



**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)

**Planning & Zoning Commission**  
**Regular Meeting Minutes**  
**Tuesday, July 7, 2020**  
**7:30 PM - Online/Remote Meeting**

The Planning & Zoning Commission met remotely on Tuesday, July 7, 2020, at 7:30 PM.

Members of the public and applicants joined us online using the following information:

**Option #1:** Join with Google Meet  
Meeting ID: [meet.google.com/usz-kigy-nag](https://meet.google.com/usz-kigy-nag)

**Option #2:** Join with Google Meet  
Phone Numbers  
(US)+1 302-440-5202  
PIN: 256 812 545#

**I. CALL TO ORDER**

**Chairman Dave Sauter** 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, Pat Cocchiarella, Dan Wall, and Brett Olbrys. Jesse Schremmer jointed the meeting at 7:38 pm.

**Also Present:** Steve Macary, ZEO, Keith Rosenfeld, Municipal Planner, and Jessica Pennell, P&Z Coordinator

**IV. SEATING OF ALTERNATES**

No alternates were seated.

**V. PUBLIC HEARINGS**

**A. Recessed Public Hearings:**

*The following Public Hearing recessed to Tuesday, July 7, 2020 at 7:30 PM. – Hearing will be postponed to July 21, 2020. (Hearing will be opened only to read correspondence received)*

1. Z-20-034 [RESA] - 312 Chestnut Tree Hill Road - Owner: Estate of Serge Mihaly, Sr.  
Applicant: Matthey Mihaly, 111 Booth Hill Road, Trumbull, CT  
(Re-subdivision of Lot #2)

Commission Secretary Pat Cocchiarella read the following correspondence into the record.

- a. Letter from Dorothy A. DeBisschop, Oxford Municipal Historian

**MOTION BY Vice-Chairman John Kerwin** to recess the Public Hearing to Tuesday, July 21, 2020.  
**Second by Commission Secretary Pat Cocchiarella.**

**All Ayes.**

Motion passed unanimously.

**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**

Vice-Chairman John Kerwin read the following correspondence into the record.

1. Letter dated 6/16/20 from Attorney Dominick Thomas  
Re: Special Exception Permit – Request for Modification of Construction Sequencing

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

**All Ayes.**

Motion passed unanimously.

Commissioner Brett Olbrys read the following correspondence into the record.

2. Bond Release Request – Haynes Construction Company – Meadowbrook Estates  
(Refer to Jim Galligan, P&Z Engineer)

Commissioners agreed to have Jessica send this bond release to Jim Galligan, P&Z Engineer, if the letter is referencing the portion of Meadowbrook Estates that is located in Oxford.

**MOTION BY Vice-Chairman John Kerwin** to have this request reviewed and sent to Jim Galligan, if necessary.

**Second by Commission Secretary Pat Cocchiarella.**

**All Ayes.**

Motion passed unanimously.

Commissioner Brett Olbrys read the following correspondence into the record.

3. Bond Release Request – Oxford Supply, LLC – Subdivision/Performance Bond

**MOTION by Commission Secretary Pat Cocchiarella** to refer to Jim Galligan, P&Z Engineer for review.  
**Second by Commissioner Pete Zbras.**

**All Ayes.**

Motion passed unanimously.

**D. Old Business – Matters on which a Public Hearing was held**

1. **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 Exception, Article 5, Section 5.3.1 - Non-Commercial Recreational Use)

**Note:** *Public Hearing closed on 6/16/20*

Commissioners began deliberations regarding the application.

**Vice-Chairman John Kerwin** began by outlining the proposed application and the requirements for a special exception. He voiced concerns over the effect that approving this application would have on the neighborhood. He also stated that there is a potential for an expansion of use if approved. He noted that another concern is that the lots have not been combined, and the proposal does not comply with the zoning regulations. He also noted that the fees that the applicant would like waived, are not a tax, and those fees are reasonable for the application. He urged the other Commissioners to deny the request for the fee waiver.

**Commissioner Pete Zbras** noted concerns about the lot lines and the setbacks.

**Commission Secretary Pat Cocchiarella** stated that he is in agreement with John, that the fees are not a tax. He also has concerns about the lot lines and setback, although he stated that he does not believe that the building would have a detrimental effect on the neighborhood.

**Commissioner Brett Olbrys** reiterated the concerns of the other Commissioners, but believes that the proposed building would be an significant upgrade to the facilities.

