

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

**Planning & Zoning Commission**

**Regular Meeting Minutes**  
**Tuesday, February 3, 2015**  
7:30 PM  
Oxford Town Hall  
Main Meeting Room

**CALL TO ORDER**

Chairman Carver called the Regular Meeting to order at 7:50 PM.

**PLEDGE OF ALLEGIANCE**

**ROLL CALL**

**Present:** John Kerwin, Pete Zbras (arrived at 7:51), Harold Cosgrove (arrived at 7:51), Glen Persson, Arnie Jensen, Tanya Carver, Pat Cocchiarella and Todd Romagna.

**Staff Present:** Jessica Pennell, Administrative Secretary, Steven S. Macary, ZEO and Brian Miller, Town Planner.

**Not Present:** Jeff Luff and Ed Rowland.

**CHAIRMAN'S REPORT**

**SEATING OF ALTERNATES**

Chairman Carver seated Alternate John Kerwin.

**AUDIENCE OF CITIZENS** (Not for Pending Applications)

**AMENDMENTS TO AGENDA**

**MOTION BY Commissioner Cosgrove to *DISCUSS WITH POSSIBLE ACTION* the purchase of a new recording system as New Business #3.**

**Second by Commission Secretary Cocchiarella.**

**VOTE: All Ayes.**

**CORRESPONDENCE**

**Commission Secretary Cocchiarella** read the following Correspondence into the record and noted that it is on file in the Planning & Zoning Department.

a.) Letter dated 1/21/2015 from First Selectmen Temple to the P&Z Department

b.) Memorandum dated 1/22/2015 from the Selectmen's Office to all Departments

**OLD BUSINESS**

- 1.) **Z-14-125 [RESA] – Owner: Joe Rodriguez Applicant: Renovations Unlimited, LLC – Loyd Clark – 6 Blueberry Lane (Map: 2 Block: 38 Lot: 2-7)** (Special Exception for a detached Garage/Workshop – 2,000 sq. ft. Article 5, Sections 5.2.5 & 5.2.5.6)

**Commissioner Cosgrove** stated for the record that he listened to the Public Hearing regarding this application, but would like **Alternate Pete Zbras** to be the voting member for him. He also noted that he would like to reserve the right to comment since he did listen to the recording of the hearing.

**MOTION BY Commission Secretary Cocchiarella:**

**WHEREAS**, The Oxford Planning and Zoning Commission has received the Application Z-14-125 for a Special Exception under Article 5 - Sections 5.2.5 and 5.2.6, for 6 Blueberry Lane.

**WHEREAS**, The Oxford Planning and Zoning Commission reviewed all documents presented at the public hearing held on January 6, 2015 as part of the application and the following documents presented as part of the application:

**WHEREAS**, The Oxford Planning and Zoning Commission considered all testimony presented at the public hearing held on January 6, 2015, which was duly noticed in conformance with all requirements of the Connecticut General Statutes and the Zoning Regulations of the Town of Oxford;

**WHEREAS**, The Oxford Planning and Zoning Commission reviewed the following documents presented as part of the application:

**Application materials for Z-14-125:**

- Plan Approval For Building Additions, Use Changes, and Swimming Pools from Pomperaug District Department of Health 10/14/2014
- Submittal from Red Baron Septic Services LLC, dated 10/22/2014
- Proposed Garage Plan, most recently dated 12/9/2014, Drawn by Fred D'Amico.

**BE IT RESOLVED**, that based upon the application and testimony, this application is **APPROVED** for the following reasons:

The application is consistent with the Oxford Zoning Regulations, specifically **Article 5 – Section 5.2.6** as follows:

5.2.6.1 The subject property is in conformance with the minimum area requirements within the Residence A District, as required in Schedule B of these regulations.

5.2.6.2 The total building area of all accessory buildings shall cover no more than 2% of the total lot area.

5.2.6.3 The accessory building shall be consistent in style, appearance and scale with the surrounding residential neighborhood.

5.2.6.4 The accessory building shall not have any detrimental impacts upon any adjacent residential properties.

5.2.6.5 The accessory building shall be used solely for uses accessory to the residential uses, including storage of household items and vehicles, not including any commercial or industrial activity.

The application is consistent with **Article 10 – Section 10.3** of the Oxford Zoning Regulations, which requires that the Commission make certain findings to approve a Special Exception.

The application is consistent with the Comprehensive Plan and the Plan of Conservation and Development.

