

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, March 18, 2014

7:30 PM

Oxford Town Hall

Main Meeting Room

CALL TO ORDER

Chairman Carver called the Regular Meeting of **March 18, 2014** to order at 8:55 PM.

PLEDGE OF ALLEGIANCE

ROLL CALL

Present: David Stocker, Pete Zbras, Harold Cosgrove, Arnie Jensen, Todd Romagna, Tanya Carver, Jeff Luff and Pat Cocchiarella.

Also Present: Anna Rycenga, ZEO, Town Planner, Brian Miller, Town Counsel, Kevin Condon and Administrative Secretary, Jessica Pennell.

Not Present: Wayne Watt.

CHAIRMAN'S REPORT

SEATING OF ALTERNATES

Chairman Carver seated Alternate Pete Zbras in Commissioner Watt's absence.

AUDIENCE OF CITIZENS (Not for Pending Applications)

AMENDMENTS TO THE AGENDA

- 1.) **MOTION BY Commissioner Cocchiarella to *amend* the agenda to add: Z-14-015 [IND] – The Hurley Group, Location: 119 Hurley Road (Map: 18 Block: 32 Lot: 2) and 8 Morse Road (Map: 18 Block: 32 Lot: 6F) (Excavation) (Site Plan) (Special Exception, Article 14, Section 2.2 & 3.0) *SET PUBLIC HEARING DATE* as New Business #2.**

Second by Commissioner Cosgrove.

VOTE: All Ayes.

- 2.) **MOTION BY Commissioner Cocchiarella to *amend* the agenda to add Correspondence dated 3/12/2014 from Christopher Petronis, 149 Punkup Road as Correspondence (c).**

Second by Commissioner Cosgrove.

VOTE: All Ayes.

- 3.) **MOTION BY Commissioner Cocchiarella to *amend*** the agenda to add a letter dated 3/12/2014 from Smith Brothers regarding Haynes Construction Company, Bond No. KC0106 under Bond Releases #2.

Second by Commissioner Cosgrove.

VOTE: All Ayes.

- 4.) **MOTION BY Commissioner Cocchiarella to *amend*** the agenda to add a letter dated 1/29/2014 from People's United Bank regarding Connecticut Commercial Investors, Letter of Credit No. 98-1388 under Bond Releases #3.

Second by Commissioner Cosgrove.

VOTE: All Ayes.

OLD BUSINESS

- 1.) **Z-14-008 [IND] – 315 Riggs Street, Unit 2A Owner: Matt Zaloumis, Applicant: The Eri Amyloid Laboratory, LLC** (Use Permit)

MOTION BY Commission Secretary Luff to *approve* application **Z-14-008** for a use permit based on the "Tenant Fit-out Plan" dated February 26, 2014 prepared by the applicant, Eri Amyloid Laboratory, LLC with the following *conditions*:

1. Applicant and their assigns must comply with all representations made at the Planning & Zoning Commission meetings regarding this application.
2. Compliance with the Statement of Use dated February 26, 2014.
3. Compliance with the Fire Marshal's approval dated March 14, 2014.
4. Compliance with W.P.C.A. approval dated February 24, 2014.
5. No signage is proposed at this time; including temporary signage.
6. Per Article 3, Section 3.19.1 of the Planning & Zoning Regulations, the applicant shall be responsible for rendering any payment for any outside experts the Commission assigns to review this application.
7. Compliance with the Oxford Zoning Regulations as of this date.
8. Applicant to provide the company name and contact information that will be removing hazardous materials off site to the Planning & Zoning Office. This shall include the particulars of removal, including the timetable for the calendar year.

Reason for approval is that the application meets Oxford Zoning Regulations in effect as of this date.

NEW BUSINESS

- 1.) **Proposed Text Amendment – Article 6 – Village Center Mixed Use District**
(Closed Public Hearing on 3/11/2014)

Town Planner, Brian Miller noted that he made the minor changes that were discussed by the Commission and staff at the Public Hearing. He presented the final document to the Commission.

MOTION BY Commissioner Cocchiarella to *approve* the following resolution:

WHEREAS, The Oxford Planning & Zoning Commission has reviewed the proposed text amendment; Article 6 – Village Mixed Use District, as amended;

WHEREAS, The Public Hearing for this application, was legally noticed, in conformance with Connecticut General Statutes and the Zoning Regulations of the Town of Oxford.

WHEREAS, The Oxford Planning & Zoning Commission has considered the testimony presented at the Public Hearing held on March 11, 2014;

BE IT RESOLVED, that based upon the application and testimony, this application is approved as amended. This application is approved for the following reasons:

1. The approval for this application is consistent with the comprehensive plan.
2. The application is in conformance with the overall recommendation of the Route 67 Commercial Area within the 2007 Oxford Plan of Conservation and Development which states that commercial development should be encouraged along Route 67 at a scale, design and locations to meet the needs of Oxford residents. Strategy 1, page IX-8 in particular states; “This more intensive development should be accompanied by higher design standards and the creation of a more pedestrian friendly environment.”

