



**TOWN OF OXFORD**  
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, April 2, 2013**  
**7:30 PM, Main Meeting Room**  
**Oxford Town Hall**

**CALL TO ORDER**

**Chairman Bill Johnson** called the Planning & Zoning Regular Meeting of April 4, 2013 to order at 7:32 P.M.

**PLEDGE OF ALLEGIANCE**

**ROLL CALL**

**Present:** Alternate Edna Cruz, Harold Cosgrove, Wayne Watt, Chairman Bill Johnson and Secretary Pat Cocchiarella.

**Also Present:** Jessica Pennell, Administrative Secretary & Jeff Holzman, Interim ZEO.

**Absent:** Alan Goldstone, Vice Chairman Bonnie Bartosiak, Tanya Carver, Alternate Joe Dempsey and Alternate Joe Rasberry.

**CHAIRMAN'S REPORT** (see *Attachment A*)

**MOTION by Secretary Pat Cocchiarella** to cancel the Planning & Zoning Regular Meeting scheduled for April 16, 2013. **Second by Wayne Watt.** All Ayes.

**SEATING OF ALTERNATES**

**Chairman Bill Johnson** seated Alternate Edna Cruz for Alan Goldstone.

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

**AMENDMENTS TO AGENDA**

**OLD BUSINESS**

- (1.) **Z-12-130 (Owner): Ziat, LLC – (Applicant): 2<sup>nd</sup> Street Leasing, LLC – 315 Riggs Street, Unit 7, Building B** (Use Permit - Special Exception - Article 9, Section 3.16) (Indoor Auto Repairs) (Waiting for Approval from W.P.C.A., DEEP and the Zoning Board of Appeals) (***TABLED***)
- (2.) **Z-13-013 – Owner: 589 Investments, LLC, Applicant: Patriot Business Park, Hawley Road & Christian Street** (Site Plan) (Phase 1 Road Construction)

**MOTION by Harold Cosgrove** to remove this item from the table. **Second by Secretary Pat Cocchiarella.** All Ayes.

**Brian Baker, Civil 1 Engineers,** was present to answer any questions regarding this application.

**MOTION by Secretary Pat Cocchiarella to approve this application based on the following resolution;**

**WHEREAS,** The Oxford Planning and Zoning Commission have received Application Z-13-013 of 589 Investments LLC, Patriot Business Park, Hawley Road & Christian Street; Site or Phase 1;

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

- Sheet #1 of 8 – Existing Conditions last revised 4/2/2013.
- Sheet #2 of 8 – Site Plan, Grading Plan, Erosion Control Plan last revised 4/2/2013.
- Sheet #3 of 8 – Site Plan, Grading Plan, Erosion Control Plan last revised 4/2/2013.
- Sheet #4 of 8 – Patriot Way – Road Plan and Profile last revised 4/2/2013.
- Sheet #5 of 8 – Storm Drainage Profiles & Cross Sections last revised 4/2/2013.
- Sheet #6 of 8 – Details last revised 4/2/2013.
- Sheet #7 of 8 – Details last revised 4/2/2013.
- Sheet #8 of 8 – Erosion Control Narrative last revised 4/2/2013.

A letter dated March 13, 2013 from Oxford Fire Department, signed by Scott Pelletier.

A letter dated March 19, 2013 from Turner Miller Group, Town Planner, Brian Miller.

A letter dated April 2, 2013 from Town Engineer, Jim Galligan.

**BE IT RESOLVED,** that based upon the application and testimony, this application is approved, because it is in conformance with the Oxford Zoning Regulations, 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 representations made at Planning and Zoning Commission meetings regarding this application.
3. Compliance with all Town of Oxford Ordinances in effect as of this date.
4. Payment of a security in an amount established by the Planning and Zoning Engineer, in a form approved by the Town Counsel if required.
5. Letter from Licensed Land surveyor stating that all pins and monuments have been set as indicated on maps.
6. No substitute material shall be used without approval of the Planning and Zoning Commission and the Planning and Zoning Commission Engineer.
7. No burying of stumps, debris or any other material. A report or receipt must be provided indicating proper stump removal.

8. Applicant shall contact Zoning Enforcement Officer and Town Engineer to schedule a pre-construction meeting prior to any activity on site.
9. Installation of the proposed road off of Hawley Road prior to the issuance of building permit on Lot 15, or adequate security bond as determined by the Town Engineer and Town Attorney.
10. All construction on each lot shall be subject to approval by site plan and, if applicable, special exception approval by the Planning and Zoning Commission.

