



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

The Planning & Zoning Commission will meet remotely on Tuesday, April 21, 2020 at 7:30 PM. Members of the public that would like to join us online can access the meeting using the following information:

Option #1 - Join Google Hangouts Meet:

Meeting code: <https://meet.google.com/qfw-nzch-eoi>

Option #2 - Join by phone: +1 812 727 7514 (PIN: 516673111)

The Chairman requests that questions from the Commission, and/or the public regarding items on the agenda be sent to the following email address **before** the meeting: pandz@oxford-ct.gov

Please note that you can also ask questions during the meeting by emailing pandz@oxford-ct.gov.

Regular Meeting Minutes

Tuesday, April 21, 2020
7:30 P.M - Online/Remote Meeting

I. CALL TO ORDER

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

II. PLEDGE OF ALLEGIANCE

III. ROLL CALL

Present:

Mary LoPresti
Joshua Dykstra
John Kerwin
Pete Zbras
Dave Sauter

Jeff Luff
Pat Cocchiarella
Brett Olbrys
Dan Wall
Steve Macary
Jessica Pennell

IV. SEATING OF ALTERNATES - No alternates were seated.

V. PUBLIC HEARINGS

A. Continued Public Hearings

Z-20-010 [RESA] – 403/407/411 Roosevelt Drive – New Haven Rowing Club

Owner: New Haven Rowing Club, Inc. – **Applicant:** Stuart Lathers Associates, LLC
(Special Permit – Non-Commercial Recreational Use)

Chairman Jeff Luff briefly summarized the application. He then asked several times if the applicant was present, it appeared that the applicant was not present. He also asked if there were any members of the public who wanted to speak, there were no responses from the public.

MOTION BY Commission Secretary Pat Cocchiarella to close the Public Hearing.
Second by Commissioner Brett Olbrys.

At this point, Vice Chairman John Kerwin joined the meeting after a brief technical difficulty.

Vice Chairman John Kerwin suggested keeping the hearing open because of the significant amount of public interest.

Chairman Jeff Luff also mentioned that a petition has been submitted to the Planning & Zoning Department in opposition to this application.

Commission Secretary Pat Cocchiarella withdrew his motion to close the public hearing.

Chairman Jeff Luff accepted, and granted the withdrawal of the motion.

MOTION BY Commissioner Brett Olbrys to recess the Public Hearing to May 19, 2020.
Second by Commission Secretary Pat Cocchiarella.

All Ayes.

Motion passed unanimously.

B. New Public Hearings - NONE

C. Future Public Hearings and Open Public Hearings

Z-20-010 [RESA] – 403/407/411 Roosevelt Drive – New Haven Rowing Club

Owner: New Haven Rowing Club, Inc. – **Applicant:** Stuart Lathers Associates, LLC
(Special Permit – Non-Commercial Recreational Use)

VI. REGULAR MEETING BUSINESS

A. Amendments to the Agenda - NONE

B. Audience of Citizens - NONE

C. Correspondence - NONE

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

E. Old Business – Other Matters - NONE

F. New Business – Schedule a Public Hearing

1. [IND] – 10 Fox Hollow Road, aka Lot 5 Fox Hollow Road – **Owner: York Machinery South Inc., 160 Warren Avenue, Westbrook, ME – **Applicant:** Chadwick-Baross, Inc., 10 Fox Hollow Road (Special Exception/Public Hearing Waiver Request) (Change of Use)**

a. Request to waive the Public Hearing for the new use

Steve Macary, ZEO reviewed the applicant's proposed use. He requested that Commissioners refer to page 22 of the meeting packet and explained that there are inconsistencies in some of the statements made in a letter submitted by the applicant.

Siuyan Cao, 43 Sherman Hill Road, Woodbury, and engineer for the applicant was present representing the applicant.

There was a brief discussion of the statements made in the letter and the previously approved special exception for a Contractor's Yard.

Vice Chairman John Kerwin stated that he reviewed the application regarding the request to waive the public hearing. He stated that the current approved special exception is a different use than the applicant's proposed use. He stated that the Town's regulations require a public hearing for this application.

Chairman Jeff Luff questioned why the application needs a public hearing; the property is in the industrial zone, and the use is an industrial use.

Vice Chairman John Kerwin referred to Section 9.3.1 to 9.3.16 of the regulations regarding permitted uses in the industrial zone.

Siuyan Cao stated that they requested a waiver of the public hearing because the proposed use is less intensive than the current use.

MOTION BY Commission Secretary Pat Cocchiarella to schedule a Public Hearing for May 19, 2020.

Second by Commissioner Dave Sauter.

All Ayes.

Motion passed unanimously.

2. **Z-20-033 [IND] - Lot 1R Pheasant Run Road - Owner & Applicant: 589 Investments, LLC, P.O. Box 506, Oxford, CT** (Public Hearing Waiver Request) (Excavation - 13, 320 cubic yards of material)

- a. Request to waive the Public Hearing for major Re-grading

Commissioners discussed the request to waive the Public Hearing. They also discussed that because this application would typically require a Public Hearing due to the amount of earth excavation, it should be reviewed by Jim Galligan, P&Z Engineer.

