

Minutes of BPBCA Zoning Commission October 17th, 2025, Hybrid Public Hearing - 10/17/25

Date and time: 10/17/25 6:00 PM to: 10/17/25 6:48 PM

Present: Brooke Stevens, Recording Secretary, Jim Ventres, Zoning Enforcement Official, Jim Fox, Chairman, John Horoho, Secretary, Mike Walsh, Regular Member, Gale Shepard, Alternate, Sat as a Regular Member, Absent:, Betsy Klemmer, Regular Member, Joseph Katzbek, Regular Member, Keith Turner, Alternate

CC: Jim Moffett, Association Manager

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

Topics

1. Call to Order

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

Ms. Shepard sat as a Regular Member for the Public Hearing.

Note Mr. Fox extended his thanks to Mr. Moffett for providing the Zoom setup and managing the technical aspects of the meeting.

Note Mr. Fox read the Public Hearing notice into the record. He noted that the session was being recorded and confirmed that all required public notices were posted in accordance with the Connecticut General Statutes.

 [Public-Hearing-Notice-2025-BPBCA.docx](#)

Note Mr. Fox provided background for attendees, noting the unusually strong attendance compared to typical meetings. He explained that:

1. The Commission reviews zoning regulations annually to ensure they are effective and up to date.
2. Any proposed amendments undergo discussion during monthly meetings, are reviewed by the Zoning Enforcement Officer (ZEO) and legal counsel and are shared with the Board of Governors for feedback.
3. The Public Hearing is the final step in the review process, allowing for public comment and feedback before adoption of any regulatory change.

Note He emphasized the Commission's commitment to transparency and public participation and noted that this was the first hybrid (in-person and virtual) Zoning Commission meeting since COVID, acknowledging that the Commission typically lacks dedicated staff to run such setups, and welcomed all attendees.

2. Potential Amendments and changes to the Zoning Regulations

Note see attachment.

 [BPBCA-Draft-2025-Regs-for-posting.doc](#)

Note The purpose of the Hearing is to receive feedback concerning the proposed changes which include the following:

1. Creation of a Business District Signage Regulation
2. Amendment of the Definition Section to include references to signage and to incorporate ground-mounted solar panels under building coverage.
3. Classification of small hot tubs consistent with small pools.

2-1. Creation of a Business District Signage Regulation & Amendment of Definitions section pertaining to signage

Note Mr. Fox detailed some of the following key points:

- *In recent years, the Zoning Regulations were updated and expanded.
- *A third zone, the Association District, was created in the previous year.
- *The Business District currently includes only the local store.
- *The next logical step was to address signage regulations, a common feature in most municipalities, to ensure that business signage remains appropriate, consistent, and compliant with community standards.
- *The change will not expand what is currently permitted but would codify existing practices regarding business signage.
- *The language was reviewed by counsel and aligns with what is already in use at the store.

Note Mr. Fox called for Public Comment.

Note 1. Colleen Chapin of 53 East Shore Drive-

Note Ms. Chapin expressed concern about unintended consequences in the proposed language. She noted that while the amendment was presented as applying to the Business District, certain new provisions also restrict signage in the Residential District, including prohibitions on internally illuminated signs and limitations on house identification sign sizes.

Note She raised concerns about whether the residential restrictions were deliberately imposed, pointing out that they could unintentionally impact personal decorative choices—like illuminated sculptures, jack-o'-lanterns, seasonal ornaments, or other expressive home decorations.

Note Ms. Chapin observed that no prior discussion of residential sign restrictions appeared in the September Zoning Minutes and recommended that the Commission pause or revisit this topic next year after fuller community discussion and further consideration.

Note 2. Anita Schepker of 46 Indianola Road-

Note Ms. Schepker submitted the attached comments for the record.

 [3133_001.pdf](#)

Note Ms. Schepker voiced support for the well-drafted regulations but echoed concerns about overly broad language regarding residential signs. She emphasized the importance of clarity and constitutionality, noting potential First Amendment implications.

