **Client** as a result of **MMI's** performance or nonperformance of Services. **MMI** shall not be liable for extra work or other consequences due to changed conditions or for costs related to failure of the construction contractor or materialmen or service provider to install work in accordance with the plans, specifications, or applicable code, or for the actions or inactions of regulatory agencies. Any claim shall be deemed waived unless made by **Client** in writing and received by **MMI** within one (1) year after completion or termination of the Services.

5. **Client Indemnification:** **Client** shall indemnify and hold harmless **MMI** and its shareholders, directors, officers, employees, and agents against all losses or claims, and costs incidental thereto (including costs of defense, settlement, and reasonable attorney's fees) which any or all of them may incur, resulting from bodily injuries (or death) to any person, damage (including loss of use) to any property, or contamination of or adverse effects on the environment, arising out of or which are in any way connected with (i) the acts or omissions of **Client**, **Client's** employees, agents, and subcontractors, or (ii) **Client's** breach of Contract.
6. **Required Disclosures by Client:** **Client** shall provide **MMI** all information which is known or readily accessible to **Client** which may be reasonable and/or necessary for completion of the Services by **MMI** or protection or safety of **MMI** personnel.
7. **Force Majeure:** Neither party shall be responsible for damages or delays caused by Force Majeure or other events beyond the control of the other party and which could not reasonably have been anticipated or prevented. For purposes of this Contract, Force Majeure includes, but is not limited to, adverse weather conditions; floods; epidemics; war; riot; strikes; lockouts and other industrial disturbances; unknown site conditions; accidents; sabotage; fire; loss of or failure to obtain permits; unavailability of labor, materials, fuel, or services; court orders; acts of God; and acts, orders, laws, or regulations of the Government of the United States or the several states, or any foreign country, or any governmental agency. Should Force Majeure occur, the parties shall mutually agree on the terms and conditions upon which the Services may be continued.
8. **Termination:** This Contract may be terminated by either party upon thirty (30) days' written notice to the other party. Irrespective of which party terminates or the cause therefor, **Client** shall, within thirty (30) days of termination, compensate **MMI** for fees, charges for services, and costs incurred up to the time of termination, as well as those associated with termination activities. It is agreed, at any time after the total compensation payable to **MMI** under this Contract is met, that **MMI** shall have the right to suspend or terminate further performance or continuance of Services until **Client** and **MMI** have executed an extension to the contract or a new contract.
9. **Entire Contract:** This Contract constitutes the entire agreement, including herein-referenced proposal(s), attachments, and schedules, etc., between the parties and supersedes any and all prior written or oral agreements, negotiations, or understandings existing between the parties. This Contract may be amended only by written instrument signed by each party.
10. **Testimony:** Should **MMI** or any **MMI** employee be requested by any party or compelled by law to provide nonexpert testimony or other evidence with respect to the Services, and **MMI** is not a party to the dispute, **MMI** shall be compensated by **Client** for **MMI's** preparations, document retrieval, document reproduction, and testimony at **MMI's** current hourly rates. **MMI** shall provide expert witness testimony pertaining to any Services at premium rates of 1.5 times the then current hourly rates. **Client** agrees to reimburse **MMI** for reasonable travel, lodging, and meal expenses that are incurred in conjunction with providing either expert or nonexpert testimony or other evidence.
11. **Precedence and Survival:** This Contract shall take precedence over any inconsistent or contradictory provisions contained in any **Client**-issued purchase order, requisition, notice to proceed, or like document regarding the Services. All obligations arising prior to the termination of this Contract and all provisions of this Contract allocating responsibility or liability between **Client** and **MMI** shall survive the completion of Services hereunder and the termination of this Contract.
12. **Governing Law:** This Contract shall be governed by, construed, and interpreted in accordance with the laws of the State of Connecticut, excluding any choice of law rules which may direct the application of the laws of any other jurisdiction.
13. **Claims, Disputes/Mediation:** For any claim, dispute, or other matter in question between parties to this Contract arising out of or relating to this Contract or breach thereof, the parties shall first attempt to resolve such issue through discussions between **MMI** and **Client**. Any claim or dispute not resolved per the above discussions shall be subject to and decided by and through the process of nonbinding mediation. Such mediation process shall be done by and through an independent court-certified mediator. All mediation proceedings, hearings, and meetings shall be held in Cheshire, Connecticut. Any unsettled claims, disputes, or other matters in question between parties not settled and agreed to by this process of mediation shall be subject to and decided by and through litigation.
14. **Equal Opportunity/Non-Discrimination Statement:** **MMI** is an Affirmative Action Equal Opportunity Employer. **MMI** and the **Client** shall not discriminate or permit discrimination against any person or group of persons on the grounds of race, color, religious creed, age, marital status, national origin, ancestry, sex, sexual orientation, gender identity or expression, intellectual disability, mental disability, or physical disability, including, but not limited to, blindness, unless it is shown by **MMI** and the **Client** that such disability prevents performance of the work involved, in any manner prohibited by the laws of the United States or of the state of Connecticut; and **MMI** and the **Client** further agree to take affirmative action to insure that applicants with job-related qualifications are employed and that employees are treated when employed without regard to their race, color, religious creed, age, marital status, national origin, ancestry, sex, gender identity or expression, intellectual disability, mental disability, or physical disability, including, but not limited to, blindness, unless it is shown by **MMI** and the **Client** that such disability prevents performance of the work involved.

Connecticut General Statutes Sec. 8-23. Preparation, amendment or adoption of plan of conservation and development. (a)(1) At least once every ten years, the commission shall prepare or amend and shall adopt a plan of conservation and development for the municipality. Following adoption, the commission shall regularly review and maintain such plan. The commission may adopt such geographical, functional or other amendments to the plan or parts of the plan, in accordance with the provisions of this section, as it deems necessary. The commission may, at any time, prepare, amend and adopt plans for the redevelopment and improvement of districts or neighborhoods which, in its judgment, contain special problems or opportunities or show a trend toward lower land values.

(2) If a plan is not amended decennially, the chief elected official of the municipality shall submit a letter to the Secretary of the Office of Policy and Management and the Commissioners of Transportation, Energy and Environmental Protection and Economic and Community Development that explains why such plan was not amended. A copy of such letter shall be included in each application by the municipality for discretionary state funding submitted to any state agency.

(b) On and after July 1, 2016, a municipality that fails to comply with the requirements of subdivisions (1) and (2) of subsection (a) of this section shall be ineligible for discretionary state funding unless such prohibition is expressly waived by the secretary.

(c) In the preparation of such plan, the commission may appoint one or more special committees to develop and make recommendations for the plan. The membership of any special committee may include: Residents of the municipality and representatives of local boards dealing with zoning, inland wetlands, conservation, recreation, education, public works, finance, redevelopment, general government and other municipal functions. In performing its duties under this section, the commission or any special committee may accept information from any source or solicit input from any organization or individual. The commission or any special committee may hold public informational meetings or organize other activities to inform residents about the process of preparing the plan.

