

**Black Point Beach Club Association Zoning Commission  
July 17th, 2020 Regular Meeting Minutes**

**Present:**

Jim Fox, Chairman  
Jim Allen, Secretary  
Matt Peary  
John Horoho  
John Kycia  
Charles Bruce, Alternate  
James Katzbek, Alternate

FILED

July 22, 20 20 AT 1:02 AM/PM  
Brooke Storer ATC  
EAST LYME TOWN CLERK

**Absent:**

Barbara Koenig, Alternate  
John Kycia

**Also Present:**

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

The Regular Meeting of the Black Point Beach Club Zoning Commission was held on Friday July 17th, 2020 at 6:00 p.m. in the Black Point Beach Clubhouse located at 6 Sunset Avenue, Niantic.

**I. Call to Order and Establishment of Quorum**

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

Mr. Fox introduced the Commission Members and he noted that a quorum was present.

**II. Call For And Additions to the Agenda**

There were none.

**III. Approval of Minutes**

**a. June 19th, 2020 Regular Meeting Minutes**

**MOTION (1)**

Mr. Allen moved to approve the June 19th, 2020 Regular Meeting Minutes as posted.

Mr. Kycia seconded the motion.

Motion carried, 5-0-0.

**IV. Public Comments**

Public Comments is the time when members of the Black Point Beach Club Association are invited to speak to the Commission about certain matters. Items, referrals or applications subject to a decision by the Commission, a public hearing or in litigation may not be discussed.

There were none.

## **V. Reports**

### **A. Communications and Correspondence**

Mr. Fox said he has not received any correspondence.

### **B. ZEO: Jim Ventres**

Mr. Ventres said he has received three or four emails regarding non-conforming structures pertaining to the current regulation review being conducted by the Zoning Board.

Mr. Ventres briefly discussed his ZEO Report (attached.) He noted there are several big projects going on such as 10 Sea Breeze, who is expanding up. He added he has received many questions about future planned projects with no sign of slowing down; the building department is jammed.

### **C. Ex-Officio: Steve Beauchene**

Mr. Beauchene said he has nothing to report.

### **D. Chairman: Jim Fox**

Mr. Fox said it has been very quiet and that most people who he has encountered are curious about what the Zoning Board is talking about, but no concerns have been expressed.

## **VI. OLD BUSINESS**

### **A. Regulation Review; Discussion and review of current regulations and/or new regulations.**

#### **● Property Maintenance Guide**

The Commission discussed the draft (attached) and Mr. Beauchene shared that it has received only positive feedback from the Board of Governors. Mr. Fox said he would think enforcement would be under the purview of the BOG and asked Mr. Ventres for his thoughts. Mr. Ventres said that anything involving zoning would obviously be the jurisdiction of the Zoning Commission and that anything related to blight would fall under the jurisdiction of the Town, given its blight ordinance. He stressed that this document is a guidance.

Mr. Fox asked if Mr. Ventres recommends publishing the pamphlet on the website or distributing copies and he replied it would be a good idea to do both. Mr. Beauchene said it could be included with one of the yearly mailings and the Commission discussed how it would be of value to disseminate the guide via email, the website and facebook as well. Mr. Horoho said electronic means could be used for now and a hard copy could be mailed out next year.

Mr. Ventres said he will craft a blurb to include with the guide publication. The Commission discussed how a notice could also be published in the Black Pointer directing people to the website to view the full property guide. Mr. Kycia asked about the second sentence under landscaping and stated he isn't clear on what it means and after reviewing it, the Commission opted to remove it from the paragraph.

- **Change to existing regulation pertaining to construction activities.**

Mr. Ventres reminded the Commission this change allows construction activity to commence at 7:00 am Monday thru Friday between November 1st and April 1st; This allows for 5 extra hours per week for construction during the Winter months.

Mr. Horoho suggested including no activity on Sundays and Mr. Ventres and the Commission discussed how this is problematic as well as enforcement issues. Mr. Horoho agreed that there is no sense in having rules that we knowingly can't enforce. Mr. Fox said he thinks more feedback from the Public on this item will be helpful.

