



TOWN OF OXFORD
S.B. Church Memorial Town Hall
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Planning & Zoning Commission

Regular Meeting Minutes
Tuesday, January 19, 2016
7:30 PM
Oxford Town Hall
Main Meeting Room

CALL TO ORDER

Chairman Arnie Jensen called the meeting to order at 7:30 PM.

PLEDGE OF ALLEGIANCE

ROLL CALL

Present: Pete Zbras, Harold Cosgrove, Glen Persson, Jeff Luff, Arnie Jensen, Pat Cocchiarella and Todd Romagna.

Not Present: John Kerwin and Tanya Carver.

Staff Present: Jessica Pennell, Administrative Secretary, Steven S. Macary, ZEO, Brian Miller, Town Planner and Kevin Condon, Town Counsel.

CHAIRMAN'S REPORT

Chairman Arnie Jensen explained that the budget was due on Friday, January 15th. He noted that he and staff are working on it and that the Commission members still have time to request/suggest items for the budget.

SEATING OF ALTERNATES

Chairman Arnie Jensen seated Alternate Commissioner Pete Zbras.

AMENDMENTS TO THE AGENDA

AUDIENCE OF CITIZENS

CORRESPONDENCE

- a. Memorandum dated 1/11/2016 to all Departments from the Selectmen's Office
Re: Capital Improvement Plan

OLD BUSINESS

1. **Z-14-003 (Glendale at Oxford) "Canterbury Estates"** – Review and approve "*Declaration of Canterbury Estates, Oxford, Connecticut*"
 - a. Final Proposed Declaration
 - b. Letter dated 1/11/2016 from James H. Galligan, PZC Engineer
 - c. Housing Administrator – Real Estate Solutions Résumé

MOTION BY Vice Chairman Jeff Luff to approve the Declaration for "Canterbury Estates" contingent upon the addition of the following items to the Declaration:

1. Statement concerning the maintenance and repair of roads as explained on Page 7, Section 6.1 of the Declaration (**ATTACHMENT A**).
2. Statement in the Declaration that identifies the properties as being located in an Airport Noise Impact Zone as reflected on page 42 of the Declaration (**ATTACHMENT B**).
3. Review by Town Counsel before filing on the Land Records.

Second by Commission Secretary Pat Cocchiarella.

VOTE: All (7) Ayes.

NEW BUSINESS

1. **Z-16-002a – 357 Oxford Road – Owner: Global Partners L.P./Alliance Energy, LLC**
Applicant: Hiren Patel (Special Exception – Sale of Alcohol – Beer Only)
(**SET PUBLIC HEARING DATE**)

MOTION BY Commission Secretary Pat Cocchiarella to schedule a Public Hearing for Tuesday, February 16, 2016 at 7:00 PM.

Second by Alternate Commissioner Pete Zbras.

VOTE: All (7) Ayes.

2. **Z-16-002 – 35 Oxford Road – Owner & Applicant: Badas Enterprises, Ltd. – Anastasios Badas** (Site Plan Modification for Z-)
Original Site Plan Approved on 7/1/2014
(*Referred to Town Planner & PZC Engineer*)

MOTION BY Commissioner Glen Persson to approve **Z-16-002**; application for a Site Plan Modification for 35 Oxford Road with the following conditions:

1. Compliance with the Oxford Zoning Regulations to date.
2. Applicant and their assigns must comply with all representations made at P&Z Commission meetings.
3. Per Article 3, Section 3.19.1 of the Town of Oxford Zoning Regulations, the applicant shall be responsible for rendering payment for any outside experts the Commission assigns to review this application.
4. Site Plan approval expires if the work is not completed within 5 years from the date of approval. (*Expires 1/19/2021*)

Second by Vice Chairman Jeff Luff.

VOTE: All (7) Ayes.

