



**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, July 1, 2014**  
7:30 PM  
Oxford Town Hall  
Main Meeting Room

**CALL TO ORDER**

**Chairman Carver** called the Regular Meeting of **July 1, 2014** to order at 8:00 PM.

**PLEDGE OF ALLEGIANCE**

**ROLL CALL**

**Present:** John Kerwin, Pete Zbras, Harold Cosgrove, Arnie Jensen, Glen Persson, Jeff Luff, Tanya Carver, Pat Cocchiarella and Todd Romagna.

**Not Present:** Ed Rowland.

**Staff Present:** Jessica Pennell, Administrative Secretary, Anna Rycenga, ZEO, Brian Miller, Town Planner and Kevin Condon, Town Counsel.

**CHAIRMAN'S REPORT**

**SEATING OF ALTERNATES**

No alternates were seated.

**AMENDMENTS TO AGENDA**

**MOTION BY Commission Secretary Cocchiarella** to **AMEND** the agenda to put New Business #1 as New Business #5 and to move up all the other New Business accordingly.

**Second by Commissioner Cosgrove.**

**VOTE:** All Ayes.

**OLD BUSINESS**

- 1.) **Z-14-001 [RES-A] – Glendale at Oxford – Owner & Applicant: Glendale at Oxford, LLC, Christian Street (Map: 19 Block: 26 Lot: 1)** (Zoning Regulations Amendment- Proposed New Article 5B – Housing Opportunity Development District – HODD)

**Z-14-002 [RES-A] – Glendale at Oxford – Owner & Applicant: Glendale at Oxford,**

**LLC, Christian Street (Map: 19 Block: 26 Lot: 1)** (Zoning Map Amendment)

**Z-14-003 [RES-A] – Glendale at Oxford – Owner & Applicant: Glendale at Oxford, LLC, Christian Street (Map: 19 Block: 26 Lot: 1)** (Application for Site Plan Approval)

*\*Reapprove and set effective date for the Zoning Map Amendment & Zoning Text Change.*

**MOTION BY Commission Secretary Cocchiarella** to *add an effective date of August 1, 2014* to the *May 21, 2014 approval* of the above applications.

**Second by Commissioner Cosgrove.**

**VOTE: All Ayes.**

- 2.) **Z-14-059 [IND] – 1 Jack’s Hill Road - Owner: Sippin Management – Applicant: Wendy Gilchrest, Gyre 9, LLC** (Use Permit)

**Commission Secretary Cocchiarella** read correspondence dated 5/28/2014.

**Anna Rycenga, ZEO** went over the Statement of Use.

**Ed Gilchrest, 194 Maple Tree Hill Road**, Applicant was present to answer any questions for the Commission.

**MOTION BY Commission Secretary Cocchiarella** to **APPROVE** application **Z-14-059** for a use permit based on the “*Tenant Fit-out Plan*” dated June 3, 2014 and prepared by Wendy Gilchrest of Gyre9, LLC with the following conditions:

1. Applicant and their assigns must comply with all representations made at the Planning & Zoning Commission meeting regarding this application.
2. Compliance with the Statement of Use dated June 4, 2014.
3. Compliance with the Fire Marshal’s approval dated June 19, 2014
4. Compliance with the W.P.C.A. approval dated May 29, 2014.
5. No signage is being proposed.
6. Per Article 3, Section 3.19.1 of the Zoning Regulations, the applicant shall be responsible for rendering payment for any outside experts the Commission assigns to review this application.
7. Compliance with the Oxford Zoning Regulations as of this date.

Reason for approval is that it meets the Oxford Zoning Regulations in effect as of this date.

**Second by Commissioner Cosgrove.**

**VOTE: All Ayes.**

## **NEW BUSINESS**

- 1.) **Z-14-036 [COMM & AQUIFER] – 35 Oxford Road – Owner: Benn Development, LLC, Applicant: Anastasio Badas – “Heav’nly Donuts”** (Site Plan Modification) (Use Permit) (Special Exception - Article 14, Section 14.1.5 & Section 14.3)

**MOTION BY Commissioner Romagna** to **APPROVE** application **Z-14-036**:

**WHEREAS**, The Oxford Planning & Zoning Commission has received the Application Z-14-036 for a Site Plan Modification and Special Exception in accordance with Sections 14.1.5 and 14.3, Earth Re-grading as well as an application for approval in conformance with the Town of Oxford Aquifer Protection Area Regulations;

**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 & Zoning Commission has considered the testimony presented at the Public Hearing held on June 10, 2014.