Note She cited examples of ambiguous language in the proposed regulations and existing definitions, such as the inclusion of trees, rocks, sculptures, or works of art under the definition of a "sign." She questioned whether this would prohibit residents from displaying decorative items, political signs, or illuminated art pieces on private property.

Note Ms. Schepker pointed to a Supreme Court case, *City of Ladue v. Gilleo* (1994), which protected people's right to display personal and political signs at home. She cautioned that the current proposal might invite unfair enforcement and legal trouble.

Note She urged the Commission to table any provisions applying to private residential signage and to refine the definitions for clarity and legal soundness.

Note She thanked them for making the Hearing hybrid and hopes that they can continue to do so going forward.

Note 3. Cheryl Colangelo of 39 Whitecap Road-

Note Ms. Colangelo stated that she agreed with the points made by Ms. Chapin and Ms. Schepker and asked the Commission to reconsider or withdraw the current proposal regarding signage until clearer, more narrowly tailored language could be developed.

Note 4. Steven Consedine of 47 Indianola Road-

Note Mr. Consedine asked what prompted the signage proposal, and Mr. Ventres explained that the goal was to establish clearer boundaries. Mr. Ventres recommended removing the word "otherwise" and deleting the final sentence of the regulation, simplifying it to state that "temporary signs are permitted."

Note 5. Anita Schepker of 46 Indianola Road-

Note Ms. Schepker suggested that placing this clarification in the definitions section would help and emphasized that many of the definitions and regulations could be revised to better suit Black Point's specific needs. She felt the current language was overly broad and not entirely relevant.

Note 6. Gloria Consedine of 47 Indianola Road-

Note Ms. Consedine expressed her interest in the signage regulations, particularly regarding what is and isn't allowed for home signs. She voiced concern for the local store owner, after hearing rumors that certain illuminated signs—like beer lights—might be prohibited. She emphasized her support for his business and wanted clarity on the rules.

Note Mr. Ventres responded by explaining that the signage proposal aimed to set clear boundaries without removing existing signs. He noted that the store owner was agreeable to enclosing current signage and had no objections to the proposed regulations. The only issue raised involved illuminated signs being left on after business hours.

Note 7. Colleen Chapin of 53 East Shore Drive-

Note Ms. Chapin added that while updating definitions is important, the current ones are generic and copied from other municipalities. She stressed the need to tailor them to Black Point's specific needs. She supported Mr. Ventres' suggestion to simplify the language, which could help address concerns about how signage rules affect residential areas and personal expression.

Note Mr. Fox thanked everyone for their thoughtful input and clarified the following:

*The intent of the signage regulation was to define standards only within the Business District, not to restrict residential expression.

*Any references to residential signage could be easily amended or removed to avoid confusion.

*Certain phrasing, such as inclusion of “sculptures or works of art,” originated from Attorney-recommended language.

*Zoning definitions have expanded significantly under legal guidance to ensure thoroughness but recognized that the breadth of some definitions might need refining.

Note The Commission briefly discussed the proposal to revise the language of the signage regulations by removing the phrase “in residential premises” from the relevant section. Mr. Fox emphasized that the intent was never to restrict internally illuminated decorations commonly used in residential settings—such as seasonal lights, inflatable displays, or decorative sculptures. These forms of personal expression, he noted, should remain clearly permitted.

Note Mr. Horoho and Mr. Walsh both supported the idea of revisiting and reorganizing the zoning definitions. They emphasized that clearer language would help avoid confusion and improve enforcement. Specifically, they suggested relocating references to lighting types and signage—currently scattered throughout various sections into the main definitions area. This would ensure consistency and make the regulations easier to interpret and apply.

2-2. Include ground mounted solar panels in the building coverage.