3. Z-16-003 – 300 Oxford Road – Oxford Towne Center (Quarry Walk) Owner & Applicant: Oxford Towne Center, LLC (Village Center Mixed Use District– Conceptual Plan Amendment)

- a. Memorandum dated 1/12/2016 from Langan to Steven S. Macary, ZEO.
Re: Traffic Memorandum/Quarry Walk Conceptual Plan Submission (Amendment 1)
- b. Parking Management & Operations Plan Prepared by Langan.
- c. Revised Plans dated 1/12/2016 prepared by Langan.

MOTION BY Vice Chairman Jeff Luff to approve **Z-16-003**; application to amend the Conceptual Plan for the VCMUD with the following conditions based on maps/plans prepared by Langan, CT, INC with the most recent revision date of 1/12/16:

- 1. Compliance with the Oxford Zoning Regulations to date.
- 2. Applicant and their assigns must comply with all representations made at P&Z Commission meetings.
- 3. Per Article 3, Section 3.19.1 of the Town of Oxford Zoning Regulations, the applicant shall be responsible for rendering payment for any outside experts the Commission assigns to review this application.

Second by Alternate Commissioner Pete Zbras.

VOTE: All (7) Ayes

4. Z-16-004 – 300 Oxford Road – Oxford Towne Center (Quarry Walk) – Phase 2A – Goodwill – Owner & Applicant: Oxford Towne Center, LLC (Site Plan Modification)

- a. Memorandum dated 1/12/2016 from Langan to Steven S. Macary, ZEO
Re: Stormwater Management Memorandum/Goodwill at Quarry Walk
- b. Letter from Berengaria Development to the Planning & Zoning Commission
Re: Goodwill's Mission & Statement of Use
- c. Plans dated 1/12/2016 prepared by Langan.

MOTION BY Commission Secretary Pat Cocchiarella to postpone this application to the next Regular Meeting.

Second by Vice Chairman Jeff Luff.

VOTE: All (7) Ayes.

BOND RELEASES

- 1. Central Park Associates – Bond Release Request
(*Referred to PZC Engineer, James Galligan & Kevin Condon, Town Counsel*)
(POSTPONED TO 2/2/2016 PER APPLICANT'S REQUEST)

ZONING ENFORCEMENT

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

APPROVAL OF MINUTES

1. 1/5/2016 Regular Meeting Minutes.

MOTION BY Commission Secretary Pat Cocchiarella to approve the 1/5/2016 Regular Meeting Minutes as presented.

Second by Commissioner Harold Cosgrove.

VOTE: All (7) Ayes.

INVOICES

OTHER BUSINESS

1. Progress Update on Policies and Procedures.
2. Any other business the Commission deems necessary for discussion.

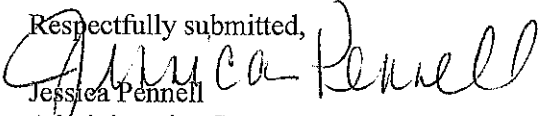
ADJOURNMENT

MOTION BY Vice Chairman Jeff Luff to adjourn the meeting 9:30 PM.

Second by Commissioner Harold Cosgrove.

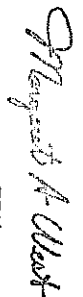
VOTE: All (7) Ayes.

Respectfully submitted,


Jessica Pennell

Administrative Secretary

Planning & Zoning Commission

16 JAN 26 AM 10:54
TOWN OF OXFORD, CT

TOWN CLERK

ARTICLE VI

Maintenance, Repair and Replacement

Section 6.1 - By Association. The Association shall maintain, repair and replace all of the Property (which term shall include all roads and any sidewalks or other rights of way) except the Residence Maintenance Areas and those portions of the Limited Common Elements, if any, which are required by this Declaration to be maintained, repaired or replaced by the Unit Owners.

Section 6.2 - By Unit Owners. Each Unit Owner shall maintain, repair, and replace, at his or her own expense, all portions of the Residence Maintenance Area related to the Residence located within his or her Unit, except the portions thereof to be maintained, repaired or replaced by the Association. Unit Owners shall be responsible for proper disposal of their own garbage.

