

Minutes of BPBCA Zoning Commission Regular Hybrid Meeting - 03/17/23

Date and time: 03/17/23 6:00 PM to: 03/17/23 6:45 PM

Present: Brooke Stevens, Recording Secretary, Jim Fox, Chairman, Jim Allen, Secretary, Joseph Katzbek, Charles Bruce, Alternate, Sat as a Regular Member, Absent:, Matt Peary , Jason Bookmiller, Alternate

CC: Jim Ventres, Zoning Enforcement Official, John Cellino, Ex-Officio to Zoning & ZBA, Via Zoom, John Horoho, Betsy Klemmer, Alternate

Location: Black Point Beach Club Association Clubhouse, 6 Sunset Avenue, Niantic, CT, & via Zoom

Link: <https://app.meetingking.com/meetings/395397>

Topics

1. Call to Order

Note Chairman Fox called the Regular Meeting of the Black Point Beach Association Zoning Commission to order at 6:10 p.m.

Note Mr. Fox noted the technical difficulties they were having regarding the hybrid aspect of the meeting and noted that Ms. Stevens has published the meeting particulars on the website, as well as Facebook.

1-1. Attendance and Establishment of Quorum

Note Mr. Fox introduced the Commission Members, and noted a quorum was present.

Note see attached attendance notification sheet.

 [Zoning Attendance Notification Sheet.pdf](#)

2. Additions to the Agenda

Note There was none.

3. Approval of Meeting Minutes

3-1. September 16th, 2022 Regular Meeting Minutes

Note see attached meeting minutes.

 [Minutes-of-Black-Point-Beach-Club-Zoning-Commission-Regular-Meeting-09_16_22.pdf](#)

Decision MOTION (1)

Mr. Allen moved to approve the meeting minutes of September 16th, 2022, as published.

Mr. Katzbek seconded the motion.

Motion carried, 4-0-0.

4. Call for Public Comments

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

Note There were none.

5. Reports

5-1. Communications and Correspondence

Note There were none.

5-2. ZEO: Jim Ventres

Note Mr. Ventres shared that the larger projects have slowed down a bit, but there are rumblings that more are forthcoming.

Note See attached reports.

 [ZEO_Report_November_2022.xlsx](#)

Note See attached report.

 [ZEO_Report_December_2022-2.xlsx](#)

Note See attached report.

 [ZEO_Report_Jan_2023.xlsx](#)

Note See attached report.

 [ZEO_Report_March_2023.xlsx](#)

5-3. Board of Governors Ex-Officio: John Cellino

Note Mr. Cellino said the Board of Governors is solidly in support of their efforts to create a third District.

5-4. Chairman: Jim Fox

Note Mr. Fox briefly noted the Commission discussed many things but the way the 2022 season ended as the Commission was prepared to move forward but was then given guidance to pause their endeavors.

Note Mr. Fox said his intention for the next few meetings, is to have the Commission review these drafts, so that they can get the necessary foundational work done, revisit some of the things that they initiated in 2022, bring them to a close, or at least, to public hearing.

Note Mr. Fox observed that they might actually have two public hearings this year, as they go through these drafts and attempt to adopt one.

Note Mr. Ventres briefly discussed the review of the Zoning Regulations being done by the Attorney, noting it wouldn't surprise him to hear back, as early as next week.

Note Mr. Ventres said the regulations will likely be a thicker document going forward, and Mr. Fox said it will be more comprehensive and they will see what comments he sends back.

Note Mr. Allen stressed that the regulations is a living document, always in a state of flux, and there for them to always review.

Note Mr. Ventres said he hopes to have a revised draft to send to them next month.

6. Old Business

Note See attached.

 [BPBCA Zoning Regs 2021 Compare.docx](#)

6-1. Review and discussion regarding status of updating all current Zoning Regulations.

Note Mr. Fox detailed a meeting with the Attorney, and how they discussed creating an Association District along with hedge height issues. He further explained how the Attorney suggested the possibility of a hedge height regulation being made part of the general Association rules rather than zoning specific.

Note Mr. Fox briefly discussed the difficulty of enforcement given that Mr. Ventres is their only means of enforcement.

