



TOWN OF OXFORD
S.B. Church Memorial Town Hall
486 Oxford Road, Oxford, Connecticut 06478-1298
www.Oxford-CT.gov

Planning & Zoning Commission

Special Meeting Minutes
Monday, December 23, 2013
7:00 PM
Oxford Town Hall
Main Meeting Room

CALL TO ORDER

Chairman Carver called the December 23, 2013 Special Meeting to order at 7:10 PM.

PLEDGE OF ALLEGIANCE

ROLL CALL

Present: Alternate Joe Dempsey, Harold Cosgrove, Tanya Carver and Jeff Luff.

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

Not Present: Pat Cocchiarella, Wayne Watt, Arnie Jensen and Todd Romagna.

CHAIRMAN'S REPORT

Chairman Carver discussed a pre-application meeting that was held with Oxford Town Center. She cited CT General Statute 7-159(b) regarding pre-application meetings. She explained to the Commission that the owners are questioning the Commission as to how they should proceed with their upcoming application. She explained that the applications would be a Zoning Text Amendment, a Zoning Map Amendment and a Site Plan. She stated that she would like to see only one application applied for at a time.

Commissioner Cosgrove questioned the maximum height.

Anna Rycenga, ZEO stated that the owners could create and propose a text to allow style and height and present it to the commission which would reflect details. Then the Commission could approve/deny/modify what is proposed by the applicant (when they do apply).

Town Planner, Brian Miller stated that Dominick Thomas always references the PDD in Shelton. He stated the owners are looking for comments about what the Commission would like to have in the regulations as to how the zoning for this should be structured. He offered to meet with the Chairman to discuss different options.

Commissioner Cosgrove stated that there should be more than just the Chairman present to meet with Town Planner, Brian Miller.

Alternate Joe Demspey stated that outside parties should not be making text amendments to the regulations, they should come from the Commission.

Anna Rycenga, ZEO stated that statutes allow applicants to apply for or petition for a zoning text amendment or zoning map change.

Town Planner, Brian Miller stated that he could meet with the Chairman, or a subcommittee to discuss what the Commission would like to have in the text amendment and they can apply it to very specific circumstances.

Anna Rycenga, ZEO stated that staff could work with Town Planner, Brian Miller to come up with a zoning text amendment.

Town Planner, Brian Miller stated that he could work with Anna Rycenga, ZEO on a text amendment and then they can bring it before the Commission for discussion.

Anna Rycenga, ZEO stated that they can request a draft estimate for the work from Town Planner, Brian Miller, which would be paid by the applicant.

MOTION BY Chairman Carver to (1) have Zoning Text Amendment, Zoning Map Amendment and Site Plan as separate applications; (2) have staff create a draft amendment.

Second by Commission Secretary Luff.

Vote: All Ayes.

SEATING OF ALTERNATES

Chairman Carver seated **Alternate Joe Dempsey**.

AUDIENCE OF CITIZENS (Not for Pending Applications)

AMENDMENTS TO AGENDA

OLD BUSINESS

NEW BUSINESS

- 1.) **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)
(Public Hearing CLOSED on 12/3/2013)

MOTION BY Commission Secretary Luff to *approve Z-13-147*:

WHEREAS, The Oxford Planning and Zoning Commission has received the Application Z-13-147; Application of Tim Spahn - Colonial Pet Cremation, LLC; at 315 Riggs Street for a Special Exception to establish a pet crematorium within the Industrial Zone in accordance with Article 9 of the Oxford Zoning 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 and Zoning Commission has considered the testimony presented at the public hearing, held on December 3, 2013, and members of the public.

WHEREAS, information on the application was submitted, along with supporting information on file in the Planning Office of the Town of Oxford:

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

1. The proposal is consistent with the overall industrial character of the area.
2. The Commission finds that the proposed use is permitted within the Industrial Zone and that this application is in conformance with Article 9 Section 3.16 of the zoning regulations.
3. The application is consistent with the required findings of Article 10 Section 3.1 of the zoning regulations, in that the proposed uses will not be detrimental to the health, safety, welfare and property values of the neighborhood.
4. The application is consistent with the required findings of Article 10 Section 3.2 of the zoning regulations, in that the proposed uses would not create traffic which cannot be adequately accommodated on the existing roadway system.
5. The application is consistent with the required findings of Article 10 Section 3.3 of the zoning regulations, since no new building is proposed and therefore, the design of the proposed building is adequate to preserve the appearance and character of the neighborhood.

Subject to the following conditions:

1. Compliance with Oxford Zoning Regulations in place as of this date.
2. Applicant and their assignees must comply with all representations made at Planning and Zoning Commission meetings or at public hearings regarding this application.
3. 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 from the initial review through inspection and issuance of a certificate of compliance.
4. Any change in use or size, as determined by the Zoning Enforcement Officer shall require approval by the Commission.
5. No exterior alterations to the building or the site, without approval of the Planning and Zoning Commission.

