



TOWN OF OXFORD

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

Planning & Zoning Commission

Regular Meeting Minutes

Tuesday, April 21, 2015

7:30 PM

**Oxford Town Hall
Main Meeting Room**

CALL TO ORDER

Chairman Carver called the meeting to order at 7:30 PM.

PLEDGE OF ALLEGIANCE

ROLL CALL

Present: Ed Rowland, John Kerwin, Pete Zbras, Harold Cosgrove, Arnie Jensen, Tanya Carver, Pat Cocchiarella and Todd Romagna.

Staff Present: Jessica Pennell, Administrative Secretary, Steven S. Macary, ZEO and Brian Miller, Town Planner.

Not Present: Jeff Luff and Glen Persson.

CHAIRMAN'S REPORT

SEATING OF ALTERNATES

AMENDMENTS TO THE AGENDA

- 1.) **MOTION BY Commission Secretary Cocchiarella to *AMEND* the agenda to add the following items:**

Z-15-021 [RESA] – 1 Silano Drive – Owner: Garrett Raymond – Applicant: Lawrence Millo (Special Exception – construct a Garage & Carport – 1,458 sq. ft.) (**SET PUBLIC HEARING DATE**) as New Business #2.

Z-15-016 [RESA] – Mountain Road Estates, MeadowBrook Estates
(Site Plan Modification – Increase homes – 14 to 16 homes - Phase 9) as New Business #3.

Z-15-016 [IND] – 321 Riggs Street – Owner: Tomsuwa, LLC – Applicant: Kovacs Construction (Change of Use) (Sign Permit) as Old Business #5.

Second by Commissioner Cosgrove.

VOTE: All Ayes.

AUDIENCE OF CITIZENS

CORRESPONDENCE

Commission Secretary Cocchiarella noted that the following Correspondence is on file in the P&Z Department during regular business hours.

- a.) **Memo from Office of Policy & Management**
Guidance on Maintaining Eligibility for Discretionary State Funding
RE: CGS Section 8-23

OLD BUSINESS

- 1.) **Z-15-014 [COMM] – 72 Oxford Road – Owner: Applicant: Glenn Fritz**
(Site Plan Modification) (Sign) (***TABLED ON 4/7/2015***)

MOTION BY Commission Secretary Cocchiarella to ***REMOVE*** this application from the table.

Second by Commissioner Cosgrove.

VOTE: All Ayes.

Jessica Pennell, Administrative Secretary explained that at the last meeting there were questions regarding the size of the sign. The applicant was also requested to submit a rendering of the sign that he was proposing. She also noted that this application has gone before Wetlands and received approval on 4/14/2015.

Glenn Fritz, applicant, stated that the sign he is submitting for approval is 3 ½ feet by 5 feet.

Chairman Carver questioned if the sign meets the Commission's sign criteria.

Steven S. Macary, ZEO stated that the regulations state that the sign can be 30 square feet.

Commission Secretary Cocchiarella stated that he thought it was 45 square feet.

Commissioner Cosgrove questioned the location of the sign.

Chairman Carver questioned if the sign was double sided.

Glenn Fritz, applicant, stated that the sign is double sided.

Commission Secretary Cocchiarella questioned if the sign is in the State Right of Way.

Brian Miller, Town Planner commented that the right of way varies in width along Route 67, but it is usually 10 feet.

Commissioner Cosgrove questioned if the sign would have fixed information.

Glenn Fritz, applicant, stated that the letters would be changeable, that is the purpose of the sign.

Chairman Carver stated that the street number has to be on top of their sign, per the regulations.

Commission Secretary Cocchiarella noted that it is Section 16.6.4 in the regulations.

Chairman Carver read the regulations (16.6.4) and stated that those requirements will be put in the conditions of approval. She asked that Brian Miller, Town Planner note that item for the resolution.

Brian Miller, Town Planner stated that he has reviewed the site plan and the sign is clearly on the property, not in the state right of way. He commented that they could make it a condition of approval that the sign location be verified by the applicant's engineer to ensure that it is not within the right of way.

Commission Secretary Cocchiarella questioned if there is any lighting on the sign.

Glenn Fritz, applicant, stated that there is lighting, but they will not be using that feature.

Glenn Fritz, applicant, brought up the car show.

Commission Secretary Cocchiarella stated that when discussing the car show, they are discussing a use and questioned if the applicant had anyone to present to represent Blood, Sweat and Gears. He commented that they state that they are a non-profit organization, but they are not registered with the Secretary of State. He noted that they run car shows all over the county, it is not really the applicant's car show; it is Blood, Sweat and Gears car show.

Chairman Carver stated that she was not at the last meeting and needed an explanation of the issue they are presently discussing.

Commission Secretary Cocchiarella stated that at the last meeting the Commission had suggested that the site plan and sign be separate from the use, and apparently that did not happen.

