



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, November 19, 2013
7:30 PM
Oxford Town Hall
Main Meeting Room

CALL TO ORDER

Chairwoman Carver called the **November 19, 2013 Regular Meeting** to order at 7:57 PM.

PLEDGE OF ALLEGIANCE

ROLL CALL

Present: Todd Romagna, Harold Cosgrove, Arnie Jensen, Wayne Watt, Tanya Carver, Jeff Luff, Pat Cocchiarella and Alternate Joe Rasberry.

Staff Present: Anna Rycenga, ZEO and Jessica Pennell, Administrative Secretary.

CHAIRMAN'S REPORT - NONE

SEATING OF ALTERNATES

AUDIENCE OF CITIZENS (Not for Pending Applications)

AMENDMENTS TO AGENDA

MOTION BY Commission Secretary Luff to amend the agenda to add the item 52 Donovan Road to the agenda under Old Business #1.

Second by Vice Chairman Watt.

All (7) Ayes.

OLD BUSINESS

1.) 52 Donovan Road – Letter to ZEO regarding use of the property.

Commission Secretary Luff read a letter dated 10/16/2013 addressed to Anna Rycenga, ZEO from Bill Valentine.

Anna Rycenga, ZEO stated that Mr. Valentine sent her the letter which she is bringing before the Commission because there is a statement in the regulations that gives the Planning & Zoning

Commission the discretion to decide if this use should be permitted in the zone in question. She noted that 52 Donovan Road is in the Industrial zone.

Bill Valentine & Louis Segneri co-own the property. They have a potential tenant that would like to open a dog adoption center on this property.

Discussion ensued between Commission members about clarification of the intent and proposed use of the property.

Commission Secretary Luff requested that the ZEO read the portion of the regulations that pertains to this request.

Anna Rycenga, ZEO read a portion of Article 9, Section 3 (3.10) aloud for Commissioners.

Commission Secretary Luff stated that this request does not sound like a veterinary hospital.

Chairwoman Carver stated this is definitely not a veterinary hospital. This use would have to be applied for as a Special Exception because it is not a permitted use in the Industrial zone.

Anna Rycenga, ZEO stated that if they are going to a veterinary hospital, that is permitted in the Industrial zone by Special Exception.

MOTION BY Commission Secretary Luff for the Commission to vote on whether or not the requested use falls under the category of “veterinary hospital” in the Industrial zone.
(Commissioners will vote on the use not fitting into this zone)

Second by Commissioner Cosgrove.

All (7) Ayes.

DETERMINATION: A “dog adoption center” is not an appropriate use for the Industrial zone.

Anna Rycenga, ZEO stated that there is another amendment to the agenda; application Z-13-139 – 501 Roosevelt Drive.

Chairwoman Carver stated that they could act on Z-13-139 under New Business #4.

NEW BUSINESS

- 1.) **Z-13-144 [OPD] – Address: 556 Oxford Road; Owner(s): John & Julia Steinis c/o Attorney Fred Stanek, Applicant(s): Erika Ball/Tiki Monster Realty, LLC**
(Request for Addition) (Request Sign Permit) (Change of Use)

Fred D’Amico, Engineer for the applicant explained the location of the property.

Anna Rycenga, ZEO stated that there is a 50’ setback line, the existing building encroaches, but the proposed addition would have to comply. She commented that Fred would have to revise the plans to address the setbacks and the parking.

Fred D’Amico explained the proposed site plan and noted that they have a sign off from Inland/Wetlands and that they have approval from the Health Department for the septic system.

Anna Rycenga, ZEO noted that under Section 6 (Setbacks), under Section 6.2 the Commission may permit by Special Exception a lesser setback from a residential zone of greater than 50' if it finds that for reasons of landscaping, natural vegetation and/or topography, that there would be adequate buffering between the proposed non-residential and residential uses. She stated that if the Special Exception text is approved, they can come for a Special Exception for the use and possibly locate the building within 50'.

Chairwoman Carver stated that they don't have the approval of the text amendment, and there is a request for this site plan, and it cannot be approved because the applicant would need a Special Exception.

