

**BLACK POINT BEACH CLUB - ZONING COMMISSION
REGULAR MEETING
Friday, JULY 19th, 2013
MINUTES**

FILED IN EAST LYME
CONNECTICUT
July 24 2013 AT 10:00 AM/PM
Eric D. Hansen ATC
EAST LYME TOWN CLERK

A Regular Meeting of the Black Point Beach Club Zoning Commission was held on Friday evening, July 19, 2013 at 6 PM in the Black Point Beach Association Clubhouse located on 6 Sunset Avenue in Niantic, CT.

PRESENT: Ned Cosgrove, Chairman, Steve Reed, Secretary, Richard Diachenko, Alternate

ALSO PRESENT: Mary Cahill, Ex-Officio, Board of Governors

ABSENT: John Manuck, Sebastian Sanzaro, Sharon Sklar, Angela Taylor, Alternate, Jim Mastria, Alternate

1. Call to Order

Mr. Cosgrove called this Regular Meeting of the BPBC Zoning Commission to order at 6:00 PM.

2. Correspondence and Establishment of Quorum

Mr. Cosgrove seated Richard Diachenko, Alternate at the table noting that made three members present and established that a quorum was present.

3. Correspondence and Announcements

Mr. Cosgrove said that he had received two applications which they would discuss later.

4. Public Comments

Mr. Cosgrove called for comments from the public.

Janet Dickinson, 21 East Shore Drive said that she has an issue with the ROW at Cahill Way as a fence is being put up at a property there and they need a permit. She said that the new fence is 42" in height and that she has a picture of it and questions the location of the fence and the height.

Mr. Cosgrove said that typically it would be located 10' from the road. The new fence is in the same location as the old one and is the same height.

Ms. Dickinson said that there are still issues with the fence being put in as it was put in front of a tree and the tree is rather high and blocks the site line. She said that the fence is blocking her view.

Mr. Cosgrove said that the tree is at least 10' off the road and that there is 10' of grass between the road and the fence but the 10' is Black Point property while the fence is on her property.

Ken Matson, 5 Indianola Road said that the markers need to be confirmed regarding the fence issue and asked Mr. Cosgrove if he could confirm that it is on her property and not the Association's property as there were stakes there.

Mr. Cosgrove said that he did not stake it – the fence people did.

Mr. Matson said that to the left of the northern most bench there is a stone walk that is on association property that also belongs to that house.

Elizabeth Adinolfi, 26 East Shore Drive noted the driveway placement and that the tree (red maple) is blocking that area and the site line. She said that the driveway used to be on East Shore and is now on Cahill Way.

Mr. Cosgrove said that the red maple is around 18" taller than the 42" and that he would address that issue although he was not sure of when the pruning could take place so that the tree would survive.
Sue Matson, 5 Indianola Road said that the whole point that they are trying to make here is that the association should be able to use its' own property on Cahill Way and that the area is very busy with cars dropping off items and the ice cream truck and kids and that they should know where their property is.

Ms. Dickinson said that Mr. Sheehan had spoken with the owner and said that he knows where the association property area is.

Mr. Matson asked if a permit was issued for the new fence. He added that the tree would probably not get trimmed unless forced.

Mr. Cosgrove said that the original permit was paid and that this is a replacement fence and that if it were taller than the original 42" then it would have required a paid permit – as a replacement it does not. He said that he would look at the tree.

Ms. Cahill said that it is not the responsibility of the Zoning Officer to stake out the property for the association as zoning deals with structures. She suggested that they ask Mr. Sheehan to have it indicated.

Everyone thanked the Commissioners for spending time on this issue.

5. Approval of Minutes – April 19, 2013 - Regular Meeting

Mr. Cosgrove called for a motion or any discussion or corrections to the April 19, 2013 Regular Meeting Minutes.

****MOTION (1)**

Mr. Diachenko moved to accept the April 19, 2013 Regular Meeting Minutes of the Commission as presented.

Mr. Reed seconded the motion.

Vote: 3 – 0 – 0. Motion passed.

▪ May 17, 2013 – Special Meeting & Regular Meeting

Mr. Cosgrove called for a motion or any discussion or corrections to the May 17, 2013 Special and Regular Meeting Minutes.

****MOTION (2)**

Mr. Diachenko moved to accept the May 17, 2013 Special and Regular Meeting Minutes of the Commission as presented.

Mr. Reed seconded the motion.

Vote: 3 – 0 – 0. Motion passed.

▪ June 1, 2013 – Special Meeting

Mr. Cosgrove called for a motion or any discussion or corrections to the June 1, 2013 Special Meeting Minutes.

****MOTION (3)**

Mr. Diachenko moved to accept the June 1, 2013 Special Meeting Minutes of the Commission as presented.

Mr. Reed seconded the motion.

Vote: 3 – 0 – 0. Motion passed.

▪ June 12, 2013 – Regular Meeting

Mr. Cosgrove called for a motion or any discussion or corrections to the June 12, 2013 Regular Meeting Minutes.

