



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

Planning & Zoning Commission
Regular Meeting Minutes
Tuesday, March 16, 2021
7:30 PM - Online/Virtual Meeting

The Planning & Zoning Commission met remotely on **Tuesday, March 16, 2021, at 7:30 PM.**

Members of the public and applicants were able to join us online by access the meeting using the following information:

Join Zoom Meeting:

<https://us02web.zoom.us/j/86096373155?pwd=T1hBMDh3YXlvUkhYQWVjZTV2TWVUUT09>

Meeting ID: 860 9637 3155

Passcode: 141429

One tap mobile:

+1 646 558 8656

Dial by your location:

+1 646 558 8656

Meeting ID: 860 9637 3155

Passcode: 141429

I. CALL TO ORDER

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

II. PLEDGE OF ALLEGIANCE

III. ROLL CALL

Present: Pete Zbras, Dave Sauter, Pat Cocchiarella, Dan Wall, Brett Olbrys, Mary LoPresti, Jesse Schremmer, and John Kerwin.

Also Present: Steve Macary, ZEO, and Jessica Pennell, Coordinator.

Not Present: Joshua Dykstra, and Attorney Kevin McSherry.

IV. SEATING OF ALTERNATES

No alternates seated.

V. PUBLIC HEARINGS

A. Recessed Public Hearings – NONE

B. New Public Hearings- NONE

C. Future Public Hearings – NONE

VI. REGULAR MEETING BUSINESS

A. Amendments to the Agenda – NONE

B. Audience of Citizens – (Items not listed on the Agenda)

C. Correspondence

a. Letter dated March 6, 2021, and addressed to the Planning & Zoning Commission

Vice-Chairman John Kerwin read a letter dated March 6, 2021 regarding Market 32 and Educational Playcare.

Commissioners discussed the correspondence briefly and requested that Steve Macary, ZEO forward the letter to Haynes to make them aware of the complaint.

D. Old Business – Matters on which a Public Hearing was held – NONE

E. Old Business – Other Matters

1. **Z-02-267 [RESA] – Mountain Road Estates, LLC – Great Hill Road** (Meadowbrook Estates) – 55+ Residential Community (*Final Bond Release Request*)

MOTION BY John Kerwin to make a favorable recommendation to the Board of Selectmen to reduce Bond #400KF6036, in the amount of \$300,000.00, to a \$30,000.00 Maintenance Bond to be held for one (1) year after the date of the last closing (November 1, 2020).

Second by Commissioner Brett Olbrys.

All Ayes.

Motion passed unanimously.

F. New Business – Schedule a Public Hearing – NONE

G. New Business

1. **Z-21-021 [VCMUD] – 350 Center Rock Green, Bldg. L, Suite 209** – Owner: Oxford Towne Center, LLC – Applicant: Dan Settani - Viso Bello – 350 Center Rock Green, Bldg L., Suite 209 (*Use Permit*)

Commissioners discussed this application briefly, and noted that it is consistent with the other uses in the commercial complex.

MOTION BY Chairman Dave Sauter to approve application **Z-21-021 [VCMUD] – 350 Center Rock Green, Bldg. L, Suite 209** – Owner: Oxford Towne Center, LLC – Applicant: Dan Settani,- Viso Bello – 350 Center Rock Green, Bldg L., Suite 209 (*Use Permit*) with the following standard conditions:

1. Applicant and their assigns must comply with all representations made at the Planning & Zoning Commission meetings and/or the public hearings regarding this application.
2. Compliance with the Statement of Use dated March 2, 2021.
3. Compliance with W.P.C.A. approval dated February 12, 2021.
4. The applicant must comply with the Town of Oxford Permit Procedures and obtain all required signatures from all necessary Town Departments.
5. Compliance with the Oxford Zoning Regulations as of this date.
6. Per Article 3, Section 3.19.1 of the Zoning Regulations, the applicant shall be responsible for rendering payment for any outside experts the Commission assigns to review this application.

Reason for approval is that it meets Oxford Zoning Regulations in effect as of this date.

Second by Commissioner Pete Zbras.

All Ayes.

Motion passed unanimously.

2. **Z-21-027 [IND] – §8-24 Referral - Tarby Lane Reconstruction** – Owner: Town of Oxford, 486 Oxford Road, Oxford, CT Applicant: Clay Lacy Aviation, 9 Juliano Drive, Oxford, CT

Emily Jones, engineer from Civil 1, presented the request for an 8-24 Referral to the Commission. She shared her screen with the Commissioners. She explained that the application is for Clay Lacy Aviation, the current tenant. She stated that they would like to build two (2) buildings, one (1) would replace an existing building, and the other would be a new building. She noted that there is a network of roads around the airport, and the access for Site A is off Tarby Lane. She also explained that there is a strict slope restriction, and Tarby Lane is narrow and they would need to adjust the elevations. She stated that 350' of Tarby Lane would need to be improved. She explained that the improvements would include widening the road, adding curbing, and a storm drainage system. She also stated that she did send it to Jim Galligan, and his suggestion was get an 8-24 Referral from the Commission.

