



**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)

**Planning & Zoning Commission**  
**Regular Meeting - Minutes**  
**Tuesday, September 7, 2021**  
**7:30 PM – Main Meeting Room**  
**S.B. Church Memorial Town Hall**

The meeting is accessible online by using the following information:

**Zoom Meeting:** <https://zoom.us/j/6727345461?pwd=d3NvbG8zWmNSWnlVQmgrZGdBNyt6dz09>  
**Meeting ID:** 672 734 5461  
**Passcode:** 588851

**Join by Phone:** +1 929 205 6099  
**Meeting ID:** 672 734 5461  
**Passcode:** 588851

**I. CALL TO ORDER**

Chairman Dave Sauter called the meeting to order at 7:30 PM.

**II. PLEDGE OF ALLEGIANCE**

**III. ROLL CALL**

**Present:** Joshua Dykstra, Pete Zbras, John Kerwin, Dave Sauter, and Pat Cocchiarella. Brett Olbrys and Dan Wall attended the meeting remotely.

**Also Present:** Steve Macary, ZEO, Jessica Pennell, Coordinator, and Attorney Kevin McSherry.

**Not Present:** Jesse Schremmer.

**IV. SEATING OF ALTERNATES**

Chairman Dave Sauter seated Alternate Commissioner Joshua Dykstra.

**V. PUBLIC HEARINGS**

**A. Recessed Public Hearings – NONE**

**B. New Public Hearings - Tuesday, September 7, 2021, on the following:**

**Proposed Amendment to the Zoning Regulations - Proposed Moratorium on retail sales, manufacture, and cultivation of Marijuana/Cannabis**

**Chairman Dave Sauter** called the Public Hearing to order. He outlined the Public Hearing procedures.

**Commission Secretary Pat Cocchiarella** read the call of the meeting.

**Chairman Dave Sauter** called for any conflicts of interest from any of the Commission members.

There were no Commission members that had a conflict of interest.

**Vice-Chairman John Kerwin** explained the reasons and process for imposing a moratorium on retail sales, manufacture, and cultivation of Marijuana/Cannabis.

**PUBLIC COMMENTS:**

**Robert Campbell, 595 Roosevelt Drive**, questioned why the Commission is proposing an 18-month moratorium, rather than a 12-month moratorium.

**Emily (last name inaudible), 6 High Road, Farmington**, stated that she represented the United Food & Commercial Workers Union, which is the Cannabis Worker's Union. She explained how the UFCW represents workers across the United States in the cannabis industry. She suggested that the Town create an ordinance regarding the cannabis industry in Oxford.

**Linda Czaplinski, 30 Freeman Road**, spoke in favor of the moratorium.

**Tanya Carver, 1 Old Moose Hill Road**, questioned why the Commission is including manufacturing in the proposed moratorium; previous Chairman Arnie Jensen, and Commissioner Zbras worked on regulations regarding manufacturing in the Industrial Zone.

**Alicia Lakomski, 31 Perry Lane**, stated that she is not in favor of retail sales, manufacture, and cultivation of Marijuana/Cannabis in Oxford.

**Tanya Carver, 1 Old Moose Hill Road**, asked for clarification regarding the time period proposed for the moratorium; the proposed language states one (1) year, and the Legal Notice states 18-months.

**Vice-Chairman John Kerwin** noted that the original proposal was for one (1) year; after discussion, the Commission voted to propose the moratorium for 18 months.

**COMMISSION RESPONSES TO PUBLIC COMMENTS:**

**Chairman Dave Sauter** stated that the 18-month moratorium is proposed, but it could be completed in less time. He stated that the Commission wanted to allow enough time to draft the regulations without having to go back and repeat this process if they were not completed within one (1) year.

**Vice-Chairman John Kerwin** reiterated Chairman Sauter's comments regarding the reasons for proposing the 18-month timeframe. He clarified, in response to Tanya Carver's question, that although regulations were worked on, there was no action taken and no regulations put in place regarding cannabis.

*(Speaker not identified)* stated that there is a cost to a delay relation to illegal substances and opioids.  
*(Speaker not identified)* Speaker requested clarification on the one (1) year versus the 18-months.

