

## **TOWN OF OXFORD PLANNING & ZONING COMMISSION**

S.B. Church Memorial Town Hall  
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**Regular Meeting Minutes**  
**Tuesday, September 5, 2017**  
7:30 PM  
Oxford Town Hall  
Main Meeting Room

### **CALL TO ORDER**

**Chairman Arnie Jensen** called the meeting to order at 8:24 PM.

### **PLEDGE OF ALLEGIANCE**

### **ROLL CALL**

#### **Present:**

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

#### **Also Present:**

Jessica Pennell and Steven S. Macary, ZEO.

#### **Not Present:**

Mackenzie Macchio and Harold Cosgrove.

### **SEATING OF ALTERNATES**

**Chairman Arnie Jensen** seated Alternate Commissioner Pete Zbras and Alternate Commissioner John Kerwin.

### **EXECUTIVE SESSION – Discussion regarding Personnel**

**MOTION BY** Commission Secretary Pat Cocchiarella to enter into Executive Session at 8:25 PM to discuss a personnel matter.

**Second by Vice Chairman Jeff Luff.**

**All Ayes.**

All present Commissioners and Jessica Pennell were invited into Executive Session.

**MOTION BY Commissioner Tanya Carver to exit Executive Session at 8:43 PM.  
Second by Commission Secretary Pat Cocchiarella.  
All Ayes.**

#### **AMENDMENTS TO THE AGENDA**

**MOTION BY Commission Secretary Pat Cocchiarella to amend the agenda to add “Amendment to the motion approved at a Special Meeting on 8/29/2017 for Application Nos. Z-17-076 and Z-17-077” as Old Business #1.**

**Second by Vice Chairman Jeff Luff.**

**Ayes (7), Absention (1) Alternate Commissioner John Kerwin.**

#### **CORRESPONDENCE**

**Commission Secretary Pat Cocchiarella read or noted the correspondence listed below and stated that it is on file in the Planning & Zoning Department during regular business hours.**

- a. Letter dated 8/1/2017 from George R. Temple, First Selectman
- b. CFPZA Quarterly Newsletter – Summer 2017

#### **AUDIENCE OF CITIZENS**

**Denise Matthews, 183 Chestnut Tree Hill Road** stated that she is concerned regarding the building and possible plumbing business being run out of 5 Pine Street. She noted that they withdrew their application for the business and then downsized the building, and they were still concerned that they would use the property for their business. She stated that he has employees and four truck, but the business really belongs in the industrial zone. She stated that they (her husband and she) have called a few times and made a few complaints. She explained that on Friday she was able to get some pictures, she spoke to Steven S. Macary, ZEO and George Temple. She was advised to come to this meeting, show the pictures and express her concerns. She referred to the photos and explained the subject of each photo. She noted that the vehicles are coming and going throughout the day.

**Steven S. Macary, ZEO** questioned if the vehicles are in the new garage.

**Mrs. Matthews** commented that she is not sure, but they are all over the property and there is also a concern because there is a bus stop on the corner. She stated that it is a big business and it doesn't belong in someone's yard.

**Steven S. Macary, ZEO** questioned if the employees are meeting there in the morning and then leaving.

**Mrs. Matthews** stated “yes”.

**Steven S. Macary, ZEO** stated that he does not have a problem pursuing this, but he does not want to be stopped once he begins the process. He asked for the Commission's support.

**Commission Secretary Pat Cocchiarella** questioned if the address has a cottage business permit.

**Steven S. Macary, ZEO** stated that even if he did, the regulations do not allow this type of business in a residential zone. He expressed to the Commission that he would investigate this complaint if that is what at their request. He questioned the Commission whether or not he should pursue the complaint and investigate.

**Chairman Arnie Jensen** stated that he should pursue it as he would any other complaint about a home business.

**Steven S. Macary, ZEO** noted that he would send anyone who is interested in this complaint/investigation to the Commission.

**Chairman Arnie Jensen** agreed.

**Mrs. Matthews** questioned the process.

**Steven S. Macary, ZEO** stated that he would begin the process by sending a letter to the owner.

**Mrs. Matthews** stated the property at 5 Pine Street has really changed and is concerned about the property values in the area.

#### **NEW BUSINESS**

##### **1. CT General Statute §8-24 Referral - Town of Oxford – 2017 Middle School Project**

**Bob Slie, Chairman of the Oxford School Building Committee** made a brief presentation regarding the Committee's request of approval for the 8-24 that is required pursuant to CT General Statutes.

**MOTION BY Commission Secretary Cocchiarella** that the Planning & Zoning Commission make a favorable recommendation to the Board of Selectmen, pursuant to Connecticut General Statute §8-24; for the use of municipal property located on at 50 Great Oak Road as the site for a new middle school as presented with this request. The Commission noted that they would like to ensure that the baseball fields will be relocated as presented.

**Second by Alternate Commissioner Pete Zbras.**

**Vote: All Ayes.**

##### **2. Z-17-105 [COMM] – 29-31 Oxford Road – Owner: BDF Properties, LLC – Applicant: Gary Hylinski – Alagille Properties, LLC (Site Plan Application) (Use Permit)**

- a. Authorization letter from owner.
- b. Statement of Use.
- c. Proposed Site Plan, Landscaping Plan and Architectural Renderings.

