

TOWN OF OXFORD

PLANNING & ZONING COMMISSION

S.B. Church Memorial Town Hall

486 Oxford Road, Oxford, Connecticut 06478-1298

www.Oxford-CT.gov



Regular Meeting Minutes

Tuesday, October 2, 2018

7:30 PM

Main Meeting Room

S.B. Church Memorial Town Hall

CALL TO ORDER

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

PLEDGE OF ALLEGIANCE

ROLL CALL

Present:

Arnie Jensen
Pete Zbras
Jeff Luff
Pat Cocchiarella
David Sauter

Not Present:

Bob Costigan
John Kerwin
Greg Wanamaker
Tanya Carver
Daniel Wall

Staff Present:

Jessica Pennell
Steven S. Macary, ZEO

SEATING OF ALTERNATES

No alternates seated.

PUBLIC HEARING – Z-18-262 [IND] 20 NORTH LARKEY ROAD

Owner & Applicant: R D Holding, LLC, 460 Main St. S., Bethlehem, CT

1. Special Permit Application/with Site Plan (Contractor's Yard & Building)

Chairman Jeff Luff outlined the intent and procedures for the Public Hearing. He also called for any conflicts of interest from the Commissioners or the applicant.

There were no conflicts of interest stated for the record.

Commission Secretary Pat Cocchiarella read the Legal Notice.

Commission Secretary Pat Cocchiarella read email correspondence submitted by Laura Pretka of 11 Wildflower Drive.

The applicants, Robert Bedard and Dale Hardisty, owners of RD Holdings, LLC submitted their certificates of mailing to the Commission. It was noted that the picture of the sign posted on the property was submitted to staff via email.

Chairman Jeff Luff asked the applicants to briefly outline their intended use for the property.

The applicants referred to the Statement of Use submitted with the application. The proposed application is for a contractor's yard to store and repair their equipment. The application also proposes a 4,760 sq. ft. garage/storage building.

Commission Secretary Pat Cocchiarella questioned the estimated start date for construction.

The applicants explained that they are ready to begin.

Chairman Jeff Luff asked if they received approval from wetlands.

The applicant stated that they have received wetlands approval.

Chairman Jeff Luff opened the floor for public comments.

There were no comments from the public.

MOTION BY Vice Chairman Arnie Jensen to close the Public Hearing.

Second by Commission Secretary Pat Cocchiarella.

All (4) Ayes.

Motion passed unanimously.

CORRESPONDENCE

Commission Secretary Pat Cocchiarella noted the following correspondence and stated that it is on file in the Planning & Zoning Department.

a. Legal Notice from Beacon Falls

Re: Proposed Amendment to Beacon Falls Zoning Regulations

AMENDMENTS TO THE AGENDA

MOTION BY Vice Chairman Arnie Jensen to amend the agenda to add the following application to the agenda as Old Business #2:

Z-18-262 [IND] 20 North Larkey Road

Owner & Applicant: R D Holding, LLC, 460 Main St. S., Bethlehem, CT
Special Permit Application/with Site Plan (Contractor's Yard & Building)

Second by Commission Secretary Pat Cocchiarella.

All (4) Ayes.

Motion passed unanimously.

AUDIENCE OF CITIZENS – No comments from the public.

NEW BUSINESS

1. Z-18-266 [IND] Lot 2RB “Pheasant Run Business Park”, 6 Pheasant Run Road

Applicant: 207 Oxford, LLC, 216 Platt Road, Watertown, CT

Owner: 589 Investments, LLC, P.O. Box 506, Oxford, CT

Special Exception/Permit Application (Major Re-grading Article 14, §14.2.2)

Ed Godin, applicant and **Siyuan Cao**, Civil 1, engineer for the applicant, were present.

Commission Secretary Pat Cocchiarella read a letter dated September 26, 2018 from Siyuan Cao. The letter requests that the Commission waive the Public Hearing for the major re-grading.

The Commissioners discussed the waiver request.

MOTION BY Vice Chairman Arnie Jensen to waive the Public Hearing for application Z-18-266.

Second by Commission Secretary Pat Cocchiarella.

Ayes (3), Nays (1), Commissioner Pete Zbras.

Motion passed 3-1.

