

TOWN OF OXFORD
S.B. Church Memorial Town Hall
486 Oxford Road, Oxford, Connecticut 06478-1298
(P) 203.888.2543 (F) 203.888.4543
www.Oxford-CT.gov

Planning & Zoning Commission

Regular Meeting Minutes
Tuesday, January 17, 2017
7:30 PM
Oxford Town Hall
Main Meeting Room

CALL TO ORDER

Chairman Arnie Jensen called the Regular Meeting to order at 8:55 PM.

PLEDGE OF ALLEGIANCE

ROLL CALL

Present: John Kerwin, Pete Zbras, Harold Cosgrove, Tanya Carver, Jeff Luff,
Arnie Jensen, Pat Cocchiarella, Todd Romagna and Bob Costigan.

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

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-16-223 [RESA] – 25 Hogsback Road (Lot 6A & Lot 22 Somers Lane)
“Hogsback Road Subdivision”
Owner & Applicant: West Church Street, LLC
(Application for 4 Lot Subdivision) as Old Business #1.
Second by Commissioner Tanya Carver. All Ayes.
2. **MOTION BY Commission Secretary Pat Cocchiarella to remove New Business #1 from the agenda. Second by Commissioner Tanya Carver. All Ayes.**

CORRESPONDENCE

Commission Secretary Pat Cocchiarella read the following correspondence into the record:

- a. Memorandum dated 1/4/17 from the Selectmen's Office – Capital Improvement Plan
- b. Memorandum dated 1/4/17 from the Selectmen's Office – Appointment/Reappointments
- c. Assessor (Forwarded quote for GIS Updates & Services)

No action was taken on any correspondence items.

AUDIENCE OF CITIZENS

Lorraine Tirella, 268 Oxford Road came before the Commission to discuss issues/complaints regarding Oxford Towne Center and safety issues. The Commission reiterated that these items were in the hands of the P&Z Attorney and that there is nothing they can do until they receive a decision. The Commission also addressed her concerns about trespassing by telling her that she could post no trespassing signs on her property, and if anyone trespasses, she can contact the police.

NEW BUSINESS

The following application was removed from the agenda.

1. **Z-17- 002 - 300 Oxford Road – “Quarry Walk” –Phase 2C Site Plan Modification**
Owner: Oxford Towne Center, LLC
Applicant: Oxford Towne Center, LLC
(Site Plan Modification – Phase 2C)

OLD BUSINESS

Z-16-223 [RESA] – 25 Hogsback Road (Lot 6A & Lot 22 Somers Lane)
“Hogsback Road Subdivision”
Owner & Applicant: West Church Street, LLC
(Application for 4 Lot Subdivision)

MOTION BY Commissioner Tanya Carver:

WHEREAS, The Oxford Planning and Zoning Commission have received the Application for Subdivision Approval of West Church Street LLC, for 25 Hogsback Road, Lots 6A and 22, Somers Lane;

WHEREAS, the public hearing for this application was legally noticed, in conformance with Connecticut State Statutes and the Zoning Regulations of the Town of Oxford.

WHEREAS, The Oxford Planning and Zoning Commission has considered the testimony presented at the public hearing, held on December 6, 2016 continued on January 3, 2017 and members of the public.

WHEREAS, information on the application was submitted, along with supporting information on file in the Planning Office of the Town of Oxford:

WHEREAS, the following plans have been considered in this decision:

- Application dated November 1, 2016,
- Cover Sheet, dated October 26, 2016, prepared by Civil 1, last revised December 30, 2016.
- Sheet S 1.0 Zoning Location Survey, dated October 26, 2016, prepared by Civil 1.
- Sheet S 1.1 Subdivision Map, dated October 26, 2016, prepared by Civil 1.
- Sheet C 2.1 Overall Site Plan, dated October 26, 2016, prepared by Civil 1, last revised December 30, 2016.
- Sheet C 2.2 Grading, Drainage & Erosion Control Plan, dated October 26, 2016, prepared by Civil 1, last revised December 30, 2016.
- Sheet C 2.3 Grading, Drainage & Erosion Control Plan, dated October 26, 2016, prepared by Civil 1, last revised December 30, 2016.
- Sheet C 3.1 Driveway Profile, dated October 26, 2016, prepared by Civil 1, last revised December 30, 2016.
- Sheet C 3.2 Driveway Profile, dated October 26, 2016, prepared by Civil 1.
- Sheet C 3.3 Alternative Driveway Plan and Profile, dated October 26, 2016, prepared by Civil 1, last revised December 30, 2016.
- Sheet C 4.1 Detail, dated October 26, 2016, prepared by Civil 1.

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

1. The Commission finds that, in accordance with Article 8 Section 2 of the Subdivision regulations that it is appropriate to accept the offer of the applicant to accept a payment in-lieu of the dedication of open space within this subdivision.
2. The application is in conformance with the Oxford Subdivision Regulations.
3. The application is in conformance with the Oxford Zoning Regulations.

Subject to the following conditions:

1. Compliance with Oxford Subdivision Regulations as of this date.
2. Last revised final plans and the mylar showing all necessary changes must be approved by Planning and Zoning Engineer.
3. A 1" to 200' mylar of the record subdivision map be presented to the Town Assessor, as approved by the Oxford Planning and Zoning Commission.
4. An "Auto CAD.DXF" formatted CD of the record subdivision map be present to the Commission.
5. The applicant and their assigns must comply with all representation made at Planning and Zoning Commission meetings or at public hearings regarding this application.
6. If improvements have not been completed, subdivision expires after five years from date of filing record subdivision map.
7. In accordance with Article 4, Section 3 of the Subdivision Regulations 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.
8. Compliance with all Town of Oxford Ordinances in effect as of this date.
9. Payment of a security in an amount established by the Planning and Zoning Engineer, in a form approved by the Town Counsel.
10. Letter from Licensed Land surveyor stating that all pins and monuments have been set as indicated on maps.
11. No substitute material shall be used without approval of the Planning and Zoning Commission and the Planning and Zoning Commission Engineer.

