



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

CALL TO ORDER

Chairman Bill Johnson called the February 19, 2013 Planning & Zoning Regular Meeting to order at 7:35 P.M.

PLEDGE OF ALLEGIANCE

ROLL CALL

Present: Edna Cruz, Harold Cosgrove, Wayne Watt, Chairman Bill Johnson and Secretary Pat Cocchiarella.

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

Not Present: Vice Chairman Bonnie Bartosiak, Alan Goldstone, Tanya Carver, Alternate Joe Dempsey and Alternate Joe Rasberry.

CHAIRMAN'S REPORT * Please see report attached to Minutes as *Attachment A*.

SEATING OF ALTERNATES

Chairman Bill Johnson seated **Alternate # 2; Edna Cruz** for **Tanya Carver**.

AUDIENCE OF CITIZENS (Not for Pending Applications)

AMENDMENTS TO AGENDA *There were no Amendments to the Agenda.

OLD 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) (Indoor Auto Repairs) (Waiting for Approval from W.P.C.A., DEEP and the Zoning Board of Appeals)

MOTION by Secretary Pat Cocchiarella to TABLE this application. Second by Harold Cosgrove. All Ayes.

- (2.) **Z-04-006 - Susan Petinella, Governor's Hill Road – Petinella Subdivision/Randall Drive** (TABLED)(Remove item from Agenda until further correspondence)

MOTION by Secretary Pat Cocchiarella to REMOVE this application from the agenda until further correspondence is received from the applicant or her assigns. Second by Chairman Bill Johnson. All Ayes.

NEW BUSINESS

- (1.) **Z-13-001 – Christian Street Associates, 50 Bala Ridge Road (Owner) – Buddy's Fuel, LLC 8 Old Farm Road (Applicant)** (Use Permit) (Park Fuel Delivery Trucks/Store equipment) (TABLED) (Awaiting Fire Marshal Approval)
- (2.) **Z-13-002 – Christian Street Associates, 50 Bala Ridge Road (Owner) – Harold W. Olsen, Inc. (Applicant)** (Use Permit)(Trucking Business/Hauling Materials) (TABLED) (Awaiting Fire Marshal Approval)
- (3.) **Z-13-005 – Christian Associates, LLC, 187 Christian Street (Owner) – Alex Horse Transportation, LLC (Applicant)** (Change of Use Permit) (Maintenance & Storage of trucks & trailers) (TABLED) (Awaiting Fire Marshal Approval)
- (4.) **Z-13-005(a) – Neil Silberkleit (Owner) – Anton Gonch, The Fish Guy, LLC (Applicant) 328 Oxford Road** (Use Permit) (Retail sale of fish and seafood from truck)

MOTION made by Secretary Pat Cocchiarella to APPROVE application Z-13-005(a) based on a map & plans dated October 16, 2012 and last revised November 21, 2012 with the following conditions:

1. Applicant and their assigns must comply with all representations made at the Planning & Zoning Commission meetings and/or the public hearings regarding this application.
2. Compliance with the Statement of Use dated 1/22/2013.
3. Compliance with the P.D.D.H. Food Service License which expires 6/30/2013.
4. Compliance with the Oxford Planning & Zoning Regulations as of this date.
5. Per Article 3, Section 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.

The reason for approval is that the application meets Oxford Zoning and Subdivision Regulations in effect as of this date.

MOTION seconded by Wayne Watt. Ayes (3), Nays (2), Edna Cruz and Harold Cosgrove. Motion passed 3 to 1.

- (5.) **13-012 – CL&P Easements 1990 – Access Easements at Aggie Park & Twin Brook Estates** (Pending Review of Easement Language from Town Counsel)

MOTION made by Chairman Bill Johnson to TABLE this application until the next regular meeting. Second by Harold Cosgrove.

All Ayes.

ZONING ENFORCEMENT

Jeff Holzman, Interim ZEO presented the commission with a document entitled; "Zoning Enforcement Official Activity Summary" which is attached to the minutes as ***Attachment B***.

Commissioners commented that the spreadsheet that was presented was very informative, and in an easy to read format, which helped

CORRESPONDENCE

ACCEPTANCE OF MINUTES:

MOTION by Secretary Pat Cocchiarella to approve the following minutes:

- (a.) January 15, 2013 Public Hearing Minutes
- (b.) January 15, 2013 Regular Meeting Minutes
- (c.) January 15, 2013 Special Meeting Minutes

Second by Wayne Watt. All Ayes.