- **Non-Conforming Building Regulation**

Mr. Fox reminded the Commission of their previous discussions regarding nonconforming building and the challenge of promoting continued development and provide an opportunity for everyone within the Association to do so. The Commission discussed how homeowners are limited if they have a lot 40 or 50 feet in width given setbacks, and how the creation of a sliding scale provides more opportunities for individuals with smaller lots.

Mr. Fox said he thinks this is an important regulation for them to strongly consider amending. He noted that if you look to what the Town allows, they already allow this. Mr. Ventres discussed the difficulty in proving a zba hardship and that this gives everyone a simple set of rules to work with and prevents them from going beyond a 35% lot coverage.

Mr. Horoho added that it will also prevent that added expense associated with a Zoning Board of Appeals hearing. Mr. Allen asked if this is closer to what the Town does and Mr. Ventres said yes, but a step further given the requirement for an A2 survey and by clearing up the language.

Mr. Fox asked the other Commission members for any thoughts they might have and some of the following was said:

- Mr. Horoho noted this provides the opportunity for people to utilize their property to the fullest.
- Mr. Peary said he's not a fan of regulating more than one dwelling on a property.
- Mr. Bruce said he thinks the regulation looks good and has nothing to add.
- Mr. Katzbek said he thinks we're doing everything we should.

Mr. Ventres clarified that no matter what the lot size is the setback is currently the same, and we're providing a sliding scale.

Mr. Ventres said that the dimensions of landings (not to exceed 4 feet by 4 feet) has been changed to 6 feet by 6 feet to better accommodate handicap access; this gives greater flexibility and our regulations will no longer be in conflict with the Town's 5 feet requirement.

## **VII. New Business**

### **A. Pre-planning ideas for upcoming meetings**

Mr. Fox reminded the Commission of their discussion regarding garages and sheds at the previous meeting; currently the regulations essentially allow for a shed and garage or garage and garage; a 8 by 10 by 12 shed is permitted as is a detached garage if the 35% lot coverage is not exceeded.

Mr. Fox briefly discussed the potential for a detached garage to be more than a mere garage and said he thinks we need to consider amending the language to allow one shed and one garage- whether it's attached or detached. He asked if we should entertain the idea of altering the size of sheds given that 12 by 12 gazebos are permitted.

Mr. Fox noted that on one hand we would be limiting the number of garages while allowing for more storage by means of a larger shed. Mr. Kycia asked for solid definitions of both a garage and a shed. Mr. Fox asked if there is a way to tighten things legally and asked if a larger shed requires a larger setback.

The Commission discussed garages.

Mr. Ventres said he will explore the definition of garage in other communities.

Mr. Bruce said only 35% lot coverage is permitted so why restrict how they utilize it.

Mr. Fox said the important thing is to have language drafted for a public hearing and obtain feedback.

The Commission briefly discussed building lots.

Mr. Peary left the meeting at 7:00 p.m.

Mr. Fox asked about the potential timeline for a public hearing and notice and Mr. Ventres said an August meeting and September public hearing, circumstances permitting.

The Commission decided to further discuss garages and sheds at the next meeting.

Mr. Fox said the election of officers will occur at the next meeting so members should consider their preferred Chair and Secretary.