**WHEREAS**, The Oxford Planning & Zoning Commission reviewed the following documents presented as part of the application:

- Application form for Z-14-036 and received 4/30/2014
- Statement of Use received 4/30/2014.
- Storm Water Management Analysis for the Oxford Gateway Commercial Development, 35 Oxford Road, Oxford, Connecticut and last revised 1/10/2014.
- Sheet 1-01 – Cover Sheet – Oxford Gateway Commercial Development Site Plan Approval Drawings, prepared by B&B Engineers, not dated.
- Plot plan prepared for Benn Development, 35 Oxford Road, by Nutmeg Land Surveying Services dated 12/22/2007.
- Drawing 11-01 – Oxford Gateway Commercial Development Site Layout & Landscaping Plan, last revised 3/21/2014.
- Drawing 12-01 – Oxford Gateway Commercial Development Grading, Drainage and Utility Plan, last revised 3/21/2014.
- Drawing 15-01 – Oxford Gateway Commercial Development Soil Erosion & Sediment Control Plan, last revised 3/21/2014.
- Bada's Heav'nly Donuts Architectural Renderings, drawn by C.K. Associates, P.C. dated 5/9/2014.
- Bada's Heav'nly Donuts Floor Plan, drawn by C.K. Associates, P.C. dated 5/9/2014.

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

1. The application is in conformance with Article 7, Section 7.3.2, drive through facilities within the Commercial Zone.
2. The Commission finds that the application is consistent with the required findings of Article 10, Section 10.3.
3. The application is consistent with the Comprehensive Plan and the Plan of Conservation and Development.
4. The application is in conformance with the Aquifer Protect Regulations of the Town of Oxford.

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

1. Compliance with all Town of Oxford Regulations and Ordinances in effect as of this date.
2. No substitute material shall be used without approval of the Planning & Zoning Commission and the Planning & Zoning Commission Engineer.

3. 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.
4. The application is in conformance with the Aquifer Protection Regulations of the Town of Oxford.
5. The applicant shall submit three complete copies of the set of plans which reflect these conditions of approval, including one electronic copy.
6. No work to be done until security is set by the PZC Engineer in a form acceptable to Town Counsel, and installed by the applicant.
7. Site plan work shall be completed by July 1, 2019.
8. The applicant shall have a pre-construction meeting with Town Staff prior to any construction activities.

*The effective date of this approval is July 12, 2014.*

**Second by Commission Secretary Cocchiarella.**

**Commissioner Cosgrove** brought up concerns about lead paint because of the age of the building.

**Vice Chairman Luff** agreed and also mentioned that asbestos might be an issue, and the building should be checked for that as well.

**Commission Secretary Cocchiarella** questioned if the Town's Hazard Mitigation Plan is in place.

**Brian Miller, Town Planner** stated that the applicant will be required to get rid of debris and any hazardous material properly whether the Commission states it or not, it is regulated by the DEEP, you can place it in your conditions, but it will occur.

**Commissioners** decided to add "Demolition has to comply with all applicable regulations, including that of the DEEP" as a condition #9.

**Commission Secretary Cocchiarella** commented that he would like a statement in the motion that states the residential use will be vacated.

**Chairman Carver** stated that she would like to add the statement that all prior approvals are null and void.

**Pete Zbras** stated that they might add something regarding the bike and car shows.

**Anna Rycenga, ZEO** stated that this would be #11, vehicle directional signs and/or exit and entrance are to be clearly marked with no advertisement.

**Anna Rycenga, ZEO** went over the amendments with the Commission members; they are additions #9, #10, #11 & #12.

**Commissioner Romagna** accepted the four amendments.

**Commission Secretary Cocchiarella seconded** the acceptance of the four amendments.

**VOTE: All Ayes.**

- 3.) **Z-14-072 [RESA] – Owner: Oxford Historical Society – Applicant: John Konicki – 60 Towner Lane** (Sign Permit)

**Jessica Pennell, Administrative Secretary** explained that Mr. Konicki had been in the office to request a sign permit for the Historical Society. She noted that she had spoken to Chairman Carver regarding the matter and that she was asked to put it on the next meeting agenda to go before the Commission members.

**Chairman Carver** stated that she asked that this be placed on the agenda because it does not conform to the sign regulations.

**Anna Rycenga, ZEO** stated that she has not reviewed this. She stated that the sign is in a residential zone, a double sided 12.5 square feet sign which is larger than what is allowed by the regulations. She commented that it is for the Oxford Historical Society which is a non-profit organization.

**John Konicki** stated that he is on the Executive Board of the Historical Society. He commented that he believes the sign size is correct in accordance with the regulations; the only thing that is not in compliance is the height. He noted that they are trying to depict the sign with some historical character and that is why they designed the sign as they did.

**Vice Chairman Luff** questioned if there is any lighting.

**John Konicki** stated that there is no lighting for the sign.

**MOTION BY Vice Chairman Luff** to **TABLE** this item to the next Regular Meeting.

**Second by Commissioner Cosgrove.**

**VOTE: All Ayes.**

- 4.) **Z-14-070 [IND] – Applicant: Mead Construction, LLC, Gary Mead, Owner: Entrepot BUI, LLC – 7 Fox Hollow Road** (Greenhouse – 1,800 square feet) (Deck – 640 square feet)

**MOTION BY Commission Secretary Cocchiarella** to **APPROVE** application **Z-14-070** for a site plan based on plans dated June 11, 2014, last revised June 27, 2014 and prepared by Civil Engineers, Curtis C. Jones, P.E., CT Lic. # 17206 located 43 Sherman Hill Road, Woodbury, Connecticut, with the following conditions:

1. Applicant and their assigns must comply with all representations made at the Planning & Zoning Commission meeting regarding this application.
2. No material will be substituted without the approval from the Planning & Zoning Commission or the Planning & Zoning Engineer.
3. Per Article 3, Section 3.19.1 of the Zoning Regulations the applicant shall be responsible for rendering payment for any outside experts the Commission assigns to review this application.
4. Site Plan approval expires if the work is not completed within five years from the date of approval. (Expires July 1, 2019)
5. Compliance with the W.P.C.A. approval dated July 1, 2014.
6. Compliance with the Fire Marshal's approval dated July 1, 2014.