6-2. Creation of new third District within the BPBCA

Note Mr. Fox emphasized the importance protecting what they currently have and believe is part of the Association; if it's truly zoned residential, then it's really not protected.

Note The Commission discussed the potential properties for the Association District, which includes the right-of-way(s), the Whitecap parking lot, the clay tennis court on Nehantic, 6 Sunset (the Clubhouse and grounds), the lot at the base of the hill on Woodland Drive, and all of the beaches.

Note Mr. Ventres said he will double check to make sure all Association property has been identified.

Note Mr. Fox said they want to make sure the Association property is identified, so it's protected and remains as is.

Note Mr. Fox reminded Mr. Ventres that the Commission was also working on some definitions for the regulations, and Mr. Ventres replied that those too, will be part of the discussion with the Attorney.

Note Mr. Horoho said he concurs with Mr. Fox's comments about last season and asked if there is going to be a different or new process to vet these things, so they don't find themselves where they were at the end of last year, with regulations that weren't necessarily properly written?

Note Mr. Fox shared how when Mr. Ventres was first hired here, they reviewed the regulations, and the very first attack to the regulations was making sure every "i" was dotted, and every "t" was crossed; Mr. Ventres did relay that certain parts, foundationally, weren't up to standards.

He added that they were reluctant to address this without significant guidance, which has now been afforded to them, with the review by Attorney Branse, who is a land use attorney.

Note Mr. Fox further explained that Attorney Branse stressed the importance of tackling these foundational issues before they proceed any further.

Note Mr. Fox noted that they will be in a better position after this, and better prepared for any public hearing they might hold.

Note Mr. Fox said hopefully they will get more details so they can do a deeper dive of the regulations at the next meeting.

7. New Business

7-1. Mandatory State of Connecticut Land use Training

Note Mr. Ventres discussed the new State Statute which requires every land use commission member to receive four hours of training every two years.

- "Per Section 9 of Public Act 21-29 (01/01/2022) Municipal Land Use Officials in office on 01/01/2023 must complete 4 hours of training by 01/01/2024 and every other year thereafter."

Note Mr. Ventres shared how this training can be completed either in person at the Land Use Academy, or online; recent workshops can be viewed at <https://clear.uconn.edu/lua/advanced>.

Note Mr. Ventres noted these sessions provide valuable information to make sure everyone is up to speed and provides a good foundation of land use knowledge. He noted it's helpful that this training can be done at their leisure.

Note Mr. Ventres said at the present time there are no certificates of attendance being issued for these training sessions, but if they advise Mr. Allen when they have completed the training, he will record that information in the BPBCA Zoning records.

Note Mr. Fox asked Mr. Cellino to share this requirement with the Board of Governors.

Note Mr. Fox noted they have an open alternative position available, and one person has kindly reached out; since it's early in the season, he's going to give it a bit more time, and eventually invite those who are interested, to a future meeting, to give them a better idea of how things work and the scope of work the Commission is charged with.

8. Adjournment

Decision MOTION (2)

Mr. Katzbek moved to adjourn the March 17th, 2023, Regular Meeting of the BPBCA Zoning Commission at 6:40 p.m.

Mr. Allen seconded the motion.

Motion carried, 4-0-0.

Note Mr. Fox said the next Zoning Meeting is scheduled for April 21st, 2023.

Note Respectfully submitted,
Brooke Stevens, Recording Secretary

Next Meeting

Meeting title: [Bpbca zoning commission regular hybrid meeting](#)

Date and time: 04/21/23 06:00 pm to: 04/21/23 06:53 pm

Location: Black Point Beach Club Association Clubhouse, 6 Sunset Avenue, Niantic, CT, & via
Zoom: [https://us02web.zoom.us/j/85893513421?](https://us02web.zoom.us/j/85893513421?pwd=TIh6VDBidHI0N3VlIbVlEK2hYZGpLZz09)
[pwd=TIh6VDBidHI0N3VlIbVlEK2hYZGpLZz09](https://us02web.zoom.us/j/85893513421?pwd=TIh6VDBidHI0N3VlIbVlEK2hYZGpLZz09)

Phone Use: 929-205-6099

Meeting ID: 858 9351 3421
Passcode: 140458