



Planning & Zoning Commission

SPECIAL MEETING/PUBLIC HEARING MINUTES

Tuesday, August 6, 2013

7:00 PM

Main Meeting Room

Oxford Town Hall

CALL TO ORDER

Chairman Bill Johnson called the Special Meeting/Public Hearing of **August 6, 2013** to order at 7:02 P.M.

ROLL CALL

Present: Alternate Joe Dempsey, Alternate Joe Rasberry, Alternate Jeff Luff, Harold Cosgrove, Wayne Watt, Vice Chairman Bonnie Bartosiak, Chairman Bill Johnson, Secretary Pat Cocchiarella and Tanya Carver.

Also Present: Anna Rycenga, ZEO, Jessica Pennell, Administrative Secretary, Peter Olson, Land Use Attorney and Allan Young of Nafis & Young Engineers.

Not Present: Alan Goldstone.

Alternate Joe Rasberry was seating in the absence of Commissioner Alan Goldstone.

PLEDGE OF ALLEGIANCE

RECESSED PUBLIC HEARING:

Z-13-048 – [RES-A] (Applicant & Owner): Glendale at Oxford, LLC c/o Mark IV Construction Co. Inc. – Christian Street – Map: 19 Block: 26 Lot: 1 a/k/a Lot 1A

Z-13-048a- Zoning Text Amendment (Article 18 of the Oxford Zoning Regulations)
Proposal to create a new zone designated as “Designed Conservation District”.

Z-13-048b- Zoning Map Amendment (Article 18 of the Oxford Zoning Regulations)
Request to re-zone the subject property if the new “Designed Conservation District” is adopted.

Z-13-048c- Special Permit/Site Plan Approval (Article 10, Section 9A)
Proposal to permit a 137 dwelling, common interest residential community on property located on Christian Street.

Chairman Bill Johnson noted that at this time they would keep the Public Hearing open for the following reasons:

- (1) Nafis & Young comments have to be addressed.
- (2) The Planning & Zoning Commission is considering hiring a noise expert to tell them what the story is with the airport.
- (3) The Planning & Zoning Commission is considering hiring a Real Estate Expert.
- (4) The Planning & Zoning Commission would like a Fiscal Impact Study which compares the previous approval and what is now being proposed.

Tanya Carver discussed her concerns about the airport being in such close proximity to the proposed development.

Harold Cosgrove stated that the applicant needs permission from the Federal Aviation Association.

Chris Smith, Attorney for the Applicant stated that the proposal has no residential buildings within the 60 decibel zone. He also disagreed with Harold Cosgrove, and stated that there is no requirement for the FAA to approve anything because Glendale is outside that area.

Tanya Carver read an article written by Paul Singley and published in the Oxford Patch on 9/28/2012. The topic of the article was the Waterbury Oxford Airport.

Commissioners briefly discussed the airport. They commented on the Baseline Noise Contours, the length of the runway and the study that was performed in 2008.

Manny Silva, Engineer for the applicant stated that some changes were made to the glide pattern in order to lessen the noise and disturbance from the airplanes on residential homes. He also mentioned the possibility of a sound shield being put in place at the end of the runway. He also stated that any recommendations from the 2008 study were made with the knowledge of Glendale's previous approval.

Wayne Watt commented that there has been a fluctuation in the study since 2007 and 2012, and it has probably fluctuated since 2012, and currently it is 2013.

Manny Silva, Engineer for the applicant stated that the mitigations that have been made have made the problems better, not worse for the residents in the area of the airport.

Peter Olson, Land Use Attorney for the Commission commented that the study asks the commission to be cautious. He also stated that it will take time for the commission to retain an expert to provide a review of the airport on behalf of the commission.

Alternate Joe Dempsey questioned the periods of time when the study was recorded.

Manny Silva, Engineer for the applicant stated that he is not sure, but believes that it was completed over a year's time.

Chairman Bill Johnson questioned commissioners if they felt it was necessary to get an expert to review the airport.

Wayne Watt also requested a real estate analysis of the neighboring community.

Harold Cosgrove requested the elevation of Glendale at the highest point.

