



TOWN OF OXFORD
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Planning & Zoning Commission

Regular Meeting Minutes
Tuesday, December 19, 2017
7:30 PM
Oxford Town Hall
Main Meeting Room

CALL TO ORDER

Chairman Jeff Luff called the meeting to order at 7:35 PM.

PLEDGE OF ALLEGIANCE

ROLL CALL

Present: Pete Zbras, Pat Cocchiarella, Jeff Luff, Arnie Jensen, Tanya Carver, and Dan Wall.

Absent: John Kerwin, Mackenzie Macchio and Harold Cosgrove.

Also Present: Jessica Pennell, Administrative Secretary and Steven S. Macary, ZEO.

SEATING OF ALTERNATES

No alternates were seated.

AMENDMENTS TO THE AGENDA

1. **MOTION BY Commission Secretary Pat Cocchiarella to amend the agenda to add Z-17-131 [IND] – Lot 2RA Pheasant Run Road – Owner: 589 Investments, LLC – Applicant: RS Site and Sports (Site Plan to construct a 16,500 sq. ft. Building) (Special Permit for a Warehouse & Health Center) as New Business #1.**

Second by Vice Chairman Arnie Jensen.

All (6) Ayes.

Motion passed 6-0.

2. **MOTION BY Vice Chairman Arnie Jensen to amend the agenda to add Land Use and Conservation Counsel Invoices under Invoices.**

Second by Commissioner Pete Zbras.

All (6) Ayes.

Motion passed 6-0.

CORRESPONDENCE

Commission Secretary Pat Cocchiarella read the following correspondence into the record and noted that it is on file in the Planning & Zoning Department during regular business hours.

- a. Letter from the Town Clerk dated 12/12/2017
Re: Cocchiola Paving/Riverview

AUDIENCE OF CITIZENS (Items not on the agenda)

NEW BUSINESS

1. **Z-17-131 [IND] – Lot 2RA Pheasant Run Road – Owner: 589 Investments, LLC – Applicant: RS Site and Sports** (Site Plan to construct a 16,500 sq. ft. Building)
(Special Permit for a Warehouse & Health Center)

MOTION BY Commission Secretary Pat Cocchiarella:

WHEREAS, The Oxford Planning and Zoning Commission have received Application Z-17-131 for a site plan and a special exception on Lot 2RA of the Pheasant Run Industrial Subdivision.

WHEREAS, The Oxford Planning and Zoning Commission considered this application at a regularly scheduled meeting/public hearing on 12/19/2017.

WHEREAS, The Oxford Planning and Zoning Commission considered the following maps and documents all drawn or prepared by B & B Engineering, within their deliberations:

- Application No, Z-17-131
- Drawings:
 - Sheet 01-01 Cover Sheet
 - Sheet 03-01 Existing Conditions Map (Not Certified)
 - Sheet 11-01 Site Layout Plan
 - Sheet 12-01 Grading, Drainage and Utility Plan
 - Sheet 13-01 Soil Erosion and Sediment Control Plan
 - Sheet 19-01 Site Lighting Plan

WHEREAS, The Oxford Planning and Zoning Commission considered the Town of Oxford Application Z-17-131 and finds;

- The application conforms to all requirements of the Oxford Zoning regulations.

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 and Zoning Commission and the Planning and 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 applicant and their assigns must comply with all representation made at Planning and Zoning Commission meetings or at public hearings regarding this application.

5. The applicant shall submit one complete copy of the set of plans which reflect these conditions of approval, with a copy of the conditions of approval attached.
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. The specific uses on this property shall be limited to those designated within the "Statement of Use" submitted by the applicant.
8. The applicant shall have a pre-construction meeting with appropriate Town Staff prior to any construction activities.
9. Sedimentation and erosion control measures on-site shall be maintained in compliance with the proposed site plan and current guidelines, subject to field review by the Commission's engineer.
10. It is the responsibility of the owner/applicant to ensure capability of communication with the Fire Department and EMS. If the requirement is not fulfilled, it is the responsibility of the owner/applicant to rectify the problem.
11. Site Plan approval expires if the work is not completed within five (5) years from the date of approval.

Second by Vice Chairman Arnie Jensen.
Ayes (4), Abstentions (2) Carver, Wall.
Motion passed 4-2.

