



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

**Regular Meeting Minutes**

**Tuesday, March 1, 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:** Tanya Carver, John Kerwin, Pete Zbras, Harold Cosgrove, Glen Persson, Jeff Luff, Arnie Jensen, Pat Cocchiarella, Todd Romagna and Bob Costigan.

**Staff Present:** Jessica Pennell, Administrative Secretary, Steven S. Macary, ZEO and Brian J. Miller, Town Planner.

**CHAIRMAN'S REPORT - NONE**

**SEATING OF ALTERNATES**

**No Alternates were seated.**

**AMENDMENTS TO THE AGENDA**

**MOTION BY Commission Secretary Pat Cocchiarella** to amend the agenda to add the following application as Old Business #3:

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)

**Second by Commissioner Harold Cosgrove. VOTE: All (7) Ayes.**

**AUDIENCE OF CITIZENS- NONE**

**CORRESPONDENCE**

**Commission Secretary Pat Cocchiarella** noted the following correspondence for the record and stated that all informational items not read are on file in the Planning & Zoning Department.

- a. Referral Notice dated 2/18/16 from the Town of Monroe Planning & Zoning Commission.

### **OLD BUSINESS**

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

- a. Responses to Brian Miller's Memorandum.
- b. Architectural Renderings & Sign Dimensions.

**Commission Secretary Pat Cocchiarella** noted a letter dated 2/23/16 from Darin J. Frerichs, AIA, Project Manager.

**Commission Secretary Pat Cocchiarella** read a Memorandum dated 2/25/16 from Brian J. Miller, Town Planner.

**Commission Secretary Pat Cocchiarella** read a letter dated 3/1/16 from James H. Galligan, PZC Engineer.

**Commission Secretary Pat Cocchiarella** read a Memorandum dated 3/1/16 from Kyle Bogardus, PE, CPESC/Langan.

**Kyle Bogardus** summarized the memorandum that he submitted to the Commission. He stated that there is some confusion regarding the OSTA process and the emergency access that they are required to maintain. He commented that if the Commission recalls, that access was along the northern property line; the access was determined during the OSTA process and one of the concerns that Sergeant Semosky had, and the resolution to that was to provide an emergency access (over here – depicted on the map). He stated that they are committed to that emergency access and will discuss the operation of that access at a future date; he reiterated that is the emergency access point. He noted that the exit that was previously approved was never an emergency access point, it was a vehicular access point for customers when they had proposed a vehicle maintenance pad, and it was an exit only access per previous OSTA approval. He explained that originally, it was proposed as a full movement access, but one (1) of the conditions of OSTA was that it be exit only. He stated that the access onto the private driveway was never an emergency access on any of the approved plans. He referred to the previously approved plan from two (2) years ago. He noted that fire truck movement was reviewed by the Fire Marshal as far as truck movement through the site. He explained that on the most recent conceptual plan (Amendment 1), they submitted a fire truck movement plan; consistent with what was previously approved. He stated that the only changes made were due to modifications consistent with the evolution of the site plan. He stated that the other piece in regard to that access point, to make sure everyone is on the same page, in December or January they had a pre-application meeting with some of the Commission members for the Goodwill application and the Conceptual Plan Amendment. He noted that it was a concurrent meeting with several members of the Commission, the ZEO and Brian J. Miller, Town Planner. He explained that was the kick off to the Goodwill and the revision to the Conceptual Plan. He commented that at that meeting this is the site plan they were at for the Goodwill. He stated that you can see that they had an access point at this location and the feedback that they got from that pre-application meeting was that Commission members did not want that access point onto the private driveway. He noted that it was pretty clear for a couple of reasons; it was a wide curb cut to allow the

movements to happen there, it was an exit only onto a private road and it wasn't the best site planning for the site. He stated that the other piece was that it exposed the "back of house" of the Goodwill. He noted that it exposed the loading dock, and other features you try to mask on a building. He commented that there would have been no visual screening coming up Route 67. He stated that this pad would also be much lower and closer to the road elevation of Route 67 to allow for that exit onto the private driveway. He commented that they took the feedback from that pre-application meeting and modified the site plan based on comments made; they pushed the Goodwill driveway further up the site and they thought this did a much better job of screening the site. He commented that they moved the loading dock and the donation center and there is good landscaping that screens most of the view of the donation center associated with the backside of the building. He noted that they modified the plan based on items the Commission was looking for and they feel very good about the site plan that is before the Commission.