**WHEREAS**, The Oxford Planning and Zoning Commission have received Site Plan Application Z-17-105 for property located at 29 Oxford Road, Assessor's Map: 30 Block: 80 Lot: 31.

**WHEREAS**, The Oxford Planning and Zoning Commission considered this application at a regularly scheduled meeting on 9/5/2017.

**WHEREAS**, The Oxford Planning and Zoning Commission considered the following maps and documents within their deliberations:

- Site Plan Application Z-17-105.
- Site Plan for “Alagille Properties, LLC” dated 6/30/2017 and revised 8/12/2017, prepared by D’Amico Associates.

**WHEREAS**, The Oxford Planning and Zoning Commission considered the Planning & Zoning Site Plan Application Z-17-105 and finds;

- The application conforms to all requirements of the Oxford Zoning regulations.

**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 and Zoning Commission and the Planning and 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 representation made at Planning and Zoning Commission meetings or at public hearings regarding this application.
5. The applicant shall submit one complete copy of the set of plans, which reflect these conditions of approval, with a copy of the conditions of approval attached.
6. No work to be done until security is set by the PZC Engineer in a form acceptable to Town Counsel, and installed by the applicant.
7. The specific uses on this property shall be limited to those designated within the “Statement of Use” submitted by the applicant.
8. The applicant shall have a pre-construction meeting with appropriate Town Staff prior to any construction activities.
9. 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.
10. It is the responsibility of the owner/applicant to ensure capability of communication with the Fire Department and EMS. If the requirement is not fulfilled, it is the responsibility of the owner/applicant to rectify the problem.
11. The applicant must abandon the residential use.

12. Site Plan approval expires if the work is not completed within five (5) years from the date of approval.

*The effective date of approval is 9/5/2017.*

**Second by Vice Chairman Jeff Luff.**

**Vote: All Ayes.**

### **OLD BUSINESS**

1. **Add “Effective date of Approval” to the approval of 8/29/2017 on following applications:**

**Z-17-076 [COMM] – Oxford Towne Center – “Quarry Walk” – 304 Oxford Road - Owner & Applicant: Oxford Towne Center, LLC (Zone Map Amendment – Change zone from COMM to VCMUD)**

**Z-17-077 [VCMUD] – Oxford Towne Center – “Quarry Walk” – 304 Oxford Road Owner & Applicant: Oxford Towne Center, LLC (Conceptual Plan Amendment #2)**

**MOTION BY Commission Secretary Pat Cocchiarella** to amend the 8/29/2017 approval for applications Z-17-076 and Z-17-077, to add “Effective date of approval is the date of publication”.

**Second by Commissioner Tanya Carver**

**Vote: Ayes (7), Abstention (1) – John Kerwin.**

### **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.

**Steven S. Macary, ZEO** stated that he is currently focusing on cleaning up Route 67; there are a lot of issues that need to be addressed.

### **APPROVAL OF MINUTES**

1. 8/15/2017 Public Hearing Minutes – Riverview
2. 8/15/2017 Regular Meeting Minutes
3. 8/23/2017 Special Meeting Minutes – Quarry Walk

**MOTION BY Commission Secretary Pat Cocchiarella** to table minutes numbered 1-3.

**Second by Commissioner Tanya Carver.**

**Vote: All Ayes.**

4. 8/29/2017 Special Meeting Minutes – Quarry Walk

**MOTION BY Commission Secretary Pat Cocchiarella** to approve the 8/29/2017 Special Meeting Minutes as presented.

**Second by Commissioner Tanya Carver.**

**Vote: Ayes (7), Abstention (1) – John Kerwin.**

**INVOICES**

1. **MOTION BY Commission Secretary Pat Cocchiarella** to approve payment of Invoice # 310-17 from Nafis & Young Engineers – Quarry Walk.  
**Second by Commissioner Tanya Carver.**  
**Vote: All Ayes.**
2. **MOTION BY Commission Secretary Pat Cocchiarella** to pay \$1,760.00 for Invoice from Town Counsel, Kevin Condon – FOI Complaints.  
**Second by Commissioner Tanya Carver.**  
**Vote: All Ayes.**

**OTHER BUSINESS**

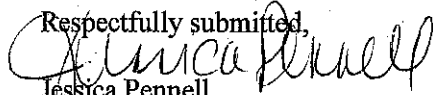
1. Committee Updates (POCD/Policies & Procedures)

**Commissioner Tanya Carver** stated that she will be contacting Brian J. Miller, Town Planner and the redline version of the proposed POCD should be done by next Tuesday.

2. Schedule date for Discussion with Lawrence Secor, CHMM  
*Re: Phase II MS4 Low Impact Development "LID" Ordinance/Regulations.*
3. Any other items the Commission deems necessary for discussion.

**ADJOURNMENT**

Respectfully submitted,

  
Jessica Pennell  
Administrative Secretary  
Planning & Zