

**Black Point Beach Club Association Zoning Commission
April 12th, 2019 Regular Meeting Minutes**

Present:

Jim Fox, Chairman
Jim Allen
James Mastria
Matt Peary
John Kycia, Alternate (*Sat as Regular Member)
John Horoho Alternate

Also Present:

Steven Beauchene, Board of Governors Liaison
Jim Ventres, Zoning Enforcement Officer

Absent:

Michael Cenci
Barbara Koenig, Alternate

The Regular Meeting of the Black Point Beach Club Zoning Commission was held on Friday April 12th, 2019 at 6:00 p.m. in the Black Point Beach Clubhouse located at 6 Sunset Avenue, Niantic.

I. Call to Order

Mr. Fox called the Regular Meeting of the Black Point Beach Association Zoning Commission to order at 6:00 p.m.

II. Attendance and Establishment of Quorum

The Commission Members introduced themselves and Mr. Fox noted that a quorum was present; Mr. Kycia sat as Regular Member for the meeting.

III. Additions to the Agenda

There were none.

IV. Approval of Meeting Minutes:

A. March 15th, 2019 Regular Meeting Minutes

MOTION (1)

Mr. Mastria moved to approve the meeting minutes of March 15th, 2019 as presented.

Mr. Allen seconded the motion.

Motion carried, 5-0-0.

V. Public Comments

Robert Kallaugher of 21 Bellaire Road said he is concerned about his water view and asked about height restrictions as well as any application submittals; Mr. Ventres stated that no applications have been submitted.

Jim Moffett of 27 Nehantic Drive asked about the pending West End 5 lot application and the Zoning Board's role in it. Mr. Fox said he would comment during his report.

VI. Reports

A. Communications and Correspondence

Mr. Fox said he has received no formal correspondence but has had several impromptu communications during his walks, mostly regarding the potential West End Subdivision.

B. ZEO: Jim Ventres

Mr. Ventres directed the Commission to his ZEO report for April and shared the following:

- He has gained six (6) new applications this week for decks, porches, second-story additions and the like.
- At the previous Zoning meeting he told the Commission how there are some side hvac units that need to be screened; he sent out a slew of reminder letters regarding this.
- There are still a couple of outstanding violations that he is addressing with residents.

Mr. Fox asked how many large projects or additions are forthcoming and Mr. Ventres said five (5) or six (6) and he anticipates two (2) in the works.

Mr. Kycia asked about hammer laws.

C. Ex-Officio: Steve Beauchene

Mr. Beauchene said he shared with the BOG all the hard work Mr. Ventres did devising a filing system for zoning cases, and that the BOG thanks him and appreciates his efforts.

Mr. Beauchene said the BOG has agreed to a permission form for right-of-way or the use of the Whitecap parking lot for staging; the BOG agrees that it's logical to have the ZEO supervise and enforce this. He asked that the Recording Secretary post this form on the website (posted under BOG forms on April 15th, 2019.)

D. Chairman: Jim Fox

Mr. Fox said he would like to formally welcome Mr. Horoho as an Alternate to the Zoning Commission.

The Commission briefly discussed their responsibility as Commission Members to engage with the Members of the Association to address concerns, feedback and so forth.

The Commission also discussed the proposed Old Black Point Subdivision and Mr. Fox pointed out this item does not fall under the purview of the Zoning Commission and is instead, a Board of Governors issue.

VI. Old Business

A. Regulation Review

Mr. Fox reiterated for the Members not present at the previous meeting, the discussion regarding the updating of the regulations completed last year and asked for further input.

Mr. Fox asked Mr. Allen to update the Commission on some thoughts for them to consider regarding boat and trailer storage.

Mr. Allen shared how he and Ms. Taylor looked at other Associations for guidance two years ago which led to the public hearing and public input.

He said there has been much improvement due to the Zoning Enforcement Officer and his concept that the two key components are education and compliance; there are a couple of minor issues because of things they didn't anticipate when they put in those regulations.

He went on to explain there are two issues:

1. There are 14 properties that border on two streets; the homes front and sit on two streets and there is a home on Bond Street that actually sits on three streets.
2. There are a couple of properties that are situated in a way that results in boats being stored on corner lots.

Mr. Allen said one suggestion would be "a boat or trailer shall be located behind the front setback building line" and add "and not be located between any structure in a public street." He said this would address the 14 properties he mentioned but not the Bond Street home.

Mr. Horoho asked Mr. Allen for clarification regarding "structure" and "public street."

Mr. Fox asked if there is an opportunity to move a boat to be in compliance and Mr. Allen responded yes but that there are some secondary issues.

Mr. Fox said he's not in favor of a new regulation that people can't comply with or already don't comply with.

Mr. Beauchene said he doesn't see the word "motor" anywhere in the current regulations so all boat types are addressed.

The Commission discussed portable storage pods and Mr. Ventres discussed the possibility of adding dumpsters to that regulation.

Mr. Fox asked if there is a way to add appropriate language to include other items such as construction trailers.

The Commission reviewed the 5 feet from the property line requirement and Mr. Mastria observed that it's good to be proactive.

Mr. Ventres said in cases where placement is hazard we do have the authority to move it.

The Commission had a brief discussion regarding nonconforming lots and the Town's regulation which allows the Zoning Board latitude (verses the Zoning Board of Appeals), on pre-existing nonconforming lots to go up, with some conditions; you are prohibited from extending a nonconformity except additions to the second story to one-story single family dwellings, conversion of the single family 1 1/2 to a two-story and conversion of the two story over one story appendage or a two-story single family.

Mr. Ventres explained that you can't go beyond what is already there or go over the other limits of building height and the Commission further discussed this regulation in regards to proximity to neighbors and fire code.

Mr. Ventres discussed the special flood zone and the current need for the homeowner to go before the ZBA for a variance which they will get. Mr. Fox wondered if it should be made part of our regulations to avoid this step and save time, aggravation and money. Mr. Ventres suggested keeping things simple by doing site by site evaluations and set up a regulation which requires the property owner to have the survey completed and establish the base flood elevation. Mr. Fox concluded that this item is not as complicated as they originally thought.

Mr. Ventres explained the 3 to 4 feet height that will be required for flood elevation. Mr. Fox asked if a big variation of properties are going to be affected by this and Mr. Ventres replied that what we see now, is going to be the average issue. Mr. Fox said it's important to protect the Association as well.

Mr. Ventres directed everyone to the Town Blight Ordinance which he provided (attached.)

VII. New Business

There was none.

The next meeting is on Friday May 17th, 2019.

VIII. Adjournment

MOTION (2)

Mr. Allen moved to adjourn the Black Point Zoning Association Meeting at 7:10 p.m.

Mr. Mastria seconded the motion.

Vote: 5-0-0, Motion passed.

Respectfully Submitted,

Brooke Stevens,
Recording Secretary