

Black Point Beach Club Zoning Board of Appeals
AGENDA

Monday, April 10, 2023, 6:00 PM

BPBCA Clubhouse
6 Sunset Avenue, Niantic, CT

Public Hearing

Black Point Zoning Board of Appeals Case 1-2023 Application of Kevin Murphy, request for a variance of setback requirements at 22 E Shore Drive, Niantic, CT. Said parcel appears on the East Lyme Assessor's map 05.11, lot 70.

Regular Meeting

Black Point Zoning Board of Appeals Case 1-2023 Application of Kevin Murphy, request for a variance of setback requirements at 22 E Shore Drive, Niantic, CT. Said parcel appears on the East Lyme Assessor's map 05.11, lot 70.

New Business

1. Any business on the floor, if any by the majority vote of the Commission
2. Adjournment



Dan Deknis, Chair



February 7, 2023

Black Point Beach Club Association
bpcazba@gmail.com

RE: 22 East Shore Drive, Niantic
Paul & Sue Vignati

To Whom It May Concern:

Variance is being requested for the following:

- 1) Add 12' x 6' Gunitite hot tub, 72 square feet to lot coverage
- 2) Reduce setback requirement from sea wall from 10' to 4' on one end and from 10' to 8' on the other (see plot plan)

Thank you,

Kevin Murphy
Pools By Murphy
860-349-9774 ext. 14
kmurphy@poolsbymurphy.com

APPLICATION DETAILS

Applicant Name Kevin Murphy, Patsby Murphy Phone 860 250 0325
 Address 21 Ozick Dr. Durham Ct. 06422 Email Mmurphy@patsby-murphy.com
 Owner Name Paul & Sue Vignati Phone Suzcrw6@aol.com ←
 Address 22 East Shore Dr. Niantic Ct. 06357 Email 860 537 5095 ↓
 Property Address 22 East Shore Dr. Niantic Ct. 06357
 Assessor's Map No. 5.11 Lot No. 70

Has any previous variance request or appeal relative to this property been filed with the Board of Appeals?
(if unsure, please consult with Black Point Zoning Enforcement Officer)

No Yes - Date(s) of previous variance request(s) _____

Abutters - Properties within 50 feet of any lot line

Name Steven & Barb Beauchon Mailing Address _____
 Black Point Address 20 East Shore Dr. Niantic Ct. 06357
 Name Chris & Diane Gent Mailing Address _____
 Black Point Address 26 East Shore Dr. Niantic 06357
 Name _____ Mailing Address _____
 Black Point Address _____
 Name _____ Mailing Address _____
 Black Point Address _____
 Name _____ Mailing Address _____
 Black Point Address _____
 Name _____ Mailing Address _____
 Black Point Address _____

LIST OF VARIANCE(S) REQUESTED:

Section No (from Zoning Regulations)	Allowed / Required	Existing Scenario	Proposed Scenario

NOTE: If completed on-line, you must save the completed file in order to email the application. You should save the completed file before printing for your hard copy submission

VARIANCE IS REQUESTED TO ALLOW: (briefly describe any changes in setbacks, use, total floor area, building/structure coverage, total ground coverage, height, and structure dimensions, etc.)

Construction of 6'x12' inground Spa.
Requesting Setback reduction from retaining wall from 10' to 8' on one side and 4' on the other.

STRICT APPLICATION OF ZONING REGULATIONS WOULD RESULT IN UNUSUAL HARDSHIP BECAUSE:
(Support topological claims w/photos, survey):

Limited area to construct.

THE HARDSHIP IS UNIQUE TO THIS PARCEL AND NOT SHARED BY OTHERS IN THE DISTRICT BECAUSE:

Others have more land available.

DESCRIBE PROPOSED REDUCTIONS IN LEGAL PRE-EXISTING NON-CONFORMITIES, IF ANY:

REQUESTED VARIANCE(S) ARE IN HARMONY WITH THE PURPOSE AND INTENT OF BLACK POINT ZONING REGULATIONS AND WILL NOT ADVERSELY AFFECT THE COMPREHENSIVE PLAN OF ZONING BECAUSE:

The Spa will be small and will be aesthetically appropriate for the surrounding area.

(For all of above responses, please attach supplemental sheet(s), if space provided is insufficient.)

