



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

November 20, 2012

7:30 PM, 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: Harold Cosgrove, Wayne Watt, Chairman Bill Johnson and Tanya Carver. Alternate Joe Rasberry arrived at 7:33 PM.

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

Not Present: Alan Goldstone, Secretary Pat Cocchiarella, Alternate Edna Cruz, Alternate Joe Dempsey, and Vice Chairman Bonnie Bartosiak.

CHAIRMAN'S REPORT

The following was submitted by the Chairman to be included in the record:

Chairman's Remarks – November 20, 2012

1. On the agenda – Correspondence will be read, but not commented on. If any Commission member would like to address any specific correspondence, please raise your hand and it will be put under "Other Business" to discuss.
2. On our next Regular Meeting (December 4th) – there will be a Public Hearing on our "draft" affordable housing regulations. If anyone has any substantial changes or additions to the draft regulations, please give them to Jessica to distribute to all Commissioners before December 4th. Thank you!

SEATING OF ALTERNATES

Chairman Bill Johnson seated Alternate #1 (Joe Rasberry) in the absence of Secretary Pat Cocchiarella.

DISCUSSION ON THE PLAN OF CONSERVATION & DEVELOPMENT

Town Planner, Brian Miller submitted to each commission member a memorandum dated 11/19/2012. He went through the memorandum briefly and explained to commission members the key points that he believes the commission should be focused on in the future.

Anna Rycenga, ZEO suggested possibly sending out a survey to residents to get input as to what they are concerned about as residents of Oxford.

The commission members and Town Planner, Brian Miller discussed having a Special Meeting in the near future to review the goals and policies of the commission and to discuss what may need to be updated.

Tanya Carver moved to schedule a Special Meeting on January 8, 2013 at 7:00 PM to discuss the Plan of Conservation and Development. **Second by Wayne Watt. All Ayes.**

(Attached to the minutes is the memorandum from Town Planner, Brian Miller)

AUDIENCE OF CITIZENS

Carolyn Reichart, 12 Broadview Avenue, Seymour commented that an application that she submitted was denied, and that she was never told when the Planning & Zoning Commission Meeting would be held. She asked the commission if she could reapply.

Commission members concurred that she could reapply and that the actual applicant, Mr. Weston would need to attend the meeting. They also stated that the reason it was denied was because the Fire Marshal had not approved the application and it was due to expire. They urged Ms. Reichardt to have Fire Marshal approval before coming before the commission when she reapplies.

ACCEPTANCE OF MINUTES:

Chairman Bill Johnson moved to approve the following minutes;

- (a.) September 17, 2012 Special Meeting Minutes
- (b.) October 2, 2012 Regular Meeting Minutes
- (c.) October 16, 2012 Regular Meeting Minutes
- (d.) October 22, 2012 Special Meeting Minutes

Second by Harold Cosgrove. All Ayes (for a,b & c).

Ayes (4), Abstention (1), (for d) Harold Cosgrove.

CORRESPONDENCE – No Action

The following correspondence was read into the record by Jessica Pennell:

- (a.) Memorandum dated 10/18/2012 from Selectman's Office
Re: Temporary Zoning Enforcement Official
- (b.) Letter dated 10/9/2012 from CT Siting Council
Re: Intent to Modify Existing Telecommunications Facility – Willenbrock Road
- (c.) Letter dated 10/18/2012 from CT Siting Council
Re: Modify an Existing Telecommunications Facility – 59 Shelton Road
- (d.) Memorandum dated 10/19/2012 from Glen Persson, Chairman Roads Commission
Re: Old Good Hill Road
- (e.) Memorandum dated 10/19/2012 from Glen Persson, Chairman Roads Commission
Re: "No Thru Truck" traffic sign at West St. & Chestnut Tree Hill Road

- (f.) Letter dated 10/26/2012 from CT Siting Council
Re: Intent to Modify Existing Telecommunications Facility – 20 Great Oak Road
- (g.) Correspondence from Town of Monroe Planning & Zoning Commission
Re: Zone Text Regulation Amendment – Mixed Use Landmark Property Development

OLD BUSINESS

- (1.) **Z-02-209 - Jensen Farms Estates Section I & Z-03-301 - Jensen Farms Estates Section II**
(Request for Release of Maintenance Bonds) (**REMOVE FROM TABLE**)

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

Jessica Pennell read the following correspondence into the record.