7. Compliance with the Oxford Zoning Regulations as of this date.

Reason for approval is that it meets the Oxford Zoning Regulations in effect as of this date.

**Second by Commissioner Cosgrove.**

**VOTE: All Ayes.**

- 5.) **Z-14-071 [IND] – Applicant: GenQuip, LLC, Rob Rottman – Owner: V.A.S.E – 119 Hawley Road, Suite 103** (Change of Use Permit)

**MOTION BY Vice Chairman Luff to APPROVE** application **Z-14-071** for a use permit based on the “*Tenant Fit-out Plan*” dated June 26, 2014 prepared by GenQuip, LLC c/o Rob Rottman with the following *conditions*:

1. Applicant and their assigns must comply with all representations made at the Planning & Zoning meetings regarding this application.
2. Compliance with the Statement of Use dated June 26, 2014.
3. Compliance with the Fire Marshal’s approval dated June 26, 2014.
4. Compliance with the W.P.C.A. approval dated June 20, 2014.
5. No signage proposed at this time.
6. Per Article 3, Section 3.19.1 of the Zoning Regulations, the applicant shall be responsible for rendering payment for any outside experts the Commission assigns to review this application.
7. Compliance with the Oxford Zoning Regulations as of this date.

Reason for approval is that it meets Oxford Zoning Regulations in effect as of this date.

**Second by Commission Secretary Cocchiarella.**

**VOTE: All Ayes.**

- 1.) **Z-14-027 [COMM] – Applicant & Owner: Oxford Towne Center, LLC – Project: Oxford Town Center – Parcels included in application:**
  - a. 278 Oxford Road –Map: 34 Block: 9 Lot: 31A & 31B
  - b. 300 Oxford Road –Map: 34 Block: 9 Lot: 26
  - c. 3 Echo Valley Road – Map: 34 Block: 9 Lot: EV6
  - d. 274 Oxford Road – Map: 34 Block: 9 Lot: 25 (Owner: 274 Oxford Road, LLC)
  - e. Portion of 268 Oxford Road – Map: 34 Block: 9 Lot: EV4A (Owner: Barbara Scianna)  
(Zone Change) (Map Amendment)

**Commissioner Cosgrove** stated for the record that he has listened to the tapes of the meeting that he missed and he has submitted a notarized letter for the record to the Secretary. He commented that he feels that he should be a voting member for this application.

**Commission Secretary Cocchiarella** stated that he was absent for the first Public Hearing but he was also able to listen to the tapes and he has also submitted a notarized statement for the record.

**Chairman Carver** stated that only the Commission members will be part of deliberations for this application.

**Town Planner Brian Miller** made a brief statement regarding his memorandums dated June 25<sup>th</sup> and June 30<sup>th</sup> 2014.

**Chairman Carver** stated that it would make sense to go through the conditions that were presented in Brian Miller's memorandum.

**Conditions:**

**Condition #1.** The central green should be a minimum size of once acre and be included in Phase 1 of development.

***Discussion:***

**Commission Secretary Cocchiarella** stated that the he would like to delete the words “and be included in Phase 1 of development”. He noted that it is not part of Phase 1, it is part of another plan, and this being just a conceptual plan he does not think that detail needs to be addressed.

**Chairman Carver** passed around copies of notes that were written by Vice Chairman Luff.

**Anna Rycenga, ZEO** stated that she also has a few conditions which are standard which should be added to the approval.

**Condition #2.** The developer should enter an agreement with the Board of Selectmen of the Town of Oxford to permit the use of this Central Town Green by the Town or its designees in a manner consistent with the needs of the Town of Oxford, as determined by the Board of Selectmen, in accordance with the Town Charter of the Town of Oxford, as a condition of final approval of Phase 1.

***Discussion:***

**Vice Chairman Luff** suggested to add “an agreement with the Board of Selectmen *and Planning & Zoning*”

**Town Planner, Brian Miller** stated that it is not in the purview of this Commission to enter into such agreements. The Commission can state that they want the property to be able to be used publicly, then it is the Board of Selectmen's job to negotiate an agreement.

**Town Attorney, Kevin Condon** stated that it is with the owners of the property the Selectmen and this Commission but noted that you can run into all kinds of issues. He stated such as liability issues, insurance issues, and maintenance issues, but that is within the purview of the property owner and the Selectmen.

**Town Planner, Brian Miller** questioned Attorney Condon if he thought that the Planning & Zoning Commission should also be a party to those negotiations.

**Town Attorney, Kevin Condon** stated that if this Commission is looking to approve that concept, of having an open space, then that should be the limit of their involvement. He reiterated that the negotiation would be between the property owner and the Selectmen.

