

# **TOWN OF OXFORD**

## **PLANNING & ZONING COMMISSION**

S.B. Church Memorial Town Hall  
486 Oxford Road, Oxford, Connecticut 06478-1298  
[www.Oxford-CT.gov](http://www.Oxford-CT.gov)



### **Regular Meeting Minutes** Tuesday, November 6, 2018 7:30 PM Main Meeting Room S.B. Church Memorial Town Hall

#### **I. Regular Meeting**

- a. **Chairman Jeff Luff** called the meeting to order at 7:30 PM.
- b. Pledge of Allegiance
- c. Roll Call

**Present:** Dave Sauter, John Kerwin, Pete Zbras, Jeff Luff and Pat Cocchiarella.

**Absent:** Greg Wanamaker, Arnie Jensen, Tanya Carver and Dan Wall.

**Also Present:** Steven S. Macary, ZEO and Jessica Pennell.

- d. Seating of Alternates

**Chairman Jeff Luff** seated **Alternate Commissioner Dave Sauter** for Dan Wall.

#### **II. Public Hearings**

- 1. **Z-18-269 [IND] – “Pheasant Run Business Park”**, Lot 4, a/k/a 1 Pheasant Run Road  
**Owner & Applicant:** Romeo Investment Corp., c/o Michael J. Freeman, Esq.  
**Special Exception/Permit with Site Plan** (Construct a 139,000 sq. ft. building with manufacturing use)

**Chairman Jeff Luff** outlined the Public Hearing Procedures and called for any conflicts of interest. There were no conflicts of interest from any Commissioners or the applicant and his representatives.

**Commission Secretary Pat Cocchiarella** read the Call of the Meeting, and the following correspondence into the record:

- a. Authorization letter from the applicant.
- b. Letter from Jim Galligan, P&Z Engineer dated 10/29/18.

**Attorney Thomas Cody** of Robinson and Cole is present on behalf of the applicant and property owner. He submitted the required proof of mailings, and a photo of the sign that was posted on the property.

**Attorney Cody** explained the history of the industrial subdivision and gave a brief summary of the applicant and their intended use of the property.

- 139,000 square foot building
- Fermator is the applicant; they manufacture automatic doors for elevators and related assemblies
- The company is based in Spain and has locations in France, Poland, China, Greece, India and Brazil. This would be their first facility based in the United States.
- Lot 4, 1 Pheasant Run was previously approved for grading.
- Inland/Wetlands approved the application in October
- Necessary state approvals have been obtained by the owner

**Chris Cardany**, Langan, Civil Engineer representing the applicant, went over the site plan for the and discussed the following items:

- Drainage, grading and utilities
- Parking, current amount of spaces is 84,285 spaces are required by the zoning regulations, they have designated a reserve parking area on the plan.
- Ingress and egress, truck access and loading area.

**Peter Amara**, Architect for the applicant, discussed the building elevations, noting that they meet the 35' height requirement. He explained the interior of the building, the manufacturing space and the office space. He also described the façade of the building; it would be concrete, painted a neutral color with a smooth finish.

**Attorney Cody** pointed out that Jim Galligan had done a review for wetlands and the applicant submitted revised plans based on the wetlands review. He noted that comments in Jim's letter dated 10/29/18 could be addressed by the applicant's engineer during this meeting. He asked the Commission if they had any questions.

**Commissioner John Kerwin** had questions and referenced Article 10, §10.3.3 & 10.3.4.

**Attorney Cody** replied and referenced the approved subdivision plan for Pheasant Run Industrial Park.

A brief discussion ensued between the architecture of the buildings in the surrounding area.

**Commissioner Pete Zbras** questioned the driveway location.

**Chris Cardanay**, Langan explained that the driveway location is due to the topography.

**Commissioner Pete Zbras** questioned if the plan was reviewed by the Fire Marshal.

The applicant stated that it was reviewed.

**Chairman Jeff Luff** questioned the number of parking spaces. He requested that the applicant post "No Parking" signs along the road.

**Attorney Cody** agreed to post the signs. He also referred to the reserved parking plan that has been

prepared and can be built at a later date if necessary.

**Chairman Jeff Luff** stated that the applicant would need to submit a sign for the business.

**Attorney Cody** briefly described the sign to the Commissioners.

**Chairman Jeff Luff** stated that the Commission would wait for Jim Galligan's response letter.

**Commission Secretary Pat Cocchiarella** questioned if the applicant has submitted the comments from the State DOT (OSTA).

**Victor Tomporowski, 20 Hawley Road** expressed concerns regarding traffic exiting the site onto Hawley Road.

**Attorney Cody** submitted documents from OSTA that included the OSTA approval, a traffic investigation report, and a certificate to operate.

