



**Planning & Zoning  
Special Meeting/Workshop Minutes  
June 18, 2009  
Oxford High School, 7:30 PM**

**Chairman Vizzo** called the meeting to order at 7:35 PM.

**ROLL CALL**

Ed Rowland, Peter Bunzl, Ron Wiesniak, Ed Hellauer, Vinny Vizzo, Bonnie Bartosiak, Eric Tichy, Pat Cocchiarella and Harold Cosgrove.

**Also Present:** Anna Silva, ZEO and Brian Miller, Town Planner.

**Chairman Vizzo** commented that they are going to discuss the Housing Incentive Zone, and why the commission feels the need to put regulations in place for the Incentive Housing Zone. He explained that two years ago an application was submitted to Planning & Zoning by Garden Homes. They applied for Affordable Housing in the industrial area which has city water and sewer. The Planning & Zoning Commission rejected that application and from that transpired an appeal and litigation between Garden Homes and the Town of Oxford. He commented that at that time the commission's main defense against the application was that that the proposed development was in an industrial area. As the commission gets into studying the state mandates and regulations of Affordable Housing, they find that a town without regulations in place does not have much leverage if an application comes into town. He commented that they found out that there was a grant available to help the commission put regulations in place. The grant pays for the study and the writing of the regulations so that the commission could add something to the regulations for the next Affordable Housing application that may come to town.

**Chairman Vizzo** commented that he would define the differences between Affordable Housing and Low Income Housing. He commented that for affordable housing you need to have a job, the people do not come in under Title 19, you need to be working, it is a legitimate way to create housing for young couples who are just starting out, or empty nesters looking to downsize. He commented that it is not as you many people think where it will be mayhem every night at the Affordable Housing project. He commented

that they are not Low Income Housing, and the occupants need to be able to qualify for a mortgage. He commented that if the commission does nothing and they get another application and it is in the right zone, they are not sure what their appeal would be. He commented that the decision on Garden Homes will be rendered by a judge in approximately four months and they have to live by that decision or appeal again. He commented that approximately \$268,000.00 has already been spent in legal fees for the Garden Homes appeal. He commented that the entire commission feels that there need to be regulations in place. He commented that they are not a mixed group here, it is politically, but as far as the decision to go forward and write regulations on this, the entire commission is for the regulation.

**Chairman Vizzo** commented that with regulations study itself, the commission can control many things. He commented that they would control things as the lay out, traffic flow, parking areas, and architecture of the buildings. He commented that this is Oxford, and that we are rural and the commission will go down to the last detail. The type of siding on the units, garages, and recreational areas, those are some of the things that will be governed by the regulations. He commented that they would also govern the location of the units. He commented that the first regulation that the state mandates is that it has to be on city water and sewer, it cannot be on a septic or a well which eliminates many places in town. He commented that they can regulate it so that it is done to Oxford's standards. He commented that when a judge reviews a project that is in appeal, he/she does not look at the little things, like architecture and landscaping, they look at whether or not the developer has the right to build. He commented that some say to just pay the money and do nothing about it, but the town will get another application and when they get it, if the town denies it, the commission is unsure of what grounds they would have for denial if it is not proposed in an industrial area.

**Chairman Vizzo** commented that is the present and current situation that the commission and the town is in regarding Incentive Housing. He commented that people may read things in the newspaper, but the best thing to do is to come to a meeting to get the correct answers. He commented that when the commission works on regulations, they are always open to the public, there are public hearing throughout and the before the last written regulation is accepted. There will be plenty of public input to decide how this regulation will read. He commented that the commission does not expect to have affordable/incentive housing built all over town, but they do need some control over it, and if they do not put some control on it, then it is just not good Planning & Zoning.