## **VII. ADJOURNMENT**

### **MOTION (2)**

**Mr. Allen moved to adjourn the Black Point Beach Club Association Zoning Commission meeting at 7:06 p.m.**

**Mr. Horoho seconded the motion.**

**Motion carried, 4-0-0.**

Respectfully Submitted,  
Brooke Stevens  
Recording Secretary

Zoning Projects				11-Jul	2020	Report			
Application #	Date	Address	Name	Map/Block	Project	Fee	Appr/Denied	Status	NOTES JV
<b>2018</b>									
JV-11	3/7	6 East Shore	Willard	5.11/64	AC / remodel	150	A	Scr. Started	Insp 7/10/2020
JV-46	10/19/18	2 Osprey	Bayne	5.19 / 87	New Home	600	A	Renewed app	Insp 7/10/2020
<b>2019</b>									
JV - 1 - 19	1/25/19	20 Seaview Ave	Wunder	5.10 / 39	addition	900	A	Under Constr	Insp 7/10/2020
JV - 2 - 19	3/1/19	12 Indianola	Spalluto	5.11 / 6	addition	300	A	Completed	9/6/2019
JV - 3 - 19	4/4/19	148 Old BP Rd	Danos	5.9 / 35	deck	150	A	Completed	10/23/2019
JV - 4 - 19	4/4/19	18 Sea Breeze	Smith	5.15 / 61	porch addition	300	A	Completed	9/13/2019
JV - 5 - 19	4/4/19	35 Sunset Ave	Kycia	5.14 / 126	fence	75	A	Completed	4/12/2019
JV - 6 - 19	4/4/19	19 Blue Heron	Hyland	5.19 / 107	stairs & fence	75	A	Needs Screening	Insp 7/10/2020
JV - 7 - 19	4/12/19	53 Sea Breeze	Bogue	5.14 / 59	dormer & show	300	A	Completed	8/2/2019
JV - 8 - 19	4/12/19	57 Sea Spray	Koch	5.18 / 13	shed	75	A	Completed	8/2/2019
JV - 9 - 19	5/2/19	9 Sea Breeze	Flaherty	5.15 / 74	Home Oc	10	A	Approved	5/2/2019
JV - 10 - 19	5/9/19	9 Billow Rd	Katzbek	5.2 / 64	Garage	300	A	Completed	10/10/2019
JV - 11 - 19	5/9/19	66 Nehantic	Martone	5.10 / 82	shed	45	A	Completed	8/2/2019
JV - 12 - 19	5/9/19	53 Sea Spray	Bruce	5.18 / 14	Propane tank	45	A	Completed	8/2/2019
JV - 12 - 19	5/17/19	1 Blue Heron Ct	Weiss	5.19 / 95	Fence	75	A	Completed	8/2/2019
JV - 14 - 19	5/17/19	56 Sea Spray	Foley / Coffee	5.18 / 23	Deck	150	A	Completed	9/26/2019
JV - 15 - 19	5/17/19	41 Sea Spray	Horoho	5.18 / 18	Fence / screen	45	A	Completed	7/12/2019
JV - 16 - 19	6/5/19	31 Sea Spray	Allen	5.19 / 12	Fence	150	A	Completed	7/26/2019
JV - 17 - 19	6/14/19	8 Saltaire	Ferreira	5.19 / 43	shower / fire pit	75	A	Completed	7/26/2019
JV - 18 - 19	6/14/19	12 Sea Crest	Iffland	5.15 / 11	Propane tank	45	A	Completed	9/6/2019
JV - 19 - 19	7/12/19	9 Sea Spray	Wachtmeister	5.15 / 15	Fence	150	A	Under Constr	Insp 7/10/2020
JV - 20 - 19	7/24/19	74 East Shore	Sheehan	5.19 / 42	Shed	75	A	Completed	9/6/2019
JV - 21 - 19	7/24/19	10 Nehantic Dr	Dewey	5.11 / 24	Fen/bulk hd//ac	450	A	Under Constr	Insp 7/10/2020
JV - 22 - 19	9/2/19	41 Sea Spray	Horoho	5.18 / 18	Dumpster	NC	A	Removed	10/23/2019

JV - 23 - 19	9/8/19	14 White Cap	Donnelly	5.15 / 81	Shed	150	A	Completed	10/30/2019
JV - 24 - 19	9/11/19	27 East Shore	Graus	5.11 / 4	addition	450	A	Under Constr	Insp 7/10/2020
JV - 25 - 19	9/18/19	95 East Shore	Fagan	5.19 / 96	Shed	150	A	Completed	11/21/2019
JV - 26 - 19	10/4/19	75 East Shore	Ferreira	5.19 / 42	Shed	150	A	Completed	12/7/2019
JV - 27 - 19	10/5/19	23 Sea Crest	McLaughlin	5.15 / 27	Dumpster	NC	A	Installed	Insp 7/10/2020
JV - 28 - 19	10/5/19	16 Osprey	Villecco	5.19 / 100	Fence	75	A	Completed	12/7/2019
JV - 29 - 19	10/5/19	6 Sea Spray	Maxwell	5.15 / 1	POD	NC	A	Removed	11/21/2019
JV - 30 - 19	10/5/19	5 East Shore	Walsh	5.11 / 52	App Ext Add	250	A	Completed	12/7/2019
JV - 31 - 19	10/11/19	2 Osprey	Bayne	5.19 / 87	App Ext N Hse	250	A	Under Constr	Insp 7/10/2020
JV - 32 - 19	10/11/19	18 Saltaire	Miller	5.19 / 47	Porch Landing	\$150	A	Under Constr	Insp 7/10/2020
JV - 33 - 19	10/11/19	40 Sunrise	Colella	5.14 / 96	Fence	75	A	Completed	10/23/2019
JV - 34 - 19	10/18/19	21 Seaview Ave	Reis	5.15 / 45	Pool	450	A	Under Constr	Insp 7/10/2020
JV - 35 - 19	10/18/19	39 Woodland	Carlson	5.10 / 5	Fence	150	A	Completed	11/21/2019
JV - 36 - 19	10/18/19	27 Woodland	Martin	5.9 / 22	Raise House	450	A	Completed	6/19/2020
JV - 37 - 19	10/18/19	6 Sea Spray	Maxwell	5.15 / 1	New House	900	A	Completed	4/24/2020
JV - 38 - 19	11/14/19	57 Nehantic Road	Zito	5.10 / 86	Deck	150	A	Completed	4/3/2020
JV - 39 - 19	11/14/19	46 Bellaire Rd	Neun	5.10 / 95	Deck	300	A	Completed	5/1/2020
JV - 40 - 19	11/14/19	17 Sea View Ave	Baril	5.15 / 47	New House	1,050	A	Completed	6/11/2020
JV - 41 - 19	11/26/19	9 Ridge Trail	Manwarring	5.9 / 29	HVAC	150	A	Completed	1/17/2019
JV - 42 - 19	12/10/19	23 Bellaire Rd	Bookmillar	5.10 / 44	Propane tank	45	A	Completed	12/27/2019
JV - 43 - 19	12/20/19	53 Sea Breeze	Bogue	5.14 / 59	Dormer	300	A	Completed	5/23/2020
JV - 44 - 19	12/30/19	23 Sea Crest	McLaughlin	5.15 / 27	addition	450	A	Under Constr	Insp 7/10/2020
<b>2020</b>									
JV - 1 - 20	1/15/20	17 Woodland	Guzy	5.9 / 31	Hot tub / fence	75	A	Tub in	Insp 7/10/2020
JV - 2 - 20	2/12/20	18 Sea Breeze	Smith	5.15 / 61	Garage	300	A	Completed	7/10/2020
JV - 3 - 20	2/12/20	47 Indianola	Consedine	5.10 / 67	Dumpster	NC	A	Installed	Insp 7/10/2020
JV - 4 - 20	2/12/20	7 Sea Breeze	Elevado	5.15 / 75	Fence	150	A	Completed	2/14/2020
JV - 5 - 20	2/12/20	20 Seaview Ave	Wunder	5.10 / 39	Addition Ext App	250	A	Under Constr	Insp 7/10/2020

