



TOWN OF OXFORD
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Planning & Zoning Commission

Regular Meeting Minutes

Tuesday, June 6, 2017

7:30 PM

Oxford Town Hall

Main Meeting Room

CALL TO ORDER

Vice Chairman Jeff Luff called the meeting to order at 7:30 PM.

PLEDGE OF ALLEGIANCE

ROLL CALL

Present: Pete Zbras, Tanya Carver, Jeff Luff, Pat Cocchiarella and Todd Romagna.

Also Present: Jessica Pennell, Administrative Secretary and Steven S. Macary, ZEO.

Not Present: Harold Cosgrove, Bob Costigan, John Kerwin and McKenzie Macchio.

SEATING OF ALTERNATES

Vice Chairman Jeff Luff seated Alternate Commissioner Pete Zbras.

AMENDMENTS TO THE AGENDA

1. **MOTION BY Commission Secretary Pat Cocchiarella** to add Z-17-019 – Belinsky Subdivision (Authorize Chairman/Vice Chairman & Secretary to sign Mylar) as New Business #4.
Second by Commissioner Tanya Carver.

All Ayes.

2. **MOTION BY Commissioner Tanya Carver** to move the Audience of Citizens portion of the meeting after New Business.

Second by Commission Secretary Pat Cocchiarella

All Ayes.

CORRESPONDENCE

Commission Secretary Pat Cocchiarella read the following correspondence into the record and noted that it is on file in the Planning & Zoning Department.

- a. Letter dated 5/23/2017 from Lorraine Tirella.
Re: FOI Request
- b. Email dated 5/25/2017 from Christopher DuMont.

Re: Resilience Planning in Oxford

- c. Letter dated 5/25/2017 from Kevin Condon, Town Counsel.
Re: Tirella FOI Requests

AUDIENCE OF CITIZENS (After New Business)

NEW BUSINESS

1. **Z-17-056 [RESA] – Riverbend Estates – Roosevelt Drive – Applicant & Owner: Oxford Riverbend, LLC** (Site Plan Modification)

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

- a. Letter dated 5/22/2017 from the Developer & Homeowners of Riverbend Estates
- b. Letter dated 5/25/2017 from Michael H. Horbal
Re: Project Narrative
- c. Letter dated 5/1/2017 from the homeowners of Riverbend Estates

Michael Horbal represented the applicant and explained that the sidewalks that were previously approved as a condition of approval of the Riverbend Estates 55+ Community were no longer wanted by the current homeowners and the developer, Dick Dalling. He gave various reasons for the Commission to consider when explaining why the developer and homeowners want to remove the sidewalks from the Site Plan.

Alternate Commissioner Pete Zbras questioned if the applicant could possibly put in a bike path for safety reasons.

Commission members discussed this briefly.

Commissioners noted that they would take action on this item under Other Business.

2. **Z-17-059 [IND] – Pheasant Run Industrial Subdivision – Lot #4 Applicant & Owner: 589 Investments, LLC** (Excavation Permit & Waiver Request)

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

- a. Letter dated 5/25/2017 from Emily M. Jones, P.E.
- b. Letter dated 6/6/2017 from James H. Galligan, PZC Engineer.
- c. Memorandum dated 6/6/2017 from Brian J. Miller, Town Planner.

Emily Jones, P.E. from Civil 1 represented the applicant, Mark Oczkowski owner of 589 Investments, LLC. She explained that the applicant is applying for earth excavation activities on Lot #4 in the Pheasant Run Industrial Subdivision in order to prepare the site for future development. She requested that the Commission waive the requirement to treat the earth excavation for Lot #4 as a Special Exception, which requires a Public Hearing. She commented that this request is in conformance with Section 14.1.5.C of the Planning & Zoning Regulations.

MOTION BY Commission Secretary Pat Cocchiarella to waive the Special Exception/Public Hearing for excavation on Lot #4 Pheasant Run Industrial Subdivision per Section 14.1.5.C of the Zoning Regulations.

Second by Commissioner Tanya Carver.
All Ayes.

The Commission noted that the application would be heard on June 20, 2017.

3. **Z-17-060 [VCMUD] – Oxford Towne Center “Quarry Walk” – Phase 2E – Applicant & Owner: Oxford Towne Center, LLC (Site Plan Application)**

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

- a. Letter dated 5/5/2017 from W. Kyle Bogardus, P.E., CPESC
- b. Letter dated 6/6/2017 from James H. Galligan, PZC Engineer.
- c. Memorandum dated 6/6/2017 from Brian J. Miller, Town Planner.

