



**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**

**Regular Meeting Minutes**

**Tuesday, June 16, 2015**

7:30 PM

Oxford Town Hall

Main Meeting Room

**CALL TO ORDER**

**PLEDGE OF ALLEGIANCE**

**ROLL CALL**

**Present:** Pete Zbras, Harold Cosgrove, Arnie Jensen, Tanya Carver and Pat Cocchiarella.

**Staff Present:** Steven S. Macary, ZEO and Brian Miller, Town Planner.

**Not Present:** John Kerwin, Ed Rowland, Glen Persson, Jeff Luff and Todd Romagna.

**CHAIRMAN'S REPORT**

**SEATING OF ALTERNATES**

Chairman Tanya Carver seated Alternate Pete Zbras.

**AMENDMENTS TO THE AGENDA**

**AUDIENCE OF CITIZENS**

**CORRESPONDENCE**

**OLD BUSINESS**

- 1.) **Z-15-027 – [IND] – Lot 3A Fox Hollow Road – Applicant: Gary Mead – Owner: Entrepot, BUI** (Site Plan – 29,000 square foot building) (Excavation – approximately 4,000 cubic yards) (Referred to P&Z Engineer, Jim Galligan & Town Planner, Brian Miller & Fire Marshal, Scott Pelletier)

**WHEREAS,** The Oxford Planning and Zoning Commission have received application **Z-15-027 –**

**[IND] – Lot 3A Fox Hollow Road – Applicant: Gary Mead – Owner: Entrepot, BUI** (Site Plan – 29,000 square foot building) (Excavation – approximately 4,000 cubic yards).

**MOTION BY Commission Secretary Cocchiarella:**

**WHEREAS**, The Oxford Planning & Zoning Commission considered the following maps prepared by Civil 1, within their deliberations:

1. Planning & Zoning Commission Application **Z-15-027**.
2. Cover Sheet, Fox Hollow Industrial Park; drawn by Civil 1, last revised July 16, 2014.
3. Sheet 1 – Existing Conditions; drawn by Civil 1, last revised July 16, 2014.
4. Sheet 2 – Site Plan, Grading Plan, Erosion Control Plan, Landscape Plan and Lighting Plan; drawn by Civil 1, last revised July 16, 2014.
5. Sheet 3 – Driveway & Storm Drainage Profiles & Truck Turning Analysis; drawn by Civil 1, last revised July 16, 2014.
6. Sheet 4 – Details; drawn by Civil 1, last revised July 16, 2014.
7. Sheet 5 – Details; drawn by Civil 1, last revised July 16, 2014.
8. Sheet 6 – Erosion Control Narrative; drawn by Civil 1, last revised July 16, 2014.
9. Renderings of Proposed New 29,000 square foot Warehouse for B. United International, Lot #3 – Fox Hollow Road.

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

1. The application conforms to all requirements of the Oxford Zoning Regulations, including the following sections:
  - a. **Article 14, Section 14.3.13**, as the regarding of the land is the minimum necessary to permit the feasible use of the property.
  - b. **Article 10, Section 10.3**, in which the Commission finds;
    - 10.3.1** – The proposed earth excavation/regarding will not be detrimental to the health, safety, welfare and property values in the neighborhood.
    - 10.3.2** – The proposed earth excavation/regarding is adequate to carry potential traffic.
2. The application is consistent with the Comprehensive Plan and the Plan of Conservation and Development.

**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 & Zoning Commission and the Planning & 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 representations made at Planning & Zoning Commission meetings and/or Public Hearings regarding this application.
5. No work to be done until security is set by the Planning & Zoning Commission Engineer in a form acceptable to Town Counsel, and installed by the applicant.
6. The limits of areas of non-disturbance shall be marked by a surveyor prior to the commencement of any earth disturbance.
7. All excavation shall occur between the hours of 8 A.M. and 5 P.M., Monday through Friday, except where there is potential interference with school bus schedules.
8. All trucks for excavation of materials shall utilize Jack's Hill Road to Christian Street to Airport Access Road.
9. Site Plan approval expires if the work is not completed within 5 years from the date of approval.  
(Expires: June 16, 2020)
10. The applicant shall submit three complete copies of the set of plans which reflect these conditions of approval, including an electronic copy.

*The effective date of this approval is June 16, 2015.*

**Second by Commissioner Cosgrove.**

**VOTE:** All (5) Ayes.

2.) **Z-15-028 [VCMUD] – Oxford Town Center** (Site Plan Modification)

This application was **TABLED** at the applicant's request. The date of acceptance will be checked to see if the Commission needs an extension letter from the applicant.