**Chairman Vizzo** questioned if everyone in the audience had the handout that was prepared by Brian Miller.

**Brian Miller** commented that he has been Oxford's planning consultant since 1997 and during that period of time he thinks that he has worked with the commission in helping them make decisions not only to preserve the character of Oxford but to help guide the growth of Oxford. He commented that whether anyone likes it or not, the town has grown considerably over the last twenty years. He commented that it has transformed from more of a rural community to a suburban community. He commented that it is

exemplified by the fact that without taking a poll, he would guess that the people who are in the audience right now, and even members of the commission have moved into the town within the past several decades. He commented that over the years the planning has not only involved preserving the qualities that are important to Oxford but helping Oxford confront challenges and opportunities. He commented that one of the main issues that has confronted not only Oxford but many surrounding towns is Affordable Housing. He commented that it confronts the community in several ways. He commented that the state has determined that the provision of Affordable Housing is a statewide goal in advancing the economic growth and social well being of the state. He commented that he Oxford has to conform to state regulations. He commented that the town is engaged right now in a situation where a developer has come in and proposed an affordable housing development that frankly he is happy to say is highly inappropriate for this community. He commented that he has submitted testimony in support of that. He commented that where that goes, is in the hands of a judge right now. He commented that on the other hand, you can actually plan for affordable housing that is consistent with Smart Growth Principles and what you deem is appropriate for your community. He commented that what they are looking at now, are these Smart Growth Principles, not only in Oxford, but in other communities throughout the state. He commented that Affordable Housing is on a radical move forward. He commented that by engaging in this study and perhaps moving forward the Town of Oxford will be able to have some more influence and control when the next inevitable Affordable Housing application comes forward in the future.

**Brian Miller** went over his nine page handout that was presented to the audience members. (Attachment A) He commented that he respects the commission and the townspeople for making certain choices as to what type of development they want in their community. He commented that it is up to the Planning & Zoning Commission to decide how the Affordable Housing/Incentive Housing fits in to what they see as the plan for the future of Oxford. He commented that they have made many important decisions for the town over the last couple of years, and this is part of their charge and how to proceed for the future. Brian Miller turned the discussion back over to Chairman Vizzo.

**Chairman Vizzo** thanked Mr. Miller for his presentation. He commented that this is not a political issue. He commented that there is a lot of diversity on the commission, and he proceeded to name the members, how long they have been in town, and their political affiliation (Attachment B). He commented that Mr. Miller went discussed the study that went over the density for the children and the units, he explained that those numbers are not fabricated and the study is accurate. He commented that the commission members pay a tax bill to this town just like everyone else and that they all have a stake in the town. He commented that they want the town to move forward and they have to abide by state and federal regulations. He commented that by taking the grant they are not bound to make a regulation for Incentive Housing. The grant is for the study for the regulation. He commented that they have had a lot of success on the board, town lots, a power plant, the golf communities, etc. He commented that they do not have the large big lot subdivisions coming in but now they are the smaller four lot subdivisions. He commented that the commission plans for the future. He commented that they will do the

study, have the study come out, do their due diligence, have public hearings, think it through, and either accept or not accept the regulation. He commented that it is a good town to live in right now; they want to keep the growth right, and try to keep everyone happy.

### **QUESTION AND ANSWER PERIOD**

**Chairman Vizzo** asked that people sign in after they speak.

**Dave McKane, 11 Tram Drive** commented that he applauds the commission's efforts and he thinks it is the right way to go. He is glad to see that it is not going to be a political issue, it should not be. He commented that he has a daughter who lives in Beacon Falls and that this type of housing would fit her economic and social position, in terms of her income, the size of her mortgage, the value of her property and so forth. He commented that she would rather live in Oxford than Beacon Falls and that this is a great chance for our kids to come back to live in the town that they were raised. He commented that there are approximately 50 towns that have signed on or have their applications in place at the moment. He also commented that every town in the valley is signed on or has their application in place. He has been to a few of these places in Danbury and Trumbull, and that this would be another boom for Oxford.

**Augie Palmer, 11 Red Barn Road**, directed his questions to Brian Miller. He asked who directed him to apply for the grant.

**Brian Miller** commented that it was the Planning & Zoning Commission and the Board of Selectmen.

**Augie Palmer** asked if the study went out for bid.

**Brian Miller** commented that he did not think so.

**Augie Palmer** commented that he has a problem because he has three different documents signed by Turner Miller, and the median incomes are different in each document.

**Chairman Vizzo** commented that the Planning & Zoning Commission took the highest number for the median income.

**Brian Miller** commented that time has gone forward over the years, the last number that is before Mr. Palmer, in the present handout came from the department of Housing and Urban Development and he encourages anyone to check on that number.

