



## **TOWN OF OXFORD Planning & Zoning Commission**

S.B. Church Memorial Town Hall  
486 Oxford Road, Oxford, Connecticut 06478-1298  
[www.Oxford-CT.gov](http://www.Oxford-CT.gov)

### **Regular Meeting Minutes** **Tuesday, February 6, 2018**

#### **CALL TO ORDER**

**Chairman Jeff Luff** called the meeting to order at 7:30 PM.

#### **PLEDGE OF ALLEGIANCE**

#### **ROLL CALL**

**Present:** Bob Costigan, John Kerwin, Pete Zbras, Arnie Jensen, Jeff Luff, Pat Cocchiarella and Tanya Carver.

**Not Present:** Harold Cosgrove and Dan Wall.

**Also Present:** Jessica Pennell, Steven S. Macary, ZEO and Jim Galligan, Land Use Engineer.

#### **SEATING OF ALTERNATES**

**Chairman Jeff Luff** seated Alternate Commissioner Bob Costigan and Alternate Commissioner John Kerwin

#### **AMENDMENTS TO AGENDA**

There were no amendments to the agenda.

#### **CORRESPONDENCE**

**Commission Secretary Pat Cocchiarella** read an email from Commissioner Dan Wall into the record regarding New Business #1.

#### **AUDIENCE OF CITIZENS** (Items not listed on the agenda)

**Linda Czaplinski, 30 Freeman Road** expressed two concerns that she would like to discuss. She stated that the first concern is regarding the walkways around the complex, she noted that it surrounds the entire complex and she mentioned to the Commission and developers that they should be very keen

on security and lighting. She commented that it is very attractive, and there seems to be a buffer; but it does look isolated in some spots and again asked that they be keen on security. She explained that her second concern is regarding the posting of minutes on the website. She noted a number of meetings that occurred and the minutes were not posted. She stated that she has some concern that the minutes surrounding this particular project. She stated that consistency is important and that our practices are irregular. She spoke to FOI and noted that it was suggested she discuss the issue with Town executives.

A discussion ensued regarding the process and posting minutes on the website.

**Paula Guillet, 175 Good Hill Road** stated that she thinks that this Committee needs to make sure that they do their due diligence on any housing projects that it approves or doesn't approve. She stated that they should spend time discussing the impact on the Town; and not just where education is concerned. She also stated that they should discuss the impact of 8-30g applications and whether or approving them or denying them, and how not having that also affects the Town.

**Chairman Jeff Luff** stated that there is an impact analysis that has been submitted and is available to the public.

**Mrs. Guillet** mentioned her concern regarding the units being rentals.

**Chairman Jeff Luff** stated that her concern is getting into application listed as an agenda item.

## **NEW BUSINESS**

1. **Z-17-147 [VCMUD] 300 & 304 Oxford Road – Owner & Applicant: Oxford Towne Center, LLC** (Phase 3A Site Plan Application - Residential Units)

**Chairman Jeff Luff** invited Attorney Dominick Thomas to begin his presentation.

**Commissioner Tanya Carver** called for a Point of Order. She questioned why the total fee is only \$420.00, it is a site plan with 150 units. She asked if there is an explanation as to why they are only charging \$420.00.

**Dominick Thomas, Attorney for the applicant** stated that he has rendered an opinion on the issue. He stated that each Commissioner has received a packet and the first page of the packet is his legal opinion with respect the Commission's fees. He stated that he will leave it to the Commission to read the documents he has provided and suggested that they review it with Counsel, because they are at best, ambiguous.

**Chairman Jeff Luff** stated that he has reviewed Tanya's concerns and spoke to the ZEO. He stated that also spoke to Town Counsel and at this time they are going to move forward with the application and the fees will be addressed before the application is acted upon.

**Attorney Thomas** stated that the second item in the packet is a response from last summer regarding what is approved in the residential area. He commented that this is a response to Attorney Peter Olson's memorandum that resulted in the approval of the revised concept plan. He that he is not going to go over the document, but wanted it as part of the record in the case. He explained that the third item in the packet is a letter requesting the recusal of Commissioner Carver. He noted that this request in no way diminishes the dedication and loyalty that Commissioner Carver has had to the Commission over the last several years. He stated that the Commission can see from his letter that there are important points in the CGS §8-11 and case law regarding members participating in any matter which he/she is

directly or indirectly interested in a personal or financial sense. He reiterated that he is requesting that Commissioner Carver recuse herself from deliberations on Oxford Towne Center projects; possibly not all Oxford Town Center projects; but most certainly ones dealing with the residential.