3.) **Z-15-013 – [RES/COMM] – Echo Valley Road - Map: 34 Block: 9 Lot: EV4**  
**Owner: Mark & George Purington – Applicant: Mark Purington**  
(Special Exception/Site Plan– Major Re-grade – approximately 2,400 cubic yards)

**MOTION BY Commission Secretary Cocchiarella:**

**WHEREAS**, The Oxford Planning and Zoning Commission has received application:

**Z-15-013 – [RES/COMM] – Echo Valley Road - Map: 34 Block: 9 Lot: EV4**

**Owner: Mark & George Purington – Applicant: Mark Purington**

(Special Exception/Site Plan– Major Re-grade – approximately 2,400 cubic yards)

**WHEREAS**, The Oxford Planning & Zoning Commission reviewed all documents presented at the Public Hearing held on June 2, 2015 as part of the application, the following documents were presented:

- Application form for Z-15-013.
- Site Plan prepared for Mark & George Purington, drawn by Donald W. Smith, Jr., P.E. and dated March 19, 2015.
- Details prepared for Mark & George Purington, drawn by Donald W. Smith Jr., P.E. and dated March 19, 2015.

**WHEREAS**, The Oxford Planning & Zoning Commission considered all testimony presented at the Public Hearing held on June 2, 2015, which was duly noticed in conformance with all requirements of the Connecticut General Statutes and the Zoning Regulations of the Town of Oxford;

**NOW THEREFORE**, the Commission hereby finds as follows:

1. The application constitutes a minimum degree of alteration of the natural contours of the land so as to allow the land to be used for a viable purpose.
2. The application conforms to all requirements of the Oxford Zoning Regulations, including the following sections:
  - a. Article 14, Section 14.3.13, as the regarding of the land is the minimum necessary to permit the feasible use of the property.
  - b. Article 10, Section 10.3 in which the Commission finds:
    - 10.3.1 The proposed earth excavation/regarding will not be detrimental to the health, safety, welfare and property values in the neighborhood.
    - 10.3.2 The proposed earth excavation/regarding is adequate to carry potential traffic.

**BE IT RESOLVED**, that based upon the application and testimony, this application is APPROVED subject to the following conditions:

1. Compliance with Oxford Zoning Regulations as of this date.
2. The applicant and their assigns must comply with all representations made at Planning & Zoning Commission meetings regarding this application.
3. Compliance with all Town of Oxford Ordinances in effect as of this date.
4. No burying of stumps, debris or any other material. A report or receipt must be provided indicating proper stump removal.
5. Applicant shall contact the Zoning Enforcement Officer and Town Engineer to schedule a pre-construction meeting prior to any activity on site.
6. As 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. A copy of monitoring records from each blasting event shall be placed on file with the Planning & Zoning Department.
8. A copy of the insurance policy required by these regulations shall be placed on file with the Commission prior to the commencement of any work under this Special Permit.

9. A record of the amount of material leaving the site shall be kept by the applicant. A copy of these records shall be submitted to the Planning & Zoning Department by the tenth of each month.
10. The applicant shall submit an as-built grading survey at completion, or when requested by the ZEO or the Commission, which shall indicate the amount of material removed, to be verified by the Town Engineer.
11. The applicant post surety with the Board of Selectmen of Oxford in a form satisfactory to Town Counsel in an amount approved by the Commission to guarantee maintenance and repair, if needed, of the sedimentation and erosion control measures.
12. 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.
13. No fixed machinery shall be erected or maintained on the premises.
14. No activities in accordance with this Special Permit shall be conducted on the property except during the hours of 8:00 AM to 4:00 PM, Monday through Friday, including all rock crushing activities.
15. A complete dust control plan for the site shall be submitted to and approved by the Zoning Enforcement Officer prior to the start of construction activity. There shall be proper provisions for the control of dust. This dust control plan shall be adhered to during the duration of extraction activities.
16. All blasting on site shall be conducted in conformance with all applicable standards, including conducting a pre-blast survey, as required. A copy of each of these surveys shall be submitted to the Planning & Zoning Department.
17. There shall be no fuel storage on site.
18. All truck excavation activities shall utilize Echo Valley Road to Route 67.
19. A timetable for completion of the process shall be provided to the ZEO, to be confirmed by the Planning & Zoning Commission.

***The effective date of this approval is June 16, 2015.***

**Second by Commissioner Cosgrove.**

It was noted that there has been a change in revision date of the plans, the latest revised plans are dated **May 28, 2015**.

**Commission Secretary Cocchiarella ACCEPTED** the amendment to the original motion.  
**Commissioner Cosgrove seconded** the amended motion.

VOTE: All (5) Ayes.