**Commission Secretary Cocchiarella** stated that since it is a Board of Selectmen purview rather than a Planning & Zoning Commission purview, if they took Planning & Zoning Commission out of there but removed some other language, it can be dealt with that way based on the recommendations of Attorney Condon.

**Commission Secretary Cocchiarella** stated that getting rid of the word “designees” is a good idea, it would then have to go through the Board of Selectmen and the property owner. He stated that when the green comes into existence in Phase 2, that is when the agreements with the Board of Selectmen need to be enacted, not now because this is the conceptual plan.

**All Commission** members agreed to the changes for **Condition #2**.

**Condition #3.** The plan and installation of improvements for the completion of the Town Center Green shall include elements as approved by the Commission.

**All Commission** members agreed to **Condition #3** as presented.

**Condition #4.** A separate recreational-open space area other than the central town center green shall be provided to serve the residential component of the proposed development. Such area shall be a minimum of 200 square feet of contiguous space per unit, improved with facilities as deemed appropriate by the Commission, centrally located within the residential area and include pedestrian linkages between the residential and proposed open space.

*Discussion:*

**Chairman Carver** noted that Vice Chairman Luff’s notes reflect that his suggestion is to remove everything after the first sentence.

**Commissioner Cosgrove** agreed.

**Commission Secretary Cocchiarella** agreed.

**Town Planner, Brian Miller** stated that he wanted to provide some sort of standard.

**Commission Secretary Cocchiarella** stated that again, this is a conceptual plan; some of these details need to be worked out during the site plan application.

**Chairman Carver** questioned if they should add wording “contiguous area”.

**Anna Rycenga, ZEO** stated that it could be broken up in sections, as long as it is there.

All agreed that this could be worked out during the site plan application.

**Chairman Carver** reiterated that **Condition #4** will only consist of the first sentence of Brian Miller’s original **Condition #4**.

**All Commission members** agreed to use only the first sentence of Brian Miller’s original **Condition #4**.

**Condition #5.** The residential component shall include a comprehensive pedestrian circulation system with direct connections “down the hill” across the streets to provide efficient linkages to the commercial and community areas.

*Discussion:*

**Commission members** agreed to this condition as it was presented by Brian Miller.



**Condition #6.** Residential buildings shall have a maximum of two stories with a loft. Not more than one dwelling unit shall be above another unit.

**Vice Chairman Luff** stated that he felt that should be stricken because the regulations allow three story buildings and they would be putting restrictions on the “concept” plan. He stated that it can be discussed during Phase 3.

**Chairman Carver** stated that it should be single family units, whether attached or detached, but not having people living above or below.

**Commission Secretary Cocchiarella** stated that our regulations allow three stories.

**Commissioner Cosgrove** stated that he is in favor of deleting **Condition # 6**.

**Commissioners** agreed to *remove Condition # 6*.

**Condition #7.** The maximum size of each residential unit, which may also include a loft space within the top story of a unit, considered a bedroom. Such loft space shall not include a closet area, and shall be separated from the primary living area by a half wall. All commercial loading areas shall be visually screened from residential areas and public rights of ways.

*Discussion:*

**Town Planner, Brian Miller** stated that there are two different memorandums, one from June 25<sup>th</sup> and there is also a June 30<sup>th</sup> version.

**Chairman Carver** stated that **Condition #6** should state that the maximum number of bedrooms shall be two.

**Town Planner, Brian Miller** stated that each unit shall have a maximum of two bedrooms, and asked if that is what the Commission wanted.

**Commission Secretary Cocchiarella** agreed.

**Chairman Carver** stated that **Condition #6** would state a maximum of two bedrooms per unit and **Condition #7** would be that all commercial loading areas shall be visually screened from residential areas and public rights of way.

**Condition #8.** The Scianna property shall not be included within the proposed zone change.

*Discussion:*

**Chairman Carver** stated that **Condition #8** will be removed.

**Town Planner, Brian Miller** stated that it is not part of the development.

**Vice Chairman Luff** stated that he thought it was under contract based on approval.

**Town Planner, Brian Miller** stated that the panhandled area is included; the remaining area that is not shown on the site plan is not included at this time. He stated it can be worded, “the portion of the Scianna property”.

It was noted that the wording would be, “only the property shown on the conceptual site plan shall be included in the proposed zone change at this time”.

**Condition #9.** Vegetative screening shall be installed along the residential properties on Echo Valley Road in a manner approved by the Commission.

**Chairman Carver** stated that **Condition #9** would remain as it was presented.

**Condition #10.** A comprehensive lighting plan shall be submitted by the applicant and approved by the Commission prior to or in conjunction with site plan approval. The commercial lighting plan shall be dark sky compliant with a minimum of lighting spill off site, or within the residential areas.

**Commission Secretary Cocchiarella** stated that they should include “IDA” before the words dark sky compliant and to change the word “or” to “and” in the last sentence.

**Commission members** agreed.

**Condition #11.** A comprehensive signage plan shall be submitted by the applicant and approved by the Commission prior to or in conjunction with the site plan approval. Such signage plan shall include a consistency of design, and be consistent with the spirit of the Oxford Zoning Regulations.