MOTION BY Secretary Pat Cocchiarella to table this application to the May 5, 2020 meeting.

Second by Vice Chairman John Kerwin.

All Ayes.

Motion passed unanimously.

3. **Z-20-034 [RESA] - 312 Chestnut Tree Hill Road - Owner: Estate of Serge Mihaly, Sr. - Applicant: Matthey Mihaly, Booth Hill Road, Trumbull, CT** (Re-subdivision of Lot #2)

- a. Request to waive the requirement for Open Space

Jessica Pennell explained that the documents for this application were not posted to the website, as she had not received them electronically 24 hours prior to the meeting.

Commissioners discussed scheduling the public hearing even though the documents were not posted on the website.

MOTION BY Vice Chairman John Kerwin to schedule a public hearing for May 19, 2020.

Second by Commissioner Pete Zbras.

All Ayes.

Motion passed unanimously.

4. **Z-20-035A [COMM] - 248 Oxford Road - Owner: T & J Realty, 3333 Main Street, Stratford - Applicant: The Boor's Nest/Ox Axe Co., LLC** (Special Exception - Article 7, Section 7.3.16 - Sale of Alcoholic Beverages)

Attorney Karen Fisher was present representing the applicant. She explained that the application is for a Special Exception for the sale of alcoholic beverages.

MOTION BY Vice Chairman John Kerwin to schedule a Public Hearing for May 19, 2020.
Second by Commissioner Dan Wall.

All Ayes.

Motion passed unanimously.

G. New Business – Other - NONE

H. Zoning Enforcement

1. 317 Riggs Street - Vehicles

Chairman Jeff Luff summarized the current situation regarding vehicles parked at 317 Riggs Street. He stated that he has been discussing this with Steve for approximately the past year, and the owner of the property has claimed that this would be temporary.

Steve Macary, ZEO stated that many of the vehicles on the property have Connecticut license plates, but are not registered in Oxford. He noted that approximately 6 of the vehicles are registered in Town.

Commissioner Pete Zbras questioned if the owner has a dealer's license.

Steve Macary, ZEO stated that he was previously approved for a dealer's license, but it was only approved for a certain number of cars. He explained that the use has been expanded.

Chairman Jeff Luff clarified that the cars are parked at 317 Riggs Street, the owner's business is located at 315 Riggs Street.

Commissioner Pete Zbras questioned who owns the property.

Chairman Jeff Luff stated that both properties are under the same ownership.

Vice Chairman John Kerwin stated, after reviewing the photos, that it appears that the trucks are being leased or rented to various companies.

Commission Secretary Pat Cocchiarella explained that he was on the Commission when the application was originally approved and he believes that the paperwork may have been altered. He suggested going back to the audio recording of the meeting when the application was approved.

Chairman Jeff Luff stated that the vehicles need to be moved onto the owner's other lot, therefore, he would like to have the ZEO send a Cease & Desist.

Commissioners unanimously agreed that a Cease & Desist should be sent regarding the violation.

27 Silano Drive - Vehicles parked on the property

Commissioners discussed that this has been an ongoing issue and that the owner has had a generous amount of time to bring the property into compliance. Commissioners agreed unanimously that the ZEO impose fines for the violation and inform the owner.

Steve Macary, ZEO discussed 35 Oxford Road. He informed the Commission that the property was previously approved for a Special Exception for a donut shop with a drive thru. He explained that there is a possibility that an application will be submitted for a Dunkin Donuts with a drive thru. He requested direction from the Commission.

After some discussion, Commissioners agreed that the applicant would have to submit a new site plan application for the new proposed building.

Steve Macary, ZEO also spoke briefly about the property located at 101-103 Oxford Road. He stated that he received an email from someone interested in proposing a possible convenience store/gas station on the property.

Commissioners discussed that the property is located in an Aquifer Protection Area.

Steve Macary stated that he would inform the applicant that in order to proceed, they would need DEEP approval.

I. Municipal Planner - NONE

J. Minutes

MOTION BY Vice Chairman John Kerwin to approve the following minutes as presented:

1. 3/3/20 Regular Meeting Minutes
2. 4/7/2020 Regular Meeting Minutes

Second by Commissioner Pete Zbras.

Ayes (6), Absentions (1) Commissioner Brett Olbrys.

Motion passed.

K. Invoices - NONE

L. Other Business

1. **Bond Release Request** – Z-07-061 & Z-08-040 – Pilot's Mall, LLC – Technology Park – Airport Access Road & Donovan Road (Referred to Kevin Condon for review) – **TABLED**

2. **Sign Letter** – Discussion with possible action – **TABLED**

Commissioners discussed the sign letter, and made a few minor revisions.

The final letter should be ready for distribution at the next meeting.

3. Any other business the Commission deems necessary for discussion.

4. Questions or items deemed necessary for discussion at next meeting can be emailed to pandz@oxford-ct.gov

M. Adjournment

MOTION BY Vice Chairman John Kerwin to adjourn the meeting at 8:54 PM.

Second by Commission Secretary Pat Cocchiarella.

All Ayes.

Motion passed unanimously.

Respectfully Submitted,

Jessica Pennell, Coordinator
Planning & Zoning Commission