**Augie Palmer** commented that the numbers are less than 6 months old. He commented that affordable housing is having twelve houses where they would have had one. He commented that the litigation, on which they have spent approximately \$300,000.00 they would have spent \$1.3 million on educating the children living in those units. He

commented that they were told at a Selectmen's meeting that the Elderly Housing in Oxford does not count toward Affordable Housing and he commented that he looked up the regulation and it most certainly can be included as incentive housing. He commented that he has successfully fought Smart Growth since 1974. He commented that it is a way to take away the right of townspeople to say what they want in the town of Oxford. He commented that it is not anything that he has ever supported and that it has nothing to do with it being election year, affordable, incentive housing does not work.

**Chairman Vizzo** commented that if you are thinking that you are saving \$1 million because the town has litigated a case for two years, he commented that the judge can slap the gavel down and give the developer what they want without the changes that the town is looking for, such as density, number of bedrooms, number of units, etc, that is lifetime. He commented that when the judge makes his decision and there are no regulations in place, the town will be stuck with that decision. He commented that Crestview Ridge was taken into consideration of the percentage of Affordable Housing in Oxford, what is not taken into consideration are the over 55 communities.

**Matt Zaloumis, 315 Riggs Street** questioned if this zone would eliminate other parcels that qualify for incentive housing.

**Brian Miller** commented that it does not eliminate anything; it is a study of certain areas that might be considered for incentive housing. He commented that if a regulation was enacted it would be up to the Planning & Zoning Commission. He commented that what the town considers in the future will depend on the future needs of the town.

**Charles Toothill, 14 Chauncey Drive** questioned if it would be possible to regulate to one or two bedroom units.

**Brian Miller** commented that they could regulate the number of bedrooms.

**Charles Toothill** questioned if they could control the density.

**Brian Miller** commented that in order to qualify for this program the state has established density guidelines which are included in the handout this evening. He commented that it is up to the Commission to decide what they want to do for density. He commented that there is latitude within the guidelines for the commission to make decisions and to designate the areas that they want to zone.

**Charles Toothill** commented that he wants to know if these are going to be apartment buildings along Route 67.

**Brian Miller** commented that there are some communities that are using their downtown areas for their affordable housing; Oxford does not have a downtown area. He commented that they have talked about the zoning standards and that the commission will look to the public to talk about design standards.

**Chairman Vizzo** commented that it is put in the Planning & Zoning Commission's hands by the state to deal with. He commented that it needs to be dealt with on a local level because the town wants to be able to make the decisions regarding the affordable housing.

**Ed Carver, 35 Governors Hill Road** commented that he moved to Oxford back in 1983 because it was very rural and he admired the zoning, the fact they you had to have a large parcel of land to build, there were a lot of barns still intact. There was no dense populated housing. He is strongly opposed to any form of densely populated housing. He commented that he thinks that they should fight this, even though it may cost money.

**Chairman Vizzo** commented that you have to write to the Congressmen and take it on at a state level if you want to stop it from coming to the towns in Connecticut. He commented if you want to regulate it then the Planning & Zoning Commission will regulate the Affordable/Incentive Housing Zone.

**David Stocker, 144 Punkup Road,** (Mr. Stockers questions and comments were inaudible on the tape).

**Chairman Vizzo** commented that he thinks Mr. Stocker is missing the mixed use concept, which has not yet been fully developed, the commission can choose not to have the style of mixed use where you have a separate commercial area in walking distance of a residential area.

**David Stocker** (again inaudible on tape).

**Brian Miller** commented that the study will help to put in the design concepts and the commission will have the power to not allow something such as apartment buildings over storefronts.

**David Stocker** (inaudible on tape)

**Chairman Vizzo** commented that a developer could submit an application tomorrow, and with no regulations the commission could appeal or deny it and it would end up in court, and a judge would decide.

**Pat Cocchiarella** commented that the point has to be made that the commission has not even discussed the philosophy of Smart Growth Initiative.