Siyuan Cao, engineer for the applicant explained the application. He noted that the lot is 3.73 acres and the proposal is for a 12,000 sq. ft building consisting of a mixture of office, light manufacturing, and storage areas. He stated that the lot will be served by public water and sewer. He also explained that they are in the process of obtaining wetlands approval.

Commission Secretary Pat Cocchiarella asked the applicant for the proposed use of the building.

Ed Godin, applicant stated that it would basically be a flex building.

Chairman Jeff Luff questioned if the applicant has an architectural rendering of the building.

Ed Godin stated that they are in the process of being prepared.

2. Z-18-267 [IND] Lot 2RB “Pheasant Run Business Park”, 6 Pheasant Run Road

Applicant: 207 Oxford, LLC, 216 Platt Road, Watertown, CT

Owner: 589 Investments, LLC, P.O. Box 506, Oxford, CT

Site Plan Application (12,000 sq. ft. mixed use building; offices, manufacturing, storage)

Commissioners requested architectural renderings of the proposed building.

Ed Godin stated that they are having the architectural drawings prepared.

MOTION BY Vice Chairman Arnie Jensen to deduct \$600.00 from the fees paid by the applicant for the public hearing, and to table this application to the next regular meeting.

Second by Commission Secretary Pat Cocchiarella.

All (4) Ayes.

Motion passed unanimously.

1. **Z-18-269 [IND] Lot 4 "Pheasant Run Business Park", 1 Pheasant Run Road**

Applicant: Romeo Investment, Corp., c/o Michael J. Freeman, Esq., P.O. Box 140668, Coral Gables, FL

Owner: Same as applicant.

Special Exception/Permit Application (Building Size, Article 9, §9.3.1).

Site Plan Application (+130,000 sq. ft. Building).

Thomas Cody, Attorney for the applicant was in attendance representing the applicant. He requested that the Commission hold the Public Hearing on 10/16/18.

The Commission stated that if the fees were submitted to the Planning & Zoning Department by Thursday, they will proceed with a public hearing on 10/16/18. Commissioners agreed that if the fees were not submitted by the close of business Thursday, the Public Hearing would not be held until 11/6/18.

MOTION BY Commission Secretary Pat Cocchiarella to hold a Public Hearing on October 16, 2018, during the regular meeting for application Z-18-269.

Second by Vice Chairman Arnie Jensen.

All (4) Ayes.

Motion passed unanimously.

OLD BUSINESS

1. **Z-18-250 [MIHD] Christian Street & Jack's Hill Road - "Canterbury Estates"**

(Application for a Site Plan Modification)

Owner & Applicant: Glendale at Oxford, LLC, 1137 Seaview Avenue, Bridgeport, CT

MOTION BY Commission Secretary Pat Cocchiarella to table this item to the next regular meeting.

Second by Vice Chairman Arnie Jensen.

All (4) Ayes.

Motion passed unanimously.

AMENDMENT TO THE AGENDA:

2. **Z-18-262 [IND] 20 North Larkey Road**
Owner & Applicant: R D Holding, LLC, 460 Main St. S., Bethlehem, CT
Special Permit Application/with Site Plan (Contractor's Yard & Building)

MOTION TO APPROVE BY Commission Secretary Pat Cocchiarella:

APPLICANT: R D Holding, LLC, 460 Main St. S., Bethlehem, CT

APPLICATION: **Special Permit Application/with Site Plan** (Contractor's Yard & Building)

SUBJECT TO THE FOLLOWING CONDITIONS:

1. No substitute material shall be used without approval of the Planning and Zoning Commission and the Planning and Zoning Commission Engineer.
2. The applicant and their assigns must comply with all representations made at Planning and Zoning Commission meetings regarding this application.
3. The applicant and their assigns must comply with all applicable conditions required by the OCCIWA, Emergency Services (Fire, Police and Ambulance) and the State of Connecticut Department of Transportation (OSTA). This condition shall be made part of the record.
4. A final map shall be submitted to the Planning & Zoning Department for review.
5. All conditions of approval from the OCCIWA, Emergency Services (Fire, Police and Ambulance) and the State of Connecticut Department of Transportation (OSTA) shall be depicted on said map.
6. The applicant shall submit 3 copies of the final approved plans, including an electronic copy.
7. No work to begin until security is set. The bond shall be reviewed by PZC Engineer in a form acceptable to Town Counsel, and installed by the applicant.
8. 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 from initial review through issuance of a Zoning Certificate of Compliance.
9. The applicant shall have a pre-construction meeting with appropriate Town Staff prior to any construction activities.