**Chairman Jeff Luff** asked Commissioner Carver if she would like to respond.

**Commissioner Tanya Carver** stated that she is not going to recuse herself; that there is case law regarding people being elected to Planning & Zoning when it is known by the public how that person stands. She stated that is the reason why she was elected. She also noted for the record that she was Chairman of the Commission when the conceptual plan was approved. She stated that she has an open mind regarding this application.

**Chairman Jeff Luff** stated that as the Chair, he cannot tell Commissioner Carver to recuse herself, but the request is noted for the record.

**Attorney Thomas** stated that this project has almost come full circle from the fall of 2013 work sessions that began the project. He noted that there have been at least four public hearings, numerous meetings and input from the Commission. He stated that people have raised an issue and attempted to challenge the 150 residential units.

**Attorney Thomas** agreed with Mrs. Czaplinski regarding the minutes being posted on the website, but stated that “official” minutes are those that are filed in the Town Clerk’s Office. He stated that there is nothing in the initial concept plan about the type of ownership of any residential units; he referred to 6.5 of the VCMUD there is no requirements of ownership. He explained that they are here tonight to propose to the Commission the multi-family 150 density that has been approved; the site plan proposed is attuned to current market conditions. He stated that the fourth document that he submitted is a copy of the program for the CERC event where the Town of Oxford and Haynes Development received a CERC award for the Quarry Walk project. The program included the information that 150 residential units were a component of the project. He submitted his fifth Exhibit which is an updated demand analysis for the 150 residential units, prepared by Stanley Gniazdowski.

**Kyle Bogardus, Langan, Engineer** for the applicant began his presentation. He pointed out on the plan the community and town green areas, the medical office building and Building “P” which is slated for a restaurant use and the area for the YMCA. He stated that in 2017 the Commission granted a conceptual plan amendment and designated open space was a condition of approval.

**Thomas P. Arcari, QA&M Architecture**, Architect for the applicant presented the architecture of the building, stating that they are larger structures, but they are creating more “green” spaces. He discussed the parking under the structures and stated that the market demand right now is progressive with increased density and communal spaces.

**Kyle Bogardus** reviewed the residential entrance and the lighting and pavement features that made this a very distinguished entrance into the residential area. He noted that they added features that would deter entrance into the residential from the commercial and they tried to create private settings for the courtyards of the buildings that comprise the residential area.

**Tom Arcari** described the physical benefits of the architecture, the flat roof sections where the mechanicals would be hidden, and explained that the concept is to have architectural diversity so that each outdoor living space provides a different experience.

Discussion ensued regarding questions and answers about the architecture, the physical aspects of the building, snow storage, connectivity between the two residential buildings, the outdoor kitchens and landscaped areas. Also discussed were the ideas surrounding the uses of the open space, privacy between the commercial and residential, elevators, and the number of bedrooms.

**First Selectman Temple** stated that there should public involvement in this process.

Commissioners asked questions regarding the fiscal analysis, traffic, elevators, basements and emergency access.

**MOTION BY Commissioner Tanya Carver** to take a 5 minutes recess at 9:15 PM.

**Second by Vice Chairman Arnie Jensen.**

**All (7) Ayes.**

Motion passed unanimously.

**MOTION BY Commission Secretary Pat Cocchiarella** to reconvene the meeting at 9:25 PM.

**Second by Commissioner Tanya Carver.**

**All (7) Ayes.**

Motion passed unanimously.

Further discussion ensued regarding the details of the floor plans. Commissioners went over certain items, such as school age children, features on the green, the balance between losing parking and losing “green” space. Also discussed were storage space, the ideas regarding property management, traffic, length of leases and emergency exits.

**Chairman Jeff Luff** invited the public to speak.

**Paula Guillet, 175 Good Hill Road** questioned the number of units and the amount of acreage. She also commented on a bus stop.

