

**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**

**PUBLIC HEARING MINUTES**

Tuesday, December 3, 2013

7:00 PM

Main Meeting Room  
Oxford Town Hall

**CALL TO ORDER**

**Chairman Carver** called the meeting to order at 7:00 PM.

**ROLL CALL**

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

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

**Not Present:** Alternate Joe Rasberry.

No alternates were seated.

**Chairman Carver** read the Intent of the Public Hearing & the Public Hearing Procedures.

**Chairman Carver** called for any conflicts from the Commission.

No conflicts were noted from the Commissioners.

**Chairman Carver** called for any conflicts of interest from the applicant.

No conflicts were noted from the Applicant.

**Commission Secretary Luff** read the call of the meeting and legal notice.

**Commission Secretary Luff** read a memorandum dated 12/3/2013 from Town Planner, Brian Miller.

**PUBLIC HEARING – 7:00 P.M.**

**Z-13-147 [IND] – Address: 315 Riggs Street, Unit 1, Building A Owner: Ziat, LLC;**

**Applicant: Tim Spahn – Colonial Pet Cremation Services, LLC**

(Special Exception - Article 9, Section 3.11)

**Chairman Carver** questioned if the applicant had met all the requirements for the Public Hearing.

**Administrative Secretary, Jessica Pennell** stated that he has submitted a photo of the sign that was posted on the property 10 days before the hearing, and he has also submitted the certificates of mailing which he was required to send to property owners within 250' of 315 Riggs Street.

### **APPLICANT PRESENTATION**

**Tim Spahn, Applicant** stated that they are proposing this use at 315 Riggs Street. He stated that they picked that particular location because of the look of the building. He commented that it is an industrial condo and they are not going to touch a thing on the outside of the building. He noted that because of the way the building is set, the street is lower than the building itself. He stated that you will not see anything that is happening in the building at any time at all. He also stated that there will be Mercedes Benz sprinter trucks used for the facility. He stated that it will be one truck and his vehicle.

**Town Planner, Brian Miller** questioned how big the vehicle will be.

**Tim Spahn** stated that it is comparable to a plumber's utility van.

**Chairman Carver** questioned the size of the animals that would be cremated.

**Tim Spahn** stated that the way the State of Connecticut does their permitting is that crematory use is for human and livestock (horses, cows, cattle); the permit that he has applied for is only for domestic animals. He did note that there is a human crematory not a mile away from his proposed location. He noted that he would not even have the equipment to accommodate large animals.

**Anna Rycenga, ZEO** stated that under Connecticut General Statute, Section 8-2(n), Zoning Regulations regarding crematories, the statute does not allow large animals (cattle, sheep, goats, swine or similar species) commonly kept as livestock within 500' of a residential structure. She stated he has to keep it domestic animals only because of the statute.

**Tim Spahn** commented that the machinery cannot accommodate livestock; the most the machine can take is a Saint Bernard.

**Chairman Carver** referred to Town Planner, Brian Miller's memorandum and questioned traffic.

**Tim Spahn** stated that there is no traffic associated with the use. He does believe in an open door policy, but does not really want people to show up at the business with their deceased animals. He stated that they chose this building because the building shows very nice, and it gives him the opportunity to have grieving families come in and be able to view the cremation so that they know precisely, without a doubt that it is their animal that they are getting when the process is complete. He stated that they would get the animals from the veterinarians, but he cannot give a concrete answer of how many domestic animals would be cremated on a weekly basis.

**Tim Spahn** stated that in the State of Connecticut you are not allowed to bury your pet in your yard, therefore, they would take them to a veterinarian. He stated then he would then go get the pet from the veterinarian's office and bring it back to his business. He would set up a time with the family of the pet for them to come and witness the cremation, and then leave with their animal's ashes.

**Town Planner, Brian Miller** stated that there will be two categories of delivery; either the parent of the pet or pets from a veterinary office.

**Tim Spahn** stated that he would prefer if the owners take the animals to the vet and then make an appointment with his business to come and pick up the remains. He would prefer not to have people showing up at his business with their deceased animals.

**Commissioner Cocchiarella** questioned the equipment and ventilation.

**Tim Spahn** explained that the machine filters the air four times before leaving the building. He noted that the machine itself operates at 1600 degrees, which means that the temperature is so high, that nothing can be seen at 1600 degrees, and there is no smoke. He stated that if you drive by Charter Oak Crematory, nearby, you see nothing coming out of the building. He stated that they will be using the same type of equipment, but specialized for animals.

**Vice Chairman Watt** stated that the only thing you can see is the heat.

**Tim Spahn** stated that you can see the heat because the building is set down from the road, for this use, in this building; they are above the road so nothing will be seen.

**Commissioner Cosgrove** referred to the Statement of Use provided by the applicant. He stated that it says that the animals will be cremated and the ashes will be returned to the vet's offices. He questioned if all the vets want the ashes back.

**Tim Spahn** stated that there are two types of cremation, batch cremation or individual cremation. He stated that in the situation where it is a batch cremation, he disposes of the ashes on his land in Canaan.

**Alternate Joe Dempsey** questioned if the burn pulverizes all the bone.

**Tim Spahn** stated "no"; it goes through the processor and comes out the consistency of beach sand.

**Alternate Joe Dempsey** stated that he has seen the operation at Charter Oak Crematory and it is well run.

**Commissioner Jensen** questioned if they are going to have one or two machines.

**Tim Spahn** stated that for now, there will be one machine, but he is asking the building department to have his set up approved for two machines. As time goes by, he may put another machine in the building.

Discussion ensued about the size of the machine.

**Todd Romagna** questioned where his current business is located.

**Tim Spahn** replied that he is doing business in Long Island.

**Chairman Carver** turned the floor over to the Public for any comments.

#### **QUESTIONS/COMMENTS FROM THE PUBLIC**

Chairman Carver asked if Anna Rycenga, ZEO had any questions or comments.

**Anna Rycenga, ZEO** stated that right now, this application is for only one machine and that if the applicant decides that he wants a second machine then he will have to come back before the Commission for a modification of his application. She again noted Connecticut General Statute 8-2(n). She also stated that once the he gets his machine in the building, he will have to come back to her for a Certificate of Compliance.

**Commissioner Cosgrove** questioned if there will be a sign associated with the business.

**Tim Spahn** stated that there will be no sign.

**Sylvie Gavalety, 176 Jack's Hill Road** questioned if there will be any smell.

**Tim Spahn** stated that there is no smell whatsoever. He stated that from the angle of her house, she will not even see the heat rising. He offered for her to come and see the operation, and he would answer any questions.

**Sylvie Gavalety** also questioned the removal of tracking chips in the animals.

**Tim Spahn** stated that the vet will let them know if an animal has a chip, and they remove the chip before the cremation process.

**CONTINUE/CLOSE**

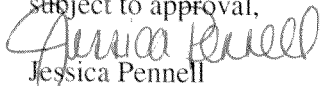
**MOTION BY Commissioner Cocchiarella to *CLOSE* the Public Hearing.**

**Second by Vice Chairman Watt.**

**Vote: All Ayes.**

Respectfully submitted

subject to approval,



Jessica Pennell

Administrative Secretary

Planning & Zoning Commission

13 DEC 19 AM 11:34  
TOWN  
CLERK  
*August H. West*