

**Black Point Beach Club Association Zoning Commission
May 21st,, 2021 Regular Meeting Minutes**

<https://us02web.zoom.us/j/89464414583?pwd=aW5WT25QUFRHQTBuQjVJU1p2QnZpUT09> to join the meeting

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Meeting ID: 894 6441 4583

Present:

Jim Fox, Chairman

Jim Allen, Secretary

John Horoho

Charles Bruce, Alternate

Betsy Klemmer, Alternate (via zoom)

Joseph Katzbek, Alternate

Absent:

Matt Peary

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 April 16th , 2021 at 6:00 p.m. at the Black Point Clubhouse located at 6 Sunset Avenue, Niantic, CT; the meeting was teleconferenced from the Clubhouse via zoom, and recorded in its entirety and in accordance with the requirements of executive order 7B, issued by Governor Lamont, which allows for public meetings to be held over teleconference.

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 6:02 p.m.

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

II. Call For And Additions to the Agenda

There were no additions to the agenda.

III. Approval of Minutes

a. April 16th, 2021 Special Meeting Minutes

MOTION (1)

Mr. Allen moved to approve the April 16th, 2021 Regular Meeting Minutes as posted.

**Mr. Horoho seconded the motion.
Motion carried, 3-0-0.**

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.

Mr. Fox noted that we have one member in attendance on zoom and asked if they wanted to make any comments.

1. Barbara Johnston of 35 Sea Crest Avenue said some of the following:
 - Basically, I have a number of comments and I would like them part of the record.
 - Regarding this POCD, what do you intend to accomplish for the properties already created in 1931?
 - I have not seen or heard of anything through this Zoning, calling a public hearing before it was even presented to the Board of Governors.
 - I think that's very faulty- at least the public should understand.
 - And I'm not talking to the company you will possibly hire, I am talking about US citizens of Black Point.
 - We should have been able to hear what the Zoning is thinking about and proposing before you went before the Board of Governors.
 - I would hope that that's the way it's done, but it hasn't been done that way, and I want it part of the records now please.
 - Regarding that legal notice that was presented- it appears only one person or one company answered your legal notice; I would like to know where it was posted.
 - I don't know if it was posted in the New London Day Newspaper but I think it's a very important issue.
 - As I already said, the land for the building is already designed.
 - I don't know what the intention of spending \$26,000 for this when you could have had a public hearing, and probably had some people that already know what it is all about for a number of years.
 - Actually, this is this special act of the legislature, and we are different from a town, so give us some thought.
 - We understand lots of English and would like to be part of the record, or before it gets approved by the Board of Governors.
 - I know it's going to be presented at the Annual Meeting but the Board of Governors has already approved it before you even had a public hearing.

Mr. Fox said he's not obligated to answer and normally doesn't do so, but he wants to clarify a few things:

1. The Plan of Conservation and Development, or the Master Plan is not a Zoning matter; It was not initiated by the Zoning Commission. The Zoning Chairman (me) happened to bring it to the Board of Governors as an idea, as a thought to consider. as a personal thing. It was not a zoning matter.

2. The RFP that you talked about or mentioned was actually posted on our website, and was sent directly to a number of companies who specialize in this type of work . The process has been appropriately followed. I hope you understand that and appreciate that, and the rest of the matter will be handled directly by the Board of Governors.

Ms. Johnston asked who she was speaking with and who was in attendance. Mr. Fox identified himself and reread the roll call of Zoning Commission members present.

V. Reports

A. Communications and Correspondence

Mr. Fox said he has no communication or correspondence to share.

B. ZEO: Jim Ventres

Mr. Ventres noted that he submitted his ZEO report (attached), and that activity has slowed down slightly, because of the cost of materials. He's been told by many people they intend to proceed but will be holding off for a little bit. He said despite that, we're still picking up two or three projects a week.

Mr. Ventres added that there have been some complaints, property line disputes, things of that nature, but nothing overwhelming.

C. Steve Beauchene

Mr. Beauchene said he doesn't have much to report. He does have a request for the Zoning members- he's hoping that some of them will attend the Annual Meeting in case the Membership has questions regarding the Master Plan, that he's not able to answer.

Mr. Fox replied that he plans to attend since he is one of the parties responsible for bringing this item to the Board of Governors. He added that he's sure his counterpart, Colleen Chapin, ZBA Chair, will be in attendance as well.

D. Chairman: Jim Fox

Mr. Fox reported the following:

- He's received a lot of questions from different community members.
- Most of them have received notice of the Master Plan concept.
- A number of people have asked what has been my role in it, so to speak, or our role in it.
- I clarified with them, it's not really a Zoning Commission matter.
- It's something that was brought to the Commission, and that we endorsed the idea.
- However, it's an idea that is obviously and appropriately in the hands of the Board of Governors.
- I've had some nice conversations with people about the intention and there seems to be an awful lot of support for it.

VI. OLD BUSINESS

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

Mr. Fox said some of the following:

- Item number one under regulation review is existing structures on non conforming lots.
- We tried to provide some relief to allow existing structures and part of the discussion is where we go from here.
- Do we make any modifications?
- We have existing structures that are non conforming on larger lots.
- In situations where a rebuild or addition is planned they're in a sense, able to take advantage of the situation.
- There has been an instance of a home being enlarged that happened to have an existing non conforming garage behind it, and now the whole thing is attached.
- Is that something that we think we need to or can take a look at and amend?

Mr. Ventres said according to Connecticut General statutes, no commission shall write a regulation that will extinguish a non conformity; however this regulation is currently under review by the House and Senate. He suggested tabling this item until the determination regarding the regulation is made and revisiting it if it becomes permissible.

The Commission briefly discussed front yard setbacks in regards to nonconformity.

Mr. Fox canvassed the Commission Members regarding potential regulation review.

Mr. Ventres noted there is also talk in the Senate for four hours of a mandatory education class for Zoning members.

VII. New Business

There was none.

VIII. ADJOURNMENT

MOTION (2)

Mr. Horoho moved to adjourn the Black Point Beach Club Association Zoning Commission meeting at 6:25 p.m.

Mr. Allen seconded the motion.

Motion carried, 3-0-0.

Respectfully Submitted,
Brooke Stevens
Recording Secretary

