

DRAFT to be approved at the next GNBA -Zoning Meeting

**Giants Neck Beach Association Zoning Commission Special Meeting Minutes
October 30, 2025**

Present: Jim Lafond, Acting Chairman
Al Lagana, alternate
Steve Spano
Mario Harris (via Zoom)
Richard Corona, alternate

Also Present: Jim Ventres, Zoning Enforcement Officer
Gerry van Noordennen, BOG Liaison
Irene Makiaris
Mr. and Mrs. Vecchiario
Jim and Amy Agles
MJ Agostini
Kerry Orshal
David Zuckerbraun
Joe Sparvei
Andrew Davis
John Sheehan
Peter Agostini
Mike Burmani
Mary DiStasio
Laurel and James Beaulieu
Karen Underwood
Luke Weinstein (via Zoom)
Perhaps there were other residents that did not sign in

RECEIVED FOR RECORD
EAST LYME, CT
2025 NOV -4 A 11:32
Cecilia H. H. H. H. H.
TOWN CLERK

1. Call to Order. Mr. Lafond called the Giants Neck Beach Association Zoning Commission Special Meeting of October 30, 2025 to order at 6:45 p.m. Mr. Lafond is Acting Chairman in Mrs. Christopher's absence.
2. Attendance. Mr. Corona and Mr. Lagana were seated. A quorum was established.
3. Minutes of September 18, 2025. Ms. Agostini asked that the time on page 2, sixth paragraph, line 4, be changed. Mr. Lafond suggested that it be changed to around 6:45 a.m. to 7:15 a.m.

MOTION (1): Mr. Spano moved to approve the September 18, 2025 Giants Neck Beach Association Zoning Commission Meeting Minutes, as amended. Seconded by Mr. Corona. (5-0) Unanimous.

4. Bills. No bills were presented.

5. **Continued Public Hearing** was then reconvened. Mr. Ventres reported this Commission has had several public hearings over the past two years on revised Zoning Regulations. An error was noted and this Commission met to correct the error. Mr. Ventres stated he did some research and found the primary responsibility for control of noise rests with the state and the political subdivisions thereof. Under Connecticut General Statutes Sec. 22a-73 any municipality may develop and establish a comprehensive program of noise regulations. Any municipality may adopt, amend and enforce a noise control ordinance. Any such municipal noise control ordinance shall be at least as stringent as any state noise control plan. He reported this summer the Board of Governors adopted an Ordinance for the hours of operation of commercial construction in the Association. This Commission is under the jurisdiction of the Board of Governors and we cannot amend or change it. Mr. Lafond added we need to rely on the Ordinance. Mr. Weinstein stated he believes it cannot be amended and the process should begin again. Mr. Lafond asked that Mr. Weinstein's comments be given to the Board of Governors. He added if the Ordinance can be changed, we follow the Ordinance.

Mr. Sparvei of 294 Giants Neck Road stated he believes the Ordinance has been amended several times. Mr. Ventres added at the Annual Membership Meeting this summer Mr. Formica announced a Public Hearing will be held to a change to the Ordinance. Mr. Lafond again stated this Commission cannot change the Ordinance.

Mr. Ventres added this Commission controls permits. The Ordinance is under the control of the Board of Governors. He pointed out this Commission gave notice on the revised Zoning Regulations and published it in the Day newspaper. There have been numerous public hearings over the past two years. The Ordinance can only be changed by the Board of Governors.

Ms. Agles of 2 Hilltop Road asked when was the Ordinance amended? Mr. Ventres stated in August. Ms. Agostini stated according to the Attorney General you cannot change it. Mr. Lafond again stated only the Board of Governors can change the Ordinance. There have been numerous public hearings over the past two years. The Ordinance can only be changed by the Board of Governors. This Commission is responsible for permits.

Mr. Beaulieu of 29 Griswold suggested that this Commission go to the Zoning Commission business of today.

Mr. Weinstein felt there was contradicting information coming from the Board of Governors.

Mr. Weinstein stated a survey has been done. Ms. Agostini reported she spoke to neighbors and found they didn't know about the time changes for construction. Mr. Lafond pointed out all the hearings and communications that took place. Ms. Agostini stated she regrets she had not attended the public hearings. Ms. Agostini sent a survey to approximately 150 residents. (See attached results of the survey summary). Mr.