**Vice-Chairman John Kerwin** reiterated the reasons for the 18-month timeline.

**Commissioner Pete Zbras** stated that other Towns have put in place a 24-month moratorium.

*(Speaker not identified)* Speaker reiterated concern regarding negative impacts of delaying putting regulations in place regarding cannabis.

**Herman Schuler, 125 Meadowbrook Road**, stated that the Commission should have a plan in place immediately. He suggested putting a committee in place with the specific charge of drafting the regulations.

**Kevin McSherry, Land Use Counsel**, stated that this has just been adopted by the state, and the state is still trying to create their regulations regarding how this will be administered. He noted that until that comes forward, trying to create the zoning regulations before that would be difficult. He noted that right now, this is just a statute that has legalized cannabis; the state has not given any specific methods on how to enact the statute.

**Commission Secretary Pat Cocchiarella** questioned if the retail and manufacturing would be addressed as separate issues.

**Vice-Chairman John Kerwin** stated that those are different uses, and could be addressed separately in the regulations.

**Commissioner Brett Olbrys** stated that if there is a formation of a sub-committee, maybe the Commission could include others outside of the Commission.

A brief discussion ensued regarding Commissioner Olbry's suggestion.

**Herman Schuler, 125 Meadowbrook Road**, stated that there needs to be analysis in order to determine what opportunities this may create for the Town.

**MOTION BY Commission Secretary Pat Cocchiarella** to close the Public Hearing.

**Second by Commissioner Brett Olbrys.**

**All (7) Ayes.**

Motion passed unanimously.

#### **C. Future Public Hearings – NONE**

### **VI. REGULAR MEETING BUSINESS**

#### **A. Amendments to the Agenda – NONE**

#### **B. Audience of Citizens – (Items not listed on the Agenda)**

**Steven Kulas, 246 Bank Street, Seymour**, was present to represent Steva & Robert Werden. He addressed the Commission regarding concerns about the contractor's yard located at 21-23 Nichols Road. He stated that it is not being operated in accordance with the zoning regulations. He noted that Mr. Beard made comments during a court hearing, and that the comments were evidence that Mr. Beard is not operating according to the regulations.

**Attorney Kulas** stated that his clients would like to bring a formal complaint to the Commission, and asked the Commission to investigate. He explained that his clients would prefer to bring this to the Commission, not the Zoning Enforcement Officer.

**Chairman Dave Sauter** stated that the Commissioners have been taking notes on Attorney Kulas's statements, and that they will not be able to give Attorney Kulas any answers this evening.

**Attorney Kulas** continued to speak.

**Chairman Dave Sauter** instructed Jessica Pennell to mute Attorney Kulas. He then informed Attorney Kulas that he had been muted.

**Chairman Dave Sauter** informed Attorney Kulas that he would receive a formal response regarding his concerns from Land Use Counsel, Kevin McSherry, in conjunction with the Zoning Enforcement Officer.

**C. Correspondence – NONE**

**D. Old Business – Matters on which a Public Hearing was held – NONE**

**E. Old Business – Other Matters**

**F. New Business – Schedule a Public Hearing on the following applications:**

**Suggested Public Hearing Date: October 5, 2021**

1. **Z-21-126 [COMM] – 126 Oxford Road** – Owner: Mark Cipriano, Napoli Woodbury, LLC – Dollar General Plaza, 58 Pleasant Drive, Southbury, CT – **Applicant:** Gagandeep Sachdeva, – 9 Fox Run Lane, Seymour, CT 06483  
(*Special Exception – Article 10, Article 7, Section 7.3.16, and Article 17 - Sale of Alcoholic Beverages*)

**MOTION BY Commission Secretary Pat Cocchiarella** to schedule a Public Hearing on October 5, 2021 for application Z-21-126.

**Second by Commissioner Pete Zbras.**

**All (7) Ayes.**

Motion passed unanimously.

2. **Z- 21-133 [COMM] – 60 Oxford Road** – Owner & Applicant: Pitt-Conn Holdings, LLC. 15 Apple Drive, Oxford, CT 06478 – Proposed “Dunkin Donuts”  
(*Special Exception – Article 10, and Article 7 - Section 7.7.3.2- Drive Thru Window*)

**MOTION BY Commission Secretary Pat Cocchiarella** to schedule a Public Hearing on October 19, 2021 for application Z-21-133.