Glenn Fritz, applicant stated that last year in the fall he had come before the Commission and was told that he would need to apply for a site plan modification, and that is what they are doing.

Jessica Pennell, Administrative Secretary stated that regarding the use, she received a phone call today from Robert Uskevich, Attorney for the applicant. She explained that Attorney Uskevich had forwarded his memo from last fall, as well as Brian Miller's memo from last fall to Kevin Condon, Town Attorney. She stated that she spoke with Kevin Condon on the issue today and that he gave her a verbal opinion regarding the car show.

Commission Secretary Cocchiarella stated that his issue is that the car show is not a one time event. He stated that because it is being operated at the busiest intersection, at rush hour, he sees potential for safety issues that can result in lawsuits against the Town.

Chairman Carver asked for Kevin Condon's verbal opinion.

Jessica Pennell, Administrative Secretary stated that Kevin Condon's response was that the car show is not regulated by Planning & Zoning.

Chairman Carver asked that Jessica request a written response from Kevin Condon regarding the car show. She stated that the Commission will not discuss the item any further until they receive the written opinion of the Town Attorney.

Commissioner Cosgrove stated that he would like the parking spaces for the classic cars delineated.

Glenn Fritz, applicant, stated that they are planning to mark the spaces for the classic cars.

Commission Alternate John Kerwin stated that without addressing the car show, he would like to know that there is a traffic flow plan in place.

Chairman Carver stated that can be added as a condition of approval.

Commission Alternate John Kerwin stated, for the record, that there are not any changes with the existing parking.

Chairman Carver stated that they will keep this open.

Jessica Pennell, Administrative Secretary reiterated that they are going to table this application and request a resolution from Brian Miller, Town Planner regarding the site plan and sign.

Brian Miller, Town Planner stated that he would add suggestions from this evening to the resolution.

MOTION BY Commissioner Cosgrove to *TABLE* this application.

Second by Commission Secretary Cocchiarella.

VOTE: All Ayes.

- 2.) **Z-15-008 [IND] – Prokop Road (Lot #4) – Owner & Applicant: Ferris Properties** (Special Exception – Excavation – remove approximately 3,200 cubic yards of material) (Site Plan) (PUBLIC HEARING scheduled for Tuesday May 5, 2015 at 7:00 PM)

Referred to Brian Miller & Jim Galligan.

- 3.) **Z-15-012 – Proposed Zoning Map Amendment (Commercial to Residential) – Location: Map: 34 Block: 9 Lot: EV4 (Echo Valley Road) Owner: Mark & George Purington – Applicant: Mark Purington** (PUBLIC HEARING scheduled for Tuesday, May 19, 2015 at 7:00 PM)

Referred to Brian Miller.

- 4.) **Z-15-013 – [RES/COMM] – Echo Valley Road - Map: 34 Block: 9 Lot: EV4 Owner: Mark & George Purington – Applicant: Mark Purington** (Special Exception/Site Plan– Major Re-grade – approximately 2,400 cubic yards) (PUBLIC HEARING scheduled for Tuesday, May 19, 2015 at 7:00 PM)

Referred to Jim Galligan.

5.) **Z-15-016 [IND] – 321 Riggs Street – Owner: Tomsuwa, LLC – Applicant: Kovacs Construction** (Change of Use) (Sign Permit)

Wanda McGarry, owner and applicant was present. She has decided that they are going to use the existing sign located on the property at 321 Riggs Street. She submitted a copy of their logo which would be depicted on the sign. She also stated that they will keep the # 321 on the sign.

Commission Secretary Cocchiarella mentioned that it is required according to the regulations.

Chairman Carver questioned if there were any other concerns regarding this application.

Jessica Pennell, Administrative Secretary quickly went over the statement of use, which is to use the existing building as the corporate headquarters for their construction business.

Commission members had no other questions.

MOTION BY Commissioner Cosgrove to *APPROVE* this application with all applicable standard conditions.

Second by Commission Alternate Ed Rowland.

VOTE: All Ayes.

NEW BUSINESS

1.) **Z-15-017 [IND] – 7 Fox Hollow Road – Owner & Applicant: Entrepot, BUI, LLC**
(Site Plan Modification – 3 Level Detached Building)

Gary Mead, applicant, stated that this is as site plan modification for a small octagon shaped building, 16 feet by 16 feet. This building will be constructed to compliment the tasting that they hold on the weekends. He stated that there is a lower level where they will have some samples and bottles of their beer. He noted that the second level will be at the brewery level and it will have a couple of windows, it will be a place where people would be able to sit and have some snacks while tasting the beer. He explained that the third level will be accessible by ladder only and will be used for storage.

Commission Secretary Cocchiarella questioned if there were any architectural plans.

Gary Mead, applicant, stated that it is going to be like a silo, except octagon shaped.

Commission Secretary Cocchiarella stated that he does not have any concerns with the brewery expanding their building.

Commission Alternate John Kerwin questioned the siding.