Beaulieu suggested that she go to the Board of Governors. There were few other comments and questions from those in attendance.

Mr. Ventres suggested reconvening the Zoning Meeting to adopt the revised zoning regulations.

Mr. Ventres read the Proposed Correction from September 2025 as follows:

Commercial 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 a.m. nor conclude later than 6 p.m. on Monday through Friday 8:00 a.m. to 6:00 p.m., Saturday 8:00 a.m. to 1 p.m. No construction work is permitted on Sundays. No commercial work shall occur on Memorial Day, July 4, or Labor Day. Emergency work is permitted after contacting the ZEO.

Mr. Ventres read the revised correction October 30, 2025 as follows:

Commercial Construction Activities – Please refer to the Giants Neck Beach Association Ordinance Article 9, Section 1b as amended. Said days and hours of operation will be posted on the Giants Neck Beach Association Zoning Application to notify the owner and contractor of the posted hours for construction activities.

**MOTION (2): Mr. Lafond moved to close the Public Hearing at 7:32 p.m.
Seconded by Mr. Corona. (5-0) Unanimous.**

**MOTION (3): Mr. Spano moved to accept the revised language regarding
Commercial Construction Activities Article 9, Section 1b.,
effective December 15, 2025. Seconded by Mr. Corona.
(5-0) Unanimous**

**MOTION (4): Mr. Spano moved to adopt the revised regulations as of
December 15, 2025. Seconded by Mr. Corona. (5-0) Unanimous.**

**MOTION (5): Mr. Lafond moved to adjourn the October 30, 2025 Special
Meeting at 7:35 p.m. Seconded by Mr. Spano. (5-0)
Unanimous.**

Respectfully submitted,

Frances Gheri, Recording Secretary

SURVEY RESULTS SUMMARY FOR ZONING COMMISSION MEETING - OCT 30, 2025

Author: Mary Jean Agostini

BACKGROUND: At the September 18, 2025 Zoning Commission meeting, members debated whether the **membership had been adequately informed** about proposed **construction hour changes**. At the suggestion of the **Commission and Z.E.O. Jim Ventres**, I was encouraged to **conduct a survey** of the membership to assess both **awareness** and **sentiment** regarding these changes.

REQUEST FOR MEMBERSHIP CONTACT INFORMATION:

To ensure a fair and comprehensive survey, I **formally requested the official member and member-representative list** (names and mailing addresses and representative forms) from GNBA leadership. That request was **denied**, despite **Connecticut General Statutes §§ 33-1070 and 33-1236**, which require **non-stock corporations** to make such lists available to **any member or member representative upon request**. Because of this denial, I was unable to have an accurate list of members/addresses to send the survey to. A number were returned by USPS.

SURVEY METHODOLOGY:

- **Survey Design:** Created by a **retired University of Connecticut business professor (Ph.D.)** experienced in hundreds of peer-reviewed, research-based survey designs. Also reviewed by other former professors.
- **Distribution:** 150 surveys mailed via **U.S. Postal Service** to addresses found on the East Lyme Assessors database. As noted above, some surveys were returned. No idea how many members actually received surveys because of the GNBA Board denial of access to data.
- **Responses:** 47 completed surveys returned (32% response rate of 150 surveys sent, but actual response rate will be much higher because as noted above 150 people did not receive the survey). That is a very high response rate (a rate of 2% to 5% was expected).
- **Purpose:** To document membership awareness, preferences, and governance views on construction regulation.