**Mary Ann Drayton-Rogers, 95 Good Hill Road,** commented that she would like to thank the commission for taking the opportunity for accepting the grant as an opportunity to educate themselves on this particular issue and also for holding tonight's event to educate the public. She commented that over the past years and the past several weeks, she has heard the opportunities that the commission is looking into described as everything from low-income housing to affordable housing to affirmative fair housing to incentive housing and to workforce housing. She has had the opportunity to visit what

she calls workforce housing in Danbury and Trumbull and those actually were the types of units that would fit very nicely in the town of Oxford. She also wants to point out that the Oxford of forty years ago when she moved into town is not the Oxford of today, we are growing, but we can control the growth. She commented that in 2005 one of the speakers who is here this evening and talking against this type of housing did make a comment in the Waterbury Republican. It stated that Mr. Palmer had designated himself as the Town's Fair Housing Officer. She commented that his administration also stated that Oxford will seek to promote racial and economic integration and affirmatively further Fair Housing in our housing programs. She is curious as to the change in his attitude at this particular time.

**Augie Palmer** commented that Affirmative Action and Affordable Housing are totally different. He commented that he will defend the rights of people regardless of race, creed, color or sex they are because they have a right to live amongst us. He commented that it is your right because you are an American but he will not say that we are going to cut out and make less expensive houses so you can live, but if you could buy the house right next to him, no matter what color, sex, or race you are and that is Affirmative Action.

**Charles Toothill** commented that it says on the handout that the grant is for study of areas in conformance with Smart Growth Principles. He commented that he would assume that this board has discussed Smart Growth Principles.

**Pat Cocchiarella** commented that there are other approaches that are similar and he personally advocates a slightly different approach called, Rural By Design. He commented that it is his personal preference, but they work as a commission which has not signed on to the Smart Growth principles at this time.

**Chairman Vizzo** commented that the commission is not committed to anything, they are going to open it up to the Smart Growth attitude, but when they make the regulation it will be Oxford's town attitude.

Herman Schuler, 125 Meadowbrook Road, commented that he applauds the commission for taking the initiative on this. He commented that good planning is always better than no planning. He commented that his children lived in high density apartment complexes and he thinks there is a business case to be made in looking at this because he thinks it would pay for itself and return a handsome profit.

**Pat Cocchiarella** moved to close the meeting at 9:00 PM. **Second by Ron Wiesniak.**  
**All were in favor.**

Respectfully submitted subject to approval.