Note The Commission introduced a proposed regulation to limit ground-mounted solar panels. The concern is that without clear guidelines, a property owner could potentially cover their entire yard with solar panels, which may not align with the community’s character. The regulation would treat ground-mounted solar panels as part of a property’s building coverage. For example, if a lot has a 35% coverage limit, solar panels will count toward that limit. The intent is not to prohibit solar panels but to prevent excessive coverage.

Note 8. Colleen Chapin of 53 East Shore Drive-

Note Ms. Chapin asked about setbacks, noting that the current proposal doesn’t address how close solar panels could be placed to property lines. She suggested adding setback requirements to avoid potential conflicts between neighbors.

2-3. Allow small hot tubs to be treated the same as small pools.

Note The Commission then discussed adding language to existing pool regulations to specifically include small hot tubs. Currently, pools have setback requirements (e.g., five feet from the property line for an eight-foot pool), but hot tubs aren’t explicitly mentioned. Since filled hot tubs are considered permanent structures, the proposal aims to clarify their treatment under zoning rules.

Note 9. Cynthia Etienne of 48 Nehantic-

Note Ms. Etienne asked for clarification on what the regulation would require—setbacks, inspections, or other conditions. Mr. Ventres explained that the goal is consistency; if pools are regulated due to their size and permanence, hot tubs should be too.

Note Mr. Ventres noted that the Commission could either amend the residential signage section now or conduct a more thorough review over the winter and revisit it later. He acknowledged the importance of balancing enforcement with personal expression, especially for seasonal decorations like Christmas lights or Halloween displays.

Note Mr. Horoho commented that the definitions in the regulations should be refined to reflect modern technologies and community norms. He emphasized that temporary decorations such as holiday lights shouldn't be a concern, as they are clearly not permanent installations.

Note Mr. Fox acknowledged that while public hearings and regulation changes can be complex, the Commission has worked through multiple drafts and received thorough legal guidance from Attorney Branse. Mr. Horoho expressed strong confidence in the Attorney's advice and stressed the importance of respecting that counsel when making final decisions.

Note Mr. Fox raised the question that was asked about whether ground-mounted solar panels count toward building coverage and if setbacks should apply. Mr. Ventres confirmed that such panels are considered part of building coverage because they are fixed structures, similar to porches or roof overhangs. However, the current regulations do not explicitly address setbacks for these installations, which could be a future consideration.

Note 10. Colleen Chapin of 53 East Shore Drive-

Note Ms. Chapin asked whether the regulations define "temporary" and how that applies to signs or artistic displays. The Commission clarified that temporary signs are defined as those promoting events or projects of a limited duration. Concerns were raised about how permanent works of art—if considered signs—would be treated under the current language. Mr. Ventres acknowledged the difficulty in regulating art, as one person's expression may be another's eyesore, and that zoning enforcement in such cases is challenging. He suggested removing the "residential" portion of this regulation.

Note Mr. Ventres and the Commission stressed the need for common sense in zoning enforcement. The intent of signage regulations is to address commercial activity, not to restrict personal or seasonal decorations like Easter or Christmas displays.

Note 11. Anita Schepker of 46 Indianola Road-

Note Ms. Schepker briefly discussed external illumination, particularly regarding how lighting should be directed. Regulations specify that lights must shine downward and not outward or upward, to avoid light pollution or disturbance to neighbors. An exchange followed about whether flagpoles or sculptures with lighting might technically violate the sign regulations.

3. Adjournment

Decision MOTION (1)

Mr. Horoho moved to adjourn the October 17th, 2025, BPBCA Zoning Commission Public Hearing at 6:48 p.m.

Mr. Walsh seconded the motion.

Motion carried, 4-0-0.

Note A Regular Meeting of the BPBCA Zoning Commission immediately followed.

Note Respectfully Submitted,
Brooke Stevens, Recording Secretary

Next Meeting

Meeting title: Bpbca zoning commission october 17th, 2025, hybrid regular meeting

Date and time: 10/17/25 06:49 pm to: 10/17/25 07:22 am

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