JV - 6 - 20	3/3/20	22 Ridge Trail	Mazerolle	5.9 / 24	Propane tanks	75	A	Needs Scrnig	Insp 7/10/2020
JV - 7 - 20	3/3/20	22 Ridge Trail	Mazerolle	5.9 / 24	Generator	150	A	Needs Scrnig	Insp 7/10/2020
JV - 8 - 20	3/7/20	6 Sea Spray	Potts	5.15 / 1	Propane tank	150	A	Completed	4/9/2020
JV - 9 - 20	3/7/20	109 E. Shore	Reeder	2.7 / 13	New Porch	300	A	Under Constr	Insp 7/10/2020
JV - 10 - 20	3/14/20	71 East Shore	Frechette	5.19 / 34	Fence	75	A	Completed	4/9/2020
JV - 11 - 20	3/27/20	71 East Shore	Frechette	5.19 / 34	Propane tank	150	A	Completed	4/9/2020
JV - 12 - 20	4/3/20	49 Sunset Ave	Moffett	5.14 / 121	Fence	150	A	Completed	4/9/2020
JV - 13 - 20	4/3/20	8 Saltaire Ave	Gardner	5.19 / 43	pool/shed/propan	300	A	Completed	6/11/2020
JV - 14 - 20	4/9/20	47 Indianola	Consedine	5.10 / 67	porch & enclose	300	A	Under Constr	Insp 7/10/2020
JV - 15 - 20	4/24/20	49 Sunset Ave	Moffett	5.14 / 121	Det. Garage	150	A	Completed	
JV - 16 - 20	5/16/20	23 Sea Breeze	Stafford	5.15 / 65	HVAC	300	A		
JV - 17 - 20	5/16/20	71 East Shore	Frechette	5.19 / 34	HVAC	75	A		
JV - 18 - 20	5/23/20	3 Palette Ave	Koeing	5.15 / 66	Dumpster	0	A	Installed	Insp 7/10/2020
JV - 19 - 20	5/23/20	12 Indianola	Spalluto	5.11 / 6	Pool	300	A	Under Constr	Insp 7/10/2020
JV - 20 - 20	5/23/20	75 East Shore	Ferreira	5.19 / 43	Fence	75	A	Completed	7/10/2020
JV - 21 - 20	5/23/20	41 Seabreeze Ave	Ferreira	5.14 / 64	HVAC	45	A	Not started	Insp 6/11/2020
JV - 22 - 20	5/23/20	32 Woodland	Lombardo	5.9 / 15	Det. Garage	150	A	Not started	Insp 7/10/2020
JV - 23 - 20	6/6/20	48 Nehantic	Etienne	5.10 / 76	Closet	300	A	Not started	Insp 6/11/2020
JV - 24 - 20	6/6/20	5 Cottage Lane	Litvinoff	5.14 / 9	Garage	300	A	Not started	Insp 7/10/2020
JV - 25 - 20	6/6/20	23 Sea Crest	McLaughlin	5.15 / 27	Shed	150	A	Completed	6/11/2020
JV - 26 - 20	6/22/20	1 Whitecap	Amara	5.11 / 75	Deck	150	A	Under Constr	Insp 7/10/2020
JV - 27 - 20	6/22/20	23 Bellaire	Bookmiller	5.10 / 44	Fence	75	A		
JV - 28 - 20	6/26/20	48 Nehantic Dr	Etienne	5.10 / 76	Attached Garage	300	A	Under Constr	Insp 7/10/2020
JV - 29 - 20	7/6/20	3 Palette Ave	Koeing	5.15 / 66	Additions / renov	750	A	Not started	Insp 7/10/2020



## BLACK POINT BEACH CLUB GUIDE TO PROPERTY MAINTENANCE

This Guide to Property Maintenance sets forth suggested minimum standards so that property and homeowners belonging to the Black Point Beach Club Association (BPBCA) clearly know what basic maintenance is expected of them as good neighbors. The Guide additionally attempts to provide assurance to all residents that their neighbors will adhere to these same suggested minimum standards. In general, the exteriors of all properties in the BPBCA should be structurally sound, and free of nuisances, unsanitary conditions, and hazards, to ensure the safety of occupants, pedestrians, and others, and to help protect property values in our community. It is the property owner's duty and responsibility to comply with these suggested standard property maintenance measures. For additional information please consult the Black Point Beach Club Associations Zoning Regulations (amended to November 1, 2019) and/or contact the BPBCA Zoning Enforcement Officer.