12. No burying of stumps, debris or any other material. A report or receipt must be provided indicating proper stump removal.
13. Applicant shall contact Zoning Enforcement Officer and Town Engineer to schedule a pre-construction meeting prior to any activity on site.
14. Three copies of the revised plans, amended in accordance with this motion shall be presented for review by the Town Attorney, Zoning Enforcement Officer, Town Planner, Town Engineer and any other required by the Planning and Zoning Commission, to the Planning and Zoning Office.
15. The Commission finds that the acceptance of payment of a fee in-lieu of dedication of open space in accordance with Article 8 Section 2 of the Oxford subdivision regulations of \$7,000 per lot is acceptable, and the payment of a total of \$21,000 for the creation of three building lots is required in accordance with the Subdivision Regulations of the Town of Oxford and Section 8-23 of the Connecticut General Statutes. Such payment shall be made to the Town of Oxford at the time of the transfer of the lot from the current owner as of January 17, 2017 to any other entity for Lots 2, 3 and 4, in the amount of \$7,000, (seven thousand dollars) for each lot. Failure to do so would be in violation of the lawful conditions of approval, and may result in the Commission action to withdraw and negate subdivision approval, and the refusal to issue any building permit within the subdivision.
16. A note shall be placed on the subdivision mylar; "A fee must be paid in the amount of \$7,000, Seven Thousand Dollars to the Town of Oxford prior to the legal transfer of Lots 2, 3 and 4 from West Church Street LLC to any person, persons or entity. Failure to do so will be a violation of the approval of this subdivision, and may result in the withdrawal of the approval, withholding the issuance of any building permit within the subdivision or any other lawful remedies.

Second by Vice Chairman Jeff Luff. All Ayes.

BONDS/BONDS RELEASES

ZONING ENFORCEMENT

- **Report of the ZEO on complaints, violations and any other items deemed necessary for discussion/action by the Commission.**

APPROVAL OF MINUTES

MOTION BY Commissioner Tanya Carver to table the following minutes:

1. 12/20/2016 Public Hearing Minutes – Oxford Greens Assisted Living
2. 12/20/2016 Public Hearing Minutes – Macton
3. 1/3/2017 Public Hearing Minutes – Hogsback
4. 1/3/2017 Public Hearing Minutes – Macton
5. 1/3/2017 Regular Meeting Minutes

Second by Commission Secretary Pat Cocchiarella. All Ayes.

INVOICES

- a. **MOTION BY Commission Secretary Pat Cocchiarella to forward the invoice from Land Use & Conservation Counsel – Garden Homes Appeal to the Board of Selectmen for payment.**
Second by Vice Chairman Jeff Luff. All Ayes.

- b. **MOTION BY Commission Secretary Pat Cocchiarella** to approve Nafis & Young Invoice #466-16 – Oxford Greens. **Second by Vice Chairman Jeff Luff. All Ayes.**
- c. **MOTION BY Commission Secretary Pat Cocchiarella** to approve Nafis & Young Invoice #467-16 – Lot 7 Fox Hollow. **Second by Vice Chairman Jeff Luff. All Ayes.**
- d. **MOTION BY Commission Secretary Pat Cocchiarella** to approve Turner Miller Group Invoice #5329 – Lot 7 Fox Hollow. **Second by Vice Chairman Jeff Luff. All Ayes.**
- e. **MOTION BY Commission Secretary Pat Cocchiarella** to approve Turner Miller Group Invoice #5330 – Hogsback Subdivision. **Second by Vice Chairman Jeff Luff. All Ayes.**
- f. **MOTION BY Commission Secretary Pat Cocchiarella** to approve Land Use & Conservation Counsel – Tirella (FOI). **Second by Vice Chairman Jeff Luff. All Ayes.**

OTHER BUSINESS

1. Committee Updates

a. POCD Committee

Commissioner Tanya Carver spoke regarding the POCD Committee update. She handed out documents that have been prepared and discussed at the meetings.

b. Schedule next Policies & Procedures Workshop (Did not schedule at this time).

2. Updates/discussion regarding Audio/Video System

Alternate Commissioner Pete Zbras spoke regarding the audio/visual system update. He handed out paperwork that outlined different quotes for different services and equipment. The Commission agreed that he should move forward to the Board of Selectmen with the quote.

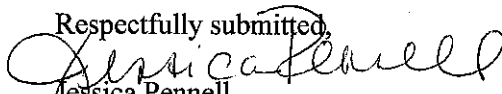
MOTION BY Commissioner Tanya Carver to have Alternate Commissioner Pete Zbras move forward with the quote and get the final estimated cost. **Second by Commissioner Harold Cosgrove. Ayes (6), Nay (1), Vice Chairman Jeff Luff. Motion passed.**

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

ADJOURNMENT

MOTION BY Commissioner Tanya Carver to adjourn the meeting at 10:14 PM. **Second by Commissioner Bob Costigan. All Ayes.**

Respectfully submitted,


Jessica Pennell
Administrative Secretary
Planning & Zoning Commission

17 JAN 23 PM 4:19
TOWN OF OXFORD, CT
TOWN CLERK