The effective date of this approval is March 25, 2014.

Second by Commissioner Cosgrove.

All Ayes.

- 2.) **Z-14-015 [IND] – The Hurley Group, Location: 119 Hurley Road (Map: 18 Block: 32 Lot: 2) and 8 Morse Road (Map: 18 Block: 32 Lot: 6F) (Excavation) (Site Plan) (Special Exception, Article 14, Section 2.2 & 3.0) SET PUBLIC HEARING DATE**

Anna Rycenga, ZEO noted that this application is complete and the fees have been paid.

MOTION BY Chairman Carver set a *Public Hearing date* for *Tuesday, April 15, 2014 at 7:00 PM.*

Second by Commissioner Cosgrove.

VOTE: All Ayes.

BOND RELEASES

- 1.) **Z-09-044 – BPSIS, LLC, 90 Donovan Road** (Request for Bond Release)

MOTION BY Commissioner Cocchiarella to *forward* this bond release request to the Town Engineer for review.

Second by Commissioner Cosgrove.

VOTE: All Ayes.

- 2.) **Haynes Construction Company** – Bond No. KC01106 – Letter from Smith Brothers dated 3/12/2014.

MOTION BY Commissioner Cocchiarella to *forward* this bond release request to the Town Engineer for review.

Second by Commissioner Cosgrove.

Anna Rycenga, ZEO stated that there is an existing bond that is held on the quarry property on Route 67 for \$400,000.00 for a previous permit that has expired. She noted that Haynes does not want to have two bonds in place, it is not necessary, what they are trying to do is get the existing bond released and then come in with a new bond for his excavation.

Town Counsel, Kevin Condon stated that what they have done is put a second bond in place for the required amount of money; there is an escrow agreement in place with the Town. They are awaiting approval from the necessary parties to substitute one bond for the other.

Commissioner Cocchiarella to *rescinded* his motion to send this bond to the Town Engineer for review.

Commissioner Cosgrove rescinded his second.

MOTION BY Commissioner Cocchiarella to make a *favorable recommendation* to the Board of Selectmen to release this bond.

Second by Commissioner Cosgrove.

VOTE: All Ayes.

- 3.) **Connecticut Commercial Investors** - Letter of Credit no. 98-1388 – Letter from People's Bank

MOTION BY Commissioner Cocchiarella to send this bond release request to the Town Engineer for review.

Second by Commissioner Cosgrove.

VOTE: All Ayes.

LITIGATION

ZONING ENFORCEMENT

The Zoning Enforcement Officer went over her January & February activity reports with the Commission. She also discussed a Letter of Compliance that she issued for Timberlake Development Partners, LLC.

CORRESPONDENCE

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

- a.) Memo dated 3/4/2014 from Margaret West
Re: Resignation of Donald Pelletier as Planning & Zoning Alternate

- b.) Referral Notice from Town of Monroe Planning & Zoning
Re: Proposed Zoning Text Amendment

Commission Secretary Luff read the following letter into the record.

- (c.) Letter dated 3/12/2014 from Chris Petronis
Re: 149 Punkup Road

Commission Members agreed that no action could be taken unless all property owners give consent. They asked that a response letter be sent to Mr. Petronis.

ACCEPTANCE OF MINUTES:
(Tabled until 4/1/2014 Regular Meeting)

INVOICES

MOTION BY Commissioner Cocchiarella to *table* the following invoices until April 1, 2014.

- 1.) Invoice # 128-13 from Nafis & Young Engineers.
- 2.) Invoice # 045-14 from Nafis & Young Engineers.
- 3.) Invoice # 046-14 from Nafis & Young Engineers.
- 4.) Invoice # 047-14 from Nafis & Young Engineers.

Second by Commissioner Romagna.
VOTE: All Ayes.

OTHER BUSINESS

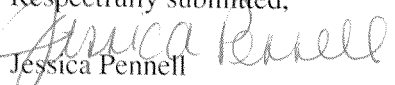
- 1.) Any other business the Commission deems necessary for discussion.

UPCOMING EVENTS/MEETINGS:

Garden Homes Public Hearing – April 1, 2014 at 7:00 PM.
Advanced Land Use Academy Training – April 5, 2014

ADJOURNMENT

MOTION BY Commissioner Cosgrove to *adjourn* the meeting at 9:50 PM.
Second by Chairman Carver.
VOTE: All Ayes.

Respectfully submitted,

Jessica Pennell
Administrative Secretary
Planning & Zoning Commission

14 MAR 26 AM 9:34
TOWN OF MONROE, CT
Shirley H. Clark
TOWN CLERK