*Jessica Pennell*  
Jessica Pennell  
Planning & Zoning Secretary

09 JUN 23 PM 3:10  
TOWN OF OXFORD, CT  
*Margaret A. West*  
TOWN CLERK



**Turner Miller Group**  
planning consensus community

Land use, economic development, and environmental planning

Facilitating consensus among diverse constituents

Creating sustainable communities

# Public Information Meeting

## June 18, 2009

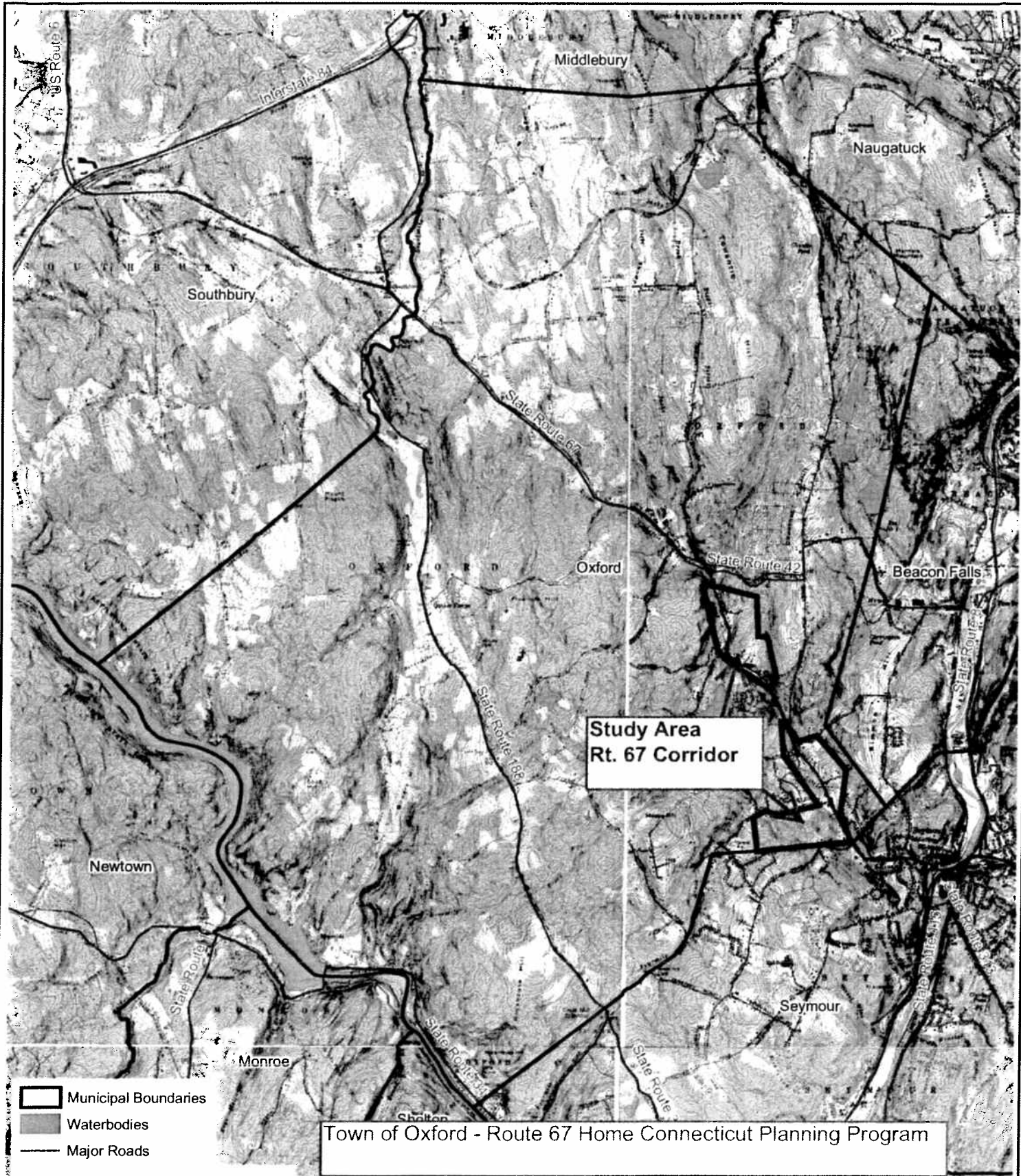
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### **Description of Home Connecticut Technical Assistance Grant Route 67 Corridor**

#### **Technical Assistance Grant**




Intent – To examine the feasibility of having certain areas along Route 67 Corridor to be zoned to permit Housing Incentive Zone.

- Grant is for study of area in conformance with Smart Growth principles.
- Smart Growth principles call for integration of residential development with community retail and services.
- The town has no obligation for any action in accordance with grant.
- The overall program offers the opportunity for municipalities to plan for work- force housing in accordance with local goals and policies.
- Study area includes areas along Route 67 Corridor. No other areas of the town are being considered within this study.
- Town has total voluntary discretion in the selection of areas for inclusion within Incentive Housing Zones. The Planning and Zoning Commission has not made any decision concerning which if any areas are to be included within an Incentive Housing Zone



**Study Area  
Rt. 67 Corridor**

**Town of Oxford - Route 67 Home Connecticut Planning Program**

-  Municipal Boundaries
-  Waterbodies
-  Major Roads



**Turner Miller**  
planning consensus community

Note: This map is for general planning purposes only.  
Source: Connecticut Department of Environmental Protection (DEP), Stuart Turner & Associates

FEBRUARY 2005 (DRAFT)