MOTION by Secretary Pat Cocchiarella to table the following minutes:

- (d.) February 5, 2013 Public Hearing/Special Meeting Minutes
- (e.) February 5, 2013 Regular Meeting Minutes

Second by Wayne Watt. All Ayes.

OTHER BUSINESS

- (a.) Nafis & Young Invoice # 040-13
- (b.) Nafis & Young Invoice # 041-13

MOTION by Secretary Pat Cocchiarella to approve Invoice # 040-13. **Second by Harold Cosgrove.**

All Ayes.

MOTION by Secretary Pat Cocchiarella to approve Invoice # 041-13. **Second by Harold Cosgrove.**

All Ayes.

- (c.) Upcoming Classes/Seminars

Secretary Jessica Pennell reiterated that there is a Land Use Law Seminar approaching as well as the Annual Conference. The following commissioners stated that they would attend the Seminar; Secretary Pat Cocchiarella, Chairman Bill Johnson, Edna Cruz, and Jeff Holzman.

The following commissioners showed interest in attending the Annual Conference; Chairman Bill Johnson, Secretary Pat Cocchiarella, Harold Cosgrove, and Edna Cruz. Wayne Watt stated that he would not be attending either the Seminar or the Conference.

(d.) Any other business the Commission deems necessary for discussion.

ADJOURNMENT


Respectfully submitted,



Jessica Pennell

Administrative Secretary

Planning & Zoning Commission

13 FEB 27 PM 4:32
TOWN OF OXFORD, CT

TOWN CLERK

Chairman's Remarks – February 19, 2013

1. I spoke to Attorney Peter Olson about drafting a proposal for “Accessory Apartments Amnesty” as related to Affordable Housing.
 - a. Steps to implement.
 - b. Estimated time to implement.
 - c. Cost.
2. Peter Olson mentioned that Chris Smith had asked him to send over a copy of Oxford's new Affordable Housing Regulations. Glen Dale is getting ready to make an application for Affordable Housing.
3. I asked Brian Miller to draft a proposal for an updated Plan of Conservation and Development – that is required by the State of Connecticut by the end of 2014.
 - a. What should be looked into (not everything has changed or needs to be revised).
 - b. A no frills basic package that will satisfy the State.
 - c. Upgrades (pick and choose).
 - d. Estimated time to implement.
 - e. Estimated Cost.
 - f. It should be noted that Brian Miller drafted the original Plan of Conservation and Development for Oxford.
 - g. I asked the Town's Grant Writer to check into any available grants.
4. I work with Jessica and Jeff in changing the meeting agenda -
 - a. An English explanation of why all items are on the agenda.
 - b. Correspondence – to be filled in at the meeting – this will allow for all correspondence that comes in up to the beginning of a meeting will be put on the agenda.
 - c. ZEO – agenda to be filled in at the meeting.
 - d. “All” motions to approve or deny must be drafted before meetings.
 - e. The Agenda must be “cut-off” on Thursday preceding a regular 1st and 3rd Tuesday meeting, and distributed to all Commission members no later than Friday.
5. I worked with Jeff in the ZEO Office -
 - a. To develop a daily log of activities in the ZEO Office.
 - b. Worked together on “troublesome issues.”
6. Submitted the P & Z annual budget to the Board of Selectmen, after getting input from Jessica and Anna.

ZONING ENFORCEMENT OFFICIAL ACTIVITY SUMMARY

Attachment B

LI No.	P&ZC Agenda (Yes or No)	Ref Number or Date/Time	Name (Owner)	Property Location	Name (Applicant)	Purpose	Status/Disposition
Applications							
	Tabled	Z-13-012	CL&P	1. Aggie Park (Bowers Hill Rd) 2. Twin Brook Est (Christian St)	Charles Mead 203.556.4672	Use Permit, 1990 Line Easements	Pending approval of Easement language from Town Attorney, P&ZC approval, BOS approval, record drawings will be files in the land records and accessory's office.
	Tabled	Z-	BPSIS, LLC	90 Donovan Road	Mr. James DeAngelis, SoilTesting, Inc 203.262.9328	COC, Requires <u>site plan modification</u> prior to approval	Pending application submission by applicant. Refer to N&Y letter dated Oct 31, 2012 for punch list items. • ZEO - Contact Mr. DeAngelis to expedite application.
	Pending	Z	Jay Shiv LLC	357 Oxford Road (Global Gas Station)	Nilam Patel 203.881.1527	Use Permit, (Art 7 Sect 2.10) Deli - interior renovation	• ZEO - Schedule applicant for an appointment.
	NO	Z	Tom Hylwa	117 Oxford Road	Ed & Alexis Gazy	Use Permit (Temp)	Pending <u>application submission</u> by applicant.
	Pending			315 Riggs Street	2 nd Street Leasing	Use Permit, (Art 9 Sect 3.16) Auto repairs - indoor	Pending approvals from others
Complaints							
1				47 West Street		Multiple Issues	
2				254 Governors Hill Road		Cottage Business	
3				Pulte Holes Riggs Street entrance		Signs	
4		130219		4 Jem Woods Road		Zoning Violations	Pending written complaint form
5		130207	Linda Doczynsky	1001 White Birch Lane	NA	Requires road acceptance by Town?	
6		130206	Dave Robinson 203.565.1685	46 Christian Street (Owner in AZ until April)	NA	Zoning Violation Referral, Construction equipment parked on RES-A property.	