(d) In preparing such plan, the commission or any special committee shall consider the following: (1) The community development action plan of the municipality, if any, (2) the need for affordable housing, (3) the need for protection of existing and potential public surface and ground drinking water supplies, (4) the use of cluster development and other development patterns to the extent consistent with soil types, terrain and infrastructure capacity within the municipality, (5) the state plan of

conservation and development adopted pursuant to chapter 297, (6) the regional plan of conservation and development adopted pursuant to section 8-35a, (7) physical, social, economic and governmental conditions and trends, (8) the needs of the municipality including, but not limited to, human resources, education, health, housing, recreation, social services, public utilities, public protection, transportation and circulation and cultural and interpersonal communications, (9) the objectives of energy-efficient patterns of development, the use of solar and other renewable forms of energy and energy conservation, (10) protection and preservation of agriculture, (11) the most recent sea level change scenario updated pursuant to subsection (b) of section 25-68o, and (12) the need for technology infrastructure in the municipality.

(e) (1) Such plan of conservation and development shall (A) be a statement of policies, goals and standards for the physical and economic development of the municipality, (B) provide for a system of principal thoroughfares, parkways, bridges, streets, sidewalks, multipurpose trails and other public ways as appropriate, (C) be designed to promote, with the greatest efficiency and economy, the coordinated development of the municipality and the general welfare and prosperity of its people and identify areas where it is feasible and prudent (i) to have compact, transit accessible, pedestrian-oriented mixed use development patterns and land reuse, and (ii) to promote such development patterns and land reuse, (D) recommend the most desirable use of land within the municipality for residential, recreational, commercial, industrial, conservation, agricultural and other purposes and include a map showing such proposed land uses, (E) recommend the most desirable density of population in the several parts of the municipality, (F) note any inconsistencies with the following growth management principles: (i) Redevelopment and revitalization of commercial centers and areas of mixed land uses with existing or planned physical infrastructure; (ii) expansion of housing opportunities and design choices to accommodate a variety of household types and needs; (iii) concentration of development around transportation nodes and along major transportation corridors to support the viability of transportation options and land reuse; (iv) conservation and restoration of the natural environment, cultural and historical resources and existing farmlands; (v) protection of environmental assets critical to public health and safety; and (vi) integration of planning across all levels of government to address issues on a local, regional and state-wide basis, (G) make provision for the development of housing opportunities, including opportunities for multifamily dwellings, consistent with soil types, terrain and infrastructure capacity, for all residents of the municipality and the planning region in which the municipality is located, as designated by the Secretary of the Office of Policy and Management under section 16a-4a, (H) promote housing choice and economic diversity in housing, including housing for both low and moderate income households, and encourage the development of housing which will

meet the housing needs identified in the state's consolidated plan for housing and community development prepared pursuant to section 8-37t and in the housing component and the other components of the state plan of conservation and development prepared pursuant to chapter 297, and (I) consider allowing older adults and persons with a disability the ability to live in their homes and communities whenever possible. Such plan may: (i) Permit home sharing in single-family zones between up to four adult persons of any age with a disability or who are sixty years of age or older, whether or not related, who receive supportive services in the home; (ii) allow accessory apartments for persons with a disability or persons sixty years of age or older, or their caregivers, in all residential zones, subject to municipal zoning regulations concerning design and long-term use of the principal property after it is no longer in use by such persons; and (iii) expand the definition of "family" in single-family zones to allow for accessory apartments for persons sixty years of age or older, persons with a disability or their caregivers. In preparing such plan the commission shall consider focusing development and revitalization in areas with existing or planned physical infrastructure.

(2) For any municipality that is contiguous to Long Island Sound, such plan shall be (A) consistent with the municipal coastal program requirements of sections 22a-101 to 22a-104, inclusive, (B) made with reasonable consideration for restoration and protection of the ecosystem and habitat of Long Island Sound, and (C) designed to reduce hypoxia, pathogens, toxic contaminants and floatable debris in Long Island Sound.

(f) Such plan may show the commission's and any special committee's recommendation for (1) conservation and preservation of traprock and other ridgelines, (2) airports, parks, playgrounds and other public grounds, (3) the general location, relocation and improvement of schools and other public buildings, (4) the general location and extent of public utilities and terminals, whether publicly or privately owned, for water, light, power, transit and other purposes, (5) the extent and location of public housing projects, (6) programs for the implementation of the plan, including (A) a schedule, (B) a budget for public capital projects, (C) a program for enactment and enforcement of zoning and subdivision controls, building and housing codes and safety regulations, (D) plans for implementation of affordable housing, (E) plans for open space acquisition and greenways protection and development, and (F) plans for corridor management areas along limited access highways or rail lines, designated under section 16a-27, (7) proposed priority funding areas, and (8) any other recommendations as will, in the commission's or any special committee's judgment, be beneficial to the municipality. The plan may include any necessary and related maps, explanatory material, photographs, charts or other pertinent data and information relative to the past, present and future trends of the municipality.

(g) Any municipal plan of conservation and development scheduled for adoption on or after July 1, 2015, shall identify the general location and extent of any (1) areas served by existing sewerage systems, (2) areas where sewerage systems are planned, and (3) areas where sewers are to be avoided. In identifying such areas, the commission shall consider the provisions of this section and the priority funding area provisions of chapter 297a.

(h) (1) A plan of conservation and development or any part thereof or amendment thereto prepared by the commission or any special committee shall be reviewed, and may be amended, by the commission prior to scheduling at least one public hearing on adoption.

(2) At least sixty-five days prior to the public hearing on adoption, the commission shall submit a copy of such plan or part thereof or amendment thereto for review and comment to the legislative body or, in the case of a municipality for which the legislative body of the municipality is a town meeting or representative town meeting, to the board of selectmen. The legislative body or board of selectmen, as the case may be, may hold one or more public hearings on the plan and shall endorse or reject such entire plan or part thereof or amendment and may submit comments and recommended changes to the commission. The commission may render a decision on the plan without the report of such body or board.

(3) At least thirty-five days prior to the public hearing on adoption, the commission shall post the plan on the Internet web site of the municipality, if any.

(4) At least sixty-five days prior to the public hearing on adoption, the commission shall submit a copy of such plan or part thereof or amendment thereto to the regional council of governments for review and comment. The regional council of governments shall submit an advisory report along with its comments to the commission at or before the hearing. Such comments shall include a finding on the consistency of the plan with (A) the regional plan of conservation and development, adopted under section 8-35a, (B) the state plan of conservation and development, adopted pursuant to chapter 297, and (C) the plans of conservation and development of other municipalities in the area of operation of the regional council of governments. The commission may render a decision on the plan without the report of the regional council of governments.

(5) At least thirty-five days prior to the public hearing on adoption, the commission shall file in the office of the town clerk a copy of such plan or part thereof or amendment thereto but, in the case of a district commission, such commission shall file such information in the offices of both the district clerk and the town clerk.

(6) The commission shall cause to be published in a newspaper having a general circulation in the municipality, at least twice at intervals of not less than two days, the first not more than fifteen days, or less than ten days, and the last not less than two days prior to the date of each such hearing, notice of the time and place of any such public hearing. Such notice shall make reference to the filing of such draft plan in the office of the town clerk, or both the district clerk and the town clerk, as the case may be.