0 2,750 5,500 Feet  
1 inch = 5,500 feet



**USGS TOPO QUADS**

PLAN OF CONSERVATION & DEVELOPMENT

Town of Oxford, New Haven County, CT

## Incentive Housing Zones

- The Incentive Housing Zone program is a voluntary effort which enables municipal planning and zoning commissions to study the potential role of workforce housing within their communities, in accordance with Smart Growth principles. If they determine that it is appropriate, they can utilize tools and methods to ensure that the potential development is designed in a manner that enhances the community.
- This is in direct contrast with Affordable Housing Appeals Statute, the other widely used State program to promote affordable housing, which removes local zoning discretion from municipal planning and zoning commissions in situations involving affordable housing.
- Incentive Housing Zones permit local commissions to mandate retail and commercial development be a component of any proposed development.
- Incentive Housing Zones could require the site to be served by public water and sewer.
- Design standards and considerations may be incorporated within the zoning regulations. These requirements could be used to require certain design features, including;
  - Enhanced landscaping.
  - Type of housing, such as townhomes or multi-family units.
  - Exterior finishes, which may include the required use of certain types of siding.
  - Window treatments which can include requirements for size, placement and the use of interior grids.
  - Requirement for colonial type architecture.
  - Minimum parking requirements, including the mandatory use of garages.
  - Inclusion of recreational facilities.
  - Limitations on size and style of fences.
  - Location and screening of parking areas.
  - Limitations on the type and intensity of lighting.
- Areas which are zoned for Incentive Housing Zones are exempt from Affordable Housing Appeals applications, Section 8-30g).
- Zone must comply with minimum allowable density requirement
  - 6 units/acre for single-family housing
  - 10 units/acre for duplex or townhouse housing
  - 20 units/acre for multifamily housing
- Designed to be used by private landowners or developers for private real estate development.
- May require the re-use and preservation of historic structures.
- 80% of the units would be unrestricted as to price or cost.
- 20% of the units must be made affordable to households with no more than 80% of the median area income.
  - Median Area Income for area within which Oxford is located is \$85,700.
  - Affordability threshold, 80% of median income is \$64,000. Adjustments are required for unit size.
- Maximum monthly rent for 80% of total units which are market rate are not restricted, and whatever the market would bear.

- Maximum monthly rent for affordable two-bedroom units would be \$1,440 for two bedroom units and \$1,280 for one bedroom units.
- For condominium units, maximum cost would be:
  - One Bedroom Unit      \$162,000      (\$146,000 mortgage)
  - Two Bedroom Unit      \$184,000      (\$165,000 mortgage)
  - Assumptions
    - 5.5% 30 year fixed mortgage
    - 10% down payment
    - \$500 per month for taxes and association dues for two-bedroom units, \$450 per month for one-bedroom units.

## Fiscal Implications

- Town receives payment of \$2,000 per dwelling unit upon enactment of the zoning. ✱
- Upon issuing of building permits, State pays another \$2,000 per unit for each multi-family or townhouse unit; and \$5,000 for each single-family unit.
- The most significant component of the fiscal impact of any potential development on a Connecticut municipality is the number of school children. Approximately two-thirds of the Oxford municipal revenues go to education. Therefore, we researched the projected number of public school children which are projected to reside in different residential development forms. This information was derived from an independent report prepared by the Rutgers University Center for Urban Policy Research in 2006 entitled "estimates of the Occupants of New Housing". The analysis was based upon census data and analyzed independently for each of the States. The following estimates are from the report specifically done for the State of Connecticut.