NOTE: If completed on-line, you must save the completed file in order to email the application. You should save the completed file before printing for your hard copy submission.

CHECKLIST OF REQUIREMENTS

ALL DOCUMENTATION MUST BE SUBMITTED IN TRIPLICATE. PDF electronic copies also helpful!

- A Plot Plan including drawn-to-scale lot dimensions, location and footprints of existing and proposed additions/modifications, and new buildings or structures.

Note that the East Lyme GIS map is not sufficient for this purpose.

- Elevation drawings of existing structures being modified or removed AND any proposed new construction, including a supplemental overlay drawing depicting the changes in elevations, when applicable.

- Contextual photos of existing structures and area(s) to be altered.

- Copy of owner's deed to premises.

If necessary, please contact the East Lyme Town Clerk for assistance with seeking a copy of your deed.

- \$450.00 Variance Application fee, in the form of a cashier's check made payable to The Black Point Beach Club Association

OWNER/APPLICANT COMMITMENTS

I (WE) CERTIFY that the statements made herein above and the documents submitted herewith are true to the best of my (our) knowledge and belief.

NOTICE: If the Board determines or discovers that information submitted in support of the variance, if granted, was incorrect or invalid, the Board may, following a public hearing with notice to the subject property owner, void such approval.

OWNER Gusar Vignot Date 2/13/23
 (signature)

APPLICANT (if different from owner) [Signature] Date 2-13-23
 (signature)

NOTE: If completed on-line, you must save the completed file in order to email the application. You should save the completed file before printing for your hard copy submission.

BLACK POINT BEACH CLUB ASSOCIATION

Application to the Black Point Beach Club

Zoning Board of Appeals

1. Applicant Gusan and Paul Vignati Phone (860)-573-5095
Address # 22 E. Shore Drive
2. Owner Gusan and Paul Vignati Phone (860)-573-5095
Address # 22 E. Shore Drive, Niantic, CT 06357
3. Street Address of affected property # 22 E. Shore Drive Niantic 06357
4. Zone R-2 Black Point Zoning Assessor's Map No. 09-1170 Lot No. # 70
5. Properties within fifty (50) feet of ANY lot line (attach additional if necessary)
 - a. Name Steve and Barb Address # 20 E. Shore Drive, Niantic, CT 06357
 - b. Name Beachene Address _____
 - c. Name Chris and Diane Gent Address # 22 E. Shore Drive, Niantic, CT 06357
 - d. Name _____ Address _____
 - e. Name _____ Address _____
6. Is affected property within 500 feet of Town Line? Yes _____ No
7. Application relates to (check appropriate items):
 Request for variance of following section(s) of zoning regulations _____
____ Alleged error in Zoning Official's action under section _____
8. If variance requested, describe exceptional difficulty or unusual hardship on which request is based. If error alleged, explain basis for allegation (See instructions (d) and (e)). Attach additional details if necessary.
① Deck is pre existing ② usage is limited to our property ③ Pool is not visible from the street.
9. Has any previous variance request or appeal relative to this property been filed with Board of Appeals?
No Yes _____ Specify date _____