**Alternate Commissioner John Kerwin** stated that Kyle Bogardus is saying that it was the Commission's idea to have it like that.

**Kyle Bogardus** stated that it was a good collaborative effort to make a much better site plan.

**Alternate Commissioner John Kerwin** questioned the OSTA requirement that Mr. Miller references in his memo.

**Kyle Bogardus** stated that the emergency access is absolutely a condition of the OSTA approval, it is located on the northern property line and that remains a constant access. He explained that the confusion is that the access out onto the private driveway was the emergency access, it was never the emergency access and it is not a condition of the OSTA approval.

**Alternate Commissioner John Kerwin** questioned that when OSTA said that they wanted the vehicle service site driveway to be in compliance, that was not a mandate, OSTA meant if you were going to build then it had to comply with what was submitted to them, it was not a requirement to build it?

**Kyle Bogardus** commented that OSTA absolutely did not make building it a requirement. He stated that he had a discussion with OSTA about the access and they will be thrilled with that access is being eliminated.

**Vice Chairman Jeff Luff** stated that he and Alternate Commissioner Tanya Carver were at the OSTA meeting and they were trying to get three (3) lights at the time and OSTA said no, then they wanted two (2), and they said no way, absolutely not. He commented that OSTA will be happy to lose that access.

**Commissioner Todd Romagna** stated that he was not at the pre-application meeting and questioned if there were any other requests other than to eliminate that access.

**Kyle Bogardus** stated specifically, no but they got some positive general feedback on architecture and building features. He noted that in general they walked away very positive about the meeting. He commented that Pat had some good comments about site orientation, but nothing that has not been incorporated into the plan.

**Commissioner Todd Romagna** questioned if everything addressed at that pre-application meeting has been addressed.

**Kyle Bogardus** answered yes.

The Commission and applicant discussed the Goodwill access drive that has been modified. It was noted that the original distance was 67' from the stop bar and now it is 101' from the stop bar.

**Commissioner Harold Cosgrove** questioned if a fire truck would have access to the Goodwill building.

**Kyle Bogardus** answered yes, on all side of the building that they can control.

**Commissioner Harold Cosgrove** questioned if the radius has been approved by the Fire Marshal.

**Kyle Bogardus** answered yes, they met with them today and went over the plan in detail and they feel very good about his feedback.

**Chairman Arnie Jensen** stated that the last line of the memo submitted by Kyle states "as per request of the Fire Marshal they have agreed to provide the ability for the fire truck to turn around on this pad without significant impact on the layout". He stated as they see it the fire truck cannot turn around.

**Kyle Bogardus** stated that the fire truck can come in, back into here, and he can exit. He stated that they may round off some of the radii of the islands there to make them compatible, there are going to be some minor tweaks, but no substantive changes to what is on the plan. He also noted that fire truck access on this pad has gotten much better.

**MOTION BY Commissioner Todd Romagna to APPROVE application:**

**Z-16-004 – 300 Oxford Road – Oxford Towne Center (Quarry Walk) – Phase 2A – Goodwill – Owner & Applicant: Oxford Towne Center, LLC (Site Plan Modification)** for the following reasons:

1. The application is consistent with the 2007 Plan of Conservation and Development and Oxford's Comprehensive Plan.
2. The application is in compliance with all the Town of Oxford Zoning Regulations and Ordinances in effect as of this date; particularly Article 6, Village Center Mixed Use District (VCMUD).
3. The application is in compliance with approved application Z-16-003, Conceptual Plan (Amendment 1), approved by the Planning & Zoning Commission on 1/19/16.

**SUBJECT TO THE FOLLOWING CONDITIONS:**

1. No substitute material shall be used without approval of the Planning and Zoning Commission and the Planning and Zoning Commission Engineer.
2. The applicant and their assigns must comply with all representations made at Planning and Zoning Commission meetings regarding this application.
3. The applicant and their assigns must comply with all applicable conditions required by the OCCIWA, Emergency Services (Fire, Police and Ambulance) and the State of Connecticut Department of Transportation (OSTA). This condition shall be made part of the record.
4. A final map shall be submitted to the Planning & Zoning Department for review.

