

BLACK POINT BEACH CLUB ASSOCIATION

Application to the Black Point Beach Club Zoning Board of Appeals

PLEASE READ THOROUGHLY BEFORE COMPLETING AND SUBMITTING APPLICATION

Questions regarding the application may be sent to bpbcazba@gmail.com.

REQUIRED BACKGROUND INFORMATION

When applying for a variance, the applicant is seeking approval to use the property in a manner that would not otherwise be allowed under the current Black Point Beach Club Association's Zoning Regulations. These Regulations are Land-Use Laws authorized under the Connecticut General Statutes, Chapter 124, Section 8. The ZBA's authority to grant variances is limited by law and must comply with the statutory requirements under Chapter 124. Under section 8, a variance may be granted when "a literal enforcement of ... regulations would result in exceptional difficulty or unusual hardship...".

To ensure that the application accurately reflects which regulations are to be varied, it is highly recommended that the applicants, or their representative(s) discuss the variance application with the Black Point Zoning Enforcement Officer prior to submission. Incorrectly identifying the variance(s) requested may require a new application, incurring additional fees and delays.

Applicants should understand that the phrases "exceptional difficulty" and "unusual hardship" refer to an inability to make reasonable or practical use of the property in a manner that conforms to the Association's zoning regulations.

In making a determination on a variance, the Zoning Board of Appeals shall include consideration of the following issues:

1. The extent to which the applicant has demonstrated that exceptional shape, size, topography, or other unique characteristics of the property requires a variance from a literal enforcement of the Zoning Regulations. Exceptional shall mean that the conditions cited do not generally affect other properties in the Association.
2. Whether the exceptional difficulty or unusual hardship claimed has been created by the owner requesting the variance.
3. Whether the variance(s) requested will adversely affect the neighborhood and whether they will be in harmony with the purpose and intent of the Zoning Regulations.
4. Whether the applicant has shown that there is no reasonable alternative other than to grant the requested variance(s).
5. Whether economic hardship is the only basis for requesting the variance.

INSTRUCTIONS

FEES:

An application fee of \$600.00 is required. This fee covers all costs associated with the public hearing process. The fee must be paid by cashier's check made payable to: The Black Point Beach Club Association.

Applicants must ensure that Association fees are current and in good standing.

MATERIALS:

- o This application and associated fee.
- o Property deed showing legal description of the property and owner.
- o Property plans showing lot lines, setback lines, existing building outlines and location of new work requiring zoning variance. While formal A2 property survey and construction documents are not required at this time, these documents will help illustrate the existing property conditions and the impact of requested variances on the overall property.

SUBMISSION:

The complete variance application, including ALL supporting plans, photographs, and ownership documentation, must be submitted IN TRIPLICATE (original plus 2 copies) with a cashier's check for the \$600.00 application fee.

Mailing address: BP ZBA, 6 Sunset Drive, Niantic, CT 06357

Electronic submission via PDF is strongly encouraged in addition to the hard copy submission requirement.

Electronic submissions must be emailed to bpbcazba@gmail.com.

ESTIMATED TIMELINES:

- o Public hearing within 65 days of completed application receipt
- o Final decision within 35 days of hearing
- o Formal public notice of decision within 15 days of final decision
- o Appeal window is 15 days from public notice of decision

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.

APPLICATION DETAILS

Applicant Name Melinda & Harry Graus Phone 860.428.3449
 Address 27 E. Shore Dr. BPBC Email melindagraus@yahoo.com
 Owner Name Same Phone Same
 Address Same Email SAme
 Property Address 27 E. Shore DR Niantic, CT. 06357
 Assessor's Map No. 05.11 Lot No. 4

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 <u>Please see attached</u>	Mailing Address _____
	Black Point Address _____
Name _____	Mailing Address _____
	Black Point Address _____
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
IX.f.2	Front 20 FT	16.6 FT	10.6 FT

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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.)

The construction of a 29.25 FT X 6.0 FT off the front entrance of the house. Applicant requests a reduction from the existing 16.6 FT front setback to 10.6 FT setback. The resulting coverage would be 29.9% with an allowed coverage of 35%.

STRICT APPLICATION OF ZONING REGULATIONS WOULD RESULT IN UNUSUAL HARDSHIP BECAUSE:

(Support topological claims w/photos, survey):

As with all parcels in this neighborhood, the existing structure predates the Zoning Regulations. This house was not placed squarely nor particularly centered on the lot.