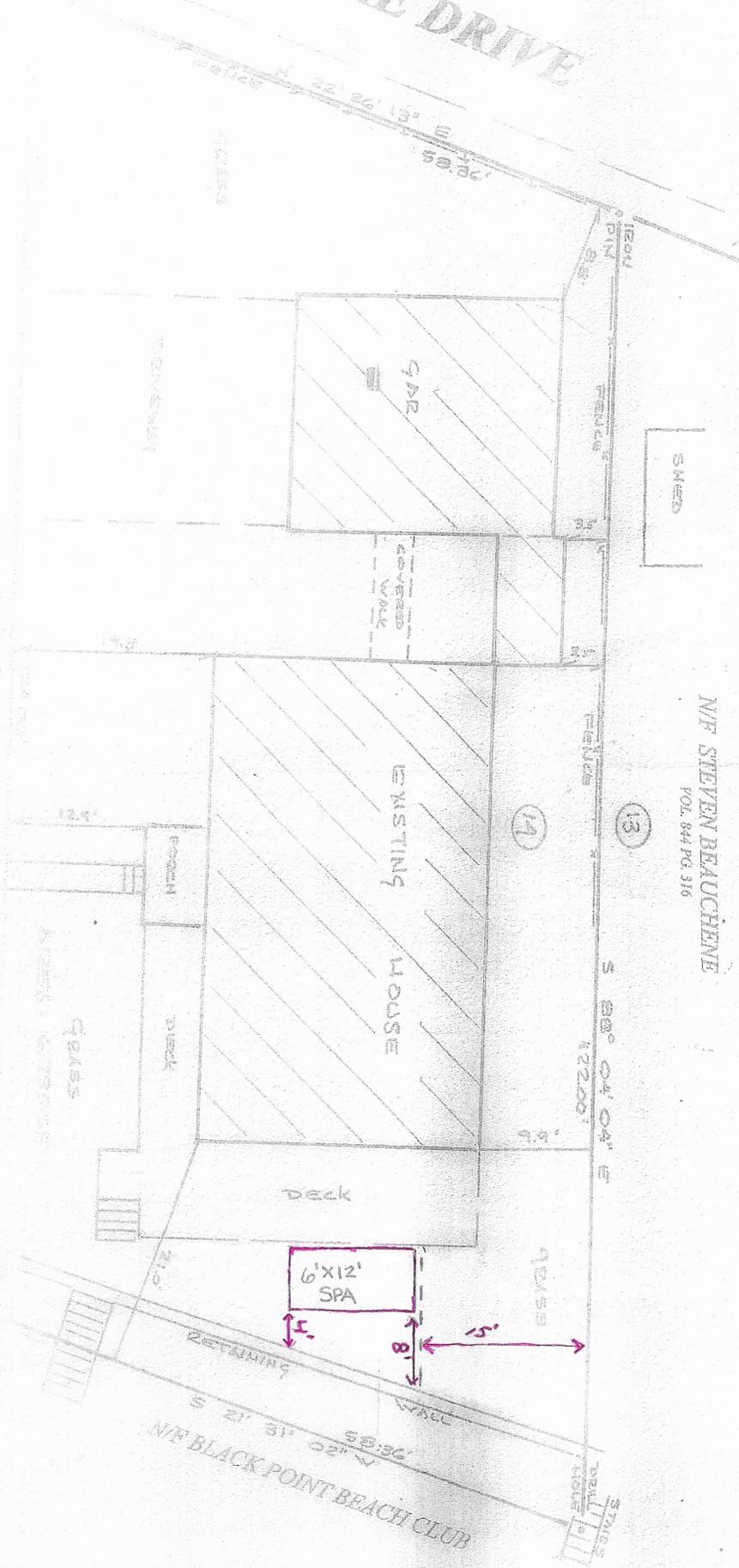
I hereby certify that the above information is true and correct to the best of my knowledge, and I authorize the members of the Zoning Board of Appeals to inspect the property in question.

Signed Gusan Vignati Date Jan 30th, 2023

IMPORTANT: Ten copies of the completed application form (original and nine copies) must be submitted to the Chair or the Secretary of the Zoning Board of Appeals by mail (Black Point Beach Association, Zoning Board of Appeals, P.O. Box 715, Niantic, CT 06357). The application must be accompanied by Ten (10) copies of the Zoning Official's action, ten (10) copies of the complete legal description of the property, a cashier's check in the amount of \$450.00 made payable to "The Black Point Beach Club Association," and any additional information that may be appropriate.

This space reserved for Zoning Board of Appeals
Date application received _____ Appeal No. _____
Date of Hearing _____ Action _____

EAST SHORE DRIVE



N/P STEVEN BAUCHENE
VOL. 844 PG. 316

NE BLACK POINT BEACH CLUB



Grantee's Address

TRUSTEES' DEED

We, **Tina M. McDowell** of West Hartford, Connecticut, **Diana L. Kycia** of West Hartford, Connecticut, and **Carl S. Cianci** of West Hartford, Connecticut, **Co-Trustees of the Cianci Family Irrevocable Trust**, under agreement dated **June 18, 2012**, of West Hartford, Connecticut ("Grantors"), for **EIGHT HUNDRED TWENTY-FIVE THOUSAND and 00/100 Dollars (\$825,000.00)** paid, grant to **PAUL VIGNATI** of West Hartford, Connecticut ("Grantee") with **TRUSTEES' COVENANTS**, that certain piece or parcel of land with the buildings and improvements thereon, situated in the Town of East Lyme, County of New London and State of Connecticut, known as **22 East Shore Drive**, and more particularly bounded and described on Schedule A attached hereto and made a part hereof.