****MOTION (4)**

Mr. Diachenko moved to accept the June 12, 2013 Regular Meeting Minutes of the Commission as presented.

Mr. Reed seconded the motion.

Vote: 3 – 0 – 0. Motion passed.

6. Report from Acting Zoning Enforcement Officer

Mr. Cosgrove, Acting ZEO said that he had made his report available and that while generators are still the major item that a fence had been approved for 31 East Shore. He said that he had collected the \$100 that was due from 15 Sea Crest and was working on a few others. (Report attached)

7. Old Business

Discussion Items:

▪ **Status of Search for new ZEO**

Mr. Cosgrove reported that he had received two applications and passed them around for review. After review and discussion by the Commissioners and Ex-Officio, the consensus was that neither of the applicants was qualified for the position as there is a great need for someone with experience.

▪ **Hedge Status Report**

Mr. Cosgrove reported that he has been working on this and that is in the process of notifying people on the upper corner of Ridge Trail and the lower end of Osprey to trim their bushes to the 42". He said that he would also contact the Town regarding clearing the areas around the STOP signs that have been overgrown such that they are hard to see.

8. New Business

Mr. Cosgrove said that he would attend the Board of Governors meeting this evening regarding the marking of the association ROW's.

9. Next Meeting of the Commission – 8/16/2013

Mr. Cosgrove said that the next meeting of the Commission is August 16, 2013.

10. Public Comments

Mr. Cosgrove called for any comments from the public.

There were no public comments.

11 Executive Session (If Necessary)

Not Necessary.

12. ADJOURNMENT

Mr. Cosgrove called for a motion to adjourn.

****MOTION (5)**

Mr. Reed moved that the Regular Meeting of July 19, 2013 be adjourned at 7:00 PM.

Mr. Diachenko seconded the motion.

Vote: 3 – 0 – 0. Motion passed.

Respectfully submitted,

Karen Zmitruk,
Recording Secretary

7/14/2011	#07-14	31 Nehantic				8	07/13/12	5.10	48	Seth Bailey	new house	45 day extension/expired and filed new 6 month extended permit	N
9/8/2011	#09-08	95 East Shore				2	07/03/12	5.19	96	Fagan	fence	approved	N
11/18/2011	11-18	12 Sea Breeze				4	06/01/12	5.15	12-14	Katherine Yamalis	addition/renovation/add bedroom and expand garage	Almost complete	Y
3/8/2012	030812	50 Sea Spray				3	06/13/12	5.18	21	Hyland	frat foundation under existing house, propane tanks and replace water supply to winterize	approved/work in progress	n
4/12/2012	41212	35 Nehantic				2	09/02/12	5.10	92	Hyland	Add propane tank	COMPLETE EXCEPT SCREENING	n
6/1/2012	60112	12 Sea Breeze				1	06/01/12	5.15	12/14	Yamalis	Concrete patio	approved <i>Allowed \$300.-</i>	n
7/10/2012	71112	7 COTTAGE LN				1	07/10/12	5.14	7	BROWN	tear down and build new house per plans	OLD HOUSE REMOVED AND HAVE BEGUN CONSTRUCTION	N
8/3/2012	80312	14 BLUE HERON				3	11/29/12	5.19	3	COSGROVE	tear down and build new house per plans	SHOULD BE DONE APRIL/MAY	Y
8/28/2012	82812	52 WHITECAP				1	08/28/12	5.14	55	COMER	PROPANE TANK AND FIRE PIT	APPROVED	N
9/8/2012	90812	21 BRIGHTWATER				1	09/08/12	5.19	58	ZIRGER	ADD DECK TO REAR OF HOUSE	APPROVED	N
9/13/2012	91312	20 BILLOW				1	09/09/12	5.11	60	HAHN	REPLACE FRONT STEPS	APPROVED	N
9/12/2012	91212	46 SEA VIEW				1	09/12/12	5.14	99	MINCARELLI	ADD GARAGE WITH ROOM ABOVE ENTRY PORCH AND DORMERS	APPROVED	Y
9/15/2012	91512	31 NEHANTIC				1	09/15/12	5.10	48	BAILEY	EXT 6 MONTHS ON PERMIT #07-14 NEW HOUSE	APPROVED	N
9/23/2012	92312	19 SEA VIEW				1	09/23/12	5.15	48	CASEY	SECTION OF FENCE	APPROVED	N
9/27/2012	92712	58 NEHANTIC				1	09/27/12	5.10	79	KENNEY	EXPAND EXISTING DECK	APPROVED	N
10/13/2012	101312	24 COTTAGE LN				1	10/13/12	5.14	134	GLEASON	INSTALL UNDERGROUND PROPANE TANK RETAINING WALL AND GROUND LEVEL PATIO	APPROVED	N
10/18/2012	102012	9 UNCAS RD				1	10/18/12	2.70	3	ALLEGRO	INSTALL NEW PORCH	APPROVED WITH CONDITIONS	Y
10/23/2012	102312	32 SUNSET				1	10/08/12	5.14	58	PAGANI	REPLACE EXISTING FENCE WITH NEW FENCE	APPROVED/ MAINTENANCE NO FEE	N
10/28/2012	102812	19 SEA VIEW				2	10/28/12	5.15		CONDON	PERGOLA	DENIED/ EXTENDS INTO SETBACK	N
11/1/2012	11112	31 SEACREST				1	11/01/12			ZEBZDA	ABOVE GROUND PROPANE TANK	APPROVED-need street shielding	N
11/14/2012	111412	29 BILLOW				1	11/14/12	5.10	31	PEARY	ABOVE GROUND PROPANE TANK	APPROVED	N
11/18/2012	111812	21 BELLAIRE				1	11/18/12	5.10	21	KALLAUGHER	STANDBY GENERATOR	APPROVED <i>will ct. D.P.S.</i>	N
11/19/2012	111912	64 INDIANOLA				1	11/19/12	5.14	27	MULREADY	PERGOLA	APPROVED	N
11/29/2012	0	15 SEACREST				1	11/29/12	5.15	29	ARMOUR	GENERATOR AND PROPANE TANKS	APPROVED	N
11/30/2012	113012	148 Old Black Pt				4	10/10/12	5.80	35	Harry J Danos	add to deck	6 month extension on permit	N
12/3/2012	12312	14 BLUE HERON				1	12/03/12	5.19	3	COSGROVE	UNDERGROUND PROPANE TANK	APPROVED	Y