**Tom Haynes, Owner, Oxford Town Center, LLC** stated that the roadways have access for emergency vehicles and school buses and if necessary they would work with the bus company.

**Paula Guillet** stated that it costs in excess of \$15,000.00 to educate one school age child. She also questioned noise and light barriers as well as if these units being rentals would set a precedence.

**Linda Czaplinski, 30 Freeman Road** noted her concern that this was presented as individually owned units and now it is stacked rental units. She stated referred to 6.3 and 6.5.4 of the VCMUD regulation.

**Attorney Thomas** stated that the reference to Article 5 has nothing to do with density.

**Linda Czaplinski** referred to Sections of the VCMUD; 6.6.2.3 and 6.6.2.5 stated that it is a stretch. She stated that she thinks that the changes in the plan are significant.

**Chairman Jeff Luff** referred her to Section 6.7.

**Commissioners** requested a comparison of the original fiscal analysis for what was approved to what is being proposed. Also requested were the floor plans, which Commissioners emphasized they would like to see as soon as possible.

**MOTION BY Commissioner Tanya Carver** to table Z-17-147 to the next Regular Meeting.

**Second by Vice Chairman Arnie Jensen.**

**All (7) Ayes.**

Motion passed unanimously.

2. **Z-17-148 [IND] 20 North Larkey Road – Owner: Andy Turmel – Applicant: Tom Beck - TCB Ventures, Inc. - “Monster Truck Park”**  
(Site Plan Application) (Special Exception – Use)

**SET PUBLIC HEARING** – Suggested date: March 6, 2018 at 7:00 PM.

**MOTION BY Commission Secretary Pat Cocchiarella** to set a Public Hearing for March 6, 2018 at 7:00 PM.

**Second by Commissioner Tanya Carver.**

**All (7) Ayes.**

Motion passed unanimously.

(Alternate Commissioner John Kerwin left the meeting)

### **OLD BUSINESS**

1. **Z-17-134 [IND] 115 Hurley Road, Building 9A-D – Owner: HF Industrial Park Limited Partnership – Applicant: Thomas Sobocinski “Black Hog Brewing Company”**  
(Use Permit)

**MOTION BY Commissioner Pete Zbras** to table this application.

**Second by Commissioner Tanya Carver.**

**All (7) Ayes.**

Motion passed unanimously.

### **ZONING ENFORCEMENT**

- Report of the ZEO on complaints, violations and any other items deemed necessary for discussion and/or action by the Commission.

### **APPROVAL OF MINUTES**

**MOTION BY Commission Secretary Pat Cocchiarella** to approve the following minutes as presented:

1. 12/5/17 – Regular Meeting Minutes
4. 1/2/18 – Special Meeting Minutes
5. 1/2/18 – Regular Meeting Minutes
6. 1/30/18 – Special Meeting Minutes

**Second by Vice Chairman Arnie Jensen.**

**Ayes (6), Abstention (1) Alternate Commissioner Bob Costigan.**

Motion passed 6-1.

**The following minutes were tabled:**

2. 12/19/17 – Public Hearing Minutes
3. 12/19/17 – Regular Meeting Minutes

## **INVOICES**

There were no invoices that required approval.

## **OTHER BUSINESS**

The following items were discussed briefly by the Commission.

1. Update on Corrections/Modifications of the POCD

The Commission is still working to update and finalize the Plan.

2. Annual CFPZA Conference – March 22, 2018

The paperwork regarding the Annual Conference was presented to the Commissioners.

3. Any other business the Commission deems necessary for discussion.

The Commission had no other business to discuss at this time.

## **ADJOURNMENT**

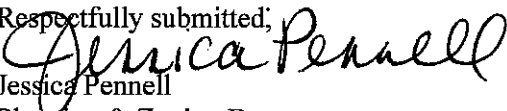
**MOTION BY Vice Chairman Arnie Jensen** to adjourn the meeting at 10:45 PM.

**Second by Alternate Commissioner Bob Costigan.**

All (7) Ayes.

Motion passed unanimously.

Respectfully submitted,



Jessica Pennell

Planning & Zoning Department

Planning & Zoning Commission

18 FEB 15 PM 3:40  
TOWN OF OXFORD, CT  
Margaret H. Black  
TOWN CLERK