



TOWN OF OXFORD
S.B. Church Memorial Town Hall
486 Oxford Road, Oxford, Connecticut 06478-1298
www.Oxford-CT.gov

Planning & Zoning Commission

Special Meeting Minutes
Tuesday, June 10, 2014
7:30 PM
Oxford Town Hall
Main Meeting Room

CALL TO ORDER

Chairman Carver called the Special Meeting to order at 8:30 PM.

PLEDGE OF ALLEGIANCE

ROLL CALL

Present: Pete Zbras, Harold Cosgrove, Glen Persson, Jeff Luff, Tanya Carver, Pat Cocchiarella and Todd Romagna.

Staff Present: Jessica Pennell, Administrative Secretary.

CHAIRMAN'S REPORT

SEATING OF ALTERNATES

Chairman Carver seated Alternate Pete Zbras for Arnie Jensen.

AUDIENCE OF CITIZENS (Not for Pending Applications)

AMENDMENTS TO AGENDA

OLD BUSINESS

NEW BUSINESS

- 1.) **Z-14-019 [IND] – 52B Donovan Road, Owner: Berkshire Road, LLC, Applicant: Companion Pet Rescue & Transport** (Petition for Zoning Regulation Amendment)(Add the following text to Article 9, as Section 3.3.24 – *Canine rescue/adoption center no boarding for a fee*)

Commission Secretary Cocchiarella stated that he is not comfortable changing the regulations because it may open it up to the entire Industrial Zone.

Vice Chairman Luff agreed with Commission Secretary Cocchiarella and stated that this does not fit into the Industrial Zone.

MOTION BY Commissioner Cosgrove:

WHEREAS, The Oxford Planning & Zoning Commission has received the application Z-14-019 to Amend Article 9 of the Oxford Zoning Regulations; Industrial District.

WHEREAS, The Public Hearing for this application was legally noticed in conformance with Connecticut State Statutes and the Zoning Regulations of the Town of Oxford.

WHEREAS, The Oxford Planning & Zoning Commission has considered the testimony presented at the Public Hearing held on May 20, 2014.

BE IT RESOLVED, that based upon the application and testimony, this application is ***DENIED*** for the following reasons:

- The approval of this application would be inconsistent with the comprehensive plan and the Plan of Conservation and Development.
- The use permitted by the proposed amendment would detract from the character and functionality of the industrial area.

Second by Vice Chairman Luff.

VOTE: All Ayes.

- 2.) **Z-14-057 [IND] – 119 Hurley Road - Lots 12R, 15 & 15A** (Lot Line Revision)
- 3.) **Z-14-056 [IND] – 119 Hurley Road – Lots 12R, 15 & 15A** (Modification of Subdivision & addition of 340 Linear Feet of additional road)
- 4.) **Z-14-058 [IND] –Patriot Business Park – Lot 15A Hawley Road – Map: 18 Block: 30 Lot: 15A – Owner & Applicant: X Real Property, LLC c/o Mr. Andreas Hierzer** (Site Plan Approval for Industrial Building – 99,000 sq. ft.) (Special Exception – Article 14, Section 14.3) (***SET PUBLIC HEARING DATE***)
 - a. Letter from Brian Baker of Civil I.

MOTION BY Commission Secretary Cocchiarella to set a Public Hearing date on July 1, 2014 at 7:00 PM.

Second by Commissioner Cosgrove.

VOTE: All Ayes.

- 5.) **Z-14-059 [IND] – 1 Jack's Hill Road - Owner: Sippin Management – Applicant: Wendy Gilchrest, Gyre 9, LLC** (Use Permit)

MOTION BY Commission Secretary Cocchiarella to ***TABLE*** Z-14-059 to the next Regular Meeting.

Second by Commissioner Cosgrove.

VOTE: All Ayes.

BOND RELEASES

- 1.) **Oxford Greens – Pulte Homes Phase III – Surety Bond # 8195-39-38 – Performance Bond**
(Request for Bond Release)
 - a.) Letter dated May 27, 2014 from Tony Schumann.
- 2.) **Oxford Greens – Pulte Homes Phase II & III – Letter of Credit # DBS – 18769 – Soil & Erosion Bond** (Request for Bond Release)
 - a.) Letter dated May 27, 2014 from Tony Schumann.

MOTION BY Commission Secretary Cocchiarella to forward the abovementioned bonds to the Town Engineer for review.

Second by Commissioner Cosgrove.

VOTE: All Ayes.