Kyle Bogardus, P.E., CPESC, Langan presented the application to the Commission. He explained that this is the first application for mixed-use buildings in this project. He explained that this phase is defined as the development area directly to the south of the Town Green and includes two (2) buildings (M & P). He commented that building P is approximately 29,100 square feet and envisioned to be a mixed-use building containing multiple approved uses. He also stated that Building M is approximately 43,600 square feet and envisioned to be a mixed-use building containing multiple approved uses with the primary uses being medical offices.

Commission members discussed the application briefly; after their questions were answered they decided that they would act on the application under Other Business.

AUDIENCE OF CITIZENS

Lorraine Tirella, 11 Larkey Road stated that she feels that abutting landowners of “Quarry Walk” are deserving of an explanation of why they did not receive legal notice of the conceptual plan. She stated that this issue has been brought before FOIA at two (2) hearings with the state. She asked how the conceptual plan could be approved when there was no notice to the abutting landowners. She would also like to know why they are abandoning condition #23, which refers to fencing around the perimeter. She stated that there are people walking on her property and parking trucks in her right of way. She commented that she would appreciate an answer from the Commission.

OLD BUSINESS – None

BONDS/BONDS RELEASES - None

ZONING ENFORCEMENT

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

The Zoning Enforcement Officer did not present a report this evening.

APPROVAL OF MINUTES

1. **MOTION BY Commission Secretary Pat Cocchiarella** to approve the 5/2/2017 Public Hearing Minutes – Belinsky as presented. Second by Commissioner Todd Romagna. All Ayes.
2. **MOTION BY Commission Secretary Pat Cocchiarella** to approve the 5/16/2017 Regular Meeting Minutes as presented. Second by Commissioner Todd Romagna. All Ayes.

INVOICES

1. **MOTION BY Commission Secretary Pat Cocchiarella** to approve Turner Miller Group Invoice #5351 – Belinsky Subdivision. **Second by Commissioner Tanya Carver. All Ayes.**
2. **MOTION BY Commission Secretary Pat Cocchiarella** to table Turner Miller Group Invoice #5353 – Main Street Committee. **Second by Commissioner Tanya Carver. All Ayes.**

Commissioners requested that Brian J. Miller, Town Planner submit a separate invoice for the Main Street Committee meeting. They noted any invoices for the Main Street Committee should be forwarded to the Board of Selectmen.

OTHER BUSINESS

1. Committee Updates (POCD/Policies & Procedures)
2. Any other items the Commission deems necessary for discussion.

Commissioners discussed briefly the email from Christopher DuMont and it was requested that the email be forwarded to the Chairman of the Plan of Conservation Development Update Committee.

Commissioners made the following motions under Other Business:

Z-17-056 [RESA] – Riverbend Estates (Age Restricted Community) – Roosevelt Drive
Owner: Oxford Riverbend, LLC (Site Plan Modification – Sidewalk Waiver Request)

MOTION BY Commission Secretary Pat Cocchiarella to approve application Z-17-056 based on maps dated 3/1/2007 and last revised 4/26/2017. The Commission determined that the internal pedestrian circulation of this subdivision can be accomplished without sidewalks.

The following conditions apply:

1. An updated Mylar must be filed with the Town Clerk showing the modification of the previously approved site plan.
2. The applicant must file an Amendment to the Declaration for Riverbend Estates – Age Restricted Community.

Second by Commissioner Tanya Carver.
All Ayes.

Z-17-060 [VCMUD] – Oxford Towne Center “Quarry Walk” – Phase 2E – Applicant &
Owner: Oxford Towne Center, LLC (Site Plan Application)

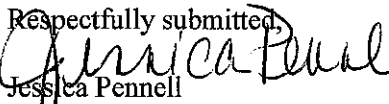
MOTION BY Commission Secretary Pat Cocchiarella to approve application Z-17-060 based on maps/plans dated 5/26/2017, with the following conditions:


1. Compliance with the Oxford Zoning Regulations in place 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, lighting must be approved by the Zoning Enforcement Officer.
4. No material shall be substituted without approval from the P&Z Commission and P&Z Engineer.

5. 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 the application, from initial review through inspection and issuance of a Zoning Certificate of Compliance.
6. Site Plan approval expires if work is not completed within five (5) years from the date of approval.
7. The applicant must submit architectural renderings, elevations and signage to the Commission for review and approval.
8. All fees for this application must be paid prior to the issuance of a zoning permit.
9. The applicant may apply for a foundation permit before complying with conditions #3 and #7.

Second by Commissioner Tanya Carver.
All Ayes.

ADJOURNMENT

Respectfully submitted,

Jessica Pennell
Administrative Secretary
Planning & Zoning Commission

17 JUN 12 AM 10:04
TOWN OF OXFORD, CT

TOWN CLERK