Secretary Pat Cocchiarella read a letter dated 8/6/2013 prepared by Allan Young of Nafis & Young Engineers.

Allan Young, Engineer for the Commission stated that they have not received comments from the applicant.

The commissioners and applicant discussed when the next Public Hearing would be held.

Peter Olson, Land Use Attorney for the Commission stated that the meeting would be held on an off meeting night and that it would be a Special Meeting.

Chris Smith, Attorney for the applicant submitted an extension for their application.

Pat Rose, Architect for the applicant explained the architectural details of the proposed development. He commented that they would be 2 story homes with 2 bedrooms and 2 bathrooms. He noted that some of the units would have basements and some would not, this would depend on the topography of the land. The units would also have 2 car garages and a porch or a deck at the front entrance. Units would include a living room, dining room and kitchen. The units will have a variety of exterior finishes.

Anna Rycenga, ZEO questioned Mr. Rose if the units would have decks.

Pat Rose, Architect for the applicant stated that at this time no decks are proposed.

Anna Rycenga, ZEO stated that there are 16 units with basements depicted on the plans, and questioned if the plans were being revised to reflect changes.

Pat Rose, Architect for the applicant stated that the plans are being revised.

Chairman Bill Johnson questioned how far apart the units would be built.

Pat Rose, Architect for the applicant answered that they would be 20' between buildings.

The commission moved onto the Zoning Text Amendment.

Chairman Bill Johnson stated that he does not think that the commission should re-write the applicant's proposed text amendment.

Chris Smith, Attorney for the applicant stated that the commission having input in the text amendment is suitable, it seems that the commission may like a more restrictive regulation.

Harold Cosgrove questioned the width of the proposed road.

Pat Rose, Architect for the applicant stated that he believes it is proposed at 24' curb to curb.

Alternate Joe Dempsey questioned the architect if it was true that the homes that have been built have special doors, windows and installation because of the proximity to the airport.

Pat Rose, Architect for the applicant stated that the existing homes have no special construction features.

Chris Smith, Attorney for the applicant stated that is something they can look into.

Anna Rycenga, ZEO stated that on the plans dated 2/26/2004, there is a notation (#6) that it is acknowledged in the recorded deed that the home is in an area of noise.

Alternate Joe Dempsey stated that the zoning text amendment is a regulation within a regulation and it is too early to discuss the amendment.

PUBLIC COMMENTS

Pam Manes, 83 Dogleg Court commented that she has many questions, but one issue that was discussed this evening was the basements. She stated that each dwelling should have a foundation with a basement in Oxford. She spoke in favor of the application.

John Munno, 331 Fairway Drive stated that he lives in Oxford and works in Woodbury. He stated that he drives by homes being demolished and developments that no one occupies in Middlebury. He commented that millions of dollars were spent on these developments and hopes that Oxford will not make the same mistakes as Middlebury. He also questioned protection of the ponds and wildlife.

Anna Rycenga, ZEO stated that the area is protected because of the wetlands.

Mr. Munno stated that this is not the proper place for this development.

James Hansen, 36 Greenbriar Road commented that because the commission rezoned the residential zone and made it a 2 acre minimum, this would be a violation of the Town's own Zoning Regulations.

Harold Cosgrove stated that the commission is considering this application because the Town of Oxford does not meet the states criteria of having 10% affordable housing units in town. He stated that the applicant would like the zone change rather than coming in under Connecticut General Statute, 8-30 (g).

Chairman Bill Johnson added that this is a failed over 55 community and they are trying to figure out what to do with it.

Wayne Watt commented that he is concerned with the septic system and he would like to see pump stations in the development.

Gerard Carbonaro, 14 Country Farm Road commended the commission for taking the time to go through the airport study and listening to discussion pertaining to the airport. He stated that 5 a.m. takeoffs have been his wake up call since 2003. He stated that he is in opposition of this application.

Commission members discussed Town Planner, Brian Miller's memorandum briefly.

Harold Cosgrove stated that the commission needs answers to all the questions that have been asked this evening.

CONTINUE/CLOSE

MOTION BY Secretary Pat Cocchiarella to *recess* the Public Hearing to **Tuesday, August 27, 2013 at 7:00 P.M.** **Second by Wayne Watt.**

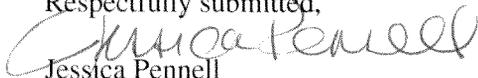
All Ayes.

ADJOURNMENT

MOTION BY Secretary Pat Cocchiarella to *adjourn* the Special Meeting at 8:25 P.M. **Second by Wayne Watt.**

All Ayes.

Respectfully submitted,


Jessica Pennell
Administrative Secretary

13 AUG -9 PM 3:47
TOWN OF OXFORD, CT
Margaret H. West
TOWN CLERK

Waterbury-Oxford Airport to Get \$8.2 Million for Home Relocations

Residents near the airport have made noise complaints for several years.

Posted by Paul Singley (Editor), September 28, 2012 at 06:39 pm

Waterbury-Oxford Airport will receive \$8.2 million to acquire land and homes near the airport, bringing the total amount for the project to more than \$13 million.

A news release from Sens. Joseph I. Lieberman and Richard Blumenthal states that the Federal Aviation Administration (FAA) will give the money to provide for relocation of residents who have been impacted by noise disturbance from the airport. Most of the residents affected live in Middlebury and they are the ones who will be relocated.

"We applaud FAA's strong commitment to the Middlebury residents who live next to Waterbury-Oxford Airport – the noise pollution that these homeowners have been subjected to for the last several years poses severe health and safety concerns," stated Lieberman and Blumenthal in a joint prepared statement. "We are glad these homeowners will finally receive the restitution that they deserve – fair compensation for their homes – and that a process that has taken far too long for these residents is one step closer to being over."

State officials and others have studied noise complaints at the airport for several years. A study completed last year indicates that residents have reason for concern because the area is considered a "noise impact area," per federal standards, according to a website formed in partnership with the state Department of Transportation titled www.oxcstudies.com that has information about the noise issues at the airport. The informational website states the noise study indicated the following recommendations could be implemented:

- Voluntary acquisition of homes in the Triangle Hills neighborhood located within the airport's Runway Protection Zone, or RPZ.
- Voluntary acquisition or sound insulation of homes in the Triangle Hills neighborhood that are not within the RPZ.
- Directing more aircraft activity to depart to the south when conditions permit, in order to reduce takeoffs over the populated areas of Middlebury.
- Conduct other operational modifications that may reduce noise levels adjacent to the Airport and result in more consistent flight patterns.

- Recommendations for local zoning and subdivision regulations that would reduce the future potential for airport noise impacts. These land use measures can only be implemented by the Towns.

* Submitted by 8/6/13
Tanya Carver

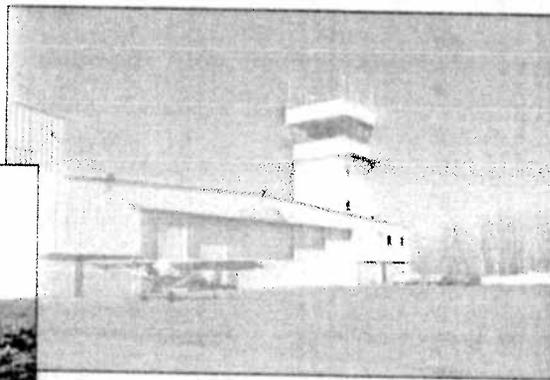
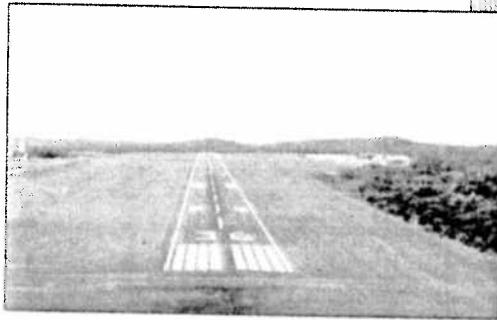
Waterbury-Oxford Airport FAA FAR Part 150 Noise Study



Final Report



Prepared for:
Connecticut Department of Transportation
(ConnDOT)



Prepared by:



October 2008

* Please see P+Z Department for Copies *