**Second by Alternate Commissioner Joshua Dykstra.**

**All (7) Ayes.**

Motion passed unanimously.

**G. New Business**

1. **Z- 21-128 [COMM] – 248 Oxford Road** – Owner: Terence G. Blake, 3333 Main Street, Stratford, CT 06614 – **Applicant:** Chelsea Curran, “Sunday Funday Ice Cream, LLC” – 79 Benz Street, Ansonia, CT 06401 (*Change of Use*) (*Sign Permit*)

**Terence Blake**, owner of property at 248 Oxford Road was present to represent the applicant.

He gave a brief description of the use. He explained that it is an ice cream shop with indoor seating, as well as, a Sundae Funday Ice Cream Bus.

Commissioners discussed this application briefly. They questioned the sign, parking, and the location of the mobile ice cream bus.

Mr. Blake answered the Commissioners questions.

**MOTION BY Vice-Chairman John Kerwin** to approve Z-21-128 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 August 19, 2021.
3. Compliance with the PDDH approval.
4. Compliance with the Fire Marshal's approval.
5. Compliance with the Oxford Zoning Regulations as of this date.
6. Per Article 3, Section 3.19.1 of the Zoning Regulations, the applicant shall be responsible for rendering payment for any outside experts the Commission assigns to review this application.

Reason for approval is that it meets Oxford Zoning Regulations in effect as of this date.

**Second by Commissioner Brett Olbrys.**

**All (7) Ayes.**

Motion passed unanimously.

2. **Z- 21-129 [COMM] – 297 Oxford Road – Owner:** Louis & Barbara Scianna – **Applicant:** John Bedosky, 9 Hill View Lane, Woodbury, CT 06798, "Oxford Dry Cleaning"  
*(Change of Use) (Sign Permit)*

**John Bedosky**, applicant, presented his application to the Commission. He explained that he would like to add a UPS Access Point to his current business. He stated that it would be a benefit because currently, there are no drop off points located in Oxford.

**Commissioners** discussed the sign for the UPS access point. After some discussion, they requested that Mr. Bedosky mark the location of the sign on the plot plan, with his initials.

**Mr. Bedosky** marked the location, and stated that he could put the sign on the building.

**Commissioners** agreed that the sign should be located on the building.

**MOTION BY Vice-Chairman John Kerwin** to approve Z-21-129 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 August 19, 2021.
3. Compliance with the PDDH approval.
4. Compliance with the Fire Marshal's approval.
5. Compliance with the Oxford Zoning Regulations as of this date.

6. Per Article 3, Section 3.19.1 of the Zoning Regulations, the applicant shall be responsible for rendering payment for any outside experts the Commission assigns to review this application.

Reason for approval is that it meets Oxford Zoning Regulations in effect as of this date.

**Second by Commissioner Brett Olbrys.**

**All (7) Ayes.**

Motion passed unanimously.

3. **Z- 21-132 [COMM] – 312 Oxford Road – Owner:** Rout 67 Professional Center, LLC, 49 Burtville Avenue, Derby, CT 06418– **Applicant:** Joe Bottone, “I-95 Signs”, 300 Honeyspot Road, Stratford, CT 06615(*Change of Use*) (*Sign Permit*) (*Temporary Sign Permit – Grand Opening*)

**Joe Bottone**, applicant presented his application to the Commission. He explained that this would be a sales office for his sign company. He also noted that there may be periodic overnight parking of a box truck and bucket truck.

**Commissioners** asked questions regarding the trucks that would be used for the business, and stated that neither truck should be visible from Route 67.

**MOTION BY Vice-Chairman John Kerwin** to approve Z-21-132 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 August 25, 2021.
3. Compliance with the PDDH approval.
4. Compliance with the Fire Marshal’s approval.
5. Compliance with the Oxford Zoning Regulations as of this date.
6. Per Article 3, Section 3.19.1 of the Zoning Regulations, the applicant shall be responsible for rendering payment for any outside experts the Commission assigns to review this application.
7. Any vehicle associated with the business will be parked behind the building, and not visible from Route 67.

