

**EAST LYME ZONING BOARD OF APPEALS  
PUBLIC HEARING I AND REGULAR MEETING  
MONDAY, MARCH 2nd, 2020  
MINUTES**

A Public Hearing and Regular Meeting of the East Lyme Zoning Board of Appeals was held on Monday, March 2, 2020 at 6:30 PM at the East Lyme Town Hall, 108 Pennsylvania Avenue, Niantic, CT.

**PRESENT:** Steve Carpenteri, Chairman, John Smith, Secretary, Mike Foley,  
Debbie Jett Harris, Kevin Mace

**ALSO PRESENT:** Joe Wren, PE, representing the applicant  
David Duncan, Architect representing the applicant  
Henry Amdur, President Old Black Point Assoc., applicant  
Wayne Blair, Alternate  
David Schmitt, Alternate

FILED

**ABSENT:** No One

Mar 5 2020 AT 10:00 AM PM

*Kevin Mace*

EAST LYME TOWN CLERK

**1. Call Regular Meeting to Order**

Chairman Carpenteri called the Regular Meeting to order at: 6:30 PM.

**2. Read Notice of Public Hearing**

Mr. Carpenteri asked Mr. Smith, Secretary, to read the Agenda call of Case #2-2020.

Mr. Smith, Secretary read the following:

**Case No. 2-2020: Application of the Old Black Point Association, Inc., Henry Amdur, President for a variance of Section 5.3.3 as modified by Section 20.5 (Narrow Street), for property identified in the application as 19 Great Wight Way, East Lyme, Connecticut to construct a pavilion, accessory to the existing tennis courts. Said parcel appears on the East Lyme Assessor's Map 01.1, Lot 42.**

The Public Hearing notice was sent to the New London Day for publication on 2/19/20 and 2/27/20.

Mr. Carpenteri introduced the Board members and polled each for any conflict of interest. Hearing no conflicts of interest from the members, he explained the rules of the meeting, noted that notices had been sent to abutters and asked that anyone speaking please stick to the subject matter of the application.

Mr. Carpenteri then called for the applicant or their representative to make their presentation.

Joe Wren, PE, Old Saybrook, CT explained the plan he had submitted into record with the application noting that the property has privet hedges around the perimeter. The lot is an existing conforming lot of record and has an area of 1.86 acre and is surrounded on three sides by public streets and a 20' wide ROW strip on the fourth. The long-standing principal use of the property has been for tennis. A 1934 aerial photo submitted with the application clearly shows the tennis courts similar to what they are today. It also shows a building of similar size and location to the proposed building. The proposed building is accessory to the principal tennis use. It is positioned so that the center of the open viewing porch portion of the structure is aligned with the centerline of the tennis courts along the nets for optimal viewing. The tennis courts are surrounded by tall and dense hedges along the majority of the perimeter. The variance requested is for front yard setback from Great Wight Way and Mosle Lane to place the building in its proposed location. It is further modified by Section 20.5 since both Great Wight Way and Mosle are classified as 'Narrow Streets' as they have ROW widths of less than 50 feet. Hence the street setback line is increased to 45 feet and 55 feet respectively. There is also a 25 foot wide septic easement. The hardship lies in the fact that the size and position of the courts and the principal use of the property were established long before the adoption of the zoning

regulations and the front yard setbacks due to narrow streets on three sides of the property severely restrict the property and leave no other practical place for the proposed building for viewing along the net line without the need for variances.

Mr. Carpenteri asked if they had gone to Ledge Light for the septic approvals.  
Mr. Wren said not yet. He added that there is one small bathroom in the proposed building.

Mr. Carpenteri asked if there was any other area to put the building.  
Mr. Wren said that while they perhaps could try to place it on an end, it would not be optimal and the hedges would have to be removed.

Mr. Foley asked if the historic nature of the property that predates zoning was the tennis courts.  
Mr. Wren said yes.

Mr. Carpenteri asked about the end location.  
Henry Amdur, Association President said that you would have distractions and also be unable to see. He noted that they have done a lot of work on the tennis courts and that watching tennis there is something that people do and attend regularly. He said that they have records of tennis there going back to 1914.

David Duncan, Old Lyme, CT, Architect noted that the function of the person who is in the pro-shop section is also to be in charge of all of the children's programs in the open area. The facility will also have a handicap bathroom and area for those to be out of the heat should it be necessary. They run very active programs there. The proposed facility is 66'x18'.