Anna Rycenga, ZEO stated that they can approve the building, but the Commission cannot approve the use, which is related to the text. She noted that based on the use, it would require a Special Exception.

Discussion ensued between Commission members and Anna Rycenga, ZEO.

Commissioner Cosgrove questioned if this application has been reviewed by the Town Engineer.

Anna Rycenga, ZEO stated that it has not been reviewed; we have no written report at this time.

Chairwoman Carver requested revised architectural plans including the colors of the buildings so they can see exactly what the proposal will look like when completed.

Anna Rycenga, ZEO stated to the applicant's engineer that the parking is sufficient and asked that he address lighting in the parking lot.

MOTION BY Vice Chairman Watt to **TABLE** this application until a report has been submitted by the Town Engineer.

Second by Commissioner Cosgrove.

All (7) Ayes.

- 2.) **Z-13-158 [RESA] – Address: 114 Willenbrock Road; Owner(s): Stone Bench, LLC, Applicant(s): Kenneth Lynch & Sons c/o Derrick Domoulin** (Request for Sign Permit)

Commissioners reviewed the sign rendering that was submitted with this application.

Anna Rycenga, ZEO stated that the proposed sign complies with the sign regulations for the Industrial zone.

MOTION BY Commissioner Cocchiarella to approve the sign permit for application **Z-13-158**.

Second by Commission Secretary Luff.

All (7) Ayes.

- 3.) **Z-13-159 [RESA] – Address: 100 Stakum Circle; Owner & Applicant: Oxford Housing Authority (Crestview Ridge Elderly Housing)**
(Request for Expansion) (Special Permit - Article 10, Section 9)
SET PUBLIC HEARING DATE

MOTION BY Commission Secretary Luff to schedule a Public Hearing for application

Z-13-159 for *Friday, December 6, 2013 at 3:00 PM.*

Second by Commissioner Cocchiarella.

All (7) Ayes.

- 4.) **Z-13-139 [RES-A] 501 Roosevelt Drive, Owner & Applicant: Michael Ligi**
(Special Exception - Article 10, Section 3, Site Plan approval, Article 3, Section 2.5 – 8' Retaining Wall)

MOTION BY Commissioner Cocchiarella to approve Z-13-139 based on maps dated 9/20/2013 with the following conditions:

- 1.) Compliance with Oxford Zoning Regulations in place as of this date.
- 2.) Applicant and their assigns must comply with all representations made at P&Z Commission meetings or at public hearings regarding this application.
- 3.) No work to begin until security is set by the P&Z Engineer in a form acceptable to P&Z Counsel.
- 4.) No material will be substituted without approval from the P&Z Commission and the P&Z Engineer.
- 5.) Per Article 3, Section 19.1 of the Oxford Zoning Regulations, the applicant shall be responsible for rendering payment for any outside experts the Commission assigns to review this application from the initial review through inspection and issuance of a Certificate of Compliance.
- 6.) Site Plan approval expires if the work is not completed within five years from the date of approval.
- 7.) Compliance with the P&Z Engineer's letter dated 10/12/2013.
- 8.) Compliance with all Town of Oxford Ordinance's in effect as of this date.
- 9.) Applicant to contact P&Z staff to schedule a pre-construction meeting prior to any activity on the site.
- 10.) Comply with the proposed retaining wall design revised 10/28/2013 prepared by H.K. Associates, Hem Khona, P.E.

Second by Commission Secretary Luff.

All (7) Ayes.

BOND RELEASES

- 1.) **Z-06-069 [RESA] – John Fitzgerald, Chestnut Tree Hill Estates, Blue Skies Estates Subdivision – Lantern Ridge Court** (Request for Bond Release)
AWAITING TOWN ENGINEER REVIEW
- 2.) **Z-06-185 [RESA] – CT Realty Investment Group, LLC, Hunters Hollow Subdivision – Newgate Road** (Request for Bond Release)
FORWARD TO TOWN ENGINEER FOR REVIEW & STATUS REPORT

MOTION BY Chairwoman Carver to refer this bond release request to the Town Engineer for review.

Second by Commissioner Cocchiarella.

All (7) Ayes.