(i) (1) After completion of the public hearing, the commission may revise the plan and may adopt the plan or any part thereof or amendment thereto by a single resolution or may, by successive resolutions, adopt parts of the plan and amendments thereto.

(2) Any plan, section of a plan or recommendation in the plan that is not endorsed in the report of the legislative body or, in the case of a municipality for which the legislative body is a town meeting or representative town meeting, by the board of selectmen, of the municipality may only be adopted by the commission by a vote of not less than two-thirds of all the members of the commission.

(3) Upon adoption by the commission, any plan or part thereof or amendment thereto shall become effective at a time established by the commission, provided notice thereof shall be published in a newspaper having a general circulation in the municipality prior to such effective date.

(4) Not more than thirty days after adoption, any plan or part thereof or amendment thereto shall be posted on the Internet web site of the municipality, if any, and shall be filed in the office of the town clerk, except that, if it is a district plan or amendment, it shall be filed in the offices of both the district and town clerks.

(5) Not more than sixty days after adoption of the plan, the commission shall submit a copy of the plan to the Secretary of the Office of Policy and Management and shall include with such copy a description of any inconsistency between the plan adopted by the commission and the state plan of conservation and development and the reasons therefor.

(j) Any owner or tenant, or authorized agent of such owner or tenant, of real property or buildings thereon located in the municipality may submit a proposal to the commission requesting a change to the plan of conservation and development. Such proposal shall be submitted in writing and on a form prescribed by the commission. Notwithstanding the provisions of subsection (a) of section 8-7d, the commission shall review and may approve, modify and approve or reject the proposal in accordance with the provisions of subsection (h) of this section.

(1949 Rev., S. 856; 1959, P.A. 577, S. 6; 1969, P.A. 477, S. 1; 1971, P.A. 862, S. 5, 6; P.A. 78-314, S. 3; P.A. 80-327, S. 2; P.A. 85-279, S. 4; P.A. 88-13, S. 1, 3; P.A. 91-392, S. 2; 91-395, S. 3, 11; 91-398, S. 2, 7; P.A. 95-239, S. 3; 95-335, S. 9, 26; P.A. 99-117, S. 1, 2; P.A. 01-197, S. 1, 4; P.A. 03-19, S. 20; P.A. 05-205, S. 1; P.A. 06-17, S. 1; 06-24, S. 1; P.A. 07-239, S. 3; June Sp. Sess. P.A. 07-5, S. 4; P.A. 08-182, S. 16, 17; P.A. 09-230, S. 7; P.A. 10-138, S. 5; P.A. 11-124, S. 3; 11-188, S. 2; P.A. 13-179, S. 4; 13-247, S. 151, 277; 13-250, S. 2; P.A. 15-95, S. 1; P.A. 16-144, S. 6; P.A. 17-96, S. 40; P.A. 18-82, S. 1.)

History: 1959 act added provisions re districts; 1969 act substituted “shall” for “may” thereby requiring that recommendation for most desirable land uses and population density be included in development plan, but did leave optional the inclusion of other recommendations re streets, bridges etc. and further clarified contents of plan re economic development, schedules, budgets, various codes and regulations and community needed and deleted requirement that report be filed annually; 1971 act changed public hearing notice requirements from publication at least seven days before hearing to publication “twice at intervals of not less than two days, the first not more than fifteen days nor less than ten days, and the last not less than two days” before hearing; P.A. 78-314 allowed consideration of energy-efficient development, renewable forms of energy and energy conservation in development plan; P.A. 80-327 allowed consideration of water supplies and their protection in development plan; P.A. 85-279 made consideration of surface and ground drinking water supplies in preparation of the plan mandatory rather than discretionary; P.A. 88-13 allowed consideration of affordable housing and open space acquisition in the plan of development and required that the plan of development be reviewed and updated at least once every 10 years; P.A. 91-392 added provisions re development of housing opportunities and promotion of housing choice and economic diversity in housing; P.A. 91-395 designated existing provisions as Subsec. (a) and amended them to require that municipal plans take into account the state plan and that plans adopted under this section be reviewed for consistency with the state plan of development and added Subsec. (b) requiring municipalities to consider use of cluster development; P.A. 91-398 added provision re plans in municipalities contiguous to Long Island Sound; P.A. 95-239 amended Subsec. (a) to provide that the plan may make regulations re traprock ridgelines; P.A. 95-335 amended Subsec. (a) to change the name of the plan of development to the plan of conservation and development and authorized the plan to include provisions re greenways protection and development, effective July 1, 1995; P.A. 99-117 divided existing Subsec. (a) into (a) and (b), redesignating existing Subsec. (b) as (c), and amended Subsec. (b) by adding provision regarding explanation of failure to conduct review of the plan, effective January 1, 2000; P.A. 01-197 deleted former provisions and inserted new Subsecs. (a)

to (h) which reorganized former provisions and authorized planning commissions to appoint special committees and to submit the plan to the legislative body of the town, broadened the scope of the plan to include cluster development, traprock and other ridgelines and neighborhood and district plans and made technical changes to form and content, effective July 1, 2001, and applicable to municipal plans of conservation and development adopted after that date; P.A. 03-19 made a technical change in Subsecs. (f) and (g), effective May 12, 2003; P.A. 05-205 amended Subsec. (c) to add Subdiv. (10) re protection and preservation of agriculture, amended Subsec. (d)(1) to redesignate subparagraphs and require the commission to consider focusing development and revitalization in areas with infrastructure, adding new Subpara. (B) re system of principal thoroughfares, revising new Subpara. (C) to add provisions re identification and promotion of areas of mixed use development patterns and land reuse, and revising new Subpara. (F) re growth management principles, amended Subsec. (e) to eliminate provisions re principal thoroughfares consistent with changes in Subsec. (d), revising Subdiv. (3) to add recommendations for schools and adding new Subdiv. (6)(F) re corridor management areas and new Subdiv. (7) re priority funding areas, amended Subsec. (f) to require posting of plan on Internet web site of the municipality, change the number of days the regional planning agency has for review from 65 to 35, require the regional planning agency to make specific findings and add provisions re revision of the plan and submission to the legislative body, amended Subsec. (g) to add provisions re Internet posting and notice to the Office of Policy and Management, replaced former Subsec. (h) re hearings and endorsement with new Subsec. (h) authorizing an owner or tenant to request changes to the plan and made technical changes throughout the section, effective July 1, 2005 (Revisor's note: In Subsec. (d)(1)(C)(ii), the words "land and reuse" were changed editorially by the Revisors to "and land reuse" for consistency); P.A. 06-17 amended Subsec. (f) by revising provisions re submission to the legislative body or board of selectmen and organizing subsection into subdivisions, amended Subsec. (g) by adding requirement that a plan of conservation and development not endorsed by the legislative body or board of selectmen be approved by a two-thirds majority of the commission, making conforming changes and organizing subsection into subdivisions and amended Subsec. (h) by making conforming changes, effective October 1, 2006, and applicable to plans of conservation and development adopted after that date; P.A. 06-24 amended Subsec. (g) by replacing requirement that the commission notify the Secretary of the Office of Policy and Management of inconsistencies of the municipal plan with the state plan with requirement that the commission submit to the secretary a copy of the plan and a description of any such inconsistencies not more than 60 days after adoption of the plan; P.A. 07-239 divided existing Subsec. (a) into Subsecs. (a) and (b), added provisions re discretionary funding therein, deleted provision re application for funding for conservation or development submitted to secretary or

