

Black Point Beach Club Association
Zoning Board of Appeals
Minutes of Regular Meeting
Saturday, August 26, 2017
9:00am

A Regular Meeting of the Black Point Beach Club Association Zoning Board of Appeals was held on Saturday, August 26, 2017, at 9:00 a.m. at the Black Point Beach Club Association Clubhouse located at 6 Sunset Avenue in Niantic, Connecticut.

(Note: minutes are "draft" until approved at next ZBA meeting, date TBD)

Present: Colleen Chapin, Arlene Garrow, Paul Pendergrast, Joyce Wojitas, Sally Cini, Kim Craven (alternate), Marianne Neptin (alternate), Jim Pillion (Board of Governors Ex-Officio)

Absent: Anita Schepker (alternate)

1. Call meeting to order
Miss Chapin called the Regular Meeting of the BPBCA Zoning Board of Appeals to order at 9:05 a.m.
2. Attendance and Establishment of Quorum
Miss Chapin noted that a quorum was present.

Miss Chapin introduced the Jim Pillion, BOG Ex-Officio. The Board welcomed Mr. Pillion.

3. Old Business

Zoning Workshop

Mrs. Cini indicated that she thought the workshop offered earlier this summer for the Zoning Commission and Zoning Board of Appeals was well run and very informative. She reminded the ZBA that our public hearings could be challenging in working with our neighbors, but we should all remain polite and professional. Mistakes happen and no one is immune from making mistakes.

Other

Mrs. Craven asked if there is any new status on the assignment of a new Black Point Zoning Official. Jim Fox, Zoning Commission Chair, is working on this and will advise on that status through the Zoning Commission.

4. New Business

Election of ZBA Chair

Miss Chapin called for nominations for the position of Chairperson for the ZBA for the 8/1/17-7/31/18 term.

****Motion [1]**

Arlene Garrow nominated Colleen Chapin for the position of the Chairperson for the ZBA for the upcoming year. Sally Cini seconded the motion.

Vote: 4 – 0 - 1 Motion passed. Colleen Chapin will be the Chairperson of the Zoning Board of Appeals through July 31, 2018.

Election of Secretary

Miss Chapin called for nominations for the position of Secretary for the ZBA for the 8/1/17-7/31/18 term.

****Motion [2]**

Colleen Chapin nominated Paul Pendergrast for the position of the Secretary for the ZBA for the upcoming year. Joyce Wojitas seconded the motion.

Vote: 4 – 0 - 1 Motion passed. Paul Pendergrast will be the Secretary of the Zoning Board of Appeals through July 31, 2018.

ZBA Application Review

The Board discussed merging the two fee levels (Appeal Alleging Error and Request for Variance) into one level. Both issues require the same hearing process and the same expenses associated with public notice requirements.

The fee structure itself was discussed. The current fees are \$300 (error) and \$400 (variance). Connecticut General Statutes (Chapter 124) require three public notices posted in the local newspaper and additional abutter mailings with respect to the hearing. The hearing also requires a recording secretary who is paid for the services documenting the hearing. These expenses currently cost approximately \$450. The Board discussed that the cost of the appeal could be more than the zoning permit in some cases so more study is required on this point. The rationale for the fee will be included in the application instructions for general awareness.

On the discussion of fees, Mrs. Craven suggested that the ZBA only accept a bank cashier's check for an appeal application. This would alleviate any additional fees associated with returned checks. Mrs. Craven also inquired if we have a requirement that an appellant be current on their Black Point taxes. That is not currently part of the appeal, but it is something that is required to seek the permit itself.

Mr. Pillion offered to float these ideas (fee merger, fee increase, cashiers check) at the next Board of Governor's meeting (9/28/2017). If the BOG supports the concept, the ZBA will move to officially propose these changes.

Other aspects of the application were discussed for possible modification. With respect to the abutter listing, it is noted that abutters are within "50 feet of any lot line". While the applicant provides the listing, the ZBA will have to verify. The town GIS currently provides a 50 foot list, but it is based on the center of the property.

Presently, all appeals must be heard by the ZBA within 65 days receipt of the application. All appeals should be mailed to the Association address in order to ensure appropriate tracking of the application. The Association Secretary (or designee) routinely monitors that mailbox and documents all receipts and forwards information to the appropriate party, in this case the ZBA Chairperson.

4. Public Comments

None offered; no public in attendance.

** Motion [3]

Sally Cini made a motion to adjourn the BPBCA ZBA Regular Meeting of August 26, 2017, at 10:10 a.m. Arlene Garrow seconded the motion.

Vote: 5 - 0 - 0 Motion passed; meeting adjourned.

Respectfully submitted,
Paul Pendergast/Secretary