- (a.) Report dated 10/15/2012 from Town Engineer, Jim Galligan
RE: Jensen Farms Road

Harold Cosgrove moved to deny the request for a bond release for Z-02-209 & Z-03-301, until all items are addressed. **Second by Chairman Bill Johnson.** All Ayes.

- (2.) **Z-04-006 - Susan Petinella, Governor's Hill Road – Petinella Subdivision/Randall Drive** (**TABLED**)
- (3.) **Z-05-177 – 100 Oxford Road – DTI Enterprises, LLC – Dr. Robin Mahabir**
(Request for Bond Release)

Jessica Pennell read the following correspondence into the record.

- (a.) Report from Nafis & Young Engineers

Tanya Carver moved to approve the release of the bond in the amount of \$15,000.00 which was posted for paving and lining of the parking lot at 100 Oxford Road. **Second by Wayne Watt.** All Ayes.

Anna Rycenga, ZEO noted that the bond should be forwarded to her as she has the bond in her files.

NEW BUSINESS

- (1.) **Z-12-130- (Owner): Ziat, LLC – (Applicant): 2nd Street Leasing, LLC – 315 Riggs Street, Unit 7, Building B** (Use Permit - Special Exception - Article 9, Section 3.16) (**SET PUBLIC HEARING DATE**)

Tanya Carver moved to hold a Public Hearing on **Z-12-130** on *Tuesday, January 15, 2013 at 7:00 PM.* **Second by Wayne Watt.** All Ayes.

ZONING ENFORCEMENT

Anna Rycenga, ZEO presented her October 2012 monthly report to the Commission. She briefly went through the items in her monthly report.

Anna Rycenga, ZEO presented the following items to the Commission:

- (1.) Phoenix Propane – 268 Oxford Road. She stated that she sent a letter requesting an affidavit stating that the tenant has vacated the premises. Dominick Thomas replied via email stating that he would provide such documentation.
- (2.) Roller Bearings of America – 104 Willenbrock Road. She read the letter and stated they posted a \$87,130.00 bond for E&S & Performance Bond.
- (3.) 300 Oxford Road – VEMS – She stated that she would discuss this matter at the next regular meeting.
- (4.) Plan of Conservation & Development – She stated that she sent Brian Miller a letter to provide the Planning & Zoning Commission an estimation of the cost for reviewing and updating the Plan of Conservation and Development.
- (5.) 14 Hart Court – She read a letter and stated the property owner posted a Lawn Bond in the amount of \$1,095.00.
- (6.) 97 Seth Den Road – She stated that although she closed the complaint the Complainant believes there are more than 2 commercial vehicles on the property and he is able to see them. She noted that the complainant submitted pictures but the pictures do not reflect more than 2 vehicles as they are difficult to view.

Anna Rycenga, ZEO explained that the Commission recently approved a Cottage Business/Use Permit for 97 Seth Den Road. She requested that the Commission amend the previous approval to add a time frame for the fencing to be installed.

Harold Cosgrove moved to amend the previous motion from the October 16, 2012 Regular Meeting to add the condition “the applicant has 30 days to construct the fencing according to the plans dated 9/17/2012”. **Second by Chairman Bill Johnson. All Ayes.**

- (7.) BPSIS, LLC 90 Donovan Road – She noted that the property owner is seeking a Certificate of Compliance and per the town engineer’s report the certificate is not approved as they have deficiencies on site.
- (8.) Christian Associates, LLC 187 Christian Street/Robinson Lane – She noted that she received a complaint from DEEP & Fire Marshal, Scott Pelletier. She read the Cease & Desist / Notice of Violation Enforcement Order into the record.

Harold Cosgrove stated that this is very upsetting to him and that he thinks the Town Attorney should be contacted. Anna Rycenga, ZEO stated that she carbon copied the town attorney, land use agencies, and state agencies on the order.

The Commission requested that Anna Rycenga, ZEO send a letter to DEEP asking what has been done and also to request the property owner’s presence at a Planning & Zoning Meeting.