**Seconded by Wayne Watt. All Ayes.**

**(3.) Z-04-006 - Susan Petinella, Governor's Hill Road – Petinella Subdivision/Randall Drive (REMOVE FROM TABLE)**

**MOTION by Harold Cosgrove** to remove this item from the table. Second by Chairman Bill Johnson. All Ayes.

**Secretary Pat Cocchiarella** read an e-mail from Sue Kopec Jutcawitz dated March 25, 2013.

**Secretary Pat Cocchiarella** read a letter dated March 19, 2013 from the OCCIWA.

**Secretary Pat Cocchiarella** noted that also included in the correspondence was the latest status update on Randall Drive which was prepared by Town Engineer, Jim Galligan. The report was received by the Planning & Zoning Department on 9/4/2012.

**Wayne Watt** commented that Town Engineer, Jim Galligan met with Vinnie Vizzo at Randall Drive.

**Wayne Watt** questioned if there was still even a bond on this project, and if the original punch list for the road could be provided to him.

It was noted that there is a \$67,000.00 bond in place at this time.

The commission agreed that although the Inland Wetlands Agency wants no work done on the detention pond until July or August, the road portion of the project can be worked before then.

**Chairman Bill Johnson** suggested giving Ms. Kopec-Jutcawitz 30 days to begin work on the road portion of the project otherwise the commission will call the bond.

The commission authorized Wayne Watt to meet with Town Engineer, Jim Galligan about Randall Drive and to bring back any pertinent information to the commission at the next meeting.

The commission also asked that Ms. Kopec-Jutcawitz be sent a letter requesting a timeline which describes what items will be completed and their perspective completion dates. They also requested that an updated report from an arborist be submitted to them with the timeline.

**NEW BUSINESS**

**(1.) Z-12-148 – (Owner & Applicant) Anthony S. & Helen Stachelczyk, 57 Newgate Road  
(2 Lot Re-Subdivision)**

**MOTION BY Secretary Pat Cocchiarella** to approve Z-12-148 based on the following resolution:

**WHEREAS**, The Oxford Planning and Zoning Commission have received Application Z-12-148 Anthony S. & Helen Stachelczyk, 57 Newgate, 2 lot re-subdivision.

**WHEREAS**, the public hearing for this application was legally noticed, in conformance with Connecticut State Statutes and the Zoning Regulations of the Town of Oxford:

**WHEREAS**, The Oxford Planning and Zoning Commission has considered the testimony presented at the public hearing, held on March 5, 2013, continued on March 19, 2013:

**WHEREAS**, information on the application was submitted, along with supporting information on file in the Planning Office of the Town of Oxford:

**WHEREAS**, the applicant has withdrawn their request for a waiver of the subdivision regulations which required a payment in-lieu of open space dedication; and the requirement for the installation of a fire suppression tank:

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

1. The Commission finds that the request for the waiver of Article 6, Section 4.6 of the Subdivision regulations which requires that a permanent cul-de-sac shall not exceed 1,500 feet in length is justified. The approval of this subdivision would make Reality Road a permanent cul-de-sac, which exceeds 1,500 feet is justified, as that the extension of Reality Road would result in the creation of an unsafe intersection with Newgate Road.
2. The application is in conformance with the Oxford Subdivision Regulations.
3. The application is in conformance with the Oxford Zoning Regulations.
4. This approval will go into effect when the \$7,000.00 fee in lieu of open space is received.

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

1. Compliance with Oxford Subdivision Regulations as of this date.
2. Last revised final plans and the mylar showing all necessary changes must be approved by Planning and Zoning Engineer.
3. A 1" to 200' mylar of the record subdivision map be presented to the Town Assessor, which shows acreage of each lot.
4. The applicant and their assigns must comply with all representation made at Planning and Zoning Commission meetings or at public hearings regarding this application.
5. If improvements have not been completed, subdivision expires after five years from date of filing record subdivision map.
6. In accordance with Article 4, Section 3 of the Subdivision 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.
7. Compliance with all Town of Oxford Ordinances in effect as of this date.