commissioners in said Subsec. (b) and redesignated existing Subsecs. (b) to (h) as Subsecs. (c) to (i), effective July 1, 2010; June Sp. Sess. P.A. 07-5 amended Subsec. (a)(2) to insert "state" re discretionary funding, effective July 1, 2010; P.A. 08-182 amended Subsecs. (c)(6) and (f)(4)(A) to change "regional plan of development" to "regional plan of conservation and development" and, effective July 1, 2010, amended Subsecs. (d)(6) and (g)(4)(A) to change "regional plan of development" to "regional plan of conservation and development"; P.A. 09-230 amended Subsec. (b) to delete provision re plan amendment and provide that municipality shall be ineligible for discretionary state funding for failure to comply with Subsec. (a) following adoption of state plan, effective July 1, 2010; P.A. 10-138 added Subsec. (a)(3) providing that no commission shall be obligated to prepare a plan from July 1, 2010, to June 30, 2013, and amended Subsec. (b) to make technical changes and provide that municipalities that do not prepare a plan pursuant to Subsec. (a)(3) shall continue to be eligible for discretionary state funding unless such municipalities fail to comply with Subsec. (a)(1) and (2) on or after July 1, 2014, effective July 1, 2010; P.A. 11-124 amended Subsec. (e)(1)(H) by replacing "housing plan" with "state's consolidated plan for housing and community development"; P.A. 11-188 amended Subsec. (e)(1)(D) by adding "agricultural" re use of land; P.A. 13-179 amended Subsec. (d) to add Subdiv. (11) re consideration of sea level change scenarios published by the National Oceanic and Atmospheric Administration in Technical Report OAR-CPO-1; P.A. 13-247 amended Subsec. (a)(3) by changing "2013" to "2014" and amended Subsec. (b) by changing "2014" to "2015", effective June 19, 2013, and amended Subsec. (g)(4) by substituting "council of governments" for "planning agency", effective January 1, 2015; P.A. 13-250 amended Subsec. (e)(1) by adding Subpara. (I) re zoning considerations for allowing older adults and persons with a disability to live in their homes and communities whenever possible and by defining "disability", effective July 1, 2013; P.A. 15-95 deleted former Subsec. (a)(3) re plan moratorium, amended Subsec. (b) by deleting former provisions re plan and amendment deadlines and municipal eligibility for state funding and by adding "July 1, 2016", added new Subsec. (g) re identification of sewerage systems, redesignated existing Subsecs. (g) to (i) as Subsecs. (h) to (j) and made technical and conforming changes, effective June 22, 2015; P.A. 16-144 amended Subsec. (d) to add Subdiv. (12) re need for technology infrastructure in municipality; P.A. 17-96 amended Subsec. (e)(1) to delete provision re definition of "disability", effective July 1, 2017; P.A. 18-82 amended Subsec. (d)(11) by replacing reference to sea level change scenarios published by the National Oceanic and Atmospheric Administration with reference to sea level change scenario updated pursuant to Sec. 25-68o(b), effective June 6, 2018.

Black Point Beach Club Association
Financial Report-Budget Vs Actual-2020-21
Actual to 10/22/2020

FY2020/21
mil rate 1.42
Grand List \$142,219,450

	July 1 2020- June 30 2021 BUDGET	Actual to 10/22/2020	Variance from budget	Estimated Year End 6/30	Act % @10/22/20	Budget Y/E Est from budget
INCOME						
Fees and Donations						
Zoning Applications	\$10,000	\$2,850	-\$7,150	\$10,000	29%	0
Rec Program	\$27,000	\$0	-\$27,000	\$0	0%	-27000
Total Fees and Donations	\$37,000	\$2,850	-\$34,150	\$10,000	8%	-\$27,000
Grand List Taxes						
Current Year Taxes	\$201,601	\$197,640	-\$3,961	\$201,601	98%	0
Liens & Interest	\$1,000	\$478	-\$522	\$1,000	48%	0
Prior Year Taxes	\$1,200	\$657	-\$543	\$1,200	55%	0
Total Grand List Taxes	\$203,801	\$198,776	-\$5,025	\$203,801	98%	\$0
Other Income						
Club Use Fee	\$1,200	\$0	-\$1,200	\$0	0%	-1200
Fund Surplus	\$25,000	\$0	-\$25,000	\$25,000	0%	0
Investment	\$1,400	\$218	-\$1,182	\$1,400	16%	0
Miscellaneous	\$100	\$27	-\$73	\$100	27%	0
ZBA Permits	\$1,600	\$0	-\$1,600	\$1,600	0%	0
Total Other Income	\$29,300	\$245	-\$29,055	\$28,100	1%	-\$1,200
TOTAL INCOME	\$270,101	\$201,870	-\$68,231	\$241,901	75%	-\$28,200
EXPENSES						
Contractual Services						
Audit Fee	\$3,500	\$0	-\$3,500	\$3,500	0%	0
Grass Cutting	\$3,400	\$0	-\$3,400	\$3,400	0%	0
Computer Services	345	\$494	\$149	\$494		149
Insurance	\$20,000	\$16,130	-\$3,870	\$20,000	81%	0
Legal Fees	\$8,000	\$1,710	-\$6,290	\$8,000	21%	0
Payroll Services	\$1,750	\$1,093	-\$657	\$1,750	62%	0
Security Patrol	\$5,000	\$0	-\$5,000	\$5,000	0%	0
Recreation Program	\$7,000	\$0	-\$7,000	\$0	0%	-7000
Total Contractual Services	\$48,995	\$19,427	-\$29,568	\$42,144	40%	-\$6,851
Operations						
Clubhouse	\$3,500	\$553	-\$2,947	\$3,500	16%	0
Grounds Maintenance	\$4,000	\$1,891	-\$2,109	\$4,000	47%	0
Liens	\$100	\$50	-\$50	\$100	50%	0
Playground	\$4,000	\$0	-\$4,000	\$4,000	0%	0
Supplies	\$2,000	\$0	-\$2,000	\$2,000	0%	0
Tennis Courts	\$5,500	\$2,127	-\$3,373	\$5,500	39%	0
Utilities	\$6,600	\$1,467	-\$5,133	\$6,600	22%	0
Waterfront Maintenance	\$36,000	\$16,891	-\$19,109	\$36,000	47%	0
Total Operations	\$61,700	\$22,979	-\$38,721	\$61,700	37%	\$0
Other Expenses						
Black Pointer	\$3,706	\$3,454	-\$252	\$3,454	93%	-252
Capital Expenditures - Current	\$15,000	\$3,117	-\$11,883	\$15,000	21%	0
Contingency Fund	\$25,000	\$0	-\$25,000	\$25,000	0%	0
Reserve Fund- LT Capital Imp.	\$8,500	\$0	-\$8,500	\$8,500	0%	0
Donations	\$150	\$150	\$0	\$150	100%	0
East Lyme Taxes	\$5,500	\$5,350	-\$150	\$5,350	97%	-150
Social Events	\$3,000	\$0	-\$3,000	\$3,000	0%	0
Miscellaneous	\$4,500	\$26	-\$4,474	\$4,500	1%	0
Website	\$800	\$0	-\$800	\$800	0%	0

aac

10/20/2020

C:\Users\Alfredo\Documents\Black Point Beach Club Assoc\October, 2020\Financial Report_Budget VS Actual as of 10-22-2020.xls

