



Planning & Zoning Commission

Planning & Zoning Regular Meeting Minutes
Tuesday, September 3, 2013
7:30 P.M.
Main Meeting Room – Oxford Town Hall

CALL TO ORDER

Chairman Bill Johnson called the meeting to order at 7:30 PM.

PLEDGE OF ALLEGIANCE

ROLL CALL

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

Also Present: Jeff Holzman, ZEO, and Jessica Pennell, Administrative Secretary.

Not Present: Alan Goldstone, Vice Chairman Bonnie Bartosiak, Joe Rasberry and Jeff Luff.

CHAIRMAN'S REPORT

- 1.) The commission needs to reschedule the Public Hearing for Glendale.

MOTION BY Tanya Carver to reschedule the Public Hearing for Glendale to September 26, 2013 at 7:00 P.M. **Second by Wayne Watt. All Ayes.**

- 2.) Haynes has not filed any application for the quarry. There have been no discussions or pre-application meetings to date.
- 3.) A press release needs to be done for the Accessory Apartment Amnesty Plan.
- 4.) Jeff's position was tabled at the last Board of Finance Meeting. They would like to have the Chairman at the meeting to discuss funding.
- 5.) Letter from Chairman Bill Johnson to First Selectman Temple regarding the town occasionally flushing fire hydrants and cleaning catch basins in the 55+ communities.

He stated that a letter from Brian Miller, Town Planner was obtained which states that it is not a violation of the conditions of approval for any of the approved 55+ communities if the town occasionally flushes fire hydrants or cleans catch basins in these developments.

Commission members had different views on whether or not the town could flush the fire hydrants and clean the catch basins in the 55+ communities.

Joe Dempsey stated that he would go over the conditions of approval for Oxford Greens.

Tanya Carver read an excerpt from the Planning & Zoning Regulations and then asked if fire hydrants and catch basins are considered road maintenance.

Commissioners considered fire hydrants and catch basins road maintenance.

Wayne Watt stated that it was overlooked that the Town's own regulations prohibit this action.

SEATING OF ALTERNATES

Chairman Bill Johnson seated **Alternate Joe Dempsey** for Vice Chairman Bonnie Bartosiak.

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

Mike Horbal, L.S. and Brian Botti, owner were present.

Mike Horbal stated that they are still seeking the revocation of the action taken by the Commission which deemed "Beth Acres" an expired subdivision. He stated that a bond estimate was received from the Town Engineer, an amount of \$23,000.00. He also stated that Brian Botti was willing to post the bond if the expiration is rescinded.

Chairman Bill Johnson questioned the acreage of parcels in question.

Mike Horbal stated that they are 2.369, 4.3855 and 2.3862.

Wayne Watt stated that since this subdivision is expired, he has not intention of rescinding.

Harold Cosgrove suggested a lot line revision to make the lots conforming.

Mike Horbal stated that the lot area is not dry contiguous area, therefore they do not meet today's regulations.

Joe Dempsey questioned if they were interior lots.

Mike Horbal stated that there is frontage on Riggs Street and Autumn Ridge Road. They are interior with a common driveway.

Secretary Pat Cocchiarella questioned when wetlands made their decision.

Mike Horbal commented that they went back to wetlands last year and received approval of identical plans.

Wayne Watt stated that the parcels do not meet today's standards.

Tanya Carver moved that the commission uphold their previous motion and decision which was to place a caveat on the land records stating that "Beth Acres" is an expired subdivision. **Second by Wayne Watt. All Ayes.**

2.) Z-12-131 – "Peachwave" - 71 Oxford Road, Unit 6

MOTION BY Chairman Bill Johnson to remove "Peachwave" from the table. Second by Tanya Carver. All Ayes.

Chairman Bill Johnson stated that at this time, they should start issuing fines.

Tanya Carver stated that it is a safety issue, the tables should be removed from the sidewalk and they should come in for a use permit.

Secretary Pat Cocchiarella stated that the zoning regulations are the law and they should start issuing fines.

MOTION BY Tanya Carver to begin the process for violations of the regulations. Second by Secretary Pat Cocchiarella. All Ayes.

NEW BUSINESS

1.) 207 Christian Street – Proposed Light Industrial Building

a.) Letter dated 8/29/2013 from Ed Godin Jr. to Chairman Bill Johnson

Ed Godin of Watertown, CT stated that he met with George Temple and Andy McGeever about the fee schedules.

Chairman Bill Johnson stated that the commission will soon be in the process of reviewing their fee schedule. He stated that Mr. Godin could come back after the fee schedule has been reviewed.

Secretary Pat Cocchiarella stated that he isn't opposed to a deferral of some fees with a structured timeline.

Ed Godin stated that he is not building immediately, he can wait and commit to a timeline.

Wayne Watt stated that they could defer fees with a sunset date.

NO ACTION TAKEN.

2.) 8-24 Referral – Oxford Community Park, 50 Great Oak Road

MOTION BY Wayne Watt to make a *favorable recommendation* to the Board of Selectmen to approve the 8-24 for Oxford Community Park located at 50 Great Oak Road. **Second by Joe Dempsey. All Ayes.**

3.) Discussion on Moratorium concerning Medicinal Marijuana Dispensaries'

MOTION BY Harold Cosgrove to set a Public Hearing date for October 1, 2013 at 7:00 PM. **Second by Tanya Carver. All Ayes.**

Anna Rycenga, ZEO stated that she will submit a written report at the next Regular Meeting.

CORRESPONDENCE

ALL CORRESPONDENCE IS ON FILE IN THE PLANNING & ZONING DEPARTMENT.

ZONING ENFORCEMENT

Jeff Holzman presented the following items to the commission:

- 1.) Update on the Regulations Working Group progress – handed out an information brief to all commission members.
- 2.) 749 Oxford Road – Paving is being done in the back of the building and that is why they are parking the trucks out front. He will follow up with them after paving is done, to make sure the trucks are not visible from Route 67.
- 3.) Questions about living in campers on Old Church Road/Hilltop Ridge Road.

ACCEPTANCE OF MINUTES:

MOTION BY Chairman Bill Johnson to approve the following minutes:

- 1.) August 6, 2013 Special Meeting/Public Hearing Minutes with amendments
- 2.) August 6, 2013 Regular Meeting Minutes
- 3.) August 20, 2013 Regular Meeting Minutes

Second by Harold Cosgrove. All Ayes.

MOTION BY Chairman Bill Johnson to table the following minutes:

- 4.) August 27, 2013 Special Meeting/Public Hearing Minutes

Second by Harold Cosgrove. All Ayes.

OTHER BUSINESS

UPCOMING PUBLIC HEARINGS/SPECIAL MEETINGS:

Rescheduled Public Hearing for Glendale – Thursday, September 26, 2013 @ 7:00 PM.

ADJOURNMENT

MOTION BY Chairman Bill Johnson to *adjourn* the meeting at 8:26 P.M.
Second by Tanya Carver. All Ayes.

Respectfully submitted,



Jessica Pennell

Administrative Secretary

Planning & Zoning Commission

13 SEP 11 PM 3:57
TOWN OF OXFORD, CT
Margaret A. West
TOWN CLERK