It was noted that the Site Plan and the Special Exception are separate and stand on their own and that it is the applicant's responsibility to file the Special Exception approval on the land records.

WHEREAS; The Oxford Planning and Zoning Commission considered the Town of Oxford Application Z-17-131 for a Special Exception for the use of a Health Center in the Industrial zone and finds;

- The application conforms to all requirements of the Oxford Zoning regulations.

SUBJECT TO THE FOLLOWING CONDITIONS:

1. Compliance with all Town of Oxford Regulations and Ordinances in effect as of this date.
2. The applicant will be required to pay all costs of special consultants or studies as deemed necessary by the Commission regarding the proposed use in the industrial zone.
3. The applicant and their assigns must comply with all representation made at Planning and Zoning Commission meetings or at public hearings regarding this application.
4. The specific uses on this property shall be limited to those designated within the "Statement of Use" submitted by the applicant.
5. The applicant is responsible for filing the Special Exception on the Land Records and submitting a copy of such to the Planning & Zoning Department.

Second by Vice Chairman Arnie Jensen.
Ayes (4), Abstentions (2) Carver, Wall.
Motion passed 4-2.

1. Z-17-141 – [VCUMUD] – 300 Oxford Road - “Quarry Walk”, Oxford Towne Center, LLC
(Phase 2E – Site Plan Modification)

Kyle Bogardus, Langan Engineering & Environmental Services, engineer for the applicant explained that are presenting a site plan modification the site plan for buildings “M” and “P” that was approved in May 2017. He stated that the modification is also to align the site plan with the most recent conceptual plan amendment that was approved in August 2017.

Commissioners and the applicant’s representative discussed items, such as, the placement of the entrance to the Medical Office Building, parking, roads, infrastructure, drainage, utilities, grading, fees, architecture and conformance with the VCUMD regulations.

The Commission had no further questions.

MOTION BY Commission Secretary Pat Cocchiarella:

WHEREAS, The Oxford Planning and Zoning Commission have received Application Z-17-141, a Site Plan Modification of Phase 2E, Quarry Walk.

WHEREAS, The Oxford Planning and Zoning Commission considered this application at a regularly scheduled meeting/public hearing on 12/19/2017.

WHEREAS, The Oxford Planning and Zoning Commission considered the following maps and documents all drawn or prepared by Langan Engineering and Environmental Services, within their deliberations:

- Application
- Drawings:
 - CS100 – Overall Site Plan
 - CS101 – Site Plan A
 - CG101 – Grading and Drainage Plan A
 - CU101 – Utility Plan A
 - Architectural Drawings:
 - A201 – Building M, P, Q Elevations
 - A202 – Building M, P, Q Elevations

WHEREAS; The Oxford Planning and Zoning Commission considered the Town of Oxford Application No. Z-17-141 and finds;

- The application conforms to all requirements of the Oxford Zoning regulations.

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 and Zoning Commission and the Planning and 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 applicant and their assigns must comply with all representation made at Planning and Zoning Commission meetings or at public hearings regarding this application.

5. The applicant shall submit one complete copy of the set of plans which reflect these conditions of approval, with a copy of the conditions of approval attached.
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. The specific uses on this property shall be limited to those designated within the "Statement of Use" submitted by the applicant.
8. The applicant shall have a pre-construction meeting with appropriate Town Staff prior to any construction activities.
9. Sedimentation and erosion control measures on-site shall be maintained in compliance with the proposed site plan and current guidelines, subject to field review by the Commission's engineer.
10. It is the responsibility of the owner/applicant to ensure capability of communication with the Fire Department and EMS. If the requirement is not fulfilled, it is the responsibility of the owner/applicant to rectify the problem.
11. Site Plan approval expires if the work is not completed within five (5) years from the date of approval.

Second by Vice Chairman Arnie Jensen.

All (6) Ayes.

Motion passed 6-0.

OLD BUSINESS

1. **Z-17-134 [IND] – 21-23 Nichols Road, Owner: T&C Partners, LLC Applicant: T&C Partners, LLC & TPB Contractors, LLC** (Application for a Change of Use)

MOTION BY Commission Secretary Pat Cocchiarella to remove this item from the table.

Second by Vice Chairman Arnie Jensen.

All (6) Ayes.

Motion passed 6-0.