ZB/ZBA	\$3,300	\$122	-\$3,178	\$3,300	4%	0
Total Other Expenses	\$69,456	\$12,219	-\$57,237	\$0	\$69,054	\$3 -\$402
Personnel Services						
Beach Patrol	\$8,500	\$9,284	\$784	\$9,284	109%	784
Medicare	\$950	\$401	-\$549	\$950	42%	0
Recreation Personnel	\$20,000	\$0	-\$20,000	\$0	0%	-20000
Unemployment Comp.	\$1,000	\$0	-\$1,000	\$1,000	0%	0
Association Manager	\$22,000	\$7,333	-\$14,667	\$22,000	33%	0
Secretary	\$7,500	\$2,500	-\$5,000	\$7,500	33%	0
Treasurer	\$7,500	\$2,500	-\$5,000	\$7,500	33%	0
Tax Collector	\$8,500	\$0	-\$8,500	\$8,500	0%	0
Zoning Officer	\$14,000	\$4,667	-\$9,333	\$14,000	33%	0
Total Personnel Services	\$89,950	\$26,685	-\$63,265	\$70,734	30%	-\$19,216
TOTAL EXPENSES	\$270,101	\$81,310	-\$188,791	\$243,632	30%	-\$26,469
NET INCOME	\$0	\$120,560	\$120,560	-\$1,731		-\$1,731

Bank Balances- as of statements dated :	9/30/2020
Checking and	
Sweep:	208,061
Long Term Savings:	104,156
Total	<u>312,217</u>

Note 1	
Capital Expenditures-FY20/21	\$
80" x 10 FT-Seaview dock replmt	2490
Bench	627
	<u>3117</u>

BLACK POINT BEACH CLUB ASSOCIATION
TAX COLLECTOR REPORT
10/19/2020

	OPENING BALANCE TO BE COLLECTED	COLLECTED TO DATE	OUTSTANDING BALANCE DUE	NUMBER OF OUTSTANDING ACCOUNTS
REAL ESTATE TAXES	GL 2019 (DUE 7/1/2020) \$201,472.21	\$197,883.67	\$3,588.54	Represents 16 outstanding accounts of which 3 are partially paid of the total 581 properties
REAL ESTATE TAXES *	GL 2018 (DUE 7/1/19) \$208,877.51	\$208,163.29	\$714.22	Represents 2 outstanding accounts of which 1 is partially paid of the total 581 properties
SPECIAL ASSESSMENT *	GL 2018 (DUE 7/1/19) \$606,873.84	\$603,857.83	\$3,016.01	Represents 4 outstanding accounts of which 1 is partially paid of the total 581 properties

10/26/2020

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October 2020 Association Manager's Report

I. Routine tasks:

- I meet and speak regularly with Mike Nebelung regarding waterfront maintenance. Mike is very responsive to our needs and there are numerous examples of his assistance at no charge.*
- I periodically pick up plastics, empties, butts, discarded paper, ▲, to keep our beaches clean through. This includes walking out on the piers because I have found left-behind fishing hooks, broken glass, and even razor blades.*
- Drive to town to pickup mail every few days and give to Cheryl.*
- Put out garbage barrels on Sunday nights and return them on Monday mornings every week.*
- Write up monthly reports.*
- Open the Clay Courts at 8am and lock them at 7pm every day till October 15th. Stacked up benches in the corner and put away brooms to Clubhouse.*
- Set up tables/chairs for meetings.*
- The two Kayak Racks from Sea View were removed October 10th and stored at Whitecap Parking Lot for Winter. The others will remain in place.*

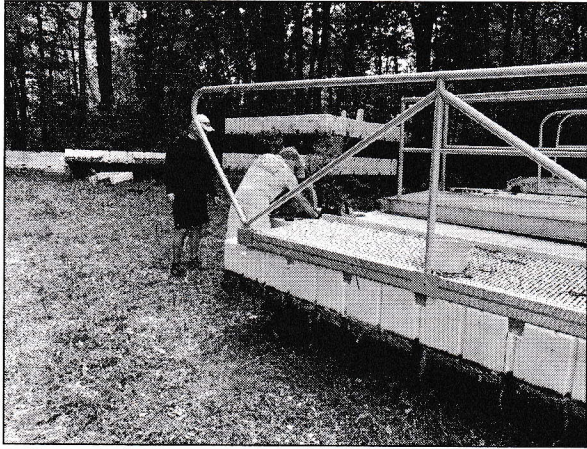


II. Non routine issues: (bulleted).

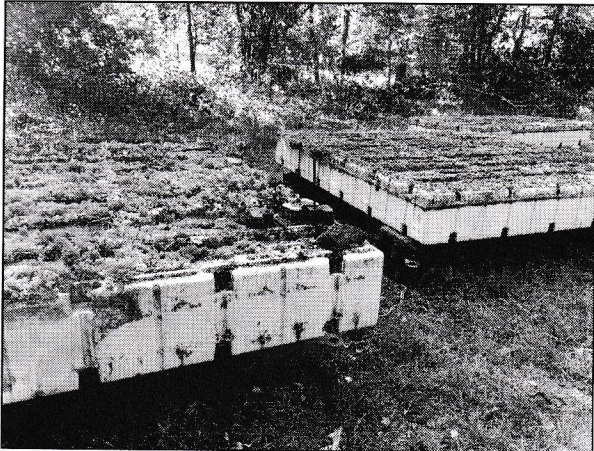
- Coordinated the Zoom BP Freedom of Information Commission Public Outreach Workshop.*
- Met/Participated as a member of Long Term Capital Improvement Committee.*
- Took delivery of new boat dock section at Clubhouse.*
- Worked with Women's Club to secure payment for purchase/install of Bench at Clubhouse.*



-Met with Will, Mike, Skip and assessed and repair rafts, gangways, checked damage and our needs For next season and beyond.