Section 6.3 - Lightposts and Lights. Each Unit Owner shall maintain, repair and replace the lightpost and light located in front of his or her Unit, and provide it with electricity. He or she shall also maintain a timer for the light and keep it illuminated during such hours as the Association may require from time-to-time by Rule.

Section 6.4 - Driveways. Each Unit Owner shall be responsible for keeping the driveway appurtenant to his or her Unit safely cleared of snow and ice.

Section 6.5 - Access. Any Person authorized by the Executive Board shall have the right of access to all portions of the Property for the purpose of correcting any condition threatening a Unit or the Common Elements, and for the purpose of performing inspections, maintenance, installations, alterations or repairs, and for the purpose of reading, repairing or replacing utility meters and related pipes, valves, wires and equipment, provided that requests for entry of Residences are made in advance and that any such entry is at a time reasonably convenient to the affected Unit Owner. In case of an emergency, no such request or notice is required and such right of entry shall be immediate, whether or not the Unit Owner is present at the time.

Section 6.6 - Repairs Resulting From Negligence. Each Unit Owner shall reimburse the Association for any damages to any other Unit or to the Common Elements caused intentionally, negligently or by his or her failure to properly maintain his or her Unit, and/or maintain, repair or replace his or her Residence Unit. The Association shall be responsible for damage to Units, Residences, or portions thereof caused intentionally, negligently or by its failure to maintain, repair or replace the Common Elements or the portions of the Units and Residences required to be maintained by the Association.

ARTICLE VII

Subsequently Allocated Limited Common Elements

Portions to the Common Elements may be subsequently allocated as Limited Common Elements, but only in accordance with Subsection 9.1(a) hereof.

DECLARATION SCHEDULE A-1
Legal Descriptions of Real Property

(1) REAL PROPERTY ON WHICH UNITS ARE DECLARED:

ALL THAT CERTAIN piece or parcel of land, with any buildings and improvements thereon, situated in the Town of Oxford, County of New Haven and State of Connecticut, shown as lying within the area of large crosshatching as shown on maps entitled "SCHEDULE A-3-A • CONDOMINIUM DECLARATION MAP • 'CANTERBURY ESTATES', CHRISTIAN STREET, OXFORD, CONNECTICUT • PREPARED FOR GLENDALE AT OXFORD, LLC", and "SCHEDULE A-3-B • CONDOMINIUM DECLARATION MAP • 'CANTERBURY ESTATES', UNITS 1,2,3,5,7,9,11,13 & 15, CHRISTIAN STREET, OXFORD, CONNECTICUT • PREPARED FOR GLENDALE AT OXFORD, LLC", Scale of each map 1"=100', each dated December 7, 2015, and prepared by Rose • Tiso & Company, 35 Brentwood Avenue, Fairfield, CT 06825, certified by Philip L. Tiso, L.S., and on file in the Office of the Oxford Town Clerk as Map _____.

(2) REAL PROPERTY AS TO WHICH DEVELOPMENT RIGHTS HAVE BEEN RESERVED (*n.b.* property may be withdrawn, units need not be declared, improvements need not be built):

ALL THAT CERTAIN piece or parcel of land, with any buildings and improvements thereon, situated in the Town of Oxford, County of New Haven and State of Connecticut, as shown as Parcel A and Lot 1 and Lot 2 on a map entitled "PROPERTY SURVEY PARCEL A GLENDALE SUBDIVISION PROPERTY LOCATED ON CHRISTIAN STREET AND JACKS HILL ROAD OXFORD, CONNECTICUT" prepared for Glendale at Oxford, LLC by Lewis Associates dated 4-27-2005, recorded in the Oxford Land Records as **Map No. 33-28**, *Less and Except the real property described in Paragraph (1) above.*

Note: The July 31, 2014 approval granted by the Oxford Planning & Zoning Commission requires that there be a "notation in the deeds filed in the Town Land records that acknowledges that the property is located within an Airport Noise Impact Zone, and thus the residents are likely to be subjected to high levels of airport generated noise and traffic."