**Mr. Tomprowski** also questioned the size of the building relative to neighboring buildings.

**Chairman Jeff Luff** addressed the question and mentioned the other companies currently operating in the Pheasant Run Industrial Park.

**Mr. Tomprowski** questioned pollutants and any items that would cause contamination.

**Commission Secretary Pat Cocchiarella** referred to the OCCIWA approval with conditions.

**Attorney Cody** also replied to Mr. Tomprowski's question.

**Commissioner John Kerwin** asked Attorney Cody to explain the other agencies that are responsible for overseeing the project.

**Attorney Cody** noted that they work agencies such as; OSTA, DEEP, and OSHA.

**Mark Oczkowski, 589 Investments, LLC**, spoke in favor of the company and noted the importance of the approval for the project to move forward.

**Chairman Jeff Luff** stated that the Commission will consider his request.

**Commission Secretary Pat Cocchiarella** requested comments from the representative of Fermator.

**Attorney Cody** explained that the applicant has provided a short video for viewing by the Commission.

A representative from Fermator was present and spoke briefly to the Commission; he addressed some concerns of the Commission.

**Chairman Jeff Luff** asked if there were any other comments from the Commission or the public.

**MOTION BY Commissioner John Kerwin** to close the public hearing.

**Second by Commissioner Pete Zbras.**

**All (5) Ayes.**

Motion passed unanimously.

## **2. Town of Oxford Zoning Regulations – Proposed Text Amendment (8:00 PM)**

**Chairman Jeff Luff** called the hearing to order and outlined the Public Hearing procedures.

**Commission Secretary Pat Cocchiarella** read the Call of the meeting/Legal Notice.

**Commissioner John Kerwin** moved to table this hearing until the full Commission is present; he also questioned if the Commission complied with Article 18 of the regulations for preparation of the hearing.

**Second by Commissioner Pete Zbras.**

**Chairman Jeff Luff** stated that the attendance for this meeting was discussed at the last meeting.

**Commissioner John Kerwin** asked if the Commission has complied with Article 18 of the Zoning Regulations.

**Steve Macary, ZEO** disagreed with Commissioner Kerwin's interpretation of Article 18 regarding the signage that is supposed to be posted by the applicant (the Commission).

**Vote on the motion:**

**Ayes 2, (Pete, John), Nays 3, (Pat, Jeff, Dave)**

Motion to table the hearing did not pass.

The Commission noted that an alternate had not been seated for this hearing.

Therefore, the Commission recessed the Public Hearing to a future date and time to be determined.

## **III. Correspondence**

**Commission Secretary Pat Cocchiarella** noted or read the following correspondence for the record and noted that it is on file in the Planning & Zoning Department.

- a. Letter dated 10/17/18 from Margaret West-Manior, Town Clerk.
- b. Notice from the FOIA – Withdrawal of Complaint.
- c. Letter dated 10/26/18 from First Selectman, George R. Temple, Esq.

## **IV. Amendments to the Agenda**

## **V. Audience of Citizens**

## **VI. Old Business/Pending Applications**

Amendments to the Agenda:

- 1) Signing of Mylar for Quarry Walk Subdivision

**Chairman Jeff Luff** and **Commission Secretary Pat Cocchiarella** signed the Mylar for the "Quarry Walk" Subdivision

- 2) Correct/Amend the 8/7/18 Regular Meeting Minutes

**MOTION BY Commissioner John Kerwin** to amend the August 7, 2018 regular meeting minutes by adding “Motion by Commission Secretary Pat Cocchiarella to approve application Z-18-185, “Quarry Walk” Subdivision based on a map dated 4/26/2018. Second by Commissioner Pete Zbras. All Ayes.”

**Second by Commissioner Pete Zbras.**

**All (5) Ayes.**

Motion passed unanimously.

3) Invoice from East Coast Car Care

**Commission Secretary Pat Cocchiarella** moved to approve the invoice from East Coast Car Care and to submit it to the Finance Department for payment.

**Second by Commissioner Pete Zbras.**

**All (5) Ayes.**

Motion passed unanimously.

4) **Z-18-269 [IND] – “Pheasant Run Business Park”, Lot 4, a/k/a 1 Pheasant Run Road**

Owner & Applicant: Romeo Investment Corp., c/o Michael J. Freeman, Esq. Special

Exception/Permit with Site Plan (Construct a 139,000 sq. ft. building with manufacturing use)

**MOTION TO APPROVE by Commission Secretary Pat Cocchiarella:**

The Oxford Planning and Zoning Commission received the Application Z-18-269 for the construction of a 139,201 s.f. industrial building located on Lot 4 in the Pheasant Run Industrial Park.