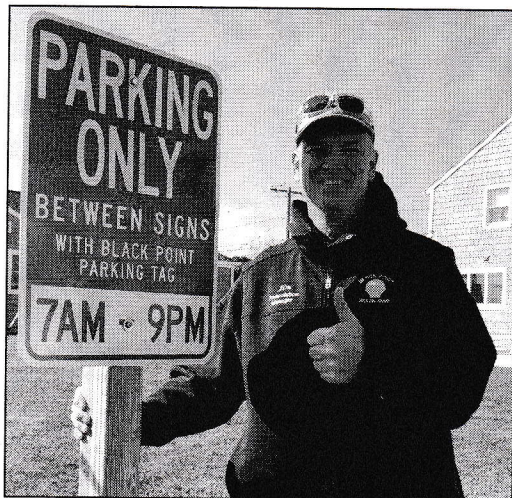


-Met with Scott, Harbour Painting, (860)444-0705, and met with Glenn from GK PowerWashing and Also met with Doug's PowerWashing re: Powerwashing rafts, buoys plus one at Clubhouse. Low bid is \$650 by Doug's PowerWashing. **Also Note: Please recognize the Mike Coffey family that live adjacent to the Top-of-Billow for allowing us to use their water for this project.**



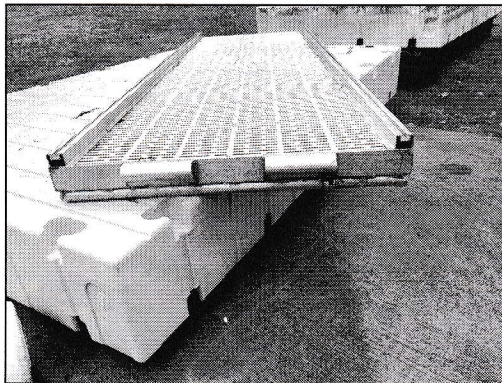
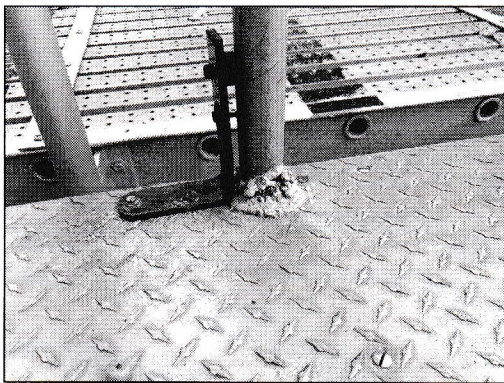
-Coordinated the closure of the Clay tennis courts on October 15th. Put away all equipment including brooms, sweepers, barrels, lines, and nets and stored in garage. Hard courts will remain open as long as possible.

-Installed new sign at Waterside Avenue

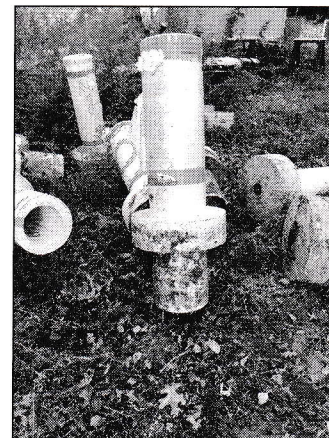
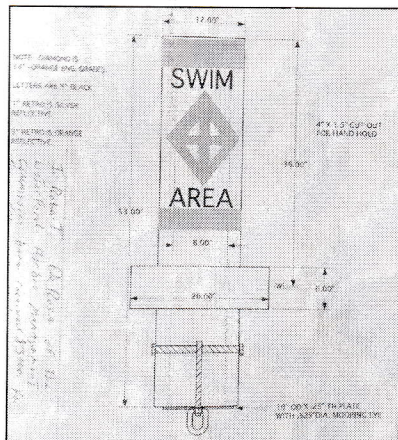


III. Resolution of non routine issues

Action Items



-Met with Dennis from Hillery Company, (860)445-9791, custom metal fabricators and received a low bid for repair work to the gangways. Gangway 1 - Remove temporary brace, cut aluminum pipe and grind existing weld flush. Slip new pipe over existing pipe and Weld to pipe and deck. Gangway 2 - Cut cracked portion of pipe on bottom and two pieces pipe off end and grind Flush. \$858.63



-Last year, we put on new decals @ \$60 each for the nine SWIM AREA buoys and it failed. This year, I propose to commission 4 hours for each buoy, to clean it, prime it, stencil, and hand-paint to standard height width and color. The result should definitely last a few years. Estimated at \$100 per buoy (9 buoys). I have commissioned a Black Pointer to do one buoy to see how it comes out at \$100. If this works out as anticipated and is accepted, I would like to propose the completion of the remaining eight buoys - to be completed prior to opening season.

Jim Moffett, Association Manager **October 18, 2020**

From: cherycolangelo@gmail.com,
To: rldfam1@aol.com,
Cc: mrwill34@gmail.com, bpbcmanger@gmail.com, bog@blackpointbeachclub.com,
Subject: Re: Boat Launch-Dighy Beach Task Force
Date: Thu, Sep 24, 2020 4:16 pm

Task force reports are to be discussed when reports are complete and recommendations made. They will be presented in a timely way across the season so as not to overwhelm any one meeting. The small craft report is not complete, nor is it a priority for the Sept, meeting. The topic is too important to rush through. Specific issues related to beaches that require immediate attention can and should be brought up at any meeting by any member of the board, most often assoc. manager or grounds representative (Will)..

The board agreed that we need to make meetings shorter and more efficient. This is one of the responsibilities of the chair when making the agenda.

On Thu, Sep 24, 2020 at 11:54 AM <rldfam1@aol.com> wrote:

It is noted again that the Boat Launch-Dighy Task Force was omitted from the agenda once again. It appears that there is no interest, so the Task force will end with one final effort for the BOG to consider the following:

- Sides of Right of Way to be used for rigging and derigging boats/water crafts. Survey (perhaps an A2 Survey) needed to establish boundaries
- Boat Launch from Right of Way to Beach needs to be repaired - Temporary fix is sand put a hard scape solution is prefferable to avoid injuries and damage to small crafts
- Boat Dock repairs needed - Partially in the works from last meeting
- Beach walkway from Sea Breeze beach needs repair. At a minimum a sign should be placed as a warning. Question: Is it the Home Owners or BP property?
- Legal terminology needs to be considered by the BOG for any signage for use of dighy beach by residents. Mean high tide ramifications need to be considered.
- Sizes of crafts and limitation of storage needs to be addressed

A task force's purpose is to do research and prework of issues deemed important by the BOG. The BOG formed this Task Force because information was needed. However, accesss to meetings by being added to the agenda failed after several attempts. As stated in the informational meeting, the Board makes the agenda, so the implication is that there is not a priority.

Thanks,
Rick

-----Original Message-----

From: rldfam1@aol.com
To: cherycolangelo@gmail.com <cherycolangelo@gmail.com>; mrwill34@gmail.com <mrwill34@gmail.com>; bpbcmanger@gmail.com <bpbcmanger@gmail.com>; bog@blackpointbeachclub.com <bog@blackpointbeachclub.com>
Sent: Fri, Aug 21, 2020 3:26 pm
Subject: Boat Launch-Dighy Beach Task Force

Task force members: Rick Diachenko, Will Fountain, Jim Moffet & Cheryl Colangelo.

Look forward to updating the BOG

First Meeting was 30Jun20. Sharon Bruce joined us. The minutes were not published at that time and I made the mistake that Sharon was on the Task Force and not Cheryl. The mistake was corrected.

30Jul20 2:30 PM

Subject: Boat Launch, Right of Way, Dinghy Beach

Task: Review situation at Sea View Boat Launch and Dinghy Beach Area Rick Diachenko, Will Fountain, Sharon Bruce

Observations and Concerns:

Ownership of Right of Way

- East Lyme stated they don't own but do not have a record that BP does (per e-mail to Will Fountain from East Lyme)

- Bikes left in the grass on ROW

Property Lines

- Properties to the North and South have hedges that appear over property lines - Sea walls might be over also based on PVC marker found in hedges

Sidewalk along sea wall to north of ROW

- BP maintains it now but did BP build it? Should we?