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

This property does not have a unique hardship, many structures on East Shore Drive were placed closer to the street property line prior to the enactment of their zoning regulations. The creation of the zoning regulations and twenty foot front line setback created many non-conforming structures leaving them without the ability to expand without a variance.

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

N/A

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 area of placement of the proposed deck will not impair adjacent properties any view scape. There are several parcels with less than 10 ft

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

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CHECKLIST OF REQUIREMENTS

ALL DOCUMENTATION MUST BE SUBMITTED IN TRIPLICATE. PDF electronic copies are 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.
- \$600.00 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 *Melinda Graves* Date 1-8-26
(signature)

APPLICANT (if different from owner) *John Paul Meyer* Date 1.08.2026
(signature)

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TWO certain pieces or parcels of land, situated in the Town of East Lyme, County of New London and State of Connecticut together with the buildings standing on the first piece hereinafter described and being more particularly bounded and described as follows, to wit:

FIRST PIECE: A CERTAIN TRACT OF LAND with the buildings thereon 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. Three Hundred Three (303) of the Plan of Property of Black Point Beach as the same is laid out into building lots and plans filed for reference with the Town Clerk of the Town of East Lyme; said Lot No. 303 lies on the west side of East Shore Drive, is bounded northerly by Indianola Road, fifty (50) feet; easterly by East Shore Drive, one hundred and thirteen one hundredths (100.13) feet; southerly by Lot No. 302 on said plan, forty-four and eight tenths (44.8) feet and westerly by Lot No. 304, one hundred (100) feet and being all and the same premises conveyed to the grantor herein by Warranty Deed of C. Kenneth Manwaring, dated July 5, 1941 and recorded in the Land Records of East Lyme, in Volume 40 at page 223, together with all the rights and privileges as appear of record in Volume 29 at pages 51 and 52.

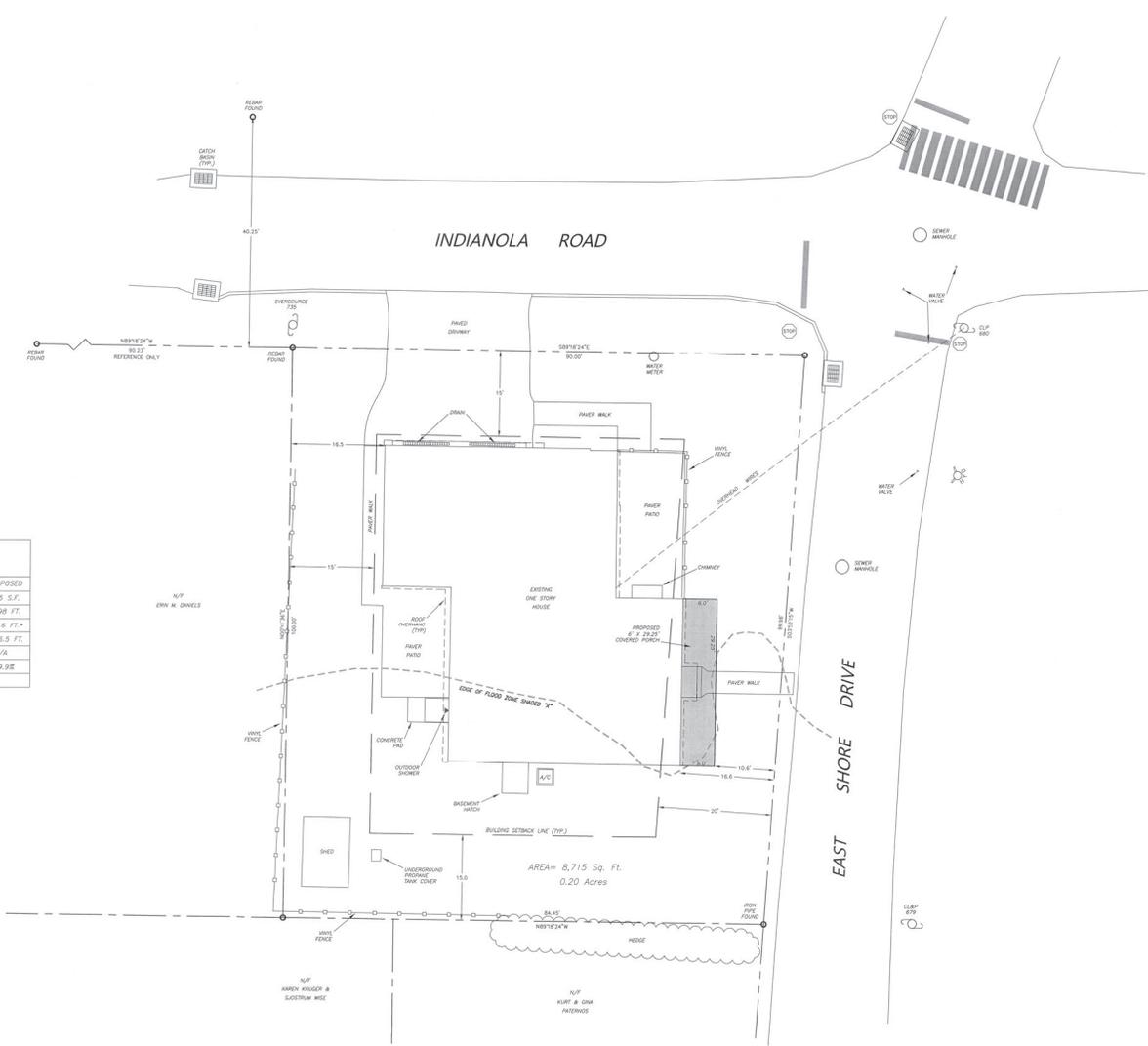
Said premises are subject to restrictions and limitations as are recorded in the aforesaid Volume 29 at pages 51 and 52 of the East Lyme Records.