5. Any conditions of approval from the OCCIWA, Emergency Services (Fire, Police and Ambulance) and the State of Connecticut Department of Transportation (OSTA) shall be depicted on said map.
6. The applicant shall submit 3 copies of the final approved plans, including an electronic copy.
7. No work to begin until security is set. The bond shall be reviewed by PZC Engineer in a form acceptable to Town Counsel, and installed by the applicant.
8. 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 from initial review through issuance of a Zoning Certificate of Compliance.
9. The applicant shall have a pre-construction meeting with appropriate Town Staff prior to any construction activities.
10. All exterior signs not directly included within this approval shall be subject to approval by the Planning and Zoning Commission, in accordance with the standards and guidelines as interpreted by the Commission.
11. All documents required by the approval of this application, including those required of Z-14-076 (Site Plan Modification – Phase 1) and Z-16-003 (Conceptual Plan – Amendment 1) shall be provided and approved prior to the issuance of a Zoning Permit by the Land Use staff.
12. Site Plan approval expires if work is not completed within 5 years from the date of this approval.
13. Applicant shall pay any applicable fees before work begins.
14. Applicant shall follow the Town of Oxford's approved Permit Procedure which includes review and sign-offs from Town Departments including the OCCIWA, ZEO, W.P.C.A, Fire Marshal and any other applicable departments before work begins.
15. All State permits shall be filed with the Land Use Office prior to any work.

*The effective date of this approval is 3/1/2016.*

**Second by Vice Chairman Jeff Luff. VOTE: All (7) Ayes.**

2. **Z-16-007 – 300 Oxford Road – Oxford Towne Center (Quarry Walk) – Phase 1**  
(Site Plan Modification)
  - a. Site Plan A – Revised.
  - b. Exterior Elevations – Retail Buildings (A-D)

**Commission Secretary Pat Cocchiarella** read a Memorandum dated 3/1/16 from Langan.

**Commission Secretary Pat Cocchiarella** read a letter from James H. Galligan, PZC Engineer dated 3/1/16.

**Commission Secretary Pat Cocchiarella** read a Memorandum dated 2/25/16 from Brian J. Miller, Town Planner.

**Chairman Arnie Jensen** stated that there is a spreadsheet in the pack regarding parking spaces. He stated that they are a few parking spaces short and they know that going in. He stated that there is 14,000 square feet of spaces so if it is regular retail it would need about fifty (50) spaces, but if it is a restaurant it would need about one hundred fifty (150) spaces. He commented that depending on what goes in there; it is going to affect how many parking spaces are needed. He noted that this is something for consideration.

**Alternate Commissioner John Kerwin** stated that if they put a restaurant in, they are not going to have enough parking spaces.

**Chairman Arnie Jensen** stated that was his conclusion.

**Commission Secretary Pat Cocchiarella** stated that the hours of operation for different uses may allow the use of the same spaces at different times.

**Vice Chairman Jeff Luff** stated that he thinks it would be a management issue.

**Kyle Bogardus** stated that this is just a modification to Retail A, B & C. He stated that they have already received approval for the entire Phase 1 site plan. He stated that there is no doubt that depending on the use, different parking needs will have to be met. He stated that there was a shared parking analysis done for this project. He stated this is traditional in a mixed-use project. He commented that if they did each individual use to the Zoning Regulations they would have a sea of parking that would never be used and not proportional to how mixed-use centers operate. He stated that have done a parking analysis and a shared parking study to really understand the parking. He commented that they have sufficient parking for the uses they are proposing. He noted that the Commission has made note regarding the parking so he will go through the pads and they will compare and contrast the parking for the Commission because it is an important discussion and something they have to account for as they go through the site plan.

**Brian J. Miller, Town Planner** agreed that was a good idea and as they come in with the modifications they can tune up the parking calculations so that the Commission has a running number.

