



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

Planning & Zoning Commission

Planning & Zoning Commission

Regular Meeting Minutes

Tuesday, August 20, 2013

7:30 PM

Oxford Town Hall

Main Meeting Room

CALL TO ORDER

Chairman Bill Johnson called the Planning & Zoning Regular Meeting of August 20, 2013 to order at 7:30 P.M.

PLEDGE OF ALLEGIANCE

ROLL CALL

Present: Chairman Bill Johnson, Wayne Watt, Alternate Joe Rasberry, Alternate Jeff Luff, Alternate Joe Dempsey, Secretary Pat Cocchiarella, Harold Cosgrove and Tanya Carver.

Not Present: Alan Goldstone and Vice Chairman Bonnie Bartosiak.

Also Present: Anna Rycenga, ZEO and Denise Randall.

CHAIRMAN'S REPORT

SEATING OF ALTERNATES

Chairman Bill Johnson seated all three (3) alternates.

AUDIENCE OF CITIZENS (Not for Pending Applications)

AMENDMENTS TO AGENDA

OLD BUSINESS

1.) Z-97-165 – Beth Acres – (Owner: Brian Botti) (2 Lot Subdivision)

- a. Status Update from Town Attorney & Zoning Enforcement Officer
- b. Letter to William Johnson from James Galligan dated 8/9/2013

Secretary Pat Cocchiarella read the correspondence from James Galligan dated 8/9/2013.

Michael Horbal, L.S. for applicant Brian Botti stated that they would like the commission to rescind action that was previously executed by the commission, which was that a notice was filed in the land records stating that Beth Acres was an expired subdivision.

Anna Rycenga, ZEO stated that in a packet she prepared she included the conditions of approval from December 8, 1997. The conditions set forth in the approval were not met and the commission decided to file the caveat on the land records.

Chairman Bill Johnson asked if any commission members had questions.

Harold Cosgrove stated that he would like to look at the property.

Secretary Pat Cocchiarella questioned why this has taken so long.

Mike Horbal stated that market conditions have caused some of the problems.

Wayne Watt questioned if the subdivision expired in 2003.

Anna Rycenga, ZEO stated that the subdivision expired in 2003.

Anna Rycenga, ZEO stated if the bond is posted they could lift the caveat, and she also stated that the commission should consider this to avoid litigation.

Chairman Bill Johnson stated that they should table this item to the next regular meeting.

MOTION BY Tanya Carver to *table* this item until the September 3, 2013 Regular Planning & Zoning Commission Meeting. **Second by Wayne Watt. All Ayes.**

2.) **Z-12-131 – 71 Oxford Road, Owner: Oxford Park, LLC – Applicant: ME Business Associates, LLC - Peachwave** (Previously Approved Use Permit)

Anna Rycenga, ZEO explained that this is regarding the signs that are being posted which are in violation of the sign regulations.

Chairman Bill Johnson noted that the owner has not been putting the signs up recently.

Anna Rycenga, ZEO stated that Harold Cosgrove wanted a recommendation for a road crossing.

Harold Cosgrove stated that he has concerns with the heavy traffic area and wants to ensure that children are protected from traffic.

Anna Rycenga, ZEO stated that she has sent a letter to the owner and she has not received any response to date. She stated that she would serve him and then fine him if he does not respond accordingly.

Commissioners discussed that there are other businesses which do not abide by the sign regulations.

Jeff Luff questioned if a commissioner could go and speak with the owner instead of a marshal serving him papers at this point.

Anna Rycenga, ZEO stated that she and Jeff Holzman have spoken to the owner regarding this issue.

Wayne Watt commented that businesses in town have to follow the rules and regulations.

Tanya Carver stated that it seems that the owner has been spoken to many times.

Alternate Joe Raspberry stated that the sign violations are posing a danger.

Anna Rycenga, ZEO stated that it does pose a potential threat. She stated that the commission issued a permit, the owner has modified the permit without coming to the commission for approval.

Alternate Joe Rasberry stated that the owner should come in and explain the changes to the commission.

Anna Rycenga, ZEO stated that there is a process to follow. She stated that she has sent out a regular and a formal letter, next will be a Notice of Violation.

Wayne Watt stated that it was necessary for the commission members to support her in her efforts to remedy the violation.

Anna Rycenga, ZEO stated that they will need a citation officer.

Alternate Jeff Luff inquired if it would be appropriate for him to speak to the owner.

Chairman Bill Johnson stated that he has spoken to him regarding the sign issue.

Anna Rycenga, ZEO read a letter dated 8/15/2013 which she sent certified to Mr. Fischetti.

Chairman Bill Johnson suggested following Anna's advice, and send another letter.

Secretary Pat Cocchiarella stated that Mr. Fischetti should come to the next meeting.

Harold Cosgrove stated that it should be clear that Zoning has the responsibility of removing the signs.