PLEASE SELECT AND CIRCLE ONE BOX FOR EACH OF THE THREE QUESTIONS

Q1: Were you aware of these new/planned restrictions before they were implemented? ☐ YES ☐ NO

Q2: Would you prefer these **new** restrictions or keep the **original** restrictions that have been in place for decades? ☐ NEW ☐ ORIGINAL

Q3: Would you prefer that GNBA removes itself from this whole **process** and defer to East Lyme regulations that control construction? ☐ GNBA REGS ☐ EAST LYME REGS

SIGNATURE

PRINT YOUR NAME

STREET ADDRESS IN GNBA

SURVEY RESULTS:

- | | | | |
|--------------|---------------|--------------------|----------------------|
| • Question 1 | 8 voted YES | 39 voted NO | (83% voted NO) |
| • Question 2 | 5 voted NEW | 41 voted ORIGINAL | (90% voted ORIGINAL) |
| • Question 3 | 19 voted GNBA | 27 voted EAST LYME | (59% voted for E.L) |

This independently designed and administered survey reflects a **good-faith effort** to measure **member awareness and preferences** regarding construction-hour regulations. **Key takeaways are:**

- 83% were **not aware** of the new restrictions prior to implementation contradicting the Commission position that members were made aware of the effort to make changes.
- 90% **prefer keeping the original restrictions** again going against the Commission's position that members were aware of what was happening.
- 59% **favor deferring construction regulations to East Lyme** rather than continuing GNBA oversight. Such a move would probably save \$20,000 or more in annual budget of the GNBA and substantially more legal fees if the changes are challenged in court.

These findings underscore the need for **greater transparency, communication, and member involvement** in GNBA policy decisions.

| COMMENTS | | |
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| KNEW ABOUT SUNDAY BUT NOT SATURDAY AFTER 1PM | | |
| DIDN'T KNOW ABOUT CHANGES TO HOURS-SUPPORT AMENDMENTS TO RULES | | |
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| Likes point of woods rule with no construction during the summer | | |
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| old lyme restrictions seem reasonable-exceptions to every rule-each case decided on merit | | |
| living here since 1941 confers no additional rights -prefers new-prefers no construction on holiday weekends too | | |
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| too much overreach and selective enforcement | | |
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| provision for emergencies,natural disaster or hardship | | |
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| hopefully restrictions on holidays during the summer | | |
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| point of woods no hammer june to labor day very restrictive | | |
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| we want the town to do zoning | | |

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| maybe winter & summer hours,previously discussed at many meeting, more projects now | | |
| proposed regulations online during past year - people need to be more involved and attend meetings | | |
| since sewers more activity-check with neighbors for work or parties-be a good neighbor. | | |
| | | |

SURVEY RESULTS - GIANTS NECK BEACH ASSOCIATION CONSTRUCTION HOURS OCTOBER 2025

| RESPONDANT | Q1 YES | Q1 NO | Q2 NEW RULES | Q2 ORIG RULES | Q3 GNBA | Q3 EAST LYME |
|------------|--------|-------|--------------|---------------|---------|--------------|
| 1 | 1 | | | 1 | 1 | |
| 2 | | 1 | | 1 | 1 | |
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| 46 | | 1 | | 1 | 1 | |
| 47 | 1 | | | | | |
| | 8 | 39 | 5 | 41 | 19 | 27 |
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| | Q1 Yes | Q1 No | Q2 New | Q2 Original | Q3 GNBA | Q3 East Lyme |

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COMMENTS ON CONSTRUCTION HOURS:

1. Not aware of the Saturday deadline. Would imagine this would be a full vote of the membership
2. No, unaware of the Saturday deadline. Silly. Beach is not as occupied in Summer
3. Not aware of the Saturday deadline, Should have been on the facebook back with specific details not just “there’s a zoning meeting” I’m not happy
4. I was aware of rules of construction but not the recent changes. There has been a building boom and we are constantly dodging construction vehicles. Guilty of doing projects on Sunday. Off season pretty much anything should go. During season only low level activities, We support no big construction on weekends but some stuff ok and support a properly amended rule.
5. I like the point of woods regs cant work in the summer
6. Old Lyme restrictions seem reasonable. There are exceptions to every rule. Each request should be decided on its own merit
7. Having lived here since 1941 confers no additional rights. I much prefer the new regulations what you refer to as restrictions. I was aware that the zoning regulations were being reviewed and revised. The zoning commission meetings and links to the agenda were posted in the GNBA Monday emails. I actually hoped the regulations went farther no construction on the weekends of memorial day, labor day and July 4th We rented in White Sands in Old Lyme for 15 years to our purchase here. They had no hammer restriction from Memorial Day to Labor Day. We renovated 2 bathrooms in May and June and no work was done on weekends. We live in a beautiful beach community and owners and renters should be able to enjoy quite weekends in their homes.
9. Too much overreach and selective enforcement
10. No,I wasn’t aware but agree with the rules. I would think common courtesy would be a reason not to have construction before 8.
11. If there isn’t already there needs to be a provision for exceptions to the construction restrictions in the event of an emergency,natural disaster or hardship.
12. I applaud this effort to increase input and participation in the zoning ordinances. There is always cause to adjust regulations and although the heights lax regulations affect me perhaps we should loosen ours a bit.
13. Hopefully giants neck has restrictions on holidays; memorial day, labor day and July 4th
14. Point of Woods no hammer June to Labor Day very restrictive
15. Would like to see original rules with summer restrictions