***SUBJECT TO THE FOLLOWING CONDITIONS;***

- 1.) Compliance with all Town of Oxford Regulations and Ordinances in effect as of this date.
- 2.) No substitute material shall be used without approval of the Planning and Zoning Commission and the Planning and Zoning Commission Engineer.
- 3.) 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.
- 4.) The applicant and their assigns must comply with all representations made at Planning and Zoning Commission meetings or at public hearings regarding this application.
- 5.) The applicant shall submit three complete copies of the set of plans which reflect these conditions of approval, including an electronic copy.
- 6.) No work to be done until security is set by the PZC Engineer in a form acceptable to Town Counsel, and installed by the applicant.
- 7.) Site Plan approval expires if the work is not completed within 5 years from the date of approval.
- 8.) The applicant shall have a pre-construction meeting with appropriate Town Staff prior to any construction activities.
- 9.) There shall be no more than two bathrooms within the accessory building; neither of them shall include a bathtub or showering facilities, (half-baths).
- 10.) The total coverage of the accessory building shall be 1,936 square feet, as designated on the revised plan.
- 11.) The existing shed near the south side of the property shall be removed.
- 12.) There shall be no commercial uses within the accessory building.
- 13.) The maximum height of the accessory building shall be twenty feet, in accordance with the Oxford Zoning Regulations.
- 14.) The recreational vehicles to be stored on property and all other vehicles owned by the property owner or stored on the property shall be registered in the Town of Oxford, State of Connecticut.

*The effective date of this approval is 2/9/2015.  
Permit expires on 2/9/2020.*

**Second by Commissioner Cosgrove.**

**Discussion:**

Commission members and staff discussed condition #14, regarding the registered vehicles.

**Condition #14** changed to “Vehicles stored on the property and owned by the property owner must comply with CT General Statutes regarding registration of vehicles.”

**Commission Secretary Cocchiarella** accepted the amendment to the motion.

**Alternate Pete Zbras** seconded the amended motion.

**VOTE: All Ayes.**

- 2.) **Z-14-136 [IND] – Lot #2 Fox Hollow Road – Applicant: Wayne Mignano, 3 Fox Hollow Road Owner: Steven Meyer – C.E.D. Properties, 3 Fox Hollow Road** (Special Exception/Excavation)

**MOTION BY Commission Secretary Cocchiarella:**

**WHEREAS**, The Oxford Planning and Zoning Commission has received Application **Z-14-136: Applicant: Wayne Mignano, 3 Fox Hollow Road Owner: Steven Meyer – C.E.D. Properties, 3 Fox Hollow Road.** (Special Exception application to remove 8,000 cubic yards of earth material from property known as Lot 15A Hawley Road):

**WHEREAS**, The Oxford Planning and Zoning Commission conducted a duly noticed public hearing on January 20, 2015, and considered all comments and documents submitted at the hearing;

**WHEREAS**, An analysis by Nafis & Young, Town Engineers, determined that there would be an excavation of 7,804 cubic yards of material with a net export of 7,782 cubic yards of material.

**WHEREAS**; The Oxford Planning and Zoning Commission considered the following documents and maps prepared by Civil 1, within their deliberations;

Application **Z-14-136** including all supporting information:

- Grading Plan for Lot 2 Fox Hollow Fox Hollow Industrial Park, Drawn for C.E.D. Properties, LLC; by Civil 1 and dated 12/10/2014; Sheet 1 of 2.
- Soil and Erosion Control Narrative & Details, for Lot 2 Fox Hollow Industrial Park, Drawn for C.E.D. Properties, LLC; drawn by Civil 1 and dated 12/10/2014; Sheet 2 of 2.

**NOW THEREFORE**, the Commission hereby finds as follows:

The application constitutes the minimum degree of alteration of the natural contours of the land so as to allow the land to be used for a viable purpose.

The application conforms to all requirements of the Oxford Zoning regulations, including the following sections.

- a. Article 14 – Section 14.3.13, as the regrading of the land is the minimum necessary to permit the feasible use of the property.
- b. Article 10 – Section 3 in which the Commission finds:
  - 10.3.1 The proposed earth excavation/regrading will not be detrimental to the health, safety, welfare and property values in the neighborhood.
  - 10.3.2 The proposed earth excavation/regrading is adequate to carry potential traffic.

**BE IT RESOLVED**, that based upon the application and testimony, this application is **APPROVED**, subject to the following conditions:

- 1.) Compliance with Oxford Zoning Regulations as of this date.
- 2.) The applicant and their assigns must comply with all representation made at Planning and Zoning Commission meetings regarding this application.
- 3.) No burying of stumps, debris or any other material. A report or receipt must be provided indicating proper stump removal.
- 4.) Applicant shall contact the Zoning Enforcement Officer and Town Engineer to schedule a pre-construction meeting prior to any activity on site.
- 5.) As 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.
- 6.) A copy of monitoring records from each blasting event shall be placed on file with the Commission.
- 7.) A copy of the insurance policy required by these regulations shall be placed on file with the Commission prior to the commencement of any work under this special permit.
- 8.) A record of the amount of material leaving the site shall be kept by the applicant. A copy of these records shall be submitted monthly, by the tenth of each month.
- 9.) The applicant shall submit an as-built grading survey at completion, or when requested by the ZEO or the Commission, which shall indicate the amount of material removed, to be verified by the Town Engineer.
- 10.) The applicant post surety with the Board Selectmen of Oxford in a form satisfactory to Town Counsel in an amount approved by the Planning & Zoning Engineer to guarantee maintenance and repair, if needed, of the sedimentation and erosion control measures.
- 11.) Sedimentation and erosion control measures on-site shall be maintained in compliance with the proposed site plan and current guidelines, subject to field review by the Commission's engineer.
- 12.) No fixed machinery shall be erected or maintained on the premises.