*Discussion:*

**Chairman Carver** noted that the Commission would like to remove the words “with the spirit” and state instead, “and be consistent with”.

**Anna Rycenga, ZEO** questioned if they wanted to remove the words “prior to” from the first sentence.

**Town Planner, Brian Miller** stated that there are no signage regulations that refer to the VCMUD or this type of development and he is not sure that these signage requirements should be tied to the existing regulations.

**Anna Rycenga, ZEO** stated that the applicant can submit a text amendment to revise the sign regulations.

**Town Planner, Brian Miller** stated that they can attach a certain set of standards to this zone/district.

**Anna Rycenga, ZEO** stated that they could replace the word “spirit” with the word “intent”.

**Commission Members** agreed to the changes.

**Condition #12.** The entrance to the residential area from the commercial area should be redesigned to provide a more direct and prominent entrance, and reduce the safety and visibility concerns of the existing narrow curve. The residential component shall not be approved without a redesign of the entrance.

*Discussion:*

**Town Planner, Brian Miller** stated that he is suggesting that they consider some sort of redesign so that there is an entrance into the neighborhood. He stated that the Commission can go into more detail of the redesign at a later phase.

**Commission Secretary Cocchiarella** stated that he would remove the last sentence of **Condition #12**.

**Chairman Carver** reiterated that **Condition #12** would read as presented, without the last sentence.

**Condition #13.** All site plans shall include a comprehensive plan of traffic control devices.

*Discussion:* None, remains as presented.

**Condition #14.** All utilities shall be placed underground on the site.

*Discussion:* None, remains as presented.

**Condition #15.** There shall be direct pedestrian connections between each of the commercial buildings fronting on Route 67 and the proposed sidewalk along Route 67.

*Discussion:*

**Chairman Carver** stated that **Vice Chairman Luff** would like to add the wording “wherever feasible” at the end of the sentence.

**Condition #16.** All streets, walkways, grounds and utilities on site shall be privately owned. The town of Oxford shall have no obligation to maintain or repair any privately owned property within this proposed development.

*Discussion:*

**Commission members** and staff discussed that there will be a contract between the Town and the developer which will indicate the use of the “green” and certain terms regarding the “green” if it is used by the Town.

**Commission Secretary Cocchiarella** stated that a contract would supersede anything the Commission approves in a conceptual plan.

**Condition #17.** An area for school bus pickup, with parking for parents shall be designated on the site plan. This should include a bus parking area along Route 67 at this selected area.

**Chairman Carver** stated that the addition of “subject to review by the Oxford Board of Education and OSTA.

**Commission Secretary Cocchiarella** stated that generally buses do not go on private property, but this being a new and unique situation, the bus stop might wind up being inside the project instead of out on Route 67. He was thinking they should remove the words “along Route 67”.

**Chairman Carver** reiterated **Condition #17** again.

**Commission members** agreed.

**Condition #18.** This area shall also be configured to accommodate public busses as provided by the Valley Transit District. The applicant shall work with the Valley Transit District, along with the Town of Oxford, to provide public transit service to this site.

*Discussion:* None, remains as presented.

**Condition #19.** A conceptual grading plan shall be submitted for the entire site, which indicated general proposed grades and existing grades. The general proposed grades shall be at 5' contours. The height of the resulting cliffs, drops and retaining walls shall also be shown.

*Discussion:* None, remains as presented.

**Condition #20.** Minimum road widths shall be 24' except for one way access drives, in which the minimum width shall be 16'.

*Discussion:* None, remains as presented.

**Condition #21.** A detailed parking management and snow management plan shall be submitted, with the responsible entities identified, as part of site plan approval.

*Discussion:* None, remains as presented.

**Condition #22.** Landscape plans shall be submitted for each phase of site plan approval. The mature trees at the top of the slopes surrounding the site shall be maintained as much as feasible. The applicant shall submit a plan and report to the Commission analyzing the feasibility and plans for these buffer vegetation.

*Discussion:* None, remains as presented.

**Condition #23.** Where needed, in the opinion of the Commission, buffer landscaping shall be enhanced with a solid fence, the design and materials approved by the Commission.

*Discussion:*

**Chairman Carver** mentioned that it is on the top, for safety reasons and she questioned if this condition covers that.

**Anna Rycenga, ZEO** stated that when the excavation permit came in it was noted that they were putting a temporary fence around the property, however, the applicant has presented to this Commission that he will be putting a permanent fence around the perimeter of the property.

**Commission Secretary Cocchiarella** stated that Condition #23 seems ok as it is.

**Anna Rycenga, ZEO** stated that the beginning of the sentence where it states "Where needed, in the opinion of the Commission" is not needed.

**Anna Rycenga, ZEO** stated that they have to decide which phase.

**Town Planner, Brian Miller** stated that they could add "during the appropriate phase of construction".

**Chairman Carver** stated that Condition #23 would read: Buffer landscaping shall be enhanced with a solid permanent fence during the appropriate phase of construction, the design and materials approved by the Commission.