16. Yes, was aware of changes. The proposed regulations were talked about and were presented and discussed at many meetings. Also online during the past year. I think people need to be more involved and attend meetings on a regular basis. People didn't have big projects going on before sewers went in now its always going on. Maybe we can have winter and summer hours. Please take into consideration the following: Different hours from Memorial Day to Labor Day or even October. There aren't as many people here during the winter and not as much outside construction going on. Since sewers went in the kind of construction has changed. At one time people were just repairing structures not doing lots of tear downs and construction or major renovations. The old rules don't apply to a new situation. Be a good neighbor. People need to check with neighbors about what they have going on; is there a big party coinciding with the weekend they plan on hammering nails or sawing.

GIANTS NECK BEACH – MEMBERS SURVEY REGARDING CONSTRUCTION HOURS

Dear fellow GNBA member;

For decades construction hours at Giant's Neck Beach have been between the hours of 8am and 6pm Monday through Sunday. Some of you may not be aware that the GNBA Board and Zoning adopted regulations to eliminate any Sunday construction as of March of 2025 and are in the process of further restricting Saturday commercial construction to 8am to 1pm. One of the Board's objectives as stated in the August 16th Association minutes was to make the GNBA "restrictions consistent with neighboring beach communities". **This is not true.** Of the 4 neighboring beach communities, Old Black Point, and the Heights have no regulations and defer to East Lyme regulations (7am to 10pm Mon-Sat, 9am to 10pm Sun). Black Point regulations are 8am to 6pm Mon-Sun. Point of Woods defers to Old Lyme Zoning of 7am to one hour after sunset Mon-Sat; with restrictions June 25 to Labor Day. The GNBA changes/proposed changes will make GNBA regulations the most restrictive of any neighboring beach community.

There are many members/families of GNBA who were unaware of these changes and are against some of the restrictions set forth. Many of these members are from families who have lived with the GNBA from its inception in 1941. Some example reasons we are against these regulations include:

1. Many of the best contractors work part time in their business and eliminating half of Saturday and all of Sunday could eliminate them as possible vendors, driving up prices for the homeowners. We should encourage remodeling and updating homes as this helps increase the value of everyone's homes in the community.
2. Adding burdensome restrictions can potentially cause property values to decrease or prevent a sale if a buyer feels the rules are too restrictive and unreasonable. They can and will seek alternative housing options in other nearby communities without such restrictions. Real estate markets change and one day a buyer's market will dominate.
3. If a commercial contractor paints your house, and it rains during the week, they may not be able to paint your house on the weekend to get the painting completed.
4. If you were remodeling your bathroom or kitchen, you would want the work done as quickly as possible, but the contractor couldn't work throughout the weekend even though all the work is interior and doesn't affect anyone.
5. At a Zoning Board meeting on Sep 18, a member asked if he could use a backhoe personally on Sundays and he was told yes. That position was later retracted in an email. The rules, as written/proposed are vague and subject to interpretation by an individual. They could apply differently to different people because of this.
6. We believe the new changes are a solution to a problem that never existed.

We are asking every homeowner in the GNBA to answer the following 3 questions and return your response to Mary Jean Agostini, at 22 Brockett Rd who will collect and summarize the responses.

PLEASE SELECT AND CIRCLE ONE BOX FOR EACH OF THE THREE QUESTIONS

Q1: Were you aware of these new/planned restrictions before they were implemented? ☐ YES ☐ NO

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SIGNATURE

PRINT YOUR NAME

STREET ADDRESS IN GNBA