- 4.) **Z-15-023 [RESA] – 105 O’Neill Road – Owner & Applicant: Timothy Butterworth**  
(Special Exception – construct a Garage – 2,108 sq. ft.) (*TABLED*)
- 5.) **Z-15-021 [RESA] – 1 Silano Drive – Owner: Garrett Raymond – Applicant: Lawrence Miller**  
(Special Exception – construct a Garage & Carport – 1,458 sq. ft.) (*TABLED*)
- 6.) **Z-15-037 [OPD] – 556 Oxford Road – Owner & Applicant: Tiki Monster Realty, LLC – Erika Ball**  
(Site Plan Modification) (*TABLED*)

### **NEW BUSINESS**

- 1.) **Z-15-042 – 10 Oxford Road – Applicant & Owner: Dave Steeves**  
(S/E for a Garage & Office)

The Commission voted unanimously to **SET A PUBLIC HEARING DATE** for *Tuesday, July 7, 2015 at 7:00 PM.*

### **BOND RELEASES**

- 1.) **Central Park Associates – Bond Release Request**  
(*Awaiting report from P&Z Engineer, Jim Galligan*)

### **ZONING ENFORCEMENT**

- 1.) Commission discussion with ZEO regarding various items, complaints and zoning violations.

#### **A. Glendale**

A brief discussion ensued amongst the Commission and staff regarding denying two applications to construct new homes for Glendale. It was stated that a pre-construction meeting had been held in April and that all the items that had been discussed had not been met by the applicant.

#### **B. Jenny Lane 2**

**Mr. and Mrs. Wilcox, 38 Jenny Lane 2**, addressed the Commission regarding the ongoing issue of fill on their property. It was stated that they have installed a silt fence, which will need to be reinstalled and that they have taken soil sample which will be given to P&Z Engineer, Jim Galligan. They stated for the record that the fill came from Wakelee Avenue, Seymour, CT, Park Avenue Campus Outpatient Center in Bridgeport, CT, Park Avenue, Trumbull, CT and Ford Street Athletic Field at Emmett O’Brien Technical School in Ansonia, CT. They also noted that they will bring an A-2 survey to the Commission at the July 7, 2015 meeting. It was stated that the map will show the amount of material that was brought in. Also, they are waiting for a letter from the Town of Beacon Falls stating that they have no interest in this property.

#### **C. Other**

The Commission inquired about Mr. Fred D'Amico's property located on Oxford Road and asked that the ZEO look into the expiration date of that permit.

**APPROVAL OF MINUTES: (TABLED)**

- 1.) May 19, 2015 Regular Meeting Minutes
- 2.) June 2, 2015 Public Hearing Minutes – 1 Silano
- 3.) June 2, 2015 Public Hearing Minutes – 105 O'Neill Road
- 4.) June 2, 2015 Public Hearing Minutes – Ferris Properties

**INVOICES**

- 1.) Turner Miller Group Invoice # 5248

**MOTION BY Commissioner Cocchiarella** to **APPROVE PAYMENT** of Invoice #5248 from Turner Miller Group.

**Second by Commissioner Cosgrove.**

**VOTE:** All (5) Ayes.

- 2.) Nafis & Young Invoices
  - a. #156-15
  - b. #157-15

**MOTION BY Commissioner Cocchiarella** to **APPROVE PAYMENT** for Invoices #156-15 and #157-15 from Nafis & Young Engineers.

- 3.) Micci & Korolyshun, P.C. Statement/Invoice – Garden Homes

**MOTION BY Commission Secretary Cocchiarella** to **FORWARD** this Invoice to the Board of Selectmen for payment.

**Second by Commissioner Cosgrove.**

**VOTE:** All (5) Ayes.

**OTHER BUSINESS**

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

**Commission Secretary Cocchiarella** questioned the status of the Commission's request to retain Peter Olson as their Land Use Attorney.

**Chairman Carver** stated that she has not heard anything from the Board of Selectmen, but would support sending another letter.

**MOTION BY Alternate Commissioner Zbras** to send a letter to the Board of Selectmen requesting that the Planning & Zoning Commission retain Peter Olson as their Land Use Attorney.

**Second by Commissioner Cosgrove.**

**VOTE:** All (5) Ayes.

**ADJOURNMENT**

**MOTION BY Commissioner Cosgrove** to **ADJOURN** the meeting.

**Second by Commission Secretary Cocchiarella.**

**VOTE:** All (5) Ayes.

Respectfully submitted,

Jessica Pennell

Administrative Secretary

## Planning & Zoning Commission

15 JUN 25 AM 9:44  
TDR  
TDR CLERK