7/19/2013

DP EC

Attachment

12/10/2012	121112	10 BRIGHTWATER	N/A	1	12/10/12	5.19	66	MASSEY	REPAIR PORCH	APPROVED (note: did not require permit but asked for one when when I had to address start time restriction)	n
12/21/2012	122312	27 RIDGE TRAIL	N/A	1	12/23/12	5.10	3	ZMITRUK	REPLACE ROTTED DECKING BOARD/MAINTENANCE NO FEE		n
4/16/2013	DD13-01	19 BILLOW	\$450.00		01/28/13	5.2	68	GILSON	ADDITION TO HOUSE & ATTACH GARAGE	APPROVED	N
	DD13-02	24 INDIANOLA	75.00		03/31/13	5.11	11	MANZO	6' X 6' ADDITION TO HOUSE	APPROVED	N
	DD13-03	19 SEACREST	300.00		04/10/13	5.15	28	MOLIS	POOL AND SPA	APPROVED	N
	DD13-04	31 BELLAIRE	150.00		5.11	5.11	49	VAN CURA	FENCE	APPROVED	N
	DD13-05	1 OSPREY	NA		5.19	5.19	86	BOURGET	NEW DOOR AND RAILING	NOT REQUIRED	N
	DD13-06	11 SEACREST	NA		04/18/13	5.14	84	SHZA	REPLACE DAMAGED PORCH	APPROVED	N
	DD13-07	62 BELLAIRE	\$50.00		04/21/13	5.1	102	LOWNEY	GENERATOR	APPROVED	N
5/17/2013	DD13-08	11 OSPREY	45		04/26/13			AUTH	GENERATOR	APPROVED	N
	DD13-09	15 BRIGHTWATER	NA		04/26/13			WICHOSKI	PORCH REPAIR	NOT REQUIRED	N
	DD13-10	31 WHITECAP	45		04/26/13			FOUNTAIN	GENERATOR	APPROVED	N
	DD13-11	61 INDIANOLA	45		04/26/13			DONACKI	GENERATOR	APPROVED	N
	DD13-12	58 EAST SHORE	45		04/30/13			NEWMAN	A/C COMPRESSOR	APPROVED	N
	DD13-13	20 COTTAGE	300		05/06/13			FOUTEAU	EXTEND DECK	APPROVED	N
	DD13-14	20 BELLAIRE	45		05/14/13			DEVENS	GARAGE	APPROVED	N
	DD13-15	19 SEACREST	45		05/14/13			MOLIN	PROPANE GAS TANK	APPROVED	N
	DD13-16	35 SUNSET	600		05/14/13			KYEIA	NEW HOUSE	APPROVED	N
	DD13-17	61 SEA VIEW	45		07/19/13			CHODOROV	GENERATOR	APPROVED	N
	DD13-18	16 BRIGHTWATER	75		05/19/13			O'NEIL	120' FENCE	APPROVED	N
	DD13-19	34 WOODLAND	45		5/18/13			FOLEY	RELOCATE PROPANE TANKS	APPROVED	N
	DD13-20	3 SEA BREEZE	45		06/16/13			RESNISKY	GENERATOR	APPROVED	N
	DD13-21	8 BILLOW	45		06/13/13			COMER	72' OF FENCE	APPROVED	N
	DD13-22	31 EAST SHORE			06/09/13			DUPREY	FENCE	APPROVED	N