8. Payment of a security in an amount established by the Planning and Zoning Engineer, in a form approved by the Town Counsel if required.
9. Letter from Licensed Land surveyor stating that all pins and monuments have been set as indicated on maps.
10. No substitute material shall be used without approval of the Planning and Zoning Commission and the Planning and Zoning Commission Engineer.
11. No burying of stumps, debris or any other material. A report or receipt must be provided indicating proper stump removal.
12. Applicant shall contact Zoning Enforcement Officer and Town Engineer to schedule a pre-construction meeting prior to any activity on site.
13. Seven copies of the revised plans, amended in accordance with this motion shall be presented for review by the Town Attorney, Zoning Enforcement Officer, Town Planner, Town Engineer and any other required by the Planning and Zoning Commission, to the Planning and Zoning Office.
14. Payment of \$7,000 to the Town of Oxford into the Open Space fund, as a payment in lieu of dedication of open space.
15. The applicant shall install a fire suppression tank as required by the Oxford Fire Marshal.
16. All requirements of the previous approval are included within the requirements of this approval, including, but not limited to:
  - a. The transfer of the area on the map indicated to be transferred from the subject property to the parcel designated as Map 10 Block 47 Lot 36 A9, shall be implemented and the proper documents recorded on the Land Records after review by the Town Attorney.
  - b. The transfer of the area on the map indicated to be transferred from the subject property to the parcel designated as Map 10 Block 47 Lot 36 -A5, shall be implemented and the proper documents recorded on the Land Records after review by the Town Attorney.
  - c. The land currently under the easements on the lots; Map 10 Block 47 Lot 36 A9 and Map 10 Block 47 Lot 36 A5 in favor of the Town of Oxford for the cul-de-sac bulbs shall be abandoned by the owner of said lots and transferred in ownership to the Town of Oxford, in a manner and form approved by the Town Attorney.

**Second by Chairman Bill Johnson. All Ayes.**

**(2.) Z-10-075 – Rory Culhane, 43 Long Meadow Road** (Request for Extension)

**Secretary Pat Cocchiarella** read a letter dated March 7, 2013 from Rory Culhane.

**MOTION by Harold Cosgrove** to extend the permit Z-10-015 for one year. The new expiration date of Z-10-015 will be June 14, 2014. **Second by Chairman Bill Johnson. All Ayes.**

#### **ZONING ENFORCEMENT**

**The ZEO had no information which was necessary for commission action.**

#### **CORRESPONDENCE**

**No correspondence was presented to the Commission.**

**ACCEPTANCE OF MINUTES:**

**MOTION BY Harold Cosgrove to approve the following minutes;**

- (a.) March 19, 2013 Public Hearing/Special Meeting Minutes
- (b.) March 19, 2013 Public Hearing/Special Meeting Minutes
- (c.) March 19, 2013 Regular Meeting Minutes

**Second by Secretary Pat Cocchiarella. All Ayes.**

**OTHER BUSINESS**

**MOTION BY Secretary Pat Cocchiarella to approve the following invoices;**

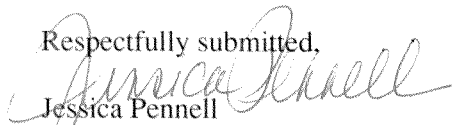
- (a.) Invoice # 080-13 from Nafis & Young
- (b.) Invoice # 081-13 from Nafis & Young
- (c.) Invoice # 7220 from Arrow Printers


**Second by Harold Cosgrove. All Ayes.**

**ADJOURNMENT**

**MOTION BY Harold Cosgrove to adjourn the meeting at 8:43 PM. Second by Wayne Watt. All Ayes.**

Respectfully submitted,

  
Jessica Pennell  
Administrative Secretary  
Planning & Zoning Commission

13 APR -4 PM 4:37  
TOWN OF OXFORD, CT  
  
TOWN CLERK

## Chairman's Remarks – April 02, 2013

1. I want to setup a committee to work on changes to our regulations:
  - a. Jeff Holzman will coordinate all efforts.
  - b. Any member wanting to be part of the committee please contact Jeff.
  - c. Anyone with suggestions or changes, please contact Jeff.
2. Belmar Farms have asked to change their April 2<sup>nd</sup> continued Public Hearing until May 7<sup>th</sup>.
  - a. They have paid their entire application fee – which nullifies their request to transfer \$12,000 from another application, and from paying in stages.
  - b. I have asked Anna to attend all future meetings, since she will be part of the building process when she returns.
3. I did a final pre-application meeting with Glendale:
  - a. They have currently applied to Wetlands.
  - b. They will be applying to P&Z in the next couple of weeks (I believe May 7<sup>th</sup> they will ask us to set a public hearing date).
  - c. I asked Anna to calculate the fees as well as attending all meetings.
4. I attended a Board of Finance meeting yesterday:
  - a. Our budget was passed untouched – and with the possibility of getting a part-time ZEO.
  - b. Both the Board of Selectmen and the Board of Finance recommended that we put the Plan of Conservation and Development out for bid.
5. Our next regular meeting is April 16<sup>th</sup> – The Chairman, Vice-Chairman, Secretary and Department Secretary are unavailable to attend. I propose canceling this meeting – any objections?