**Commissioner Jesse Schremmer** noted concerns about the lot lines, setbacks, and the potential for an increase in membership. He stated that an increase in members would potentially cause more need for parking resulting in more traffic on an already busy road.

**Commissioner Dan Wall** also noted his concerns regarding increased traffic on Route 34.

**Chairman Dave Sauter** explained that he has concerns with many aspects of the application, and discussed the fee waiver request.

**Commissioners** discussed options for proceeding with the application. A number of Commission members voiced that they were prepared to vote on the application at this time.

It was noted that a formal resolution has not been prepared for the application.

**MOTION by Commissioner Dan Wall** to table this item to the next regular meeting.  
**Second by Commissioner Brett Olbrys.**

**All Ayes.**

Motion passed unanimously.

## **E. Old Business – Other Matters**

### **1. 21-23 Nichols Road – TPB Contractors, LLC and T&C Partners, LLC**

Application for Site Plan and Special Exception - Consideration of Proposed Settlement of Appeal Pursuant to Practice Book Sec. 14-7 B (j) - TPB Contractors, LLC v. Planning & Zoning Commission of the Town of Oxford, Docket No. AAN CV 18 6029419 S

**Note:** Materials related to the proposed settlement are on file in the zoning office.

**Peter Olson, Land Use Counsel** joined the meeting. He briefly summarized the Commission's discussion and questions from the last meeting. He stated that he has prepared a proposed settlement, and went over the highlights of the memorandum.

**MOTION BY Vice-Chairman John Kerwin** to approve the proposed settlement as presented by Peter Olson, Land Use Counsel, with the omission of paragraph one, as follows:

I HEREBY MOVE that the Commission agree to settle the appeal from its decision on Application Z-18-183, 21-23 Nichols Road, which appeal is entitled *TPB Contractors LLC v. Planning & Zoning Commission of the Town of Oxford*, judicial district of Ansonia/Milford at Milford, docket no AAN CV 18 6029419 S.

The Applicant shall submit a revised site plan incorporating the following revisions:

- Provide details for the "Materials Storage Bins" and the "Asphalt and Concrete Stockpile";
- Show existing vegetation, vegetative plantings or buildings in relation to the "Materials Storage Bins" and the "Asphalt and Concrete Stockpile"; and
- Provide a statement from the civil engineer demonstrating compliance with Section 10.7.2.5 (d); and
- Provide for an anti-tracking pad.

The Applicant shall further submit a revised structure diagram containing the date of the revised site plan.

Upon submission of the revised Proposed Settlement documents, counsel is directed to file and pursue such motions as are required to present the Proposed Settlement to the Superior Court as a motion for judgement by stipulation, as required by General Statute § 8-8n.

The Proposed Settlement was considered by the Commission at a regular meeting of the Commission held pursuant to Practice Book § 14-7B.

**Second by Commission Secretary Pat Cocchiarella.**

**All Ayes.**

Motion passed unanimously.

**Peter Olson, Land Use Counsel** left the meeting.

## **F. New Business – Schedule a Public Hearing – NONE**

## **G. New Business**

- 1. Z-20-065 [VCMUD] – 315 Center Rock Green, Suite 3 - Owner: Oxford Town Center, LLC – Applicant: TSW Landscape and Property Management, 3 Red Oak Lane, Seymour, CT (Use Permit)**

**MOTION BY Chairman Dave Sauter** to approve Application Z-20-065 with the following conditions

1. Applicant and their assigns must comply with all representations made at the Planning & Zoning Commission meetings and/or public hearings regarding this application.
2. Compliance with the Statement of Use dated 6/22/2020.
3. The applicant shall obtain and comply with all the necessary permits and/or approvals, and follow the Town of Oxford approved Permit Procedures.
4. Compliance with the Oxford Zoning Regulations as of this date.
5. Any proposed sign shall be subject to approval by the Zoning Enforcement Officer and/or the Commission in accordance with the standards and guidelines as interpreted by the Commission.
6. The applicant shall be responsible for rendering payment for any outside experts the Commission assigns to review the application.

**Second by Vice-Chairman John Kerwin.**

**All Ayes.**

Motion passed unanimously.

2. **Z-20-069 [COMM] – 268 Oxford Road – Owner & Applicant: CT Propane, 21 Austin Drive, Marlborough, CT (Use Permit)**

Steve Macary, ZEO explained that the applicant has applied for a use permit, but that the application should be considered a site plan modification. He stated that the applicant would like to replace the current 18,000 gallon propane tank with a 30,000 gallon tank.