Reason for approval is that it meets Oxford Zoning Regulations in effect as of this date.

**Second by Commissioner Brett Olbrys.**

**All (7) Ayes.**

Motion passed unanimously.

Mr. Bottone and the Commission discussed briefly the temporary grand opening sign. The Commission determined that it did not need to be approved by the Commission, but that it could only be put up for thirty (30) days.

#### **H. Zoning Enforcement**

1. Cease & Desist – Modification of Agreed Resolution – 138 Coppermine Road – Discuss with ZEO.

**Commissioners** and Attorney McSherry discussed this briefly. Attorney McSherry explained that there was a

Previous agreement regarding the resolution of the violations on this property. He also explained that he worked with Attorney Thomas on the Resolution.

**Attorney McSherry** explained that he was contacted by Attorney Thomas because the owner of the property is requesting to modify the resolution.

**Commissioners** agreed that this should be handled by Attorney McSherry and the Zoning Enforcement Officer.

2. 81 Newgate Road

**Chairman Dave Sauter** stated that he put this item on the agenda because he has some concerns about advertising on Facebook, and reported events. He questioned if the owners are complying with the order that they no longer hold events. He also stated that Steve Macary, ZEO alerted him that the owner has been going through town departments, and questioned if the applicant is following the proper procedure.

**Steve Macary, ZEO** explained that any zoning application would come before the Commission only after the applicant has received approval from all the other applicable Town Departments.

**I. Minutes**

1. **MOTION BY Commission Secretary Pat Cocchiarella** to approve the 7/20/2021 – Regular Meeting Minutes as presented.  
**Second by Commissioner Pete Zbras.**  
**All (7) Ayes.**  
Motion passed unanimously.
2. 8/3/2021- Regular Meeting Minutes *(Tabled)*
3. 8/17/2021 – Regular Meeting Minutes *(Tabled)*

**J. Invoices**

1. **MOTION BY Commission Secretary Pat Cocchiarella** to pay the Invoice from McSherry Law Office for services rendered by Land Use Counsel, Kevin McSherry.  
**Second by Commissioner Pete Zbras.**  
**All (7) Ayes.**  
Motion passed unanimously.

**K. Other Business**

- a. Any other business the Commission deems necessary for discussion.
- b. Possible Updates from Land Use Counsel, Kevin McSherry

**Attorney McSherry** updated the Commission on the Moose Hill Estates Subdivision, and 66 Perkins Road. He explained the processes for both items, and the proposed resolutions that are being considered by the Board of Selectmen.

- c. Planning & Zoning Policies & Procedures Review.

**Chairman Dave Sauter** stated that this is still in progress, and mentioned that he has received a suggestion from Vice-Chairman John Kerwin to add to the policies and procedures. The Commission discussed briefly adding language regarding pre-application meetings.

- L. **Executive Session** to discuss the job performance and duties the Zoning Enforcement Officer.

**MOTION BY Commission Secretary Pat Cocchiarella** to enter into executive session at 9:41 PM.  
**Chairman Dave Sauter** invited all Commissioners present (and remote), and Steve Macary, ZEO into executive session.

**Second by Commissioner Pete Zbras.**

**All (7) Ayes.**

Motion passed unanimously.

**MOTION BY Commission Secretary Pat Cocchiarella** to come out of executive session at 10:41 PM.

**Second by Commissioner Pete Zbras.**

**All (7) Ayes.**

Motion passed unanimously.

**Chairman Dave Sauter** stated that no action was taken during executive session.

#### **M. Adjournment**

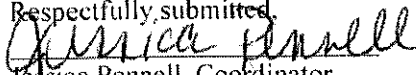
**MOTION BY Vice-Chairman John Kerwin** to adjourn the meeting at 10:41 PM.

**Second by Commissioner Pete Zbras.**

**All (7) Ayes.**

Motion passed unanimously.

Respectfully submitted,

  
Jessica Pennell, Coordinator  
Planning & Zoning Commission

21 OCT 14 PM 3:05  
C. Zbras  
P. Zbras  
J. Kerwin  
D. Sauter