- It acts as a direct path way from Sea Breeze beach to Dinghy beach. - Walkway needs repair and so does rail...BP responsibility or not?

Mean High Tide Mark

- Map from DEEP shows two stones that mark the line. However sea weed from last tides seem to show a different story.

Boat ramp to dinghy beach

- Very steep drop on this 15 foot access point. It needs major leveling work!

- Some crafts parked on beach are blocking access and need to be moved. Starting point for dinghy storage needs to be marked.

- According to residents in the area, crafts are stored there and hardly ever used. Area is full.

Signage

- No sign against sun bathing

- Sign says no dockage/swimming - Not clear - Does it mean no swimming from dock?

- Drivers ignore STOP sign on East Shore. A warning sign of boaters backing-up may be helpful.

Resident Interviews

- Residents stated to keep things the same - Boaters have right of way and beach goers and swimmers should yield and help

- Beach should be open to all with above restrictions

Boat Rigging Areas

- Areas on both sides of ROW should be reclaimed as staging areas for boat rigging and tear down

Recommendation for 1st step:

- Locate older maps, title search, survey

- From this determine is walkway will be maintained, Cost to repair ramp to Dinghy Beach and plans to reclaim boat staging area

2nd steps

- Access rules review and signage

Cheryl volunteered to contact others to find out the rules on other boat docks. Information to follow after her family visit.

Meeting Fri 21Aug20: Rick Diachenko, Will Fountain, Jim Moffet - (Cheryl Colaangelo - not available)

Observations:

- Property line issues on right of way
- Boat Ramp to beach has a large drop off. The original ramp was found to be about 2 feet lower than the right of way road
- Boats parked at edge of the beach ramp area block access for boaters trying to launch from beach using sand dollies
- DEEP map, approx 2017 by DEEP when boat dock was redone, shows the mean high tide mark. Two boulders shown on this map provide a line where BP jurisdiction is debated.
- Space is needed for rigging and de-rigging boats without blocking the boat launch.
- Bikes laying near boat dock a hazard for trailers using the ramp
- Walkway between Sea Breeze beach and boat launch damaged. Question as to who owns?
- BP members living near the boat launch have comments for use of this beach other than boating. Boaters seemed more concerned over access where beach goers claim to help and want things the same for swimming and sunbathing. Past the high tide mark, our jurisdiction authority is diminished. Can medium ground be achieved?
- Rock near boat launch caused damage to a boat
- Signage may change with input from this Task Force
- Last storm damaged 80" x 10' floating boat dock
- What exactly are limitations of size of boats allowed on this beach. One member has had a Catamaran on the beach for years and had to remove it this year. It was larger than his old one.
- Question on height of the kayak racks

Recommendations:

- A-2 survey to establish boundaries
 - Determine the legal width of the right of way
 - Determine who owns the sea walls if survey shows walls on BP property and not that of home owners
 - After survey, quote will be needed to clear areas parallel to right of way for rigging and de-rigging of boats
 - Sea wall walkway damage north of boat launch. Not our sea wall but need to determine if it is our walkway. At the very least, suggest a disclaimer sign be posted that the walkway is closed due to damage from erosion
- Sand needs to be moved to eliminate the large drop from the road on beach launch for safety of boaters and their craft. If a more permanent solution is preferred, a professional engineer may be required to re-build boat ramp to the beach. Old ramp is approximately 2 feet under the sand level. Re-build is more expensive but is a longer term solution. There is a concern, by some, of losing part of the beach by moving sand with washout caused by storms - that's why they prefer professional advise
- Boat parking on sand - Starting point signage needs to be marked to avoid blocking ramp for beach launches
- Lowering beach sand for ramp may also resolve kayak rack height issue
- Bike rack suggested at the NW corner of the right of way, away from the launch to avoid trailer accidents - \$250
- Replace 80" x 10' boat dock due to hole in top - \$2,500
- Rock near boat launch - Doubt DEEP will allow movement. Could add sign, "Sumerged Rock - Use Caution " or use a buoy to mark
- Neighbors comments need to be heard to determine whether we change the rules.
- Suggest we set a size limit for boats on the beach - I suggest we use 18 ft (Mr Sanders Boat which was removed) as a starting point of discussion.

Submitted by:
Rick Diachenko

From: tradewinds3@sbcglobal.net,
To: bog@blackpointbeachclub.com,
Subject: PARKING TASK FORCE
Date: Mon, Sep 28, 2020 5:46 pm

PARKING TASK FORCE

Lost Tags

There were about 17 out of approx. 600 hanging tags lost last year. We have the tags to control access to a limited resource. Cars with BP stickers just as obviously belong here as carts that can't leave BP. Why give cart owners (who are 20% of the population) special treatment?

Is this a big enough problem for a major change in policy?

Increased Parking

We should provide greater access to beach and water. However, the ROWs also add openness and visual access to our beautiful setting. So, we should search for a balance. Carts take up less space, therefore some areas work for carts only, however, car owners represent 80% of our population should also be considered.

Consider the following:

Do not allow parking on ROWs without water access – Billow, Bellaire, Sea Crest, Sailaire Brightwater, Blue Heron

In new spaces, allow cars where there is room, perhaps: Cahill, White Cap and Osprey.,

If parking is allowed in random locations on the ROWs, they will be a mess and take away from the aesthetics of our association.

Phil

From: sharonbruce926@gmail.com,

To: bog@blackpointbeachclub.com,

Subject: Proposed Golf Cart Parking Sketches

Date: Wed, Oct 21, 2020 4:01 pm

Attachments: proposed golf cart parking sketches .pdf (722K)

Attached please find the sketches that Will did for the proposed golf cart parking. Thank you Will!



PIER

14

BENCH
CEMENT PAD

CEMENT
GRASS

● - 9 Post
EQUALLY SPACED
SPRING 2021

8- 10" SPACES

3 - misc. Bikes
Paddle Boards
BEACH CHAIRS

5 - GOLF CART
PARKING SPACES

21'
RACK
RACK

80'

15'

● T.R.

