

**Black Point Beach Club Association Zoning Commission
July 23rd, 2021 Special Meeting Minutes**

Present:

Jim Fox, Chairman
Jim Allen, Secretary
John Horoho
John Kycia
Betsy Klemmer, Alternate
Joseph Katzbek, Alternate

Absent:

Charles Bruce, Alternate
Matt Peary

Also Present:

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

The Special Meeting of the Black Point Beach Club Zoning Commission was held on Friday July 23rd, 2021 at 6:00 p.m. at the Black Point Clubhouse located at 6 Sunset Avenue, Niantic, CT.

I. Call to Order and Establishment of Quorum

Mr. Fox called the Special 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. June 18th, 2021 Regular Meeting Minutes

MOTION (1)

Mr. Allen moved to approve the June 18th, 2021 Regular Meeting Minutes as posted.

Mr. Horoho seconded the motion.

Motion carried, 4-0-0.

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.

1. Sally Ann Tanasi of 30 Woodland Drive-
Ms. Tanasi said she came this evening because she would like to put a garage where her shed is currently located and was curious how to proceed.

Mr. Fox said they don't typically address public comments and noted the simplest thing to do is to consult with Jim Ventres, the Zoning Enforcement Officer.

Mr. Ventres said he can be reached at bpzoning@gmail.com and that she should look to see if they're any survey maps of her property available, prior to their meeting.

V. Reports

A. Communications and Correspondence

Mr. Fox said he hasn't received any communications.

B. ZEO: Jim Ventres

Mr. Ventres noted that he submitted his updated ZEO report (attached), and discussed how similar to last month, there are still a great deal of dumpsters present.; many of these dumpsters may be here for some time since people are desirous of doing home improvements but many are waiting and hoping the cost of lumber will decrease from its current high price.

Mr. Ventres discussed how he's keeping an eye on hedges and notifying anyone who make need to trim theirs in order to ensure pedestrian and vehicular safety.

C. Ex-Officio: Steve Beauchene

Dr. Beauchene said some of the following:

- The Board of Governors met last night and he's pleased to share that Joseph Katzbek has been reappointed as a zoning commission alternate member.
- In regards to the Masterplan, SLR has been taken over by Milone & MacBroom.
- Milone & MacBroom is not interested in crafting master plans for small communities.
- Mike Zuba who gave the Masterplan presentation will be leaving that company along with several coworkers, and plan to continue with our project come January or February, so we would have something for discussion next July or August.

D. Chairman: Jim Fox

Mr. Fox said he has nothing to report.

VI. Old Business

1. Regulation Review

- a. Existing structures on non-conforming lots.
- b. Existing non-conforming structures on conforming lots.

Mr. Fox reminded the Commission they discussed at the previous meeting how Legislation has reemphasized the nonconformity protection previously offered to existing non-conforming lots and structures.

Mr. Fox asked how this might affect an existing property with an existing structure that has some kind of nonconformity associated with it; if that structure is removed is there a period of time that they have to rebuild?

Mr. Ventres replied that he tells everyone that if they want their nonconformity protected, prior to doing any work and knocking anything down, they need to provide zoning with a survey that demonstrates the existing nonconformity; without that survey sufficient proof of an approved nonconformity no longer exists.

Mr. Fox reminded the Commission how they previously discussed crafting a regulation that might offer a 40 foot lot some flexibility.

Mr. Ventres said last year they addressed lots that have a narrow frontage and this year they're examining lots that have no depth. He discussed some of the following:

- At the last meeting they discussed the cutoff line being 11 feet.
- If you're 11 feet from the road the zoning regulations allow you to put a 6 foot roof on the front step, so you're 5 feet from the property line.
- This will unfortunately not help everyone but it will at least provide a bit of relief for some.
- He thought about doing the same kind of sliding scale.
- If a lot is under 40 feet, it has 11 feet to the front, and 5 feet to the rear.
- If it's 40 to 49 feet it's 11 feet to the front.
- If it's 50 to 59 feet it's 15 feet to the front, and 10 feet to the rear.
- If it's 60 to 65 feet it's 15 feet to the front, and 12 feet to the rear.
- He will provide a diagram in the future so that the Commission has a visual understanding of the sliding scale.
- In the very least, he thinks this provides a nice framework for discussion.

Mr. Fox asked how similar this regulation is to the previous sliding scale they created, and Mr. Ventres replied that the only difference is that it provides a little more flexibility to the rear of the lot.

Mr. Fox asked how Mr. Ventres considers whether a lot is wide or deep and Mr. Ventres confirmed that per their regulations it's based on street address.

Mr. Horoho observed that he likes the consistency of the sliding scale but that an illustration would definitely be helpful.

Mr. Fox said the intention is to provide more flexibility and he wishes they could create something perfect, but he doesn't know how they can do that.

VII. New Business

1. Discussion regarding accessory apartments and timeline of necessary activities prior to the scheduled 01/01/2022 implementation.

Mr. Ventres reminded the Commission of the following:

- When it becomes effective January 1st, 2022 you can have an accessory if you have a conforming 8,000 square foot lot, unless the Community decides to opt out.
- An accessory apartment has to have a bedroom, bathroom, and kitchen essentially the minimum criteria of a separate living unit attached or detached.

- Approval requires two thirds vote of the Commission.
- After you hold a public hearing and discuss it, you can choose to opt out of accessory apartments but it would then have to go before the Board of Governors, and the same two thirds vote is necessary.
- Variances cannot be sought for this use and lot coverage cannot exceed current regulations.
- The idea is to not allow for short term rentals.

Mr. Kycia asked how many bedrooms are permitted and Mr. Ventres said it's capped out at 2 bedrooms.

Mr. Horoho said he thinks more information is needed but that his initial reaction is that we already have density and parking issues which this would most likely add to.

Mr. Ventres said he will count the total number of homes that would be able to add an accessory apartment, but thinks it's most likely 35 to 40%.

Mr. Kycia observed that such a use may increase property values.

Mr. Ventres said that come September some kind of decision will need to be made.

The Commission decided to table this item for the time being.

2. Discussion regarding scheduling of Zoning Commission Regular Monthly Meetings.

Mr. Fox noted that the Member who requested this be part of the agenda is not in attendance this evening.

Mr. Kycia said any night they choose to meet is fine with him.

Mr. Horoho said some people only come down on the weekends anyway and the Commission discussed how groups such as the Men's Club and Women's Club are used to meeting on specific nights of the week.

Mr. Ventres said he is unable to attend meetings Monday thru Wednesday.

The Commission decided to leave the schedule as is for now.

3. Discussion regarding required Land use training for Zoning Commission and Zoning Board of Appeals.

Mr. Ventres said more information will be forthcoming but Commission members will be required to attend 4 hours of Land Use training per year. He explained that a curriculum is being developed and that the State will inform us when it's available.

VIII. ADJOURNMENT

MOTION (2)

Mr. Kycia moved to adjourn the Black Point Beach Club Association Zoning Commission meeting at 6:37 p.m.

Mr. Allen seconded the motion.

Motion carried, 4-0-0.

Respectfully Submitted,
Brooke Stevens
Recording Secretary