**Condition #24.** Additional pedestrian connections within the parking lots to the west of the principal line of stores should be provided. There should be a walkway between every other parking strip. Such walkway should be at least 4' wide, surrounded by 4' of landscaping on each side.

*Discussion:*

**Chairman Carver** stated that there are Commission members that would like to remove **Condition #24**.

**Town Planner, Brian Miller** explained his reasoning behind this condition.

**Commission Secretary Cocchiarella** noted that the condition verbiage refers to the west, but it is to the north.

**Town Planner, Brian Miller** stated that he meant to the north.

**Commission Secretary Cocchiarella** noted that this then refers to the pedestrian connections between the residential area and the commercial area.

**Chairman Carver** reiterated that they would change the word “west” to “north”.

*Discussion* ensued between **Commission members**.

**Chairman Carver** read revised **Condition #24** – Additional pedestrian connections within the parking lots to the west of the principal line of stores should be provided.

**Commission members** agreed.

**Condition #25.** The Oxford Planning & Zoning Commission shall include additional conditions of approval for the site plans for each individual phase as they deem appropriate.

*Discussion:* None, remains as presented.

**Added Condition #26.** – Sewer and water to be installed by the applicant per Vice Chairman Luff's suggestion.

**Added Condition #27.** – Seven copies of the revised plans (24"x36") and five (11"x17") shall be provided, amended in accordance with motion shall be submitted to the Planning & Zoning Department.

**Added Condition #28.** – An electronic format of the conceptual plan on a disk is to be submitted to the Planning & Zoning Department.

**Added Condition #29.** – Applicant and their assigns must comply with all representations made at all Planning & Zoning Meeting and/or Public Hearings regarding this application.

**Added Condition #30.** – Per Article 3, Section 3.19.1 of the Zoning Regulations, the applicant shall be responsible for rendering payment for any outside experts the Commission assigns to review this application.

**Added Condition #31.** – Compliance with Oxford Zoning Regulations in effect as of this date.

**Town Planner, Brian Miller** stated that his June 30<sup>th</sup> memo refers to water and sewer.

**Commission members** discussed this and replaced current **Condition #26** with the following – *the cost of any extension or improvement of infrastructure, such as roadways, water and sewer which serve the potential development shall be the responsibility of the developer. The governing body of the provider of the infrastructure shall have the authority to arrange an appropriate method of financing such infrastructure.*

**Chairman Carver** called for a 10 minute recess.

**Chairman Carver** called the meeting back to order.

**MOTION BY Commission Secretary Cocchiarella to APPROVE Z-14-027 [COMM] – Applicant & Owner: Oxford Towne Center, LLC – Project: Oxford Town Center – Parcels included in application:**

- a. 278 Oxford Road –Map: 34 Block: 9 Lot: 31A & 31B
- b. 300 Oxford Road –Map: 34 Block: 9 Lot: 26
- c. 3 Echo Valley Road – Map: 34 Block: 9 Lot: EV6
- d. 274 Oxford Road – Map: 34 Block: 9 Lot: 25 (Owner: 274 Oxford Road, LLC)
- e. Portion of 268 Oxford Road – Map: 34 Block: 9 Lot: EV4A (Owner: Barbara Scianna)  
(Zone Change) (Map Amendment) with an *effective date of July 16, 2014.*

**Second by Vice Chairman Luff.**

**Roll Call Vote:** Commissioner Cosgrove (Yay), Commissioner Jensen (Yay), Commissioner Persson (Yay), Vice Chairman Jeff Luff (Yay), Chairman Tanya Carver (Yay), Commission Secretary Cocchiarella (Yay), Commissioner Romagna (Yay).

**Unanimously approved.**

**MOTION BY Commission Secretary Cocchiarella to APPROVE Z-14-028 [COMM] – Applicant & Owner: Oxford Towne Center, LLC – Project: Oxford Town Center – Parcels included in application:**

- a. 278 Oxford Road –Map: 34 Block: 9 Lot: 31A & 31B
- b. 300 Oxford Road –Map: 34 Block: 9 Lot: 26
- c. 3 Echo Valley Road – Map: 34 Block: 9 Lot: EV6
- d. 274 Oxford Road – Map: 34 Block: 9 Lot: 25 (Owner: 274 Oxford Road, LLC)
- e. Portion of 268 Oxford Road – Map: 34 Block: 9 Lot: EV4A (Owner: Barbara Scianna)  
(Conceptual Plan)

**WHEREAS,** The Oxford Planning & Zoning Commission has received the following materials in conjunction with the applications for a zone change amendment and Conceptual Plan approval for the Oxford Town Center.

- CS0001 – Cover Sheet, Oxford Towne Center, drawn by Langan Engineering & Environmental Services; dated 4/16/2014.
- CS0002 – Master Legend and Notes Brief, drawn by Langan Engineering & Environmental Services; dated 4/16/2014
- V8101 – Boundary and Topographic Survey; dated 3/3/2014
- CS100 – Overall Site Plan; dated 4/16/2014
- CU100 – Overall Utility Plan; dated 4/16/2014
- LP100 – Overall Landscape Plan; dated 4/16/2014
- LL100 – Overall Lighting Plan; dated 4/16/2014
- Traffic Impact Study for Oxford Towne Center; prepared by Langan CT, Inc.; dated April 2014.
- Application for Z-14-027 & Z-14-028
- Parking Management & Operations Plan for Oxford Towne Center; dated April 2014.