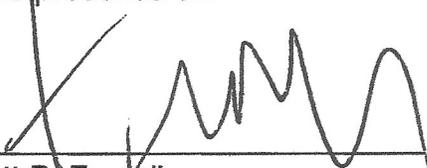
Said premises are conveyed subject to zoning and planning rules and regulations of the Town of East Lyme, any other restrictions or regulations of use, if any, imposed or to be imposed by public or private law, declarations, restrictions, covenants, and easements of record; provided they do not interfere with the present location of any building now located on the property, prevent the use of the property as a residence, or render title to the property unmarketable, and to taxes on the Grand List of October 1, 2018 and thereafter, which taxes the Grantee herein assumes and agrees to pay as part consideration for said transfer.

Reference may be had to a Warranty Deed to the Grantor herein recorded in Volume 893 at Page 400 of the East Lyme Land Records.

CONVEYANCE TAX RECEIVED
STATE \$ 6312.50
TOWN \$ 2062.50
EAST LYME, CT TOWN CLERK

Signed this 27th day of June, 2019.

Signed, sealed and delivered
in the presence of:



Scott B. Franklin



**Tina M. McDowell, as Co-Trustee of
the Cianci Family Irrevocable Trust,
under agreement dated June 18, 2012**



Natasha H. Georgette



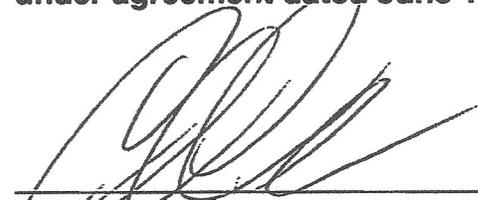
**Diana L. Kycia, as Co-Trustee of
the Cianci Family Irrevocable Trust,
under agreement dated June 18, 2012**



Scott B. Franklin



Natasha H. Georgette



**Carl S. Cianci, as Co-Trustee of
the Cianci Family Irrevocable Trust,
under agreement dated June 18, 2012**



Scott B. Franklin



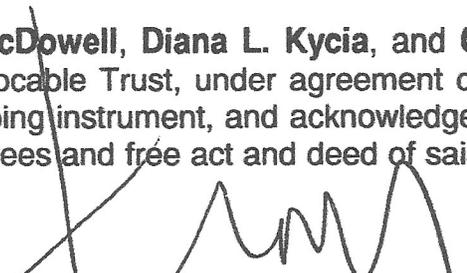
Natasha H. Georgette

STATE OF CONNECTICUT)

ss. West Hartford June 27, 2019

COUNTY OF HARTFORD)

Personally appeared **Tina M. McDowell, Diana L. Kycia, and Carl S. Cianci**
Co-Trustees of the Cianci Family Irrevocable Trust, under agreement dated June 18,
2012, signers and sealers of the foregoing instrument, and acknowledged the same to
be their free act and deed as such trustees and free act and deed of said Trust, before
me.



Scott B. Franklin
Commissioner of the Superior Court

That certain real estate situated on the Black Point Beach Club property in the Town of East Lyme, County of New London and State of Connecticut, being Lot No. Fourteen (14) with the buildings and improvements thereon shown on plan No. One (1) of the Black Point Beach Club property as the same is laid out into building lots and plans filed for reference May 27, 1931, with the Town Clerk of East Lyme, said lot being more particularly bounded and described as follows, viz:

Lot No. Fourteen (14), lying at the Northeast corner of East Shore Drive and Indianola Road, is bounded Northerly one hundred twenty-two (122) feet, more or less, by lot No. Thirteen (13); Easterly fifty-eight and seven tenths (58.7) feet, more or less, by the reserved beach; Southerly one hundred twenty-four (124) feet, more or less, by Indianola Road; Westerly fifty-eight and seven tenths (58.7) feet by East Shore Drive.

RECEIVED FOR RECORD
Jul 03, 2019 03:10:55P
Karen Miller Galbo
TOWN CLERK
EAST LYME, CT