Mr. Smith asked if they made any provisions for extra parking.  
Mr. Duncan and Mr. Amdur said yes.

Mr. Wren read the description of the former building (mid 1920's) that was there regarding a *'first tennis house, which was located near the present one and had two stories. (Tony Lyman says the upstairs was used as an apartment) The house was the site of a children's summer theater staged by Tony. Middy Richmond (Lambert), and Gibby Lincoln, Julia Pomeroy and Anne Byron remember Anne being locked up one summer in a kitchen cabinet. Peggy Lindley recalls playing games in the house on summer evenings. The maids used it on Sunday nights, she says. 'They'd have Irish jigs and things like that, and we used to peek in the windows and watch them hopping around.'* (Copy attached)

Mr. Carpenteri asked if the setbacks would be the same for the new building.  
Mr.  
Wren said no, it is closed to Mosle Lane.  
Mr. Duncan said that there would be a railing on the road side.

Mr. Foley asked if the Association ever thought of taking over Mosle Lane.  
Mr. Wren said that there would be a lot of considerations and expenses and it is not a quick or easy process.

Mr. Carpenteri called for anyone from the public wishing to speak in favor of or against this application -

Henry Amdur, Association President said that after they did the tennis courts over which was a very ardent project, the community came out in force to support this.

Mr. Carpenteri asked if the Board members had any further questions.  
Hearing none -  
Mr. Carpenteri closed this Public Hearing at 7:07 PM.  
Mr. Carpenteri said that they would now deliberate and make a decision on the application.

Mr. Carpenteri explained that the only comments that they can take now are from the applicant and only if they have technical questions that they need answered. He also informed the applicant that in the event that they wish to contest the decision that they have 15 days in which to appeal it to the Superior Court.

## REGULAR MEETING

Mr. Carpenteri opened the Regular Meeting at 7:08 PM.

**Case No. 2-2020: Application of the Old Black Point Association, Inc., Henry Amdur, President for a variance of Section 5.3.3 as modified by Section 20.5 (Narrow Street), for property identified in the application as 19 Great Wight Way, East Lyme, Connecticut to construct a pavilion, accessory to the existing tennis courts. Said parcel appears on the East Lyme Assessor's Map 01.1, Lot 42.**

Mr. Carpenteri called for discussion on the application.

Mr. Mace said that this was there a long time before zoning and they are putting a building similar to what was there in the 1920's. They are not asking to add six tennis courts.

Ms. Jett-Harris and Mr. Foley agreed with Mr. Mace.

Mr. Carpenteri said that they had explained the other options and that the only feasible one was where the building is and was and there is sufficient evidence to support the fact that the building was there prior to any zoning.

Hearing no further discussion, Mr. Carpenteri called for a motion.

### **\*\*MOTION (1)**

**Mr. Mace moved to APPROVE the Application of the Old Black Point Association, Inc., Henry Amdur, President for a variance of Section 5.3.3 as modified by Section 20.5 (Narrow Street), for property identified in the application as 19 Great Wight Way, East Lyme, Connecticut to construct a pavilion, accessory to the existing tennis courts. Said parcel appears on the East Lyme Assessor's Map 01.1, Lot 42.**

**Mr. Foley seconded the motion.**

**Mr. Carpenteri reiterated that the reason is that there is sufficient evidence to support the fact that the building was there prior to any zoning.**

**Vote: 5 – 0 – 0. Motion passed.**

### **ADJOURNMENT**

Mr. Carpenteri called for a motion to adjourn.

### **\*\*MOTION (2)**

**Mr. Mace moved to adjourn Case #2-2020 of the East Lyme Zoning Board of Appeals at 7:24 PM.**

**Mr. Foley seconded the motion.**

**Vote: 5 – 0 – 0. Motion passed.**

Respectfully submitted,

Karen Zmitruk,  
Recording Secretary

and for courts:  
ed by toss-up." We assume this  
es may be played only in the  
of the third set, unless there is a