### Estimates of Occupants of New Housing in Connecticut by Type of Housing

Type of Housing	Estimated Number of Public School Students Per Unit
<b>Condominium (5+ Units) 1 Bedroom All values</b>	<b>0.00</b>
Condominium (5+ Units) 2 Bedroom All Values	<b>0.05</b>
Condominium (5+ Units) 2 Bedroom (Less than \$150,500)	0.14
Condominium (5+ Units) 2 Bedroom (\$150,500 to \$218,000)	0.03
Condominium (5+ Units) 2 Bedroom (More than \$218,000)	0.00
<b>Rental (5+ Units) 1 Bedroom All Values</b>	<b>0.04</b>
Rental (5+ Units) 1 Bedroom (Less than \$850/month)	0.04
Rental (5+ Units) 1 Bedroom (\$850 to \$1,450/month)	0.05
Rental (5+ Units) 1 Bedroom (\$850 to \$1,450/month)	0.06
<b>Rental (5+ Units) 2 Bedroom All Values</b>	<b>0.25</b>
Rental (5+ Units) 2 Bedroom (Less than \$1,300/month)	0.46
Rental (5+ Units) 2 Bedroom (\$1,300 to \$1,800/month)	0.18
Rental (5+ Units) 2 Bedroom (More than \$1,800/month)	0.11
<b>Single-Family Attached All Values</b>	<b>0.20</b>
Single-Family Attached 2 Bedroom (less than \$218,000)	0.48
Single-Family Attached 2 Bedroom (\$218,000 to \$435,000)	0.10
Single-Family Attached 2 Bedroom (more than \$435,000)	0.04
<b>PERMITTED IN ACCORDANCE WITH RESIDENCE A</b>	
<b>Single-Family Detached 3 Bedrooms</b>	<b>0.59</b>
<b>Single-Family Detached 4 Bedrooms</b>	<b>0.94</b>
<b>Single-Family Detached 5 Bedrooms</b>	<b>1.38</b>

Source: Rutgers University, center for Urban Policy Research, "Residential Demographic Multipliers, Estimates of the Occupants of New Housing: Connecticut" Prepared by Robert W. Burchell, Ph.D., David Listokin, PhD, William Dolphin, M. A., Edward J. Bloustein School of Planning and Public Policy; Rutgers, the State University of New Jersey.

## Questions

1. **Does this study involve public or subsidized housing?**

No.

2. **Have any recommendations been finalized?**

No.

3. **How much of the housing would need to be affordable?**

20% of the housing within designated parcels would be required to be affordable.

4. **What income group would be served by the affordable housing?**

Families with annual incomes between \$51,200 and \$64,000, depending upon unit size.

5. **How many school students would be expected to reside within a one or two bedroom rental unit or condominium versus a single-family house?**

Multi-family one-bedroom condominium units would generate virtually zero school students, while multi-family condominium two-bedroom units would generate one student per twenty units. Rental units would be slightly higher. In contrast there would be approximately one public school student per unit for four bedroom single-family house.

6. **Is low income housing being proposed?**

No.

7. **Is any specific development proposed for these sites?**

No.

8. **What would happen if the Town rejected all of the potential sites?**

The current zoning would remain in force, with the properties subject to the potential use by developers of the affordable housing appeals statute.

**9. Can these proposals accommodate retail development?**

Yes, the Commission could require mixed-use development within all or some of the sites.

**10. Can the preservation of an existing historic property be required by the zoning which may result in this zoning?**

Yes, the regulations could require re-use and preservation of existing historical structures.