**WHEREAS**, the above applications were submitted in accordance with Article 6 of the Oxford Zoning Regulations for the following properties;

- a. 278 Oxford Road –Map: 34 Block: 9 Lot: 31A & 31B
- b. 300 Oxford Road –Map: 34 Block: 9 Lot: 26
- c. 3 Echo Valley Road – Map: 34 Block: 9 Lot: EV6
- d. 274 Oxford Road – Map: 34 Block: 9 Lot: 25 (Owner: 274 Oxford Road, LLC)
- e. Portion of 268 Oxford Road – Map: 34 Block: 9 Lot: EV4A (Owner: Barbara Scianna)

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

**WHEREAS**, The Oxford Planning & Zoning Commission has considered the testimony presented at the public hearings held on May 27, 2014 and June 2, 2014 and members of the public, and makes the following findings;

1. The application is consistent with the intent of the recently adopted Article 6 (VCMUD) of the Oxford Zoning Regulations.
2. The proposed zoning amendment is consistent with the Comprehensive Plan.
3. The proposed application is consistent with the 2007 Oxford Plan of Conservation and Development.

**WHEREAS**, Applications **Z-14-027** and **Z-14-028** are **APPROVED** subject to the following *conditions*:

All the conditions that were discussed at this meeting by the Commission and all the conditions modified as of this date.

*The effective date of this approval will be July 16, 2014.*

**Second by Vice Chairman Luff.**

**Roll Call Vote:** Commissioner Cosgrove (Yay), Commissioner Jensen (Yay), Commissioner Persson (Yay), Vice Chairman Jeff Luff (Yay), Chairman Tanya Carver (Yay), Commission Secretary Cocchiarella (Yay), Commissioner Romagna (Yay).

**Unanimously approved.**

## **AUDIENCE OF CITIZENS**

a.) Letter dated June 23, 2014 from John DiBiaso to the Planning & Zoning Commission

**John DiBiaso, 1001 White Birch Lane** stated that he has been at White Birch Lane for four years and he is the only occupied unit there who doesn't have a paved driveway. He stated that he would like to see his driveway get paved. He commented that his driveway is going to be a shared driveway and it is going to be shared with four other houses and he and his wife have some health and safety concerns about that. He stated that he hopes that Planning & Zoning can take a look at this before any other permits are issued for any other houses.

**Anna Rycenga, ZEO** stated that she and Mr. DiBiaso have established a relationship regarding Meadow Brook Estates. She stated that regarding the shared driveway, it was originally approved by the Commission at 18' wide and the Commission requested that it be widened to 20'. She stated that Mr. DiBiaso would like to see that lane become a road rather than a shared driveway. She commented that regarding is driveway, there is a portion that is unpaved, she spoke to Kathy Ekstrom, who said she would address the situation.

**Commission Secretary Cocchiarella** stated that they should look at this, and have Anna Rycenga, ZEO work on this and report back to the Commission.

**Anna Rycenga, ZEO** urged the Commission members to stop by the site or have a formal site walk, and then take action if necessary.

**Chairman Carver** asked that **Anna Rycenga, ZEO** report back to the Commission by the next Regular Meeting.

**Jerry Levesque, 606 Juniper Court** stated that he is concerned about the heavy traffic on the roads, especially the road going up into the new construction area. He commented that this has caused Meadow Brook Road to have numerous cracks, oil spills, tread marks and uneven pavement due to the heavy equipment. He commented that about 16 months ago at a Planning & Zoning Meeting, Kathy Ekstrom stated that the other opening onto Great Hill Road would open soon. He stated that if that road was opened prior to construction, the damage would not have occurred on Meadow Brook Road. He also mentioned that there should be another access besides the one that comes out onto Mountain Road for safety reasons.

**Chairman Carver** stated that for the record that 28 residents of Meadow Brook Estates signed the letter which is on file in the Planning & Zoning Department.

**Anna Rycenga, ZEO** stated that Items 1 & 2 in the letter were just previously discussed, Item 3 she stated that when the residents from Meadow Brook were in her office, she indicated to them that the road is owned by the Homeowner's Association. She stated that her recommendation to the Commission is that when Meadow Brook does come in for the next phase of construction, that they do post a bond and take a video of the condition of the road, she noted that is what they did for Oxford Greens. She stated that Item 4, regarding the exit and entrance, they do have two points of ingress and egress, although one is in Seymour. She advised the Commission to check with Town Counsel in regards to whether or not Meadow Brook Estates has to open a second entrance onto Great Hill Road. She commented that regarding Item 5, construction area debris, she stated that they follow the Erosion and Sedimentation Guidelines and if there is a stockpile on site that has not been touch for more than 30 days they have to get that stock pile vegetated. She stated that she did not find any evidence of any



stockpiles that have been dormant for 30 days. She commented that she can easily speak to Kathy Ekstrom to put some hay on the stockpile if they are not going to disturb it for more than 30 days. She noted that she did speak to Kathy Ekstrom, and the debris was removed, they do have a water truck on site and it is an active construction site so the homes are going to get dirty. She stated for Item 6, the position of the driveways, she did not foresee any issues, but she will take Jim Galligan out there to take a look at that. She commented that regarding Item 8, regarding the Haynes Quarry project and the last section of Meadow Brook Estates being finished, she stated that she cannot guarantee that the homes will be finished, they have an approval and they can always come in and ask for an extension.