Commissioners questioned the application because the previous approval was based on a court settlement.

The applicant was present and stated that the reasoning behind replacing the tank would be to cut down on deliveries, which would improve safety.

Commissioners agreed that they would like to review the previous approval and get some input from the Fire Marshal on the application.

**MOTION BY Commission Secretary Pat Cocchiarella** to table this application to the next meeting.

**Second by Commissioner Dan Wall.**

**All Ayes.**

Motion passed unanimously.

3. **Z-20-077 [VCMUD] – 300 Oxford Road, Building L, Unit 102 – Owner: Oxford Town Center, LLC Applicant: Kenia Xavier, “Coconut Beauty Salon” – 106 Balance Rock Road, Seymour, CT (Use Permit)**

**MOTION BY Chairman Dave Sauter** to approve Application Z-20-077 with the following conditions

1. Applicant and their assigns must comply with all representations made at the Planning & Zoning Commission meetings and/or public hearings regarding this application.
2. Compliance with the Statement of Use dated 7/1/2020.

3. The applicant shall obtain and comply with all the necessary permits and/or approvals, and follow the Town of Oxford approved Permit Procedures.
4. Compliance with the Oxford Zoning Regulations as of this date.
5. Any proposed sign shall be subject to approval by the Zoning Enforcement Officer and/or the Commission in accordance with the standards and guidelines as interpreted by the Commission.
6. The applicant shall be responsible for rendering payment for any outside experts the Commission assigns to review the application.

**Second by Commission Secretary Pat Cocchiarella.**

**All Ayes.**

Motion passed unanimously.

4. **Z-20-078 [VCMUD] – 360 Center Rock Green, Building N – Owner & Applicant: Oxford Town Center, LLC for “The Sitting Duck” (Temporary Outdoor Dining)**

Commissioners reviewed and discussed the application, and concluded that the reason for the application is unclear.

**MOTION BY Vice-Chairman John Kerwin to deny application Z-20-078.**

**Second by**

**All Ayes.**

Motion passed unanimously.

5. **Z-20-080 [COMM] – 308 Oxford Road – Owner: Little River Associates, LLC, Wally Archer – Applicant: Elaine Marcucio, “New England Young at Heart” (Permit for Events)**

The applicant, Elaine Marcucio, was present to explain her application to the Commission. She explained that she would like to have local vendors sell their products outdoors in the parking lot every Saturday from 10am-2pm. There was also a concern that she was expanding her business.

Commissioners questioned the parking and the number of vendors that would participate. They also brought up concerns about the current guidelines in place regarding gatherings and social distancing in relation the COVID-19.

**MOTION BY Vice-Chairman John Kerwin to table this application to the next meeting.**

**Second by Commissioner Pete Zbras.**

**All Ayes.**

Motion passed unanimously.

## **H. Zoning Enforcement**

### **I. Municipal Planner**

1. Zoning Regulations Update – Appoint Sub-Committee

**Keith Rosenfeld, Municipal Planner**, informed the Commission that the new regulations document is ready to be reviewed by a subcommittee. He suggested that the sub-committee meet bi-monthly. The members of the sub-committee are Pat, John, and Brett.

### **J. Minutes**

- a. May 19, 2020 – Regular Meeting Minutes – No action taken.

**K. Invoices**

1. **MOTION BY Commission Secretary Pat Cocchiarella** to approve payment of Nafis & Young Invoice #078-20 – Z-07-061 & Z-08-040 – Technology Park (Bond Release Request).

**Second by Vice-Chairman John Kerwin.**

**All Ayes.**

Motion passed unanimously.

2. **MOTION BY Commission Secretary Pat Cocchiarella** to approve payment of Nafis & Young Invoice #079-20 - Z-20-033 – Lot 1R Pheasant Run Road (Excavation Permit).

**Second by Vice-Chairman John Kerwin.**

**All Ayes.**

Motion passed unanimously.

**L. Other Business**

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

**M. Adjournment**

**MOTION BY Commission Secretary Pat Cocchiarella** to adjourn the meeting at 9:39 PM.

**Second by Vice-Chairman John Kerwin.**

**All Ayes.**

Motion passed unanimously.

Respectfully submitted,



Jessica Pennell, Coordinator  
Planning & Zoning Commission

20 SEP 10 PM 4:40  
TOWN OF GUNDRY, CT  
976-203-1100  
TOWN OF GUNDRY, CT