### PROPERTY MAINTENANCE CHECKLIST:

**Refuse.** Properties should be free of broken glass, stumps, garbage, and other debris.

**Natural Growth and Weeds.** Dead trees and limbs or other natural growth that is rotting should be removed. Vines, grasses, rank vegetation, and noxious weeds, any of which are 6 inches or more in height, should be cut down.

**Landscaping.** Properties should be maintained, with lawns, hedges, and bushes kept from becoming overgrown or decayed. Grass should not exceed a height of 6 inches. All trees and bushes along property exteriors and streets should be trimmed back to provide a clear height of 10 feet above the ground surface and 12 feet above the surface of the street.

**Yard Waste.** Yard waste should be disposed of properly. If yard waste is composted, it must be maintained properly, and kept in the rear yard; so as to not create a nuisance for adjacent properties. Dumping of grass and weed clippings, tree limbs, or other debris on any private property or BPBCA property is strictly prohibited.

**Foundation Walls and Basements.** They should be structurally sound, free from defects and damage, and capable of bearing loads safely. Basements should be sound and maintained to prevent the entrance of rodents, wood-boring insects, rain, or water runoff.

**Chimney and Flue-Vent Attachments.** These features must be maintained to be structurally sound, free from defects, and capable of performing the functions for which they were originally designed.

**General Maintenance.** The exterior walls, trim, doors, and window casings of every structure and accessory building should be structurally sound and kept painted and/or coated to prevent decay. Paint should be lead-free. Exteriors should be free of broken or unusable windows, crumbling stone or brick, peeling paint, or other conditions that reflect deterioration. Vacant building lots should be kept free of dead trees and limbs with grasses, rank vegetation, and noxious weeds, any of which are 6 inches or more in height, cut and removed.

**Porches.** Foundations should be sound; the porch, guardrails, handrails, and porch stairs should be safe and without rot.

**Roofs, Gutters, and Downspouts.** Roofs should be maintained to be free of leaks and rot. Drainage should be collected in suitable downspouts, which may discharge into splash blocks or other devices, provided that no excess waterflows into adjoining properties or over sidewalks. Downspouts should be free of clogs and rust. Connecting any pipe carrying roof water or yard drainage to a sanitary sewer is prohibited.

**Additions or Separate Structures.** They should be sound and capable of serving their original purpose. Applicable permits must be obtained for their construction.

**Fences, Walls, and Other Non-Residential Exterior Structures.** Accessories such as fences, walls, etc., should be maintained and firmly anchored, with painted and/or protected surfaces to prevent decay and hazard. The addition or modification of any fences may require a permit, residents check with the Zoning Enforcement Officer prior to the start of the fence project.

**Free from Infestation.** All areas of properties should be maintained to prevent infestation from rodents, insects, and other animals.

**Storage Sheds.** Storage sheds require a building permit and must be located in the rear yard. Check with the Association Zoning Enforcement Officer for regulations regarding the size, foundation, and placement on the property.

**Junk, Inoperable, or Unlicensed Vehicles.** Properties must be free of junk, inoperable, or unlicensed vehicles. Repairing any such vehicle or trailer is prohibited anywhere on the exterior property, including on the front driveway.

**Temporary Storage Containers.** Containers such as PODs (Portable on Demand) are permitted but require a permit. Check with the BPBCA Zoning Enforcement Officer for regulations regarding time allowed and appropriate placement location.

**Trailers and Boats.** Any such utility trailer, camping trailer, boat, or other watercraft exceeding sixteen (16) feet shall be located behind the front setback building line. Boats exceeding sixteen (16) feet are allowed forward of the front setback building line between April 15<sup>th</sup> and June 1<sup>st</sup>, while boats are being prepared for the boating season.

**Hedges and Fences.** No wall, fence or other structure and no hedge or other shrubbery shall be permitted to be higher than 42 inches measured from the level of the street pavement with ten feet of an intersection of streets, including intersections of streets and Association rights-of-ways, measured from the beginning of the street pavement at the intersection.