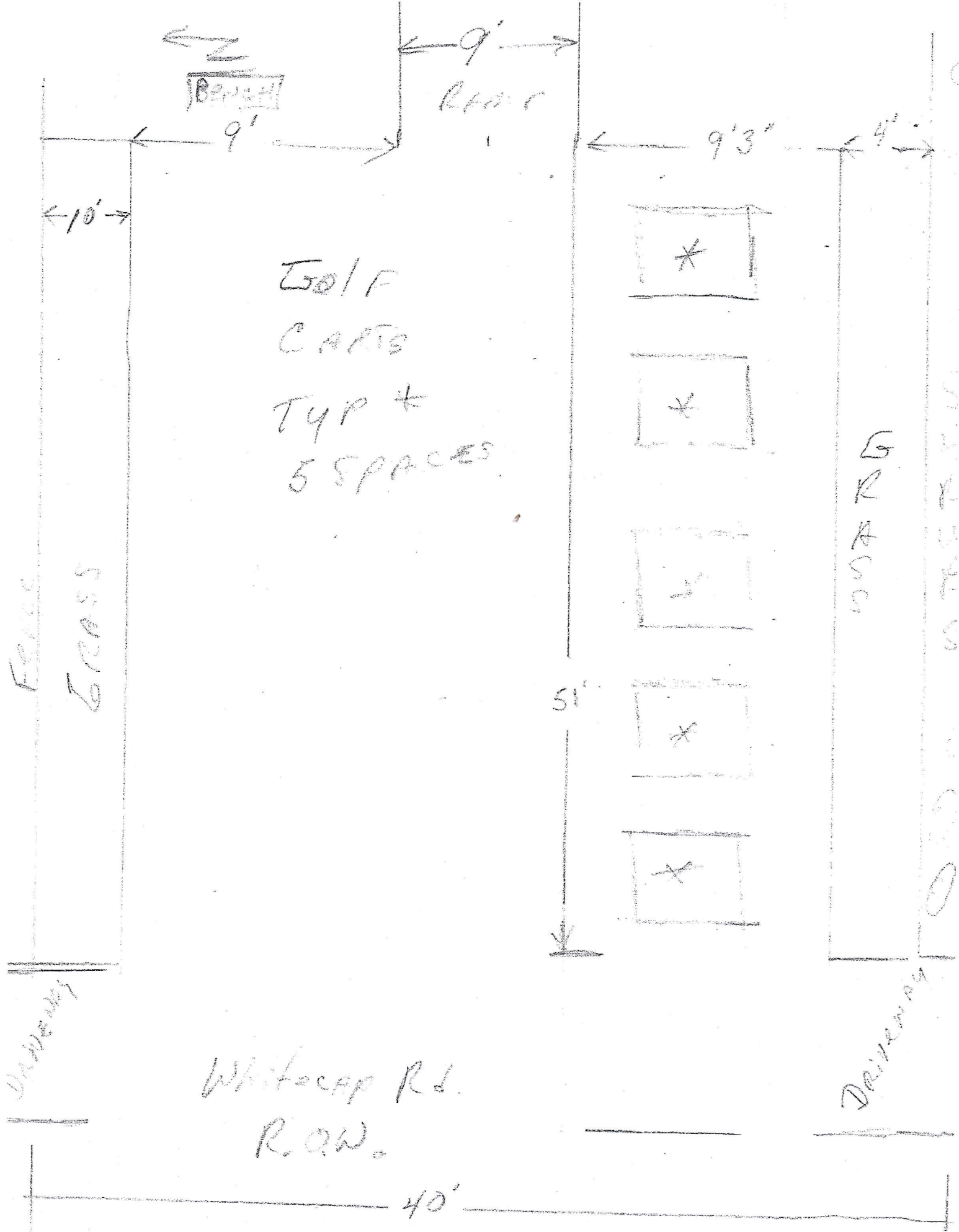
DRIVEWAY

OSPREY

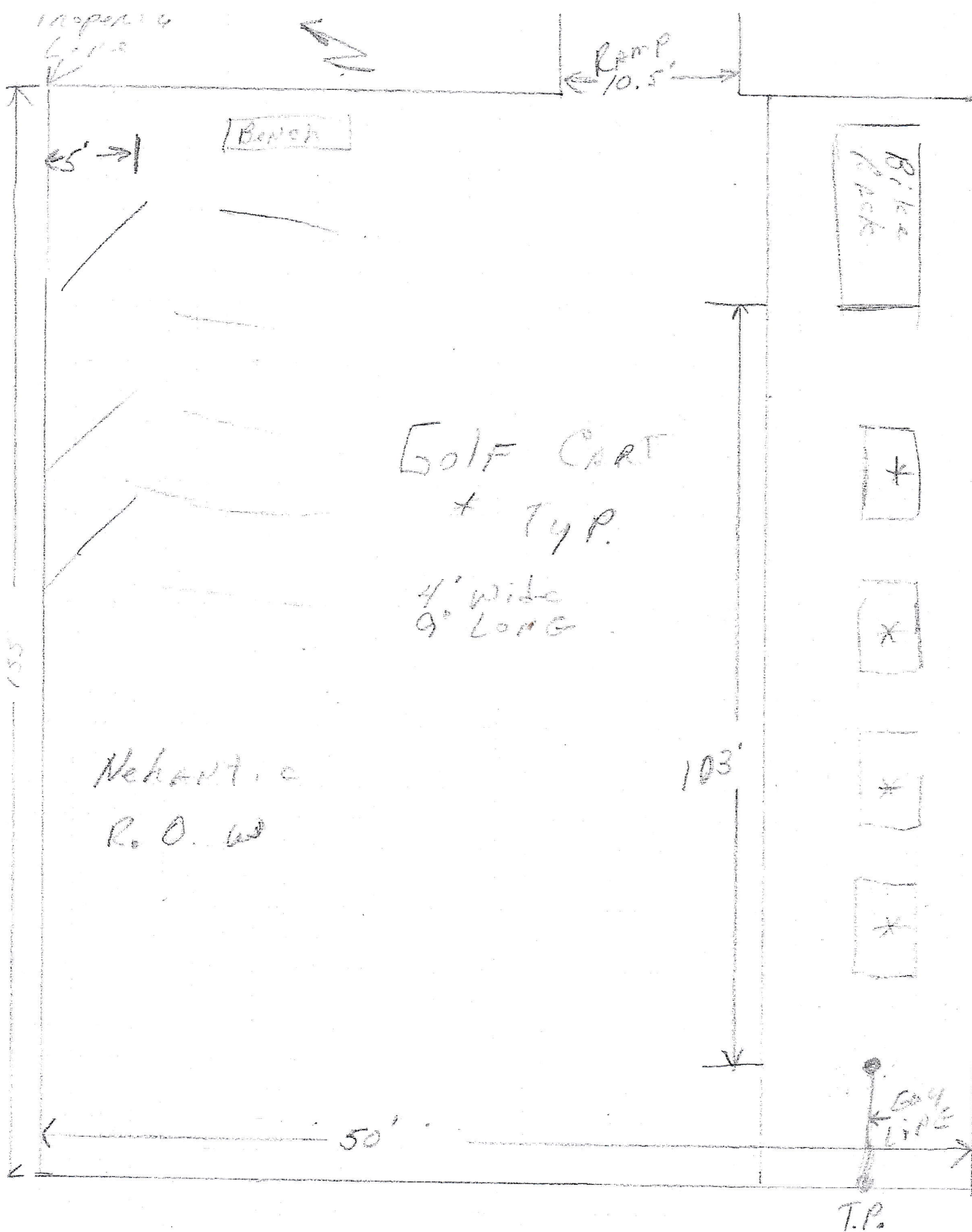
WATERSIDE

R.O.W.

40'



NOT TO SCALE



East Shore Dr

NOT TO SCALE



Parking
on
Grass

This
part
Season

KAYAK
Rack

KAYAK
RACKS

Parking
on
48' GRASS

DRIVE
WAY

SEA SPRAY
ROW

DRIVE
WAY 48

38'