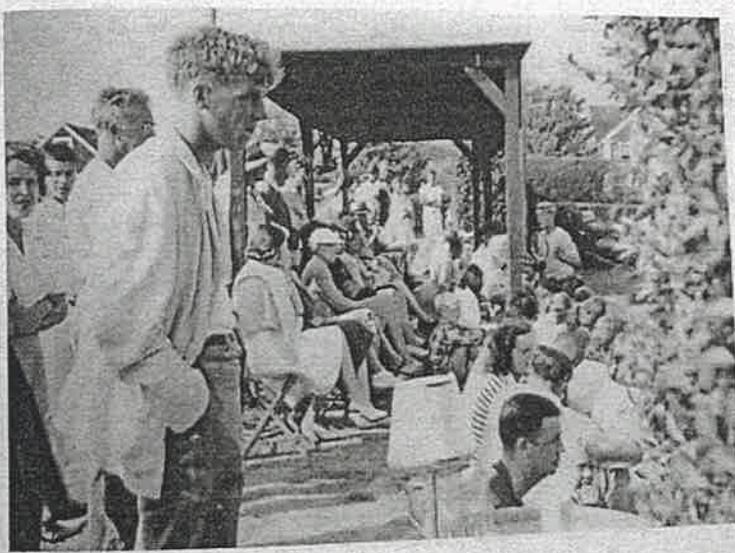
o acres went into the hands of the  
scribers" actually purchased "sub-  
ranging from \$100 to \$500—for  
e land "held by the trustees." A  
lots costing \$2,500 were bought  
Club." The entire property, as  
house, seven courts, and a "golf  
was much written discussion as  
d, financially and legally, to the

out having "a better tennis club  
on of "... the Black Point Tennis  
mer sports activities with propo-  
ion." It was suggested that the  
e Beach and a new one built. At  
annual Meeting, members appar-  
title of the land held by the "so-  
n. However, before this transfer  
re worked out for the 18 sub-  
mbers of the Association" pro-  
tion," suggesting that "manage-  
oquet, including the determina-  
ay and on what terms, should  
named by the above named sub-  
vere adopted, but before their  
Board members were apparent-  
scribers to approve this "general

scheme" by signing a form and returning it to Frederick Lord. It appears that the subscribers voted yes. But it wasn't until 1935 that the property (located on Lots 9, 10, and 11, on Avenues C and D) was transferred to the Association. How this transfer occurred financially remains unclear.

This is one of several references, both written and oral, to the first tennis house, which was located near the present one and had two stories (Tony Lyman says the upstairs was used as an apartment). The house was the site of a children's summer theater staged by Tony, Middy Richmond (Lambert), and Gibby Lincoln. Julia Pomeroy and Anne Byron remember Anne being locked up one summer in a kitchen cabinet. Peggy Lindley recalls playing games in the house on summer evenings. The maids used it on Sunday nights, she says. "They'd have Irish jigs and things like that, and we used to peek in the windows and watch them hopping around."

Prominent players of the 1920s and 1930s included Howard Hildt, Jim Miller, Archie Douglas, Dan Lindley, Phil McCook, Carl Gray (whom Tim Haskins names "just possibly the best ever OBP player—and easily the best until Charlie O'Hearn, who came to OBP in 1947"), and a



rising young star, Frank Rogers. Among the two (the first winner of the Ladies' Singles tournament), Gray, Peggy Lindley, and Marie Walker dominated and Hildt, after whom OBP's Men's Doubles is named, were the first winners; they defeated Frank Rogers in 1930.

Tony Lyman recalls an early-round match in a Mixed Doubles tournament. His mother, Char, and he were pitted against Connie Meredith and Ben Hildt. In the third set, Carl said, "I'll start serving, Char." Though this was out of sequence, at the end of the set, who was watching, interrupted play and told Carl "out of turn" and that as a penalty he would have to serve. Carl defended himself and argued the rule but he was so angry, however, that, according to Tony, "I started facing Connie when it came time for him to serve. I started smash volleys to win the match." Later, the match went down to the Beach. They were all sitting on a bench when the formidable Nina Mosie approached. Tim Haskins announced to Dr. Miller, "You were wrong, Jim." He then read aloud: "When beginning a new serve."