Vice-Chairman John Kerwin asked if the 8-24 Referral is only for the Tarby Lane portion of the project.

Emily Jones confirmed only the Tarby Lane portion that will be improved.

Vice-Chairman John Kerwin explained the §8-24 Statute.

Commissioner Pete Zbras asked if the project has been reviewed by the P&Z Engineer.

Emily Jones stated that she sent it to Jim Galligan, and Jim suggested the §8-24 Referral to the Board of Selectmen.

Commissioners discussed if this needed further engineering review. They discussed the Board of Selectmen making the decision to send it for further review.

Vice-Chairman John Kerwin noted the timeframe in the statute, which is thirty-five (35) days.

MOTION BY Commission Secretary Pat Cocchiarella to make a favorable recommendation to the Board of Selectman regarding application Z-21-027 – Tarby Lane Reconstruction.

Second by Commissioner Dan Wall.

All Ayes.

Motion passed unanimously.

**3. Driveway Revision Map – Lot 4 Hidden Valley Estates, Owner: Ed Magera
(Refer to Board of Selectmen & Jim Galligan, Land Use Engineer)**

Jessica Pennell, Coordinator deferred questions regarding this item to Steve Macary, ZEO.

Steve Macary, ZEO explained that the current location of the driveway crosses over the neighbor's property. He stated that Mr. Magera had to move the driveway 10 (ten) feet to one side to stay off the neighbor's property. He explained that he brought the item to the Commission at the request of First Selectman Temple. He stated that the First Selectman stated that the Commission should refer it to Jim Galligan, and the Board of Selectmen. He also commented that there is no application, and no fees have been collected at this time.

Steve Macary, ZEO stated that Mr. Magera moved the driveway from crossing the private property and put it in the Town Right-of-Way with a revised map prepared by Fred D'Amico. He stated that it is on Perkins Road, and explained the location to the Commission. He commented that the road is a permanent cul-de-sac, it is an unimproved Town road, and the original map showed the driveway location over private property. He noted that Mr. Magera bought the property five (5) years ago and he has a Zoning Certificate of Compliance from him, and the previous ZEO. He reiterated that First Selectman Temple told him to bring the map to the Commission and get a referral back to the Board of Selectmen and Jim Galligan. He also noted that Fred D'Amico emailed the map to Jim Galligan.

Commission Secretary Pat Cocchiarella stated that at this point, they would need more information from Jim Galligan.

MOTION BY Commission Secretary Pat Cocchiarella to table this item to the next meeting.
Second by Vice-Chairman John Kerwin.

Chairman Dave Sauter stated that Steve has a lot of good back ground information on this, and it would help having it attached. He requested Steve pull the information together so the Commission can see it.

Steve Macary, ZEO stated that he would get the information for the Commission.

All Ayes.

Motion passed unanimously.

H. Zoning Enforcement

Chairman Dave Sauter asked Steve if there were any cases that he would like to discuss.

Steve Macary, ZEO stated that this time of year is very slow in enforcement, and he has gotten two (2) complaints in the last three (3) weeks. He explained that once people get out of their houses in the spring and start noticing things is when the complaints usually increase. He stated that he has two (2) complaints from today. The first complaint is an excavator on Fiddlehead Road, and he sent a letter to the owner requesting that the excavator be removed.

Steve Macary, ZEO stated that the second item is regarding Dollar General. He explained that there is garbage all over the place. He also noted that if you look at the spreadsheet that Dave created, 13 Pinesbridge Road is still open, and the Franco property is all set. He explained that the spreadsheet was started two (2) weeks ago, and he usually gives people thirty (30) days to correct a violation. He noted that the trash and Soil & Erosion controls at Dollar General need to be addressed. He stated that he would like them to come in with a site plan showing a better dumpster enclosure.

Chairman Dave Sauter asked if that current timeline is where a complaint/violation is either going through the thirty (30) day period before the next step is taken, or an action has already been taken taking action where you need to take action. He stated that there isn't anything right now for the Commission to give direction on; that everything is under control at the moment. He questioned if that was what Steve was saying.

Steve Macary, ZEO agreed with Chairman Sauter's statement. He stated that regarding the excavator on Fiddlehead, he knows the owner so he is probably going to stop and speak to him about it tomorrow. He stated that the trash at Dollar General is currently under control. He also explained that he would like to bring the items to the Commission when he is between thirty (30) to ninety (90) days out, and he is not seeing progress with it. He stated that most of his stuff in 20-25 years of being a ZEO is a knock on the door or a card, and it works well.

Chairman Dave Sauter stated that he wants to make sure that he and Steve connect before the next meeting so that they can understand and talk about which things to bring up at the next meeting. He stated that they don't want to discuss things with the Commission that they don't necessarily need to hear about right now. He stated that they want to bring the most applicable things to the Commission, and that is why he and Steve should be connecting before the agenda is set for the next meeting.

Commission Secretary Pat Cocchiarella commented that the Commission authorizes the ZEO to take care of a lot of this stuff, and much of what comes in are very simple things that can be handled with a phone call or a site visit with the perpetrator. He stated that he doesn't know that the Commission needs to go over every one of these complaints. He commented that there are major things that the Commission needs to be paying attention to, rather than somebody having an extra lawnmower on their property. He also stated that if things get out of hand, then the ZEO would come to the Commission and they would proceed to the next level. He noted that the initial level is something that Steve should be able to deal with on a day-to-day basis. He stated that the whole Commission doesn't have to be involved, again, that is why they authorize a ZEO.

Chairman Dave Sauter stated that he completely agrees, and that is the direction that they are going. He explained that is why he wants to make sure that he knows in advance what is going to be on the agenda before the Commission actually gets into it and that's one of the reasons why he wants to make sure that they are getting the cases Steve wants to talk about discussed with the Commission up front before it actually shows up on the agenda before the Commission. He stated that 99% of the stuff should and could be handled without involving the Commission.

Commission Secretary Pat Cocchiarella mentioned that an example of something that should come before the Commission is dealing with repeat offenders. He stated that if it is a neighbor issue, the Commission really shouldn't get involved.

Vice-Chairman John Kerwin stated that that the purpose of the Chairman wanting to liaison with Steve beforehand is to isolate those matters that need to come to the Commission's attention. He stated that he doesn't think the purpose is that everything be discussed with the board.

Chairman Dave Sauter agreed with the Vice-Chairman and stated that is something he and Steve have been discussing. He commented that he doesn't think the spreadsheet should be sent out in advance because it opens up a door to all the things we potentially talked about. He stated that he thinks the spreadsheet should be accessible by everybody and they are making the improvements to it, but for purposes of the agenda and the meetings, with the limited amount of time there is, he wants to make sure the Commission is talking about the things that are most meaningful and that's what he wants to identify in advance of the meeting.

Vice-Chairman John Kerwin stated that even those situations where an item does not need to come before the Commission; he believes it is important that every enforcement action that Steve takes be documented. He commented that if there is a phone call, or a notice sent out, there is a record of it and then, in the future, if there is a persistent problem, there are specific dates and actions that Steve can refer to, especially in the case of repeat offenders. He stated that the Commission doesn't need to talk about 90% of the stuff.

MOTION BY Commission Secretary Pat Cocchiarella to approve payment of Nafis & Young Invoice #044-21, and to forward to the applicant.

Second by Vice-Chairman John Kerwin.

All Ayes.

Motion passed unanimously.

4. Invoice for Order# 354818751 – Costco (Printer Purchase) Reimburse Claudia Luff from Equipment Line Item

MOTION BY Commission Secretary Pat Cocchiarella to approve reimbursement to Claudia Luff for Order #354818751.

Second by Commissioner Dan Wall.

All Ayes.

Motion passed unanimously.

Chairman Dave Sauter questioned the reimbursement for the Land Use Law Seminar.

Jessica Pennell, Administrative Secretary asked the Commissioners that attended to send her their invoice or proof of payment by this Thursday.

K. Other Business

- a. Any other business the Commission deems necessary for discussion.
- b. Moose Hill Estates Requests – Awaiting Review/Response from Legal Counsel
- c. Riverview Subdivision – Request from Horbal & Judson – Referred to Attorney Kevin McSherry

Chairman Dave Sauter stated that he hasn't received any new updates from Kevin McSherry.

Commissioner Brett Olbrys questioned if the Commission reviewed the new restaurant going in at Quarry Walk.

Jessica Pennell stated that the application was approved by the Commission.

A brief discussion ensued regarding proposed legislation to eliminate local Planning & Zoning and to put it in the hands of the State.

Vice-Chairman John Kerwin mentioned the dirt and mulch in the center of Quarry Walk, and asked if they had a permit.

Commissioners discussed that it is an extension of Ace Hardware, and it was set up the same last year. Residents are able to drive up and their items are loaded into the back of their car.

Commissioner Brett Olbrys questioned if there is a schematic of the entire Quarry Walk complex, and if it was conceptually approved.

Commission Secretary Pat Cocchiarella explained that it was conceptually approved, but individual buildings have to be approved at the time of construction.

Chairman Dave Sauter informed the Commission that he went before the Board of Finance to discuss the Planning & Zoning budget.

Vice-Chairman John Kerwin thanked him for his efforts.

L. Adjournment

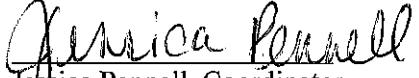
MOTION BY Commission Secretary Pat Cocchiarella to adjourn the meeting at 8:51 PM.

Second by Commissioner Pete Zbras.

All Ayes.

Motion passed unanimously.

Respectfully submitted,



Jessica Pennell, Coordinator
Planning & Zoning Commission

21 APR -6 PM 2:00
TOWN OF OXFORD, CT
Pat Cocchiarella
TOWN CLERK