SECOND PIECE: A certain tract or parcel of land 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. 304 of Plan Number One (1) of Property of Black Point Beach Club, as the same is laid out into building lots and plans filed with the Town Clerk of the Town of East Lyme, May 27, 1931; said Lot No. 304 lies on the south side of Indianola Road and is bounded, easterly, one hundred (100) feet; by lot Nos. 303 on said plan; southerly by Lot No. 301 on said plan, forty (40) feet; westerly by lot No. 305 on said plan, one hundred (100) feet and northerly by Indianola Road, forty (40) feet; and together with all the rights and subject to all of the restrictions, conditions in a deed from James Jay Smith to Flora M. Fitch as of record more fully appears.

Recorded June 7 20 06
 2:30 AM Foster Bullhous
 PM East Lyme Town Clerk

LEGEND

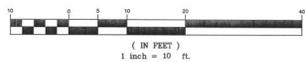
- PROPERTY LINE ———
- STREET LINE - - - - -
- UTILITY POLE (○)



ZONING COMPLIANCE CHART		
ZONE DISTRICT: BLACK POINT BEACH CLUB RESIDENCE DISTRICT		
	REQUIRED	PROPOSED
LOT AREA	8,000 S.F.	8,715 S.F.
MIN. LOT FRONTAGE	60 FT.	189.98 FT.
MIN. FRONT YARD SETBACK	25 FT. (18.6)	10.6 FT.*
MIN. SIDE YARD SETBACK	15 FT.	16.5 FT.
MIN. REAR YARD	15 FT.	N/A
MAX. BUILDING COVERAGE	35%	29.9%

* VARIANCE REQUESTED

GRAPHIC SCALE



"TO MY KNOWLEDGE AND BELIEF, THIS MAP IS SUBSTANTIALLY CORRECT AS NOTED HEREON."

John Paul Merzen
 JOHN PAUL MERZEN
 TITLE: LAND SURVEYOR CT No. 18859
 DATE: NOVEMBER 11, 2025

DATE	REVISION



GERWICK - MERZEN L.L.C.
 191 BOSTON POST ROAD P.O. BOX 565
 EAST LYME, CONNECTICUT 06333
 TEL. (860)442-2201 FAX: (860)442-2205



NOTES:

- THIS SURVEY AND MAP HAS BEEN PREPARED IN ACCORDANCE WITH SECTIONS 20-300b-1 THROUGH 20-300b-20 OF THE REGULATIONS OF CONNECTICUT STATE AGENCIES - "MINIMUM STANDARDS FOR SURVEYS AND MAPS IN THE STATE OF CONNECTICUT" AS ENDORSED BY THE CONNECTICUT ASSOCIATION OF LAND SURVEYORS, INC. IT IS A PROPERTY SURVEY BASED ON A RESURVEY CONFORMING TO HORIZONTAL ACCURACY CLASS A-2 TO MY KNOWLEDGE AND BELIEF. THIS MAP IS SUBSTANTIALLY CORRECT AS NOTED HEREON.
- MAP REFERENCES:
 - * A "PLAN NUMBER 1 BLACK POINT BEACH CLUB PROPERTY AT NANTIC TOWN OF EAST LYME OWNED BY JAS JAY SMITH JAS JAY SMITH CO. DEVELOPERS 1328 BROADWAY NEW YORK AND NANTIC, CONN. SHEET 2 OF 2" MAP BOOK 2 PAGE 28
 - B "MAP SHOWING PROPOSED NEW HOUSE LOCATION 31 EAST SHORE DRIVE BLACK BEACH CLUB NANTIC, CT PREPARED FOR JAMES T. DONAHUE JR. & JUDITH F. DONAHUE SCALE 1" = 10' APRIL 13, 2024"
 - C A PORTION OF THE PROPERTY IS SHOWN TO BE IN A ZONE SHADDED X ON FLOOD INSURANCE RATE NEW LONDON COUNTY, CONNECTICUT PANEL 487 OF 554 MAP NUMBER 09010487J MAP REVISED AUGUST 5, 2013.
- BOUNDARY LINES OF ADJOINING PROPERTIES ARE SHOWN FOR GENERAL INFORMATIONAL PURPOSES ONLY AND ARE NOT TO BE CONSTRUED AS BEING ACCURATELY LOCATED OR DEPICTED. THE WORD "CERTIFY" IS UNDERSTOOD TO BE AN EXPRESSION OF THE PROFESSIONAL OPINION BY THE LAND SURVEYOR WHICH IS BASED ON HIS OR HER BEST KNOWLEDGE, INFORMATION AND BELIEF. AS SUCH IT CONSTITUTES NEITHER GUARANTEE OR WARRANTY. THE STONE WALLS AND/OR FENCES SHOWN AS BOUNDARIES MAY HAVE SERRATED EDGES OF COURSE BETWEEN PRINCIPAL POINTS OF COURSE INDICATED.
- UTILITIES SHOWN AS FIELD LOCATED ABOVE GROUND AND VISIBLE BY GERWICK MERZEN. THERE MAY BE ADDITIONAL UNDERGROUND UTILITIES NOT SHOWN. ALL UTILITIES WILL NEED TO BE MARKED BY THE APPROPRIATE AGENCIES BEFORE ANY CONSTRUCTION ACTIVITY TAKES PLACE. CALL BEFORE YOU DIG B11.

**IMPROVEMENT LOCATION PLAN
 SHOWING PROPOSED ADDITION
 PREPARED FOR
 HARRY P. AND MELINDA A. GRAUS
 27 EAST SHORE DRIVE
 BLACK POINT BEACH CLUB
 NANTIC, CONNECTICUT**

SCALE: 1" = 10'
 DATE: NOVEMBER 11, 2025 JOB NO. 17-072

THIS DRAWING IS THE PROPERTY OF THE LAND SURVEYOR. THIS PLAN AND REPRODUCTIONS, ADDITIONS OR REVISIONS OF THIS PLAN ARE NOT VALID WITHOUT THE EMBOSSED SEAL AND SIGNATURE OF THE LAND SURVEYOR WHO PREPARED THIS PLAN.







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Support for Front Porch 6' x 30' on 27 East Shore Drive

NAME:

ADDRESS:

SIGNATURE

Joel Johnson 5 Indianola Rd Joel Johnson

Wendy Johnson 5 Indianola Rd Wendy Johnson

Nancy Maglathlen Payne 7 Indianola Rd Nancy Maglathlen Payne

Kevin Walter 8 Indianola Kevin Walter

Bob Lanzetta 12 E Shore Drive Bob Lanzetta

Francine Hechenbleikner 10 Bidwell Francine Hechenbleikner

Ellen Spalluto 12 Indianola Rd. Ellen Spalluto

Kurt Paternostro 31 E. Shore Dr Kurt Paternostro

Gina Paternostro 31 East Shore Dr. Gina Paternostro

Paul Vigint 22 East shore Dr Paul Vigint

Mary McNamee 13 Indianola Rd Mary McNamee

Gregory McNamee 13 Indianola Rd Gregory McNamee

Dianna + Chris Gent 26 E Shore Dianna + Chris Gent