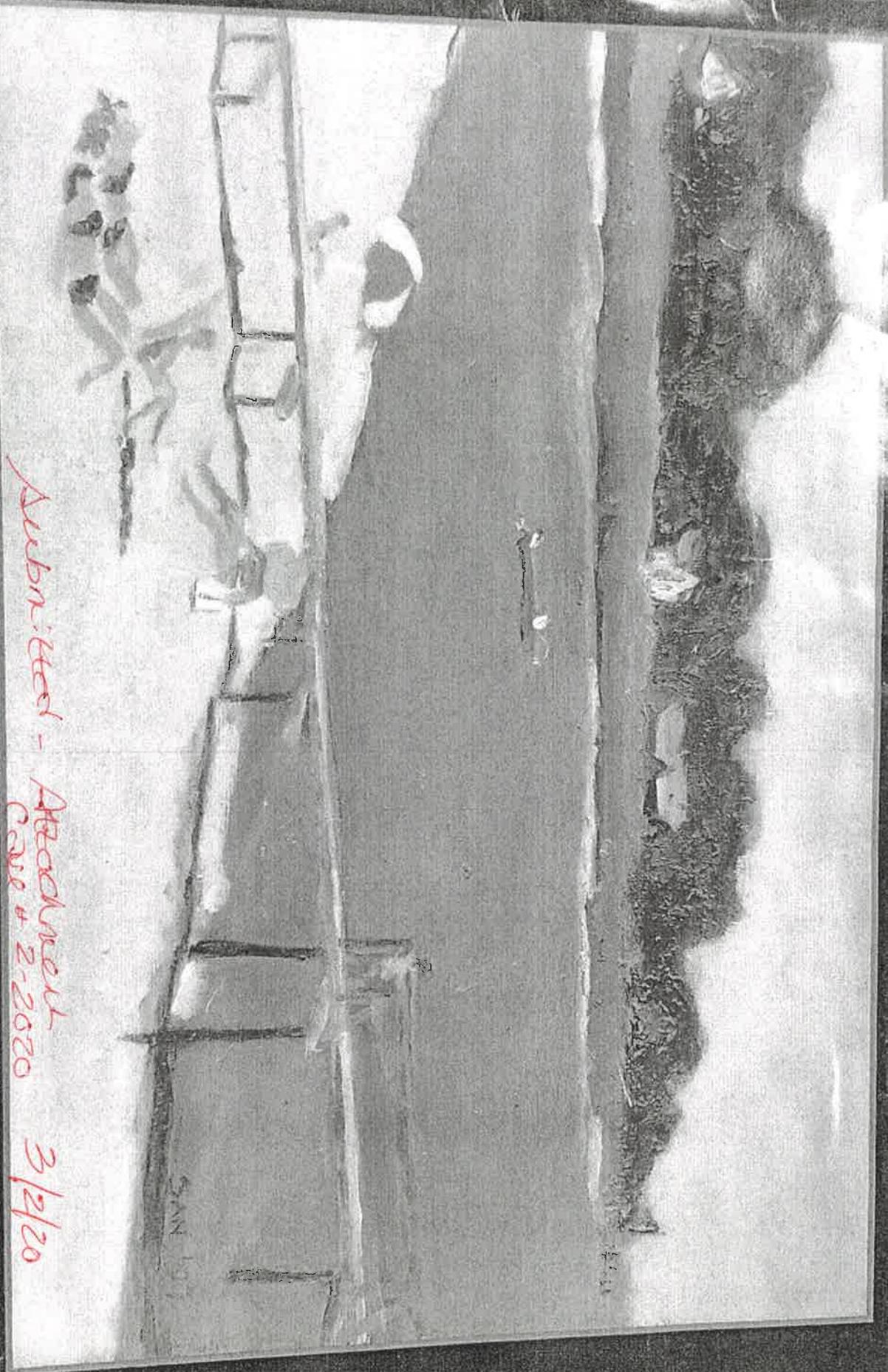
### THE POSTWAR YEARS

One summer in the mid-1940s, Tim Haskins contracted with a company to upgrade the courts by converting them to red composition ones. The new surface had a fine-grain surface, and a large-grain surface. Initially only court two was changed (that summer's Men's Doubles and Mixed Doubles were played there, according to Tim). The new surface was approved by the Association. The Association voted to convert all seven courts.

As a child at OBP during the early 1950s,

Attachment - Submitted 3/2/20 Case # 2-2020

...ING AND HEALTHFUL SEASIDE RESORT



Submitted - Achievement  
Case # 2-2020 3/2/20

ONE HUNDRED YEARS OF OLD BLACK POINT