

Giants Neck Beach Association Zoning Commission Meeting
October 26, 2024

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2024 OCT 28 P 1:07

Cassidy Bellin
TOWN CLERK

Present: Jim Lafond, Acting Chair
Marilyn Christopher, via Zoom
Steve Spano, via Zoom
Mario Harris
Al Lagano, Alternate

Absent: Richard Corona, Alternate

Also Present: Jim Ventres, Zoning Enforcement Officer
Paul Formica, BOG President

1. **Call to Order.** Acting Chair Jim Lafond called the Giants Neck Beach Association Zoning Commission Meeting of October 26, 2024 to order at 9 a.m.

Mr. Lagano was welcomed as a new alternate of the Zoning Commission.

2. **Attendance.** A quorum was established.
3. **Approval of September 26, 2024 Minutes.** Mr. Lafond asked for corrections, additions or deletions to the September 26, 2024 Giants Neck Beach Association Zoning Commission Meeting Minutes.

MOTION (1): Mr. Harris moved to approve the Giants Neck Beach Association Zoning Commission Meeting Minutes of September 26, 2024, as presented. Seconded by Mr. Lagano. Mr. Lagano abstained from voting. (3-0-1) Motion carried.

4. **Bills.** There were no bills presented.
5. **Site Plan Review** -There was no new application.
6. **Public Hearing.** Mr. Lafond reported we had public hearings in August and September and this is a continuation of the Public Hearing. He informed residents that information from those meetings was brought to the Board of Governors, and they reviewed it and had one recommendation regarding walls.

Mr. Formica, President of the Board of Governors, added it could be revisited annually.

Mr. Ventres read the attached letter from Alan Pease of 20 West Pattagansett Road regarding fences and walls. Mr. Ventres suggested reviewing this next year.

Mr. Pease suggested a height of 72" for fences or walls. Mr. Lafond reported we have had the maximum height for a fence or wall at 42" for many years. It should be reviewed, because this would be a big change in the regulations as well as a last-minute change.

There was discussion on boats and trailers. Mr. Ventres stated that has been taken out. Mr. Harris stated he did not wish to look at three boats in a neighbor's yard. Mr. Ventres informed him he did not have any complaints and some residents had two or three.

Mr. Beaulieu of 29 Griswold Road reported all boats must be used at least every two years or they need to be removed. Mr. Lafond stated after discussion at the September meeting no one had a problem with boats, and it was felt that it wasn't necessary to have a rule.

Mr. Peace of 20 West Pattagansett Road stated Ann Patterson owned property on Ridgewood Road and kept boats on her lot.

Ms. Heslin of 3 Point Road objected to 3.1 regarding approving applications. She added our Bylaws state applications are decided by the Zoning Commission. She felt this procedure cannot be changed unless you change the Bylaws. Mr. Ventres stated the regulations have to move independently. Mr. Lafond reported the Commission receives a monthly report from the Zoning Enforcement Officer. Mr. Formica, President of the Board of Governors, stated if an application is received it goes to the Zoning Enforcement Officer. Ms. Heslin stated her concern is the way it is being amended. In the absence of the Zoning Enforcement Officer, it would be decided by the Zoning Commission. Mr. Formica stated the Zoning Enforcement Officer accepts the application. Ms. Jacobs added it is important to have a Zoning Enforcement Officer. The only time the Commission becomes involved is on a large project. Mr. Ventres reported the Site Plan Review doesn't come to the Commission and doesn't need to have public notice. If it's a major project other towns have a Site Plan Review, and it is noticed in the local newspaper and notification is given to surrounding property owners. Ms. Heslin asked when is a Site Plan Review required? Mr. Ventres replied a Site Plan Review is required on single-family homes. Ms. Heslin stated if you don't have requirements for a Site Plan it is only on the waterfront. Mr. Lafond stated we are having difficulty getting a quorum for meetings. Mr. Formica suggested in the absence of a Zoning Enforcement Officer it comes before the Commission.

Mr. Lafond reported there is a large waiting list for docks. The Dock Committee hired DOCKCO and everyone within 500' was notified. The notice went to the entire beach community by mistake. Mr. Beaulieu of 29 Griswold Road felt this was inappropriate and should not have happened. Mr. Ventres stated this had nothing to do with the Zoning Commission. Mr. Lafond added this is a Dock Committee issue.