**Pets.** Dogs must be secured on the property of the owner, either by way of leash, fence, or contained inside the home. Dogs are not allowed on the BPBCA beaches at any time. Dogs are also not allowed to run loose while on walks; they should be tethered on a leash no longer than 6 feet. Pet owners must immediately pick up after their pets on walks and in BPBCA areas and also routinely take care to keep their property clean of pet waste.

## **PROPOSED NEW REGULATIONS FOR PREEXISTING NONCONFORMING**

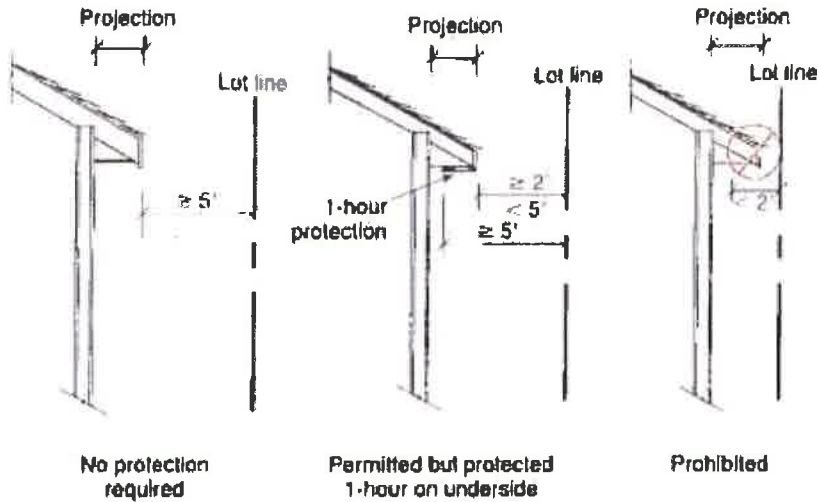
### **STRUCTURES AND LOTS DRAFT**

#### **9. Nonconforming structures.**

- a. No nonconforming dwelling shall be enlarged or extended unless the enlargement or extension conforms to the requirements of the district in which it is situated.
- b. EXCLUDED FROM THIS PROHIBITION ARE:
  1. Additions of a second story to one-story single family dwellings.
  2. Conversions of single-family one-and-one-half story dwellings to two-story dwellings, either by means of dormers or upward extensions of existing sidewalls.
  3. Conversions to two stories of one-story appendages to two-story single-family dwellings.
  4. Construction of an addition that fills in a section of the house when two adjacent exterior walls are already non-conforming.
  5. Construction of an addition that extends the nonconformity as long as the extension does not exceed twenty percent of the existing structure and does not extend into the front or rear yard setback.
- c. NONE OF THE FOREGOING ADDITIONS, EXTENSIONS, OR CONVERSIONS SHALL:
  1. Extend beyond the perimeters of the existing buildings except as noted in #4 or #5 above..
  2. Exceed the vertical projection limits specified elsewhere in these regulations.
  3. Alter the single-family status of the dwellings, and
  4. Result in a separation of less than 15 feet from the sidewalls of any other dwelling.
  5. Result in the nonconformity being constructed no closer than five feet from the property line.
  6. Result in construction that exceeds the coverage limit thirty-five (35) percent of all structures on the property.
- d. Nothing shall prevent the construction of additions to single family detached residential dwellings provided that the following conditions are met:
  1. No lot within the scope of these provisions may contain more than one dwelling.
  2. The dwellings are used solely as private residences, except for approved "Home Occupations" and the proposed additions shall likewise be designed for such use. (For purposes of this regulation, single-story, accessory attached and detached garages shall be considered residential additions.)
- e. All application for construction under this section will require an A-2 survey to demonstrate the exact location of the existing structure, the proposed addition(s), and the location of the closest neighboring structure(s).