MOTION BY Secretary Pat Cocchiarella to **TABLE** this item to the next meeting. **Second by Harold Cosgrove. All Ayes.**

NEW BUSINESS

ZONING ENFORCEMENT

The ZEO will present to the Commission any reports/information/or other items deemed necessary.

Anna Rycenga, ZEO presented the attached monthly report to the Commission. She also discussed the following items:

- 1.) **"Under the Rock Park", Roosevelt Drive** – Filed CEASE & DESIST on land records.
- 2.) **387 Quaker Farms Road** – Filed CEASE & DESIST on land records.
- 3.) **501 Roosevelt Drive** – CEASE & DESIST because they have a large retaining wall which is falling over the Building Official and Wetlands are involved, the order was served by the State of Connecticut and a Marshall.
- 4.) **88 Perkins Road** – Filed CEASE & DESIST/RESTORE ORDER, there is junk and debris on the property and it needs to be returned to it's naturally landscaped state.
- 5.) **439 Quaker Farms Road** – Complaint filed about using a trailer as living quarters on the property.
- 6.) **13 Cherokee Drive** – Letter to applicant regarding variance and approvals.
- 7.) **66 Hawley Road** – CEASE & DESIST/RESTORE/NOTICE OF VIOLATION ORDER
Owner demolished the interior of the building without permits.
- 8.) **18 Sunrise Drive** – Complaint filed regarding unregistered motor vehicles.

- 9.) **Swap Shop** – Anna Rycenga, ZEO discussed the Swap Shop that she presented to the Board of Selectmen. She stated that a package would be sent to the Commission with further details and explanation.
- 10.) **Hazardous Mitigation Plan** – Anna Rycenga, ZEO stated that she is working on this with Scott Halstead and that Oxford will be receiving a grant from FEMA.
- 11.) **106 Prokop Road** – Research is being done, the storage shed has been constructed, but they will not receive their COC until the other shed is taken down.
- 12.) **46 Pope Road** – A pool was built over the setback line, therefore a COC cannot be issued. An A-2 survey is needed.

Anna Rycenga, ZEO and the commission also discussed the generator business on Route 67, the letter that would be sent out to local businesses about signs, and badges for Commission members.

ACCEPTANCE OF MINUTES:

MOTION BY Joe Dempsey to **TABLE** the minutes from the August 6, 2013 Special Meeting/Public Hearing and the August 6, 2013 Regular Meeting. **Second by Harold Cosgrove. All Ayes.**

OTHER BUSINESS

- 1.) Invoice from John McLeod for Services rendered on August 6, 2013.
MOTION BY Harold Cosgrove to **APPROVE** the Invoice for John McLeod. **Second by Wayne Watt. All Ayes.**

- 2.) Invoice # 295-13 & Invoice # 291-13 from Nafis & Young Engineers.

MOTION BY Harold Cosgrove to **APPROVE** payment of Invoice # 295-13 & # 291-13.
Second by Tanya Carver. All Ayes.

CORRESPONDENCE

The following correspondence was read into the record and it was noted that it is on file in the Planning & Zoning Department.

- a.) Memorandum from the First Selectman regarding the OHS Athletic Fields Dedication Ceremony
- b.) Letter of Compliance dated 8/8/2013 from Anna Rycenga, ZEO to Kathleen O'Neil, Grant Writer, regarding 40 Governor's Hill Road a/k/a 100 Stakum Circle.
- c.) Letter from the State of Connecticut Siting Council regarding a petition from the Connecticut Light and Power Company.
- d.) Connecticut Federation of Planning & Zoning Agencies Quarterly Newsletter.

UPCOMING PUBLIC HEARINGS/SPECIAL MEETINGS:

A Special Meeting/Public Hearing is scheduled for Tuesday, August 27, 2013 at 7:00 PM for the following applications:

Z-13-048 – [RES-A] (Applicant & Owner): Glendale at Oxford, LLC c/o Mark IV Construction Co. Inc. – Christian Street – Map:19 Block: 26 Lot: 1 a/k/a Lot 1A

Z-13-048a- Zoning Text Amendment (Article 18 of the Oxford Zoning Regulations)
Proposal to create a new zone designated as "Designed Conservation District".

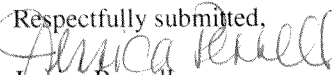
Z-13-048b- Zoning Map Amendment (Article 18 of the Oxford Zoning Regulations)
Request to re-zone the subject property if the new "Designed Conservation District" is adopted.


Z-13-048c- Special Permit/Site Plan Approval (Article 10, Section 9A)

Proposal to permit a 137 dwelling, common interest residential community on property located on Christian Street.

ADJOURNMENT

MOTION BY Tanya Carver to *ADJOURN* the meeting at 8:50 P.M. Second by Secretary Pat Cocchiarella. All Ayes.

Respectfully submitted,

Jessica Pennell
Administrative Secretary

13 SEP 10 AM 10:38
TOWN OF OXFORD, CT

TOWN CLERK