LITIGATION

ZONING ENFORCEMENT

The ZEO will present to the Commission any reports/information/or other items deemed necessary.

CORRESPONDENCE

Commission Secretary Cocchiarella read or noted the following correspondence and stated that all correspondence is on file in the Planning & Zoning Department during regular business hours.

- a.) Letter dated 5/27/2014 from Anna Rycenga, ZEO to Anthony Cocchiola

Michael Horbal, 52 Main Street, Seymour stated that Anna's letter is referring to an application that Mr. Cocchiola submitted to build a house on Lot #3 and at this time the road that is part of the subdivision has not been completed. He stated that Anna wanted to clearly define to Mr. Cocchiola that he has to finish the road before the town would be able to issue a CO for that house, or any other house and Mr. Cocchiola is very aware of the requirements and plans to finish that road this year before selling the house on Lot #3.

- b.) Letter dated 6/3/2014 from Michael Horbal
Re: Z-14-005 – Beth Acres Subdivision – Request for 90 day Extension

Michael Horbal, 52 Main Street, Seymour introduced Attorney James Welch.

Attorney James Welch stated that reason for the request is there were some requirements regarding easements, a conservation easement and a driveway easement that required the approval of Town Counsel, he has submitted those to Town Counsel, Kevin Condon, and stated that Attorney Condon has not had a chance to review those documents. He stated that they cannot be signed until Attorney Condon reviews and approves them.

Chairman Carver stated that she spoke to Attorney Condon and that he asked that the extension be granted.

MOTION BY Commissioner Cosgrove to grant the 90 day extension for Z-14-005.

Second by Commission Secretary Cocchiarella.

VOTE: All Ayes.

- c.) Letter dated 5/28/2014 from the CT Siting Council
Re: EM-SPRINT-108-140528 – Modify existing telecommunications facility at 133 Coppermine Road.
- d.) Letter dated 5/29/2014 from the CT Siting Council
Re: EM-VER-108-140512 – Intent to modify existing telecommunications facility at 106 Willenbrock Road.

ACCEPTANCE OF MINUTES:

Chairman Carver noted a concern brought up by Commissioner Cosgrove regarding the minutes being reviewed by the Town Attorney before acceptance.

MOTION BY Commission Secretary Cocchiarella to **APPROVE** the following minutes as presented:

- 1. March 18, 2014 Public Hearing Minutes – Glendale
- 2. March 31, 2014 Public Hearing Minutes – Glendale
- 3. April 1, 2014 Public Hearing Minutes – Garden Homes
- 4. April 15, 2014 Regular Meeting Minutes

Second by Vice Chairman Luff.

VOTE: Ayes (6), Abstention (1), Commissioner Cosgrove.

INVOICES

- 1.) Invoice from Micci & Korolyshun, P.C. – Garden Homes

MOTION BY Commission Secretary Cocchiarella to forward this Invoice to the Board of Selectmen for payment.

Second by Commissioner Cosgrove.

VOTE: All Ayes.

- 2.) Revised Invoice # 069-14 from Nafis & Young Engineers

MOTION BY Commission Secretary Cocchiarella to **APPROVE** payment of Invoice # 069-14.

Second by Vice Chairman Luff.

VOTE: All Ayes.

OTHER BUSINESS

- 1.) Any other business the Commission deems necessary for discussion.

UPCOMING EVENTS/MEETINGS:

- July 15, 2014 – Planning & Zoning Regulation Amendment Public Hearing Continued – 7:00 PM

Chairman Carver asked that any financial information that was requested at the first Public Hearing be available as well as a comparison of Article 7A and Article 6.

Commission Secretary Cocchiarella was looking for the cost of flushing a fire hydrant and any other financial impacts.

Vice Chairman Luff mentioned the cost of legal fees regarding the renegotiation of documents with Oxford Greens/Pulte/Timberlake.

MOTION BY Commissioner Cosgrove to *CANCEL* the June 17, 2014 Regular Meeting due to a lack of quorum.

Second by Vice Chairman Luff.

VOTE: All Ayes.

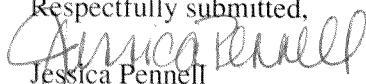
ADJOURNMENT

MOTION BY Commissioner Cosgrove to *ADJOURN* the meeting at 9:08 PM.

Second by Commission Secretary Cocchiarella.

VOTE: All Ayes.

Respectfully submitted,



Jessica Pennell

Administrative Secretary

Planning & Zoning Commission

14 JUL 30 AM 11:52
TOWN OF DANBURY, CT
Matthew A. West
TOWN CLERK