



## Planning & Zoning Commission

### PUBLIC HEARING MINUTES

Tuesday, March 11, 2014

7:00 PM

Main Meeting Room

Oxford Town Hall

### CALL TO ORDER

**Chairman Carver** called the Public Hearing to order at 7:00 PM.

### ROLL CALL

**Present:** David Stocker, Pete Zbras, Harold Cosgrove, Arnie Jensen, Tanya Carver, Jeff Luff, Pat Cocchiarella and Todd Romagna.

**Also Present:** Anna Rycenga, ZEO, Town Planner, Brian Miller, Town Counsel, Kevin Condon and Administrative Secretary, Jessica Pennell.

**Not Present:** Wayne Watt.

**Chairman Carver** seated Alternate Pete Zbras in Commissioner Watt's absence.

**Chairman Carver** noted that the Commission is initiating the proposed text amendment and that it can be modified or amended throughout the Public Hearing process.

**Commission Secretary Luff** read the Call of the Meeting.

**Alternate David Stocker** arrived at 7:05 PM.

### PUBLIC HEARING

#### Proposed Zoning Regulations Text Amendment – Article 6 – Village Center Mixed Use District

**Chairman Carver** read the proposed text prepared by Town Planner, Brian Miller dated 2/12/2014 (*Attachment A*).

### COMMISSION DISCUSSION

**Commissioner Cocchiarella** referred to 6.2.2 and stated that the minimum size the Commission discussed was 20 acres, not 10 acres.

**Town Planner, Brian Miller** noted this, and stated that he would change it from 10 acres to 20 acres.

**Commissioner Cosgrove** stated that 6.3.1 is not grammatically correct and needs to be reworded. He also commented that they would have to be sure to address overnight parking; his concern is teenagers in the parking area on the commercial side. He stated that it has to be protected so as not to become a problem for the police department. He also suggested that the lighting be on all night.

**David Stocker** stated that dumpsters should have set times for emptying as well as a set time for street sweepers.

**Commissioner Cocchiarella** stated that would be discussed in the conceptual plan phase. He stated that you cannot specify in a regulation a schedule for waste management.

**Town Planner, Brian Miller** stated that the Commission is not responding to a project, they are setting up a regulation for proposal. He commented that when the conceptual plan is submitted that is when they will become more detailed.

**David Stocker** stated that he lived behind the Post Road for ten years and there is always noise when you have a mixed use development.

**Commissioner Cocchiarella** stated that Mr. Stocker makes all valid points that should be considered during the conceptual phase of an application.

**Arnie Jensen** questioned if 6.3.8 and 6.3.14 are redundant.

**Town Planner, Brian Miller** stated that they are not.

### **PUBLIC COMMENTS**

**Earl Marks, 84 Seth Den Road** stated his opposition to this text amendment.

**Nancy Prior, 30 Wilson Drive** questioned if hotels and motels would be permitted.

**Ed Carver, 1 Old Moose Hill Road** stated that he thinks it is good for the town, if they keep it to two stories and have the density at four houses per acre.

**George Garofalo, 6 Old State Road** asked if the Commission has considered the residents. He questioned if the town can request to make Oxford a multi-lane road. He stated that he is opposed to adding a large facility, it will create noise, and noise travels.

**Anna Rycenga, ZEO** stated that this is a text amendment for a zone change, then an applicant will apply with a conceptual plan, during that time a traffic study would be done. She stated that enlarging Route 67 would be under the purview of the Connecticut Department of Transportation.

**George Garofalo, 6 Old State Road** stated that this will be a zoo and no longer a destination, people will avoid Oxford. He also mentioned security concerns.

**Bill Raggozine, 57 Towantic Hill Road** questioned if the residences will be multi-family apartment buildings.

**Chairman Carver** stated that would be addressed during the conceptual plan phase.

**Frank Munno, 331 Fairway Drive** questioned the sanitary sewers.

**Anna Rycenga, ZEO** stated that when an applicant comes in they have to have sanitary sewer and water. Any applicant would have to submit drainage calculations and a soil and erosion plan during the site plan phase.

**Frank Munno, 331 Fairway Drive** stated that he is opposed to building 100 homes; a lot of homes being built at the same time will impact the school system.

**Dick Burke, 447 Quaker Farms Road** the effects will not be restricted to Route 67, he questioned if the revenue of a project would outweigh the burden. He mentioned human congestion, traffic and revenue versus expense. He questioned if this is a net loss as opposed to a revenue generator.

**Anna Rycenga, ZEO** stated that at the time of application, all applicants will have to submit a fiscal impact analysis.

**Dick Burke, 447 Quaker Farms Road** stated that our town services such as fire and ambulance are struggling now.

**Michael Briggs, 12 Dorman Road** stated that he lives directly across from Haynes; their driveway is directly in front of his house. He stated that the lights will come down and be in his bedroom.

**Pam Manes, 83 Dogleg Court** spoke in favor of this text amendment.

**Theresa Sherkus, 85 Dogleg Court** questioned if there is a definite location and if it can be anywhere along Route 67 that has 20 acres.

**Town Planner, Brian Miller** stated that they are discussing a zoning amendment that can apply to parcels in town. All the zoning text does is allow such an application to be submitted, then during the application process it can be scrutinized.

**Anna Rycenga, ZEO** stated that the builder will be responsible for the cost to build the development. She stated that expert and technical review will cost the town, but again the applicant will submit a fiscal impact analysis.

**Paul Coward, 505 Traditions Court** stated that sometimes tax relief is given to attract companies to towns, is this the case?

**Chairman Carver** stated "no".

**Nancy Prior, 30 Wilson Drive** cited 6.2.4 and questioned if separate parcels will have to be 20 acres each.

**Town Planner, Brian Miller** stated no, but it may be good to split some parcels and they will be held to standards of the conceptual plan.

**Nancy Prior, 30 Wilson Drive** questioned if the applicant will pay for the sewer and water.

### **COMMISSION DISCUSSION**

**Commissioner Cosgrove** stated that for 6.2.2, they should consider raising it to 20 acres.

**Chairman Carver** noted that Commissioner Cocchiarella has already made that correction.

**David Stocker** referred to 6.2.3 and asked if they can add "responsibility of applicant or owner of the property".

**Town Planner, Brian Miller** stated that the Town is not under any obligation to provide sewer and water.

**David Stocker** commented that he is looking at the regulations from 2011. He stated that there are existing homes converted to businesses, but he did not see mixed use housing. He commented that mixed use housing should not be in the regulations.

**Chairman Carver** questioned if he does not want to see stores with residences on top of them.

**David Stocker** commented that he does not want to see any type of residential mixed with commercial.

**Commissioner Cocchiarella** stated that at some point, commercial property is going to abut residential. He stated that buffers are used in between.

**Gentleman from 512 Traditions Court North**, questioned if we really want town houses surrounded by Home Depot, Target, etc.

**Richard Larson, 169 Country Club Drive** stated that homes do not have to be next to shopping centers, they should be separate and distinct.

**Chairman Carver** stated that the intent is not to have apartments over businesses.

**Bill Raggozine, 57 Towantic Hill Road** stated that residential and commercial should not be mixed. Residential and commercial should not be combined.

**Chairman Carver** described Wilton's town center to the commission and the public stating that it was done very nicely and they used the library as a reference point. She encouraged people to go see it for themselves.

**Commissioner Cocchiarella** stated that the changes that need to be made are typographical.

**Anna Rycenga, ZEO** stated that she would like to see a 6.4.6 added, a Parking Management Plan.

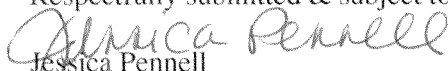
**CONTINUE/CLOSE**


**MOTION BY Commissioner Cocchiarella to *CLOSE* the Public Hearing at 8:16 PM.**  
**Second by Commission Secretary Luff.**

**Discussion:** Town Planner, Brian Miller and staff will make changes discussed this evening and have the final text ready for the next Regular Meeting.

**Vote: All Ayes.**

Respectfully submitted & subject to approval,

  
Jessica Pennell  
Administrative Secretary  
Planning & Zoning Commission

14 MAR 14 PM 2:23  
TOWN OF OXFORD, CT  
  
TOWN CLERK



received  
2-12-14 (aw)

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## Memorandum

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To: Oxford Planning and Zoning Commission

From: Brian J. Miller, AICP; Town Planning Consultant

Subject: Proposed Zoning Amendment; Article 6 Village Center Mixed Use District

Date: February 12, 2014

The following draft zoning amendment has been prepared as a result of several meetings with members of the Planning and Zoning Commission, as well as informal input from interested parties.

The proposed amendment would add Article 6, Village Center Mixed Use District as a floating zone, to be applied to select sites only when the Commission determines that the specific design and location of the site is appropriate to meet the purpose and specific requirements of this regulation.

The Commission may make any changes necessary as a result of the public hearing process.

### Article 6 Village Center Mixed Use District

#### 6.1 Purpose

The purpose of this zone is to permit and facilitate the development of a comprehensively planned mixed-use development which would provide a self-sustaining development, which can serve as the commercial and cultural center

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of the community. The development needs to have a strong pedestrian orientation, serve as a community gathering area, with specific design features which would make it an attractive place to live, work, shop and spend time. It would be a floating zone, to be applied only if the conditions of Article 6 are met.

## **6.2 Applicability**

The Village Center Mixed use District shall be considered a floating zone. Properties in Oxford may be considered for rezoning to this zone only if in conformance with the following conditions:

**6.2.1** Frontage along Route 67, Oxford Road.

**6.2.2** Minimum size of <sup>20</sup>~~ten~~ acres.

**6.2.3** The site must be served by public water and sanitary sewer.

**6.2.4** If approved by the Planning and Zoning Commission, the proposed development may be subdivided into separate parcels, all to be developed in accordance with the Overall Conceptual Site Plan.

**6.2.5** Proposed use to be in conformance with the Plan of Conservation and Development.

## **6.3 Permitted Uses**

The following uses may be permitted as a component of the conceptual site plan, subject to approval by the Planning and Zoning Commission:

**6.3.1** Stores and shops for the conduct of retail business

**6.3.2** Barber shops, beauty parlors and other similar personal services.

**6.3.3** Banks and financial institutions

**6.3.4** Corporate, business, professional and medical offices

**6.3.5** Indoor theaters, and other places of assembly

**6.3.6** Restaurants

**6.3.7** Residential uses, including multi-family residential uses in accordance with 6.5.

**6.3.8** Uses accessory to the principle use(s) as determined by the Commission.

**6.3.8** Hotels and motels.

**6.3.9** Motor vehicle fueling and charging stations.

**6.3.10** Child and adult day care centers.

**6.3.11** Full service fitness centers and health clubs.

**6.3.12** Building and Farm supply, providing that all activities occur indoors.

**6.3.13** Governmental uses.

**6.3.14** Other similar uses, as determined by the Commission, that are consistent with the intent of these regulations.

## **6.4 Site Design**

### **6.4.1 Circulation**

The design of these areas should include a complete pedestrian and vehicular circulation system, which emphasizes internal pedestrian circulation. This should include, but not be limited to:

6.4.1.1 There should be direct pedestrian circulation connections between the various areas of the residential development, with multiple direct connections to the commercial areas.

6.4.1.2 There should be multiple and direct pedestrian connections between the residential areas, commercial areas and public areas.

6.4.1.3 There should be pedestrian circulation connections between the subject area and other areas of the Town, which would include a public sidewalk along Route 67, which connects to the internal pedestrian circulation network.

6.4.1.4 Vehicular circulation should adequately serve all areas and components of the development in a manner which is supportive of the overall pedestrian orientation.

6.4.1.5. The pedestrian circulation system shall be strongly linked to the central open space area, residential open space areas, and all residential areas.

6.4.1.6 There should be adequate facilities for bicycles, including bicycle racks.

### **6.4.2 Open space/ public gathering spaces**

6.4.2.1 The plan shall include a central open space area suitable public sitting and gathering areas which may include but is not limited to a public plaza or passive recreation areas. The area shall be equipped with benches or chairs, pedestrian scaled lighting, and adequate trash receptacles. The area(s) should be generally centrally located on the site. Water features and public art are encouraged to be included.

6.4.2.2 The Commission may require one or more secondary open space areas to serve residential components of the plan if the total residential component exceeds 100 dwelling units.

### **6.4.3 Building Design**

6.4.3.1 The design of the buildings shall be consistent with that of a traditional New England town center, in the opinion of the Planning and Zoning Commission.

6.4.3.2 Architectural styles similar to recently constructed high quality mixed use developments planned and/or constructed within Western Connecticut with an emphasis on a traditional New England styles and scale look as much as appropriate. Applicants should use decorative details on the exterior of the building appropriate to the architectural style that is being emulated. Buildings should have minimum details of window sills and frames and door frames. Other details such as quoins and lintels are encouraged.

6.4.3.3 All rooftop utilities or other equipment shall be concealed from view of pedestrians, car traffic and residential units which may be located on higher floors, unless the Commission determines that it is not feasible due to reasons such as topography and site layout. Mansard roof or gabled roofs are preferred with flat roofs only being permitted where the proposed structure is taller than adjacent structures. Flat roofs should have a parapet and cornice appropriate to the architectural style of the building. More ornamental architectural details such as dentils, corbels and an ornamental frieze are encouraged.

6.4.4 Signage shall be consistent with an overall theme approved by the Commission, based upon the size of the proposed development, type of uses proposed, layout of the proposed structures, visibility from Route 67, in a manner consistent with the intent of this regulation. The signage as approved by the Commission shall be incorporated within the approved conceptual plan.

6.4.5. **Parking** The overall parking to be approved as a component of the conceptual site plan shall be sufficient to accommodate the various uses proposed within the site plan, as to location, time of use, and other factors as determined by the Commission. The applicant shall submit a parking analysis at the time of the submission of the zoning map amendment, and conceptual site plan which analyzes the projected parking demand of each use by time, the proximity of the parking to each use, the need for all day parking for specific uses, and times of peak parking demand for each proposed use, and other issues raised by the Commission. The Conceptual Site Plan shall reflect the need determined by this analysis as determined by the Commission, with peer review.

#### 6.4.5 Phasing

The Conceptual Plan may be proposed in phases, subject to approval of the Commission.

### 6.5 Residential Requirements

All residential units within the Village Center Mixed Use District shall comply with the following:

6.5.1. All residential units shall include one or two bedrooms. Bedrooms shall be defined in accordance with standards of the State building code.

6.5.2 The maximum height of all residential buildings shall be three stories.

6.5.3 The maximum density of the residential area of development shall be as determine by the Commission, based upon: (1) overall traffic impacts; (2) compatibility of the residential uses with that of the proposed commercial uses; (3) proposed design of the residential units in order to create a neighborhood environment, well integrated within the overall intent and concept of this district; (4) impact upon pedestrian and vehicular circulation, and the provision of



facilities to accommodate this circulation in a manner consistent with the intent of this regulations; (5) environmental impact; (6) Availability of adequate community services and the capability of the Town of Oxford to provide these services; and (5) quality of overall architectural design, as determined by the Commission.

**6.5.4.** Multi-family residential development with a density greater than permitted by Article 5 of these regulations, as may be amended, shall only be permitted in conjunction with planned commercial development. No building permit for residential development shall be issued until building permit(s) shall be issued for a minimum of 100,000 square feet of non-residential construction.

## **6.6 Procedural Requirements**

### **6.6.1 Informal Consideration**

It is recommended that, prior to the submission of a formal application for approval of a Village Center Mixed Use District, the applicant review with the Commission and its staff in preliminary and informal manner any proposal for a VCMUD .

### **6.6.2 Application**

A petition for a change of zone for the establishment of a Village Center Mixed Use District shall be submitted to the Commission in writing and shall be signed by the owner or owners of all parcels within the proposed district, and shall be accompanied by the following:

#### **6.6.2.1 Statement**

A written statement specifying the proposed uses of the area, special design considerations and features, architectural guidelines and themes, and how the proposal is consistent with the purpose of the Village Center Mixed Use District.

#### **6.6.2.2 Conceptual Plan**

A conceptual plan shall be presented to the Commission showing the general intent of the proposal. The following information shall be presented in enough detail to allow the Commission to determine if the plan is in the spirit of the Zone's intent.

- a. Location and size of property, including a boundary map and a map showing the project site in the context of the surrounding area.
- b. Ability of existing fire suppression equipment and other sources to properly service the proposed development.
- c. General building and parking layout.

- d. Proposed area and square footage of the proposed buildings and uses.
- e. Concept plan for uses to be proposed which may not necessarily include specific tenants.
- f. General vehicular and pedestrian circulation showing all proposed public and private drives, walking paths, sidewalks, and means of traffic calming and/ or pedestrian safety.
- g. Proposed public areas such as parks, lawn areas and recreational facilities.
- h. Landscaping and lighting plans showing areas of existing mature trees, all existing and proposed surface water resources, proposed landscaping treatments, proposed open space and recreational areas, and detail of proposed pedestrian-scaled lighting fixtures to be used.
- i. General streetscape and architectural design or theme, with exterior elevations, perspective drawings and descriptive information regarding building materials and exterior finishes.
- j. Tentative construction timeline and phasing plan
- k. Existing and propose utility plan
- l. Traffic Impact analysis, which describes the potential impact of the proposed uses on public roads, and if needed, includes recommended improvements to such roads; and the adequacy and efficiency of the proposed internal circulation system. The Commission may request that the traffic impact be analyzed as to individual components of the overall plan.
- m. Other information which may be required by the Commission.

#### 6.6.2.3 Review of Concept Plan

After the application submission has been deemed complete for the establishment of a Village Center Mixed Use District, the Commission shall review the application for completeness of submission, and may require additional information. The complete application shall be reviewed at a public hearing and during this review may hold meetings with the petitioner and require additional information. The Commission shall hold a public hearing on the application.

After the public hearing, the Commission may disapprove or give approval to the Concept Plan or approval subject to modifications. Approval of the Concept Plan shall not constitute final approval of the Village Center Mixed Use District and shall simply authorize the submission of Site plans setting forth the in detail the specifics of the proposed development and showing any modifications specified by the Commission.

#### 6.6.2.4 Site Plan

A site plan and application shall be submitted to the Commission as required by Article 11 of the Zoning Regulations. In addition to the plans required by Article 1 of the zoning regulations, all requirements of a site plan required in Article 11 shall be submitted:

#### 6.6.2.5 Criteria for Approval of Site Plan

The Commission may approve the Site Plan only after the Commission finds that the Site Plan is consistent with the approved Concept Plan and any other applicable sections of the Oxford Zoning Regulations.

### 6.7 Regulatory

**6.7.1** The approved Concept Plan, along with approved conditions and requirements shall be the governing tool for the zoning of the Village Mixed Use District.

**6.7.2** Property owners may apply for changes to the approved concept plan. If the Commission determines that the proposed changes are minor, in that they do not have a significant impact upon the overall character, impact function or circulation of the development, the Commission may approve the minor changes through a site plan amendment. However, if the Commission determines that the proposed changes are significant for any reason, they shall require that an application for a change of the conceptual plan be submitted and considered in accordance to the procedures of Section 6.6 of this article and Article 18 of the Oxford Zoning Regulations

**6.7.3** A site plan for at least one of the approved phases of this development shall be filed within two years of the date of the approval of the conceptual site plan and zone map change. If no work has commenced within two years of the approval of the site plan, as evidenced by the issuance of a building permit for at least one of the principal structures on the site, the Commission shall have the discretion to revoke the approval of the zone map amendment and the conceptual site plan, and rezone the property to its original zoning district.