**Dominick Thomas, Attorney for the applicant** stated that a lot of time was taken drafting the regulation with Mr. Miller and 6.4.5 in the Village Center Mixed Use District (VCMUD) addresses this specific issue to avoid unnecessary parking spaces. He stated that one of the concepts is to reduce the amount of asphalt and increase the amount of green. He commented that if you look at the requirement in the Zoning Regulations, it says that the applicant shall address uses and peak times for uses as they come in and he noted that the Commission addressed it by approving the VCMUD regulation. He noted that the Commission specifically did not include their parking regulations into this, what they said was that parking would be addressed on a case by case basis.

**Vice Chairman Jeff Luff** questioned if when you are trying to sign a lease, could a potential lease not be signed because they think there is not enough parking.

**Dominick Thomas** stated that the potential tenant will come in with parking requirements and then they are shown the site plan and the shared parking and they will look at the uses that they are adjacent to them when making their decision.

**Kyle Bogardus** stated that parking is number one (1) factor for a retailer or a restaurant.

**Kyle Bogardus** stated that a couple comments they attempted to address were the questions that revolve around the back of the building. He commented that they now show the loading area, combined the dumpsters, and relocated the gates all per the Commission's comments. Some other modifications added were, striping near the loading area and they moved the fence out of the thoroughfare. He stated that the other question from Nafis & Young was on car and truck movement. He noted that there is no issue in the back with the change that was approved. He stated that he believes those were the only open items from the last meeting.

**Chairman Arnie Jensen** asked the Commission if they had any comments or questions.

**MOTION BY Commissioner Todd Romagna to APPROVE application Z-16-007 – 300 Oxford Road – Oxford Towne Center (Quarry Walk) – Phase 1 (Site Plan Modification)**

Based on maps/plans last revised 2/23/2016, prepared by Langan Engineers.

**SUBJECT TO THE FOLLOWING CONDITIONS:**

1. Compliance with the Oxford Zoning Regulations in effect as of this date.
2. Applicant and their assigns must comply with all representations made at Planning & Zoning Commission meetings regarding this application.
3. Prior to installation, the lighting must be approved by the ZEO.
4. Landscaping plan and architectural rendering must be as presented on the site plan. Any variations must be approved by the Planning & Zoning Commission.
5. No work shall begin until security is set by the PZC Engineer in a form acceptable to Town Counsel.
6. No material shall be substituted without approval from the Planning & Zoning Commission and the PZC Engineer.
7. Per Article 3, Section 3.19.1 of the Oxford Zoning Regulations the applicant shall be responsible for payment for any outside experts the Commission assigns to review this application from the initial review through inspection and issuance of a Zoning Certificate of Compliance.
8. This site plan approval expires if the work is not completed within 5 years of the date of this approval.
9. Compliance with all Town Ordinances in effect as of this date.

*The effective date of this approval is 3/1/2016.*

**Second by Commission Secretary Pat Cocchiarella. VOTE: All (7) Ayes.**

**Tom Haynes, Owner, Oxford Towne Center, LLC** gave the Commission a brief update regarding Oxford Towne Center. He noted the following:

- Market 32 is scheduled to open between June and August 2016.
- Bank is almost complete and ready to go.
- Buildings A,B,C & D hope to be open by August.
- Traffic light should be started in May.
- Goodwill is hoping to open by September 2016.
- The approximate target date for the medical center is early 2017.
- Brief update on the installation of utilities.

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

**MOTION BY Commissioner Todd Romagna** to **APPROVE** application Z-16-002a with the following conditions:

1. Applicant and their assigns must comply with all representations made at Planning & Zoning Commission meetings & public hearings regarding this application.
2. Compliance with the Oxford Zoning Regulations in effect as of this date.

*The effective date of this approval is 3/1/2016.*

**Second by Vice Chairman Jeff Luff. VOTE: (Ayes – 6) (Nays -1 Commissioner Harold Cosgrove) Motion passed 6-1.**

**BOND RELEASES**

1. Central Park Associates – Bond Release Request

**Vice Chairman Jeff Luff** gave the Commission an update on what information has been obtained regarding this bond. He explained he, Jim Galligan, Steve and Andy Ferrillo (IWEO) went out to the site. He noted that there was construction debris and a dumpster on site. He also stated that he requested that James H. Galligan, PZC Engineer draw up a punch list; Chairman Arnie Jensen had given him permission to make the request.