The following plans prepared by Langan CT, Inc., dated 9/27/18 and last revised 10/19/18 were considered in this decision:

Sheet #	Description
S 1.0	Existing Conditions Survey
CS 101	Site Plan
CS 501	Site Details I
CS 502	Site Details II
CG 101	Grading Plan
CG 501	Drainage Details I
CG 502	Drainage Details II
CU 101	Site Utility Plan
CU 501	Utility Details
	Soil Erosion & Sediment Control
CE 101	Plan
	Soil Erosion & Sediment Control
CE 501	Details
LP 101	Planing Plan
LP 501	Planting Details
LL 101	Site Lighting Plan

LL 501 Lighting Notes & Details

A-100 1<sup>st</sup> Floor Plan

A-101 Partial 1<sup>st</sup> Floor Plan

A-102 2<sup>nd</sup> Floor Plan

A-500 Exterior Elevations

The application is in conformance with the Oxford Zoning & Subdivision Regulations.

***Subject to the following conditions:***

1. Compliance with Oxford Zoning/Subdivision Regulations as of this date.
2. Last revised final plans and the mylar showing all necessary changes must be approved by PZC Engineer.
3. The applicant and their assigns must comply with all representations made at Planning and Zoning Commission meetings and/or public hearings regarding this application.
4. Permit expires after 5 years from date approval if improvements have not been completed.
5. In accordance with Article 3, § 3.19.1 of the Zoning Regulations, the applicant will be required to pay all costs of special consultants or studies as deemed necessary by the Commission at any time during the period from initial review through inspection and final acceptance of any improvements.
6. Compliance with all Town of Oxford Ordinances in effect as of this date.
7. Payment of a security in an amount established by the PZC Engineer, in a form approved by the Town Counsel. (If Any)
8. Letter from licensed land surveyor stating that all pins and monuments have been set as indicated on maps.
9. No substitute material shall be used without approval of the Planning and Zoning Commission and the Planning and Zoning Commission Engineer.
10. No burying of stumps, debris or any other material. A report or receipt must be provided indicating proper stump removal.
11. Applicant shall contact Zoning Enforcement Officer and PZC Engineer to schedule a pre-construction meeting prior to any activity on site.
12. One copy of the revised plans, amended in accordance with this motion shall be presented for review by the Town Attorney, ZEO, PZC Engineer and any other required by the Planning and Zoning Commission, to the Planning and Zoning Department.
13. All conditions imposed at this meeting will be added to the mylar. (Wetlands, Health, Fire Police. Etc.)
14. No permit will be issued until the final revised plan is submitted to the Planning & Zoning Department for review.
15. Owner of the property or building must ensure capability of communication with Fire Department and EMS. It is the responsibility of the owner to adhere to this condition. The owner must communicate with the Fire Marshalls office prior to any permits being issued.
16. The applicant agrees that as a condition of approval, employees and customers will not be allowed to park on the roadway known as 1 Pheasant Run Road.

17. All concerns raised in the correspondence dated 10/29/18 from PZC Engineer, Jim Galligan, included in this record shall be addressed by the applicant to the satisfaction of the PZC Engineer as a condition of approval.

**Second by Commissioner Pete Zbras.**

**All (5) Ayes.**

Motion passed unanimously.

**VII. New Business**

**VIII. Zoning Enforcement**

**IX. Invoices**

- a. Transcription Services – 1/17/17 & 2/7/17 Public Hearings – Timberlake Assisted Living

**MOTION BY Commission Secretary Pat Cocchiarella** to pay the invoices for transcription services.

**Second by Commissioner Pete Zbras.**

**All (5) Ayes.**

Motion passed unanimously.

**X. Approval of Minutes**

- a. October 16, 2018 Regular Meeting

**MOTION BY Commission Secretary Pat Cocchiarella** to approve the 10/16/18 meeting minutes as presented.

**Second by Commissioner Pete Zbras.**

**All (5) Ayes.**

Motion passed unanimously.

**XI. Other Business**

- a. Any other business the Commission deems necessary for discussion.

**Chairman Jeff Luff** discussed briefly the importance of letting the other Commissioners and staff know as soon as possible if they will not be attending a meeting, especially if there are important items being discussed.

**XII. Adjournment**


**MOTION BY Commissioner John Kerwin** to adjourn the meeting at 9:30 PM.

**Second by Commissioner Pete Zbras.**

**All (5) Ayes.**

Motion passed unanimously.

Respectfully submitted,

  
Jessica Pennell, Coordinator  
Planning & Zoning Commission

18 NOV 29 PM 4:04  
TOWN OF STAFFORD, CT  
TOWN CLERK  
*Signature of Town Clerk*