Chairman Jeff Luff asked Commission members to share their comments on this application.

Commissioners discussed, in length, their concerns and regarding the application.

Dominick Thomas, Attorney, 315 Main Street, Derby for T&C Partners, informed the Commission that he has a response regarding questions that were raised at a previous meeting. He also submitted exhibits to the Commission regarding the history of the property and surrounding residences and businesses. He referred to particular sections of the Zoning Regulations during his presentation.

Steven Kulas, Attorney, 12 Bank Street, Seymour, present to represent the complainants. He explained his clients concerns with the subject property. He referred to sections of the Zoning Regulations that he suggested support his client's position on the current use of the property. He also referred to previous actions by the Commission regarding this property dating back to 1995.

Commissioners discussed the regulations, special exceptions, prohibited uses, and other items regarding Contractor's Yards and stone crushing operations.

Chairman Jeff Luff questioned the applicant's attorney regarding filing a Special Exception application.

Attorney Thomas stated that he would discuss the matter with his client.

MOTION BY Vice Chairman Arnie Jensen to table this application.

Second by Commission Secretary Pat Cocchiarella.

All (6) Ayes.

Motion passed 6-0.

BONDS/BONDS RELEASES

1. Pheasant Run – Request for Road Acceptance and Bond Reduction

(Refer to Jim Galligan)

MOTION BY Commission Secretary Pat Cocchiarella to refer this request to Jim Galligan for inspection and review.

Second by Vice Chairman Arnie Jensen.

All (6) Ayes.

Motion passed 6-0.

ZONING ENFORCEMENT

- The ZEO reported to the Commission on complaints, violations and other items deemed necessary for discussion.

APPROVAL OF MINUTES

1. MOTION BY Commission Secretary Pat Cocchiarella to table the 12/5/2017 Regular Meeting Minutes.

Second by Vice Chairman Arnie Jensen.

All (6) Ayes.

Motion passed 6-0.

INVOICES

1. MOTION BY Vice Chairman Arnie Jensen to pay \$6,600.00 towards the Turner Miller Group Invoice for the POCD.

Second by Commission Secretary Pat Cocchiarella.

All (6) Ayes.

Motion passed 6-0.

The following Invoices submitted by Peter Olson, Land Use and Conservation Counsel were added to the agenda by amendment:

1. Invoice– Garden Homes 2017 Appeal

MOTION BY Commissioner Tanya Carver to send Invoice – Garden Homes Appeal 2017 to the Board of Selectmen for Payment.

Second by Commission Secretary Pat Cocchiarella.

All (6) Ayes.

Motion passed 6-0.

2. Invoice– Oxford Towne Center

MOTION BY Vice Chairman Arnie Jensen to approve payment the Invoice for Oxford Town Center.

Second by Commission Secretary Pat Cocchiarella.

All (6) Ayes.

Motion passed 6-0.

3. Invoice – Timberlake

MOTION BY Vice Chairman Arnie Jensen to send Invoice – Timberlake to the Board of Selectmen for payment.

Second by Commission Secretary Pat Cocchiarella.

All (6) Ayes.

Motion passed 6-0.

OTHER BUSINESS

1. Update on Corrections/Modifications of the POCD.
2. Schedule Special Meeting - Re: Garden Homes Management Corp. Et Al v. Oxford Planning & Zoning Commission Settlement Discussion.

Chairman Jeff Luff stated that the Commission is going to schedule a Special Meeting for an executive session to discuss Garden Homed.

Some Commission members expressed interest in visiting the site before the Special Meeting.

Chairman Jeff Luff stated that a site visit could be coordinated with the ZEO.

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

ADOURNMENT

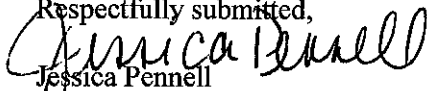
MOTION BY Commission Secretary Pat Cocchiarella to adjourn the meeting at 9:20 PM.

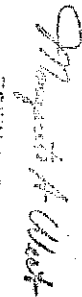
Second by Vice Chairman Arnie Jensen.

All (6) Ayes.

Motion passed 6-0.

Respectfully submitted,


Jessica Pennell
Administrative Secretary
Planning & Zoning Commission

18 FEB 27 PM 4:54
TOWN OF OXFORD, CT

TOWN CLERK