Gary Mead, applicant stated that the siding will be red and gray, consistent with the rest of the building.

Brian Miller, Town Planner stated that he does not have any concerns with the application.

MOTION BY Commissioner Cosgrove to *APPROVE* this application with all standard applicable conditions.

Second by Commission Secretary Cocchiarella.

VOTE: All Ayes.

- 2.) **Z-15-016 [RESA] – Mountain Road Estates, Meadow Brook Estates** (Site Plan Modification – increase from 14 to 16 Homes)

Kathy Ekstrom, applicant stated that this is a site plan modification and that when they go to a Phase they always check to see if they can add units. She stated that they had 14 units originally and by moving a couple around they were able to add 2 more units. She stated that the documents filed on the land records allow them to add up to 14 units, and they are only adding 2. She commented that the majority of the units are in the same location and they have abided by all the setbacks required. She explained the modification to the Commission while showing them the map that was submitted with the site plan modification.

Alternate Commissioner John Kerwin questioned why they didn't do this with the original application.

Kathy Ekstrom, applicant explained that they do this all the time; they tweak it because when you are physically at the site, rather than looking at it conceptually on paper, they see the potential for additional units.

Alternate Commissioner John Kerwin questioned the stipulation on the number of units in the original application.

Kathy Ekstrom, applicant stated that there was no stipulation on that in Oxford, there was only a stipulation on units in Seymour.

Alternate Commissioner John Kerwin questioned Seymour's stipulation.

Kathy Ekstrom, applicant stated that it was so many units per acre.

Brian Miller, Town Planner stated that in the regulations there is a certain amount of maximum density required.

Kathy Ekstrom, applicant stated that in Oxford, they have a maximum density of no more than 250 units.

Commissioner Cosgrove stated that this should be reviewed by Brian Miller, Town Planner.

Chairman Carver stated that it should also be reviewed by the P&Z Engineer.

MOTION BY Commission Secretary Cocchiarella to *TABLE* this application.

Second by Alternate Commissioner Rowland.

VOTE: All Ayes.

BOND RELEASES

- 1.) **Central Park Associates – Bond Release Request**
(Awaiting report from Jim Galligan)

ZONING ENFORCEMENT

- 1.) Commission discussion with ZEO regarding various items, complaints and zoning violations.

APPROVAL OF MINUTES

- 1.) April 7, 2015 – Regular Meeting Minutes

MOTION BY Commission Secretary Cocchiarella to *APPROVE* the April 7, 2015 Regular Meeting Minutes as presented.

Second by Commissioner Cosgrove.

VOTE: Ayes (5), Abstentions (3) – Chairman Carver, John Kerwin and Ed Rowland.

INVOICES

- 1.) **Turner Miller Group Invoices:**

- a. #5240 – Analysis of Lot Split (**Tabled on 4/7/2015**)

MOTION BY Commission Secretary Cocchiarella to bill out \$170.00 to the applicant/property owner.

Second by Commissioner Jensen.

VOTE: All Ayes.

- b. #5241 – Review

MOTION BY Commission Secretary Cocchiarella to *APPROVE PAYMENT* of Invoice #5241.

Second by Commissioner Cosgrove.

VOTE: All Ayes.

- c. #5242 – Lot #1 Fox Hollow Road

MOTION BY Commission Secretary Cocchiarella to *APPROVE PAYMENT* of Invoice #5242.

Second by Commissioner Cosgrove.

VOTE: All Ayes.

- d. #5244 – Review

MOTION BY Commission Secretary Cocchiarella to *APPROVE PAYMENT* of Invoice #5244.

Second by Commissioner Cosgrove.

VOTE: All Ayes.

- 2.) **Nafis & Young Invoice**

- a. #082-15

MOTION BY Commission Secretary Cocchiarella to *APPROVE PAYMENT* of Invoice #082-15.

Second by Commissioner Cosgrove.

VOTE: All Ayes.

- 3.) **Micci & Korolyshun, P.C. Invoice – Garden Homes Appeal**

MOTION BY Commission Secretary Cocchiarella to *FORWARD* the Invoice to the Board of Selectmen for payment.

Second by Commissioner Cosgrove.

VOTE: All Ayes.

OTHER BUSINESS

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

The Commission members and staff briefly discussed the hours for the Zoning Enforcement Officer and the Planning & Zoning Department.

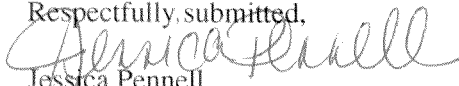
ADJOURNMENT

MOTION BY Commission Alternate Ed Rowland to *ADJOURN* the meeting at 8:40 PM.

Second by Commission Alternate John Kerwin.

VOTE: All Ayes.

Respectfully submitted,



Jessica Pennell

Administrative Secretary

Planning & Zoning Commission

15 MAY -4 PM 12:52
TOWN OF WESTFORD, CT
Margaret A. West
TOWN CLERK