

**Black Point Beach Club Association
Zoning Board of Appeals
Minutes of Public Hearing
Saturday, June 2, 2018
9:00Am**

A Public Hearing of the Black Point Beach Club Association Zoning Board of Appeals was held on Saturday, June 2, 2018, at 9:00 a.m. in the Black Point Beach Club Association Clubhouse located at 6 Sunset Avenue in Niantic, Connecticut.

Present: Colleen Chapin, Chair; Paul Pendergast, Sally Cini, Joyce Wojtas, Arlene Garrow and Kim Craven, Alternate.

Also Present: Maureen Lowney, Secretary

1. Call Public Hearing to Order

Ms. Chapin the Chair called the Public Hearing to order at 9:00am. Ms. Chapin asked if any members had a conflict of interest.

2. Read Notice of Public Hearing

Case 1- 2018 Application of John and Jean Horoho request for a variance of setbacks in order to build a 20'x24' garage at 41 Sea Spray Ave., Niantic, CT. Said parcel appears on the East Lyme Assessor's map 05.18, lot 18.

Exhibit A A Notice of the Public Hearing was published in the New London Day on May 21 and May 25, 2018.

Exhibit B Certificate of mailing to property owners within 50' of 41 Sea Spray Ave., Niantic, CT

Exhibit C Application for a variance of set backs in order to build a 20'x24' garage and a copy of the site plan.

Mr. Horoho of 41 Sea Spray Ave., asked for a variance on the setback in order to build a garage. He said he needed 1' in front and 4' in the back. Mr. Horoho sited that he had a survey done. He informed the Board that he had looked at other options but because of the building line there is no other option.

Ms. Chapin read a letter from the Hendron family, who are one of the abutters, and they were in favor of the variance.

Ms. Chapin asked if there were any members in the audience who were in favor of the variance. Ms. Paul Ferri of 46 Sea Spray Ave., and Mr. Jim Allen of 31 Sea Spray Ave., spoke in favor of the variance.

Ms. Wendy Weber of 43 Sea Spray Ave., asked to see the site plan. She asked if the setback was at the property line. Ms. Weber said she was in favor of the variance as long as it did not affect her property line or what she could build on her property.

Ms. Chapin asked the Board members if they had any questions.

Ms. Garrow asked Mr. Horoho if he needed 1' in the front and 4' in the back or 3'.

Mr. Horoho said the garage would be 20' wide and 24' deep and that he would need a variance of 1'6" at the front of the garage and 3' at the back end of the garage.

Mr. Pendergast asked Mr. Horoho why he doesn't build a one car garage. Mr. Horoho said they have two cars.

Ms. Chapin noted that the garage would be an attached garage and said you have to look at the bigger picture as people could turn their garages into extra living spaces.

Ms. Wojtas said the application did not mention a hardship only what they would like. A hardship is what is needed for a variance. She said a hardship comes with the land and it is not financial.

Ms. Chapin asked if it makes it a hardship compared to other properties in Black Point.

Ms. Cini asked if they had considered a garage and a half for parking one car and room for storage. Mrs. Horoho said they had two cars and they both leave early in the morning for work.

Ms. Chapin said if the garage is 24' deep, if they gave a variance it would be a jag in the setback and not the whole lot line.

Mr. Ferri, of 46 Sea Spray Ave., thought there were a lot of rocks on the property, a slope on the Sunrise side and no land in the front of the house to put a garage. He thought a 2 car garage would look so much better aesthetically and wouldn't have cars parked all over the place.

Ms. Kim Craven, 46 East Shore Dr., said she appreciated the improvements they have made and asked if the shed would remain and said buildings are not suppose to cover more than 10% of the land. Mr. Horoho said he thought he would still have 300 sq. feet left after the garage.

Mr. Horoho said the structure would not have a second floor. Ms. Chapin said future owners could change that.

Ms. Chapin asked Mr. Jim Fox, the Chair of the Zoning Board for clarification on corner lots. Mr. Fox said the front has a 20' setback from the property line.

Mr. Fox said that the property at 41 Sea Spray has a challenge in its topography. A very steep slope on the Sunrise side.

****Motion [1]**

Mr. Pendergast moved to close the Public hearing at 9:42a.m. Ms. Cini seconded the motion.

Vote 5 - 0 - 0 - Motion passed

Regular Meeting

Black Point Beach Zoning Board of Appeals Case 1- 2018 Application of John and Jean Horoho request for a variance of setbacks in order to build a 20'x24' garage at 41 Sea Spray Ave., Niantic, CT. Said parcel appears on the East Lyme Assessor's map 05.18, lot 18.

Ms. Chapin called the regular meeting to order at 9:43 a.m.

Ms. Chapin asked for discussion.

Mr. Pendergast said we need to try to do the right thing and asked what is the right thing for who now and future generations. He said he was leaning towards approval.

Ms. Cini said they are only talking about 3' in one small piece.

Ms. Garrow said she was personally in favor as we are talking about 3' variance at one spot that would go down to a 1'6" variance at the front.

Ms. Wojtas said she was concerned about granting the variance but thought the topography could be a hardship. She asked if the garage could be used for living space in the future.

Ms. Chapin said she worried also but said they would only get the variance on a 3' jag.

Mr. Ventres, the Zoning enforcement Officer for Black Point Beach said if some one in the future wanted to convert the garage into living space they would have to go to the ZBA.

****Motion [2]**

Mr. Pendergast made a motion to approve a variance on the west side of the property setback for 1'6" at front setback line and 3' at 24' from the front setback line for use and construction of 20' x 24' garage single story garage only per the map data April 9, 2018 and as amended on 6/2/2018.

Ms. Garrow seconded the motion

Vote: 5 - 0 - 0. Motion Passed.

****Motion [3]**

Mr. Pendergast made a motion to adjourn the June 2, 2018 Meeting of the Black Point Beach Club Zoning Board of Appeals at 1010 a.m.

Ms. Cini seconded the motion

Vote: 5 - 0 - 0 Motion Passed

Respectfully submitted,

Maureen Lowney, Secretary