ZONING ENFORCEMENT

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

The ZEO went over the following items with the Commission:

- 1.) Bottle Bill
- 2.) New information on CEPA Interventions.
- 3.) Update on Building Codes regarding sheds.
- 4.) Low Impact Development Information.
- 5.) Connecticut General Statute 8-13 (a) regarding structures that are not visible from the street.
- 6.) Certified mailings – information on why not to send them to a P.O. Box.
- 7.) Removing conditions of approval.
- 8.) Anna Rycenga, ZEO stated that she is worked hard on the Hazardous Mitigation Plan along with Scott Pelletier and Kathleen O'Neil. The plan has been approved.
- 9.) Also working on elevation of houses on Roosevelt Drive.
- 10.) Public Act 13-82 regarding Bamboo.
- 11.) Round Table discussion on the sign regulations.

CORRESPONDENCE

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

- a.) Public Act No. 13-186
- b.) State of Connecticut Siting Council – **Re: Petition No. 1072 Algonquin Gas Transmission, LLC – modifications to compressor station in the Town of Oxford.**

ACCEPTANCE OF MINUTES:

TABLED AT THE LAST MEETING (#1-#3):

- 1.) September 26, 2013 Special Meeting/Public Hearing Minutes
- 2.) September 26, 2013 Special Meeting Minutes
- 3.) October 1, 2013 Regular Meeting Minutes

MOTION BY Chairwoman Carver to accept the Meeting Minutes (#1-#3) as presented.

Second by Vice Chairman Watt.

Ayes (5), Abstentions (2) – Commissioner Romagna and Commissioner Jensen.

- 4.) October 7, 2013 Site Walk Minutes – Quarry

MOTION BY Chairwoman Carver to accept Meeting Minutes (#4) as presented.

Second by Vice Chairman Watt.

Ayes (5), Abstentions (2) – Commissioner Romagna and Commissioner Jensen.

- 5.) October 15, 2013 Public Hearing Minutes (7:00 PM)
- 6.) October 15, 2013 Public Hearing Minutes (7:05 PM)
- 7.) October 15, 2013 Regular Meeting Minutes

- 8.) October 29, 2013 Special Meeting Minutes
- 9.) November 4, 2013 Special Meeting Minutes

MOTION BY Commissioner Cocchiarella to accept Meeting Minutes (#5-#9) as presented.
Second by Vice Chairman Watt.
Ayes (5), Abstentions (2) – Commissioner Romagna and Commissioner Jensen.

INVOICES

- 1.) Invoice # 13-032 from Anne Sohon, Court Reporter in the amount of \$100.00.

MOTION BY Commissioner Cocchiarella to approve Invoice # 13-032.
Second by Vice Chairman Watt.
All (7) Ayes.

- 2.) Invoice # 5156 from Turner Miller Group New England in the amount of \$1,700.00.

MOTION BY Commissioner Cocchiarella to approve Invoice # 13-032.
Second by Vice Chairman Watt.
All (7) Ayes.

- 3.) Invoice # 5157 from Turner Miller Group New England in the amount of \$637.50.

MOTION BY Commissioner Cocchiarella to approve Invoice # 13-032.
Second by Vice Chairman Watt.
All (7) Ayes.

- 4.) Invoice # 5161 from Turner Miller Group New England in the amount of \$340.00.

MOTION BY Commissioner Cocchiarella to approve Invoice # 13-032.
Second by Vice Chairman Watt.
All (7) Ayes.

OTHER BUSINESS

- 1.) Any other business the Commissions deems necessary for discussion/action.

The Commission discussed the Accessory Apartment Amnesty Plan and would like to have a motion drafted for the next Regular Meeting to extend the Amnesty Plan.


UPCOMING EVENTS/MEETINGS:


- 1.) *A Public Hearing is scheduled for 7:00 PM on Tuesday, December 3, 2013.*

ADJOURNMENT

MOTION BY Commission Secretary Luff to **adjourn** the Regular Meeting at 8:58 PM.
Second by Vice Chairman Watt.
All (7) Ayes.

Respectfully submitted
Subject to approval,


Jessica Pennell
Administrative Secretary
Planning & Zoning Commission

13 NOV 22 PM 4:52
TOWN OF WESTPORT, CT

TOWN CLERK