**Rocky Trungadi, 336 Spruce Hill Drive** stated that he does not know if the Commission can force Tom Haynes to open the back entrance, but in the spirit of being a good neighbor and knowing the inconvenience of not opening that road to the residents that live up in that area, that he many consider it as being a good neighbor. He commented that Mr. Haynes could alleviate many of the issues brought up this evening by opening that back entrance onto Great Hill Road.

**Tom Haynes** asked to speak regarding some of the comments made this evening regarding Meadow Brook Estates. He stated that he will take care of it, and he asked that the Commission members visit the site. He commented that if the Commission members visit the site and report back to **Anna Rycenga, ZEO** what they want to see done, it will be taken care of.

#### **BOND RELEASES**

- 1.) **Oxford Greens – Pulte Homes Phase III – Surety Bond # 8195-39-38 – Performance Bond** (Request for Bond Release) ***TABLED (Referred to Town Engineer)***
- 2.) **Oxford Greens – Pulte Homes Phase II & III – Letter of Credit # DBS – 18769 – Soil & Erosion Bond** (Request for Bond Release) ***TABLED (Referred to Town Engineer)***
- 3.) **Z-11-057 [IND] C.E.D. Services, Inc – 3 Fox Hollow Road** (Requests for Bond Release)

**MOTION BY Commission Secretary Cocchiarella** to ***REFER*** this Soil & Erosion Control Bond Release Request to the **ZEO** for review.

**Second by Vice Chairman Luff.**

**VOTE: All Ayes.**

- 4.) **Lakeside Estates – The DSA Companies – Maintenance Bond # 98-1388** (Request for Bond Release) (***Refer to Town Engineer***)

**MOTION BY Commission Secretary Cocchiarella** to ***REFER*** this Bond Release Request to the Town Engineer for review.

**Second by Commissioner Cosgrove.**

**VOTE: All Ayes.**

#### **LITIGATION**

#### **ZONING ENFORCEMENT**

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

**Anna Rycenga, ZEO** asked the Commission to table this item until the next meeting.

**CORRESPONDENCE** (Already discussed under Audience of Citizens)

- a.) Letter dated June 23, 2014 from John DiBiaso to the Planning & Zoning Commission
- b.) Correspondence from various residents of Meadow Brook Estates – Received June 25, 2014

**ACCEPTANCE OF MINUTES:**

***NO ACTION ON MINUTES***

- 1. March 18, 2014 Public Hearing Minutes – Glendale
- 2. March 31, 2014 Public Hearing Minutes – Glendale
- 3. April 1, 2014 Public Hearing Minutes – Garden Homes
- 4. April 15, 2014 Regular Meeting Minutes

**INVOICES**

- 1.) Invoices # 098-14A&B, # 141-14, & #142-14 from Nafis & Young Engineers

**MOTION BY Commission Secretary Cocchiarella** to ***APPROVE*** payment of the above Invoices from Nafis & Young Engineers.

**Second by Commissioner Cosgrove.**

**VOTE: All Ayes.**

- 2.) Statement & Invoice from Peter Olson  
Re: Glendale Appeal

**MOTION BY Commission Secretary Cocchiarella** to ***FORWARD*** the above Invoice from Attorney Peter Olson to the Board of Selectmen for payment.

**Second by Commissioner Cosgrove.**

**VOTE: All Ayes.**

**OTHER BUSINESS**

- 1.) Any other business the Commission deems necessary for discussion.

**Anna Rycenga, ZEO** questioned possibly going back to 60 Towner Lane for the Oxford Historical Society. She stated that they can deem them exempt from the sign regulations.

**Commission Secretary Cocchiarella** stated that the sign is appropriate for the site.

**Anna Rycenga, ZEO** stated that if the Commission states on the record that they determined that The Oxford Historical Society is exempt and then they can refer it back to her for approval.

**MOTION BY Commission Secretary Cocchiarella** to deem the Oxford Historical Society sign exempt from the sign regulations and application **Z-14-072** is ***FORWARDED*** to the ZEO for **approval**.

**Second by Commissioner Cosgrove.**

**VOTE: All Ayes.**

**UPCOMING EVENTS/MEETINGS:**

- July 15, 2014 – Planning & Zoning Regulation Amendment Public Hearing Continued – 7:00 PM


**ADJOURNMENT**


**MOTION BY Commissioner Cosgrove** to **ADJOURN** the meeting at 10:31 PM.

**Second by Vice Chairman Luff.**

**VOTE: All Ayes.**

Respectfully submitted,

  
Jessica Pennell  
Administrative Secretary  
Planning & Zoning Commission

14 AUG 12 PM 4:13  
TOWN OF FORD, CT  
  
TOWN CLERK