6. Cremation activities will be limited to small domestic animals.
7. No animal remains, including the residue from cremation operations shall be disposed of on site.

Second by Commissioner Cosgrove.

Vote: All Ayes.

2.) **Z-13-168 [COMM] – Address: 441 Oxford Road – Applicant: Keiran McAlinden
Owner: First Oxford House, LLC (Use Permit)**

Anna Rycenga, ZEO explained that the previous tenant was a restaurant so the use is not changing. The applicant has provided a floor plan and site plan with outdoor eating.

Keiran McAlinden, Applicant, 210 Ludlowe Road, Fairfield, 06824 was present to answer any questions that Commission may have regarding this application.

Anna Rycenga, ZEO stated that the applicant has sufficient parking, has received health department, fire and W.P.C.A. approval for this application.

The Commission, Anna Rycenga, ZEO and Town Planner, Brian Miller discussed parking requirements for different uses and how having different uses in one shopping area impacts the parking.

Alternate Joe Dempsey noted concerns about the parking and asked if they could build a bridge over the wetlands to create more parking spaces.

Anna Rycenga, ZEO stated that has been denied by Wetlands.

MOTION BY Commission Secretary Luff to *approve* application Z-13-168 for a use permit based on the “Tenant Fit-Out Plan” dated 12/10/2013 and prepared by H&R Design Facilities Planners, Danbury, CT and the “Boundary Survey” dated 5/8/2013, last revised 12/16/2013, with the following conditions:

1. Applicant and their assigns must comply with all representations made at the Planning & Zoning Commission Meetings regarding this application.
2. Compliance with the Statement of Use dated 12/16/2013.
3. Compliance with the P.D.D.H. approval dated 12/16/2013.
4. Compliance with the Fire Marshal’s approval dated 12/16/2013.
5. Compliance with the W.P.C.A. approval dated 12/18/2013.
6. No signage is proposed at this time, including temporary signage.
7. 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.

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

Second by Alternate Joe Dempsey.

Discussion:

Commissioner Cosgrove questioned if food would be served.

Mr. McAliden stated that there would be food.

Anna Rycenga, ZEO stated that the applicant is allowed one sign on the building.

Vote: All 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)
(REMOVE FROM TABLE)

MOTION BY Alternate Joe Dempsey to remove this item from the table.

Second by Commissioner Cosgrove.

Vote: All Ayes.

MOTION BY Alternate Joe Dempsey to recommend to the Board of Selectmen to release the bond for Blue Skies Estates Subdivision.

Second by Commissioner Cosgrove.

Vote: All Ayes.

- 2.) **Z-06-185 [RESA] – CT Realty Investment Group, LLC, Hunters Hollow Subdivision – Newgate Road** (Request for Bond Release)
(TABLED)

ZONING ENFORCEMENT

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

Anna Rycenga, ZEO stated that there were 56 new home permits issued this month.

CORRESPONDENCE

ACCEPTANCE OF MINUTES:

MOTION BY Commissioner Cosgrove to approve the following minutes as presented.

- 1.) December 3, 2013 Public Hearing Minutes – 7:00 PM
- 2.) December 3, 2013 Regular Meeting Minutes – 7:30 PM

Second by Chairman Carver.

Vote: All Ayes.

MOTION BY Commissioner Cosgrove to table the following minutes:

- 3.) December 6, 2013 Public Hearing Minutes – 3:00 PM
- 4.) December 6, 2013 Special Meeting Minutes – 3:05 PM

Second by Chairman Carver.

Vote: All Ayes.

INVOICES

OTHER BUSINESS

- 1.) Set date and time for Public Forum Meeting for Accessory Apartment Amnesty Plan.

This item was discussed briefly, and the Commission agreed that a public meeting should be scheduled for approximately mid-February.

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

UPCOMING EVENTS/MEETINGS:

- (1.) *Public Hearing scheduled for January 7, 2014 at 7:00 PM* for the following application:

Z-13-162 [RESA] – Address: 10 Walter Lane; Owner: Steve Graham; Applicant: Fred D'Amico (Proposed Barn exceeding 1,000 square feet) (Special Exception, Article 5, Section 2.6)

- (2.) *Public Hearing scheduled for January 7, 2014 at 7:05 PM* for the following application:

Z-13-163 [OPD] – Address: 556 Oxford Road; Owner(s): John & Julia Steinis Applicant: Erika Ball/Tiki Monster Realty, LLC (Special Exception – Request for Site Plan Approval)

ADJOURNMENT

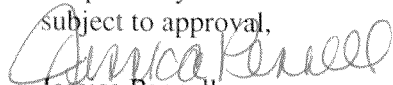
MOTION BY Commission Secretary Luff to *adjourn* the meeting at 7:59 PM.

Second by Alternate Joe Dempsey.

Vote: All Ayes.

Respectfully submitted

subject to approval,


Jessica Pennell
Administrative Secretary
Planning & Zoning Commission