ZONING ENFORCEMENT OFFICIAL ACTIVITY SUMMARY

LI No.	P&ZC Agenda (Yes or No)	Ref Number or Date/Time	Name (Owner)	Property Location	Name (Applicant)	Purpose	Status/Disposition
Enforcement Actions (Investigations, Notice of Violation, and Cease & Desist Orders)							
1				Roosevelt Drive (Flood Zone)		C&D Excavation, no permits.	
2				10 Park Road			187 Christian Street
3				N. Larkey Road		NOV Contractor's yard, no permits	
4			VEMS	300 Oxford Road		Sign Variance, Denied ____?	
5				387 Quaker Farms Road		NOV Pole barn, no permits	o ZEO draft letter of NOV
6		130214	WFS Properties, LLC	91 Willenbrook Road	Walter Schneider	Violation, Use Permit Referral from Assessor's Office	o ZEO investigate and informally notify owner of non-compliance.
7				97 Seth Den Road		NOV Complaint follow-up	Refer to T/A's letter of Jan 29, 2013, for ZEO to conduct an unannounced insp to confirm compliance and close out issue. Conducted and Insp on 2/13; to much snow to make a determination. Reschedule inspection.
Inquiries							
	NO	130131	NA	642 Oxford Road	Donna & Briana Cloutier	Use Inquiry - Wish to operate a bakery, with a possible live-in applt.	o ZEO - Research; discuss w- Bill J. and maybe T/P.
	NO	130131	NA	25 Townner Lane	Mr. Zack About 203.554.0021	Use Inquiry - Applicable zoning regs and status prior to purchase.	
	Pending	130212	Bannon & Hebert Properties	25 Townner Lane & 29 Townner Lane	Mr. Joe Mengacci 203.982.0320	Use Inquiry - Request a statement of permitted use.	
		130109		2 Hemlock Trail		Letter of Determination	

ZONING ENFORCEMENT OFFICIAL ACTIVITY SUMMARY

LI No.	P&ZC Agenda (Yes or No)	Ref Number or Date/Time	Name (Owner)	Property Location	Name (Applicant)	Purpose	Status/Disposition
Inspections							
				100 O'Neil Road		Deficiency, Stock piles in town ROW	
				90 Donovan Road		COC	Not Approved - ?
				3 Goffin Court		COC	Not Approved - ?
				4 Lantern Ridge Court		COC	Approved - ?
				13 Cherokee Drive		COC - Proof of Variance for a 10 minimum setback received from BZA on 2/15/13.	o Contact owner and close out.
				8 Mountain View Court		COC - Not Approved - Needs a railing and a variance for 9 ft high retaining wall.	o ZEO discuss COA with P&ZC Chair and Building Insp.
	NO	Z-08-198	Robert Chagnon	52 Old Country Road		COC - Inspect interior for in-law apt use.	o ZEO schedule
	NO	Z-10-131	Phoenix Propane	268 Oxford Road	Ken Schiable 203.339.5175	COC, Not Approved	Refer to N&Y letter dated Apr 16, 2012 stating observance of numerous deficiencies on site. o ZEO - Contact POC to expedite
	Pending Condition	Z-04-006	Susan Petinella	Randal Drive (Petinella Subdivision)		COC, Not Approved	Refer to P&Z Comm Motion did Sep 06, 2012 stating conditions prior to COC approval. * Jan 10/13 T/E provided guidance, revised plans to be reviewed prior to work start.
	Pending ?	Z-10-112	Mr. Pellumb Ameti	8 Mountain View Court	NA	COC, Not Approved Retaining wall is over 8 ft high; needs a railing prior to COC. May need P&Zcomm to approve.	Notified owner on 2/13/2013
		Z-12-146	Mr. Richard Porell	13 Cherokee Drivwe		COC, Not Approved Deck and stairs not on existing footprint are with in set back.	Before ZBA