**PROPOSED NEW REGULATIONS FOR PREEXISTING NONCONFORMING**

**STRUCTURES AND LOTS DRAFT**



**FIGURE 3-4 Roof projections at property line**

**NONCONFORMING BUILDING REGULATIONS ARE FROM THE EAST LYME ZONING REGULATIONS WITH MODIFICATIONS**

**NONCONFORMING LOTS (NOTE – EXISTING SIDE YARD IS 15 FEET)**

Lots 79 feet or less in width: In the case of any lot 79 feet or less in width, the minimum combined width of both side yards and the minimum width of the narrowest side yard shall be respectively as follows;

LOT WIDTH	COMBINED WIDTH OF SIDE YARDS	MINIMUM WIDTH OF NARROWEST SIDE YARD
UNDER 40 feet	16 feet	8 feet
40 feet to 49 feet	18 feet	8 feet
50 feet to 59 feet	20 feet	10 feet
60 feet to 69 feet	24 feet	12 feet
70 feet to 79 feet	28 feet	14 feet

**PROPOSED NEW REGULATIONS FOR PREEXISTING NONCONFORMING**

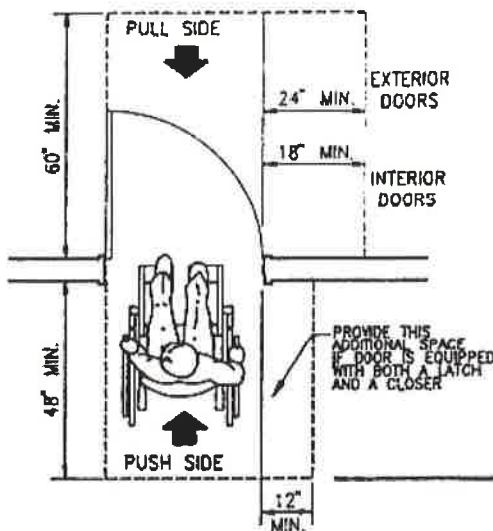
**STRUCTURES AND LOTS DRAFT**

**2. Landings and Stairs Within the Setback Areas**

Exterior landings and stairways to exterior doors which are constructed within the setback areas as defined in this section shall be consistent with the following requirements, and no further deviation from such setback areas shall be permitted unless expressly authorized by a variance granted by the Zoning Board of Appeals:

- a. Landings shall not exceed the dimensions of four [ (4) feet by four (4) feet ] *six (6) feet by six (6) feet.*
- b. Stairways *and landings* shall not extend into a side or rear setback area more than [ three (3) feet ] five (5) feet from the property line, nor into a front setback area more than [ six (6) feet ] *five (5) feet from the property line.*
- c. The coverage of any roof constructed above a landing shall not exceed the dimensions of the landing, and the landing beneath a roof shall not subsequently be enclosed.
- d. No roof or other overhead structure shall be constructed above the stairway.

**MINIMUM REQUIREMENTS – BUILDING CODE** Top landings at minimum should be at least 60" X 60" if there is an outswinging door, with at least a 12" to 24" of "elbow room" space provided off the door's handle side, particularly for a person using mobility equipment. These dimensions give enough room for a person to move off to the side while opening the door without having to back up to get out of the way of its swing.



**PROPOSED NEW REGULATIONS FOR PREEXISTING NONCONFORMING  
STRUCTURES AND LOTS DRAFT**

**Existing regulation pertaining to construction activities**

**Construction Activities** – No construction or construction related activities including, but not limited to, land clearing, excavation, the installation of footings or foundations, the erection of structures, and the siding or roofing of such structures, shall commence prior to 8:00 AM nor conclude later than 6:00 PM on any day.

**For consideration**

**Construction Activities** – No construction or construction related activities including, but not limited to, land clearing, excavation, the installation of footings or foundations, the erection of structures, and the siding or roofing of such structures, shall commence prior to 8:00 AM nor conclude later than 6:00 PM on any day. **During the period between November 1<sup>st</sup> and April 1<sup>st</sup> construction may commence at 7:00 am Monday through Friday. Saturdays and Sundays hours are still 8:00 AM to 6:00 PM.**

***Intent – To promote more of the construction activities to be completed in the winter months. Five extra hours a week per employee can add up fast.***

***With daylight time changes, you gain an hour in the morning but lose the time in the afternoon.***