Jim Agles, of 2 Hilltop Road stated the plan is to remove the Zoning Commission out of the approval process. Mr. Lafond said we will add wording if we are without a Zoning Enforcement Officer the Commission will review the application. Mr. Ventres reported for a PDF Site Plan and structure, he will review it and report back. The process for structures is to review the checklist and, if approved, send approval to the property owner and the Town of East Lyme. Mr. Ventres added if the applicant meets the criteria in the application, the Commission must approve it. Ms. Heslin asked if it's accepted, do they have the ability to go to the Commission? Mr. Ventres replied if something is wrong telephone him. Mr. Hartigan of 3 Point Road stated it seems as though the entire procedure is changed because we have an excellent Zoning Enforcement Officer. Ms. Jacobs added a Zoning Enforcement Officer is important and you have a Commission for oversight. We look to Mr. Ventres for guidance. Mr. Lafond stated special projects should be brought before the Zoning Commission. Mr. Harris stated if it meets the checklist, there is no need to come before us.

Mr. Formica stated staff is important. The Bylaws need to be updated to include staff.
Mr. Lafond felt the Bylaws need to be changed.

Jim Agles, of 2 Hilltop felt we have come through the entire process. The Zoning Commission in the past has initialed what was approved. Mr. Ventres added if the Site Plan checklist is reviewed, there is no need for Commission members to weigh in on it. It either meets with the regulations or it doesn't. Mr. Lagano asked what if you miss something and it gets approved? Mr. Ventres stated there is a legislative process. Mr. Harris stated there are no residents that have come to our meetings. The Commission consists of laymen. We are doing our best.

Mr. Ventres referred to Sec. 3.1, which recommends that the Zoning Enforcement Officer review all applications. He referenced 8.2 fences, which recommends removing the chain link requirements for dog runs as of September 26. Mr. Formica stated the Public Hearing deliberations were approved and a motion was made to accept the change. Another meeting can be scheduled. Mr. Ventres suggested closing the Public Hearing and decide on when the next regularly scheduled meeting will be held. Ms. Heslin added the Bylaws should be changed first. Mr. Formica agreed to have the Board follow up on the Bylaws.

**MOTION (2): Mr. Harris moved to close the Public Hearing at 10:10 a.m.
Seconded by Mr. Lagano. (4-0) Unanimous.**

7. Adjournment.

**MOTION (3): Mr. Harris moved to adjourn the Giants Neck Beach Association
Zoning Commission Meeting of October 26, 2024 at 10:20 p.m.
Seconded by Mr. Lagano. (4-0) Unanimous.**

Respectfully submitted,

Frances Gheri, Recording Secretary

The GNBA Draft Zoning Regulations – June 2024, Section 8, GNBA 3B “Fences and Walls” (Pg 33), defines a maximum height for any fence or wall as 42” above ground level and with an capacity greater than 50%. These requirements are necessary for front or side lines to prevent obscuring view where vehicular or pedestrian traffic is present. Safety is of prime concern on our roadways and right-of-ways.

I have researched the building codes of numerous townships across Connecticut and the nation and all established similar height restrictions for frontlines and sidelines. Many also had capacity or fence type requirements. Most of the building codes also addressed rear line fence/wall heights with 72” being the common height restriction. The building codes of all adjoining town, i.e., Old Lyme, Lyme, Salem and Waterford all have building codes restricting fence heights to a maximum of 72” The Town of East Lyme also restricts to 72”. The Black Point Beach Club Association Zoning Regulations – October 1, 2024. (Copy hereby included) presents a clear and defined presentation.

As GNBA lot size overall are restrictive to outdoor activities, private gatherings are typically conducted in back yards abutting a rear neighbor. Many yards presently have large shrubs or trees to establish some privacy. The growth of these can extend somewhat deeply into yards and further limit useable space and be unattractive. Whereas a 72” screening fence, particularly being maintenance free redwood or red cedar, would be attractive.

A revised page 33 (hereby included) of said “GNBA Draft Zoning Regulations-June 14, 2024” could be inserted for presentation and action to the GNBA Zoning Board and general membership.

Respectively submitted

Alan E Pease