- (9.) 13 Cherokee Drive – She stated that the property owner received a permit to build on the existing footprint and upon an inspection for a certificate of compliance it was noted that a deck and stairs

was added without permits. She explained how it is so useful to request A-2 surveys prior to issuance of a COC for this very reason and commended the Commission on that regulation change because it is a helpful enforcement tool.

- (10.) Oxford High School Fields – She stated that there have been several sedimentation and erosion control issues on site. She stated the following:
- a) Install silt fence around the other easterly stockpile area approximately 10 feet from the toe of the slope. (Please ensure the slopes are no steeper than 2:1 and if the stockpiles are not used within 30 days they need to be seeded or mulched as recommended by the CT E&S Guidelines.)
 - b) The Construction Access Road – Improve the anti-tracking pad. Needs maintenance to prevent sediment deposition on the paved surface. I noted sediment deposition on the paved road.
 - c) Silt fence along the southerly detention basin requires maintenance. (I placed an X with white spray paint on the silt fence). Please note that some of the existing fencing may have to be replaced or repaired as it has been overtopped and undercut which was bypassed by runoff water.
 - d) I also noted some gully or channel erosion on the walls of the detention basins. Please continue to monitor.

Anna Rycenga, ZEO stated that that they are in the process of addressing the concerns.

- (11.) Roosevelt Drive (Route 34) – She noted that she requested that Mike Horbal give her a status report on Cocchiolla subdivision as requested to present to the Commission but has not received that to date.
- (12.) Meadowbrook “Winter Conditions”- She stated that she received a letter as she requested for the file for the winter conditions. She also stated that she requested a winter conditions letter from Oxford Greens.

UPCOMING MEETINGS:

**** Public Hearing – Affordable Housing Regulations– Tuesday, December 4, 2012 at 7:00 PM***

OTHER BUSINESS

The following correspondence was read into the record by Jessica Pennell:

- (a.) Letter dated 10/8/2012 from Joe Dempsey to Commission Members & Staff
- (b.) Cedarstone Road – Correspondence
 - 1. Letter from Scott J. Pelletier – Copied to Planning & Zoning Commission
 - 2. Letter from George Temple to Luis Santos – Copied to Planning & Zoning Commission
 - 3. Memorandum from Glen Persson, Chairman, Roads Commission
Re: Cedarstone Road Request to Change from Private Road to Town Road.

- (c.) Letter dated 10/18/2012 from George Temple to William Johnson & Commission

The Commission requested that a letter be sent to First Selectmen Temple, along with a copy of the Subdivision Regulations as a reply to his letter dated 10/18/2012.

- (d.) Letter dated 10/17/2012 from Village Retail, LLC

Tanya Carver moved to *approve* the request for a five year extension from Village Retail, LLC for Z-07-220. **Second by Chairman Bill Johnson. All Ayes.**

- (e.) Invoice # 365-12 from Nafis & Young Engineers

Tanya Carver moved to *approve* Invoice #365-12 from Nafis & Young Engineers.
Second by Wayne Watt. All Ayes.

- (f.) Invoice # 386-12 from Nafis & Young Engineers

Tanya Carver moved to *approve* Invoice #386-12 from Nafis & Young Engineers.
Second by Wayne Watt. All Ayes.

- (g.) Invoice # 396-12 from Nafis & Young Engineers

Tanya Carver moved to *approve* Invoice # 396-12 from Nafis & Young Engineers.
Second by Wayne Watt. All Ayes.

- (h.) Invoice # 5104 from Turner Miller Group New England

Tanya Carver moved to *approve* Invoice # 5104 from Turner Miller Group New England.
Second by Wayne Watt. All Ayes.

- (i.) Any other business the commission deems necessary for discussion.

ADJOURNMENT


Chairman Bill Johnson moved to adjourn the meeting at 9:25 PM. **Second by Tanya Carver. All Ayes.**

Respectfully submitted,


Jessica Pennell

Administrative Secretary

Planning & Zoning Commission

12 DEC 12 PM 4:53
TOWN OF OXFORD, CT

TOWN CLERK