- 13.) No activities in accordance with this special permit shall be conducted on the Property except during the hours of 8:00 AM to 4:00 PM, Monday through Friday, including all rock crushing activities.
- 14.) A complete dust control plan for the site shall be submitted to and approved by the Zoning Enforcement Office prior to the start of and construction activity. There shall be proper provision for the control of dust. This dust control plan shall be adhered to during the duration of extraction activities.
- 15.) All blasting on-site shall be conducted in conformance with all applicable standards, including conducting a pre-blast survey, as required. A copy of each of these surveys shall be submitted to the Planning Office.
- 16.) There shall be no fuel storage on site.
- 17.) A drainage report shall be provided for review by Nafis and Young, and approved or adjusted to their recommendations. The implementation recommendations of this report shall be adhered to throughout the regrading/excavation process.
- 18.) A timetable for completion of the process shall be provided to the ZEO, to be confirmed by the PZC.

**Second by Commissioner Cosgrove.**

**VOTE: All Ayes.**

**NEW BUSINESS**

- 1.) **Z-15-002 [IND] – 119 Hawley Road – Owner: V.A.S.E., LLC c/o Vincent Sonopoli – Applicant: Greenleaf Energy Solutions c/o George Porto** (Use Permit)

**MOTION BY Commission Secretary Cocchiarella to *TABLE* this application.**

**Second by Commissioner Cosgrove.**

**VOTE: All Ayes.**

- 2.) **Z-14-078 – 23 Towner Lane – Owner & Applicant: CIL Realty – Map: 3 Block: 29 Lot: 14**  
(Residential Group Home)

**Commission Secretary Cocchiarella** read an opinion letter from Town Counsel, Kevin Condon.

Commission members and staff had a lengthy discussion on this item. Also present for the discussion was Attorney Bob DeCrescenzo for CIL Realty.

All parties came to an agreement to work on this item with staff and legal counsel to come to a amenable resolution.

- 3.) **Discussion/possible action on new Recording Equipment for P&Z.**

**MOTION BY Commissioner Cosgrove to *AUTHORIZE* Jessica Pennell, Administrative Secretary to spend up to \$1,000.00 to purchase new recording equipment.**

**Second by Commission Secretary Cocchiarella.**

**Discussion:**

**Jessica Pennell, Administrative Secretary** stated that she had been looking into different options, but thinks that \$1,200.00 would be a more accurate figure to purchase the equipment.

**Commissioner Cosgrove amended** his motion to change “\$1,000.00 to \$1,200.00”.

**Commission Secretary Cocchiarella seconded the amendment.**

**VOTE: All Ayes.**

**BOND RELEASES**

**ZONING ENFORCEMENT**

1. Commission discussion with ZEO regarding various complaints and zoning violations.

**APPROVAL OF MINUTES**

**MOTION BY Commissioner Cosgrove to *APPROVE*** the following minutes:

- 1.) January 6, 2015 Public Hearing Minutes – 7:00 PM – Blueberry Lane
- 2.) January 6, 2015 Public Hearing Minutes – 7:00 PM – XAL
- 3.) January 6, 2015 Regular Meeting Minutes

**Second by Commission Secretary Cocchiarella.**

**VOTE: All Ayes.**

**MOTION BY Commissioner Cosgrove to *APPROVE*** the following minutes:

- 4.) January 20, 2015 Public Hearing Minutes – 7:00 PM – C.E.D. Services
- 5.) January 20, 2015 Regular Meeting Minutes – 7:30 PM

**Second by Commission Secretary Cocchiarella.**

**VOTE: Ayes (5), Abstentions (3), Todd Romagna, Tanya Carver and Glen Persson.**

**INVOICES**

**MOTION BY Commissioner Cosgrove to *FORWARD*** the invoice below dated 2/1/15 to the Board of Selectmen for payment.

- 1.) Invoice dated 2/1/15 from Micci & Korolyshun, P.C. – Garden Homes Appeal

**Second by Commission Secretary Cocchiarella.**

**VOTE: All Ayes.**

**OTHER BUSINESS**

- 1.) Any other Business the Commission deems necessary for discussion.

**UPCOMING EVENTS/MEETINGS:**

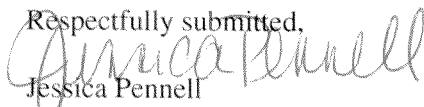
**ADJOURNMENT**

**MOTION BY Commissioner Cosgrove to *ADJOURN* the meeting at 9:18 PM.**

**Second by Alternate John Kerwin.**

**VOTE: All Ayes.**


Respectfully submitted,



Jessica Pennell

Administrative Secretary

Planning & Zoning Commission

15 FEB -5 PM 4:47  
TOWN OF GARDEN CITY  
  
TOWN CLERK