**Commission Secretary Pat Cocchiarella** read a letter dated 3/1/16 from James H. Galligan, PZC Engineer.

**Commission members** discussed this bond, the currently approved application and the previously approved application.

**Commissioner Harold Cosgrove** requested that the letter from James H. Galligan, PZC Engineer be sent to Mr. Zaloumis certified/return receipt. He also stated that when the work is completed and the bond is ready for release that the release be drawn up by counsel.

**Vice Chairman Jeff Luff** stated that once Mr. Zaloumis completes the items on the punch list the application and approval will be withdrawn.



**Jessica Pennell, Administrative Secretary** for clarification, questioned if the original site plan application should have been voided when Mr. Zaloumis received approval for the 8-30(g) application on the same piece of property.

**Brian J. Miller, Town Planner** replied yes.

**2. Meadow Brook Estates – Bond Release Request**

- a. Letter dated 3/1/16 from James H. Galligan, PZC Engineer.

**Commission Secretary Pat Cocchiarella** read a letter dated 3/1/16 from James H. Galligan, PZC Engineer.

**MOTION BY Commission Secretary Pat Cocchiarella** to make a favorable recommendation to the Board of Selectmen to release Bond #KC0106 based on the letter from James H. Galligan, PZC Engineer.

**Second by Commissioner Harold Cosgrove. VOTE: All (7) Ayes.**

**Commissioner Harold Cosgrove** suggested that staff send a letter to the Meadow Brook Homeowner's Association to make them aware that this bond has been recommended for release.

**VOTE: All (6) Ayes.**

**ZONING ENFORCEMENT**

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

**Steven S. Macary, ZEO** gave the Commission a brief synopsis of the Citation Hearing regarding 14 North Larkey Road. He noted that it was a five (5) hour meeting with the Citation Hearing Officer Mark Gross, himself, Jessica Pennell, Administrative Secretary, Sue Kasmin, Chester Kasmin, Gary Gittings, and Attorney Fran Teodosio. He stated that the final decision made by the Citation Hearing Officer was that the caveat be removed from the land records and Ms. Kasmin would pay no fines regarding this matter.

**APPROVAL OF MINUTES**

1. 2/16/2016 Regular Meeting Minutes.

**MOTION BY Commission Secretary Pat Cocchiarella** to **TABLE** the 2/16/2016 Regular Meeting Minutes.

**Second by Commissioner Harold Cosgrove. VOTE: All (7) Ayes.**

**INVOICES**

1. Invoice #5279 from Turner Miller Group New England (Oxford Greens)

**MOTION BY Commission Secretary Pat Cocchiarella** to **APPROVE** payment of Invoice #5279 and to bill Oxford Greens in the amount of the Invoice.

**Second by Commissioner Harold Cosgrove. VOTE: All (7) Ayes.**

**OTHER BUSINESS**

1. Update on Policies & Procedures. - None
2. Any other business the Commission deems necessary for discussion.

Commission members discussed the application process, the delivery of applications and correspondence to the appropriate parties and the time in which they would like to see reviews and letters submitted to the P&Z Department for upcoming meetings.

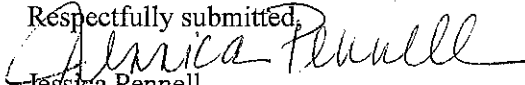
**Chairman Arnie Jensen** stated that any application that is not received before 5 P.M. on the Wednesday before the regularly scheduled meeting, will not be put on the agenda.

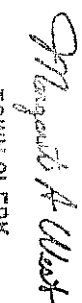
**ADJOURNMENT**

**MOTION BY Commissioner Harold Cosgrove, seconded by Alternate Commissioner John Kerwin to ADJOURN the meeting at 9:10 PM.**

**VOTE: All (7) Ayes.**

Respectfully submitted,

  
Jessica Pennell  
Administrative Secretary  
Planning & Zoning Commission

16 MAR 31 PM 4:26  
TOWN OF OXFORD, CT  
  
TOWN CLERK