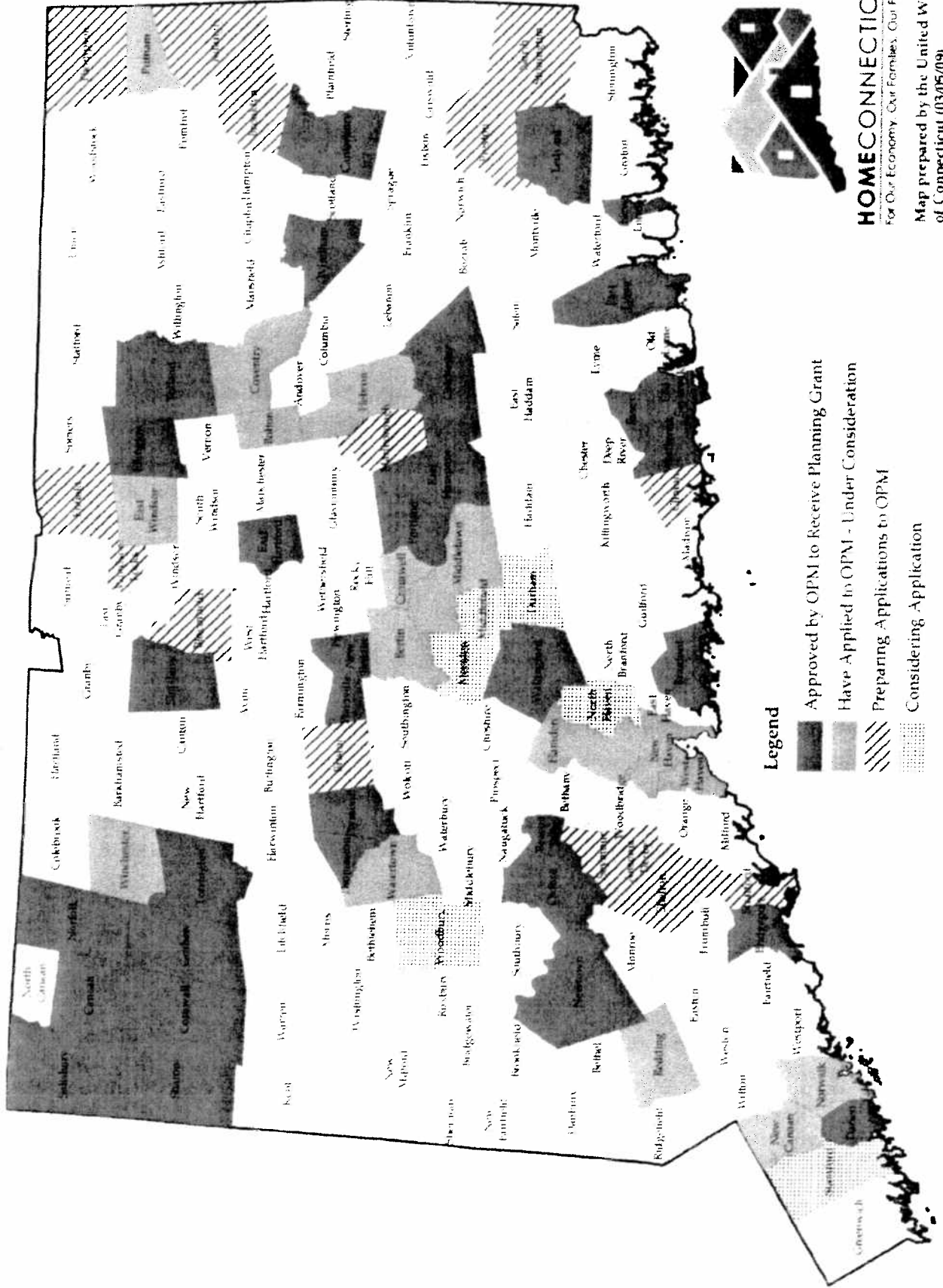
**11. Is the Town committed to permit affordable housing at this point?**

Even without acceptance of Incentive Housing Zones, the Town still must comply with relevant state statutes. This may result in the Courts overruling municipal zoning decisions.

**12. What would be the impact of additional traffic from any proposed zoning amendments?**

A traffic impact analysis will be completed prior to adoption of any zoning recommendations by the Commission.

# Housing for Economic Growth Program Technical Assistance Grants: Status 2009



**HOMECONNECTICUT**  
For Our Economy. Our Families. Our Future.  
Map prepared by the United Way  
of Connecticut (03/05/09)

- Legend**
- Approved by OPM to Receive Planning Grant
  - Have Applied to OPM - Under Consideration
  - Preparing Applications to OPM
  - Considering Application

**PLANNING & ZONING COMMISSION**  
**MEMBERS**

**Ron Wiesniak**

- Oxford resident for 13 years
- 1 year on board
- Republican

**Bonnie Bartosiak**

- Oxford resident for 19 years
- 5 and ½ years on board
- Republican

**Eric Tichy**

- Oxford resident for 31 years
- 6 years on board
- Republican

**Peter Bunzl**

- Oxford resident for 4 years
- 1 and ½ years on board
- Democrat

**Harold Cosgrove**

- Oxford resident for 34 years
- 5 ½ as years on board
- Democrat

**Pat Cocchiarella**

- Oxford resident for 17 years
- 8 years on board
- Republican

**Ed Hellauer**

- Oxford resident for 25 years
- 14 years on board
- Republican

**Vinny Vizzo**

- Oxford resident for 28 years
- 14 years on board
- Unaffiliated

**Brian Miller –Town Planner**

- Oxford Town Planner – 11 years
- in business for 31 years

**Ed Rowland**

- Lifetime resident
- 1 ½ years on board
- Unaffiliated