10. All exterior signs not directly included within this approval shall be subject to approval by the Planning and Zoning Commission, in accordance with the standards and guidelines as interpreted by the Commission.
11. Site Plan approval expires if work is not completed within 5 years from the date of this approval.
12. Applicant shall pay any applicable fees before work begins.
13. Applicant shall follow the Town of Oxford's approved Permit Procedure which includes review and sign-offs from Town Departments including the OCCIWA, ZEO, W.P.C.A, Fire Marshal and any other applicable departments before work begins.
14. All State permits shall be filed with the Land Use Office prior to any work.
15. Any lighting installed shall be dark sky compliant.
16. It is the responsibility of the owner of the building to ensure capability of communication with the Fire Department and EMS.

Second by Commissioner Pete Zbras.

All (4) Ayes.

Motion passed unanimously.

Commissioner Pete Zbras questioned if the condition regarding the lighting is included.

Commission Secretary Pat Cocchiarella amended the motion to add that any lighting must be dark sky compliant.

Commissioners also referred to Article 9, Section 9.3.21 to reference the special exception/permit.

The effective date of this approval is October 2, 2018.

The Commission discussed how to determine the approval of the special exception/permit could be separated from the site plan. It was noted that the special exception/permit is for the use of the site as a contractor's yard. The site plan is separate because it has an expiration date and it would need to come back the Commission if any changes were going to be made.

ZONING ENFORCEMENT (Report of the ZEO)

Steven S. Macary, ZEO made the Commission aware that his hours have been changed; he now has regularly scheduled office hours and inspection hours.

Steven S. Macary, ZEO noted that he has been working on the rock crushing regulation with Commissioner Pete Zbras and Commission Secretary Pat Cocchiarella. A brief list of sites with

active rock crushers was compiled by Commissioner Pete Zbras and Steven S. Macary, ZEO. It was noted that some of the permits are expired.

Chairman Jeff Luff stated that he would like to take the information regarding the rock crushers and give it to Peter Olson, Land Use Counsel for his review.

Commissioners began discussing a possible text amendment to the regulations that would address wineries. They discussed the number of farms in town with their respective acreages.

APPROVAL OF MINUTES

1. **MOTION BY Vice Chairman Arnie Jensen** to approve the September 18, 2018 – Regular Meeting Minutes as presented. **Second by Commission Secretary Pat Cocchiarella.**
All (4) Ayes.
Motion passed unanimously.

INVOICES

1. **MOTION BY Vice Chairman Arnie Jensen** to approve an invoice from Arrow Printers #6988. **Second by Commission Secretary Pat Cocchiarella.**
All (4) Ayes.
Motion passed unanimously.

OTHER BUSINESS

1. **POCD – Transmittal to OPM**

Jessica Pennell explained that she is in the final stages of submitting the final updated POCD to OPM, she is working on some suggestions from Joanna at NVCOG.

2. **Updates to the Zoning Regulations.**
3. **Any other business the Commission deems necessary for discussion.**

Vice Chairman Arnie Jensen questioned if there would be cease and desist orders put on the rock crushers that are operationg illegally in Town.

Chairman Jeff Luff explained that Peter Olson wanted to see all the information before the Commission takes any action.

Discussion regarding fees for the following application:
(THERE WAS NO DISCUSSION)

Z-18-194 [IND] Lot 5B Commerce Drive
Damasceno's Landscapes & Construction, LLC, Shelton, CT

(Contractor's Yard - Site Plan for a ±22,100 sq. ft. building).

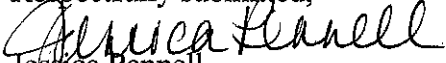
ADJOURNMENT

MOTION BY Vice Chairman Arnie Jensen to adjourn the meeting at 8:56 PM. Second by **Commission Secretary Pat Cocchiarella.**

All (4) Ayes.

Motion passed unanimously.

Respectfully submitted,



Jessica Pennell,

P&Z Coordinator

Planning & Zoning Commission

18 OCT -9 PM 4:22
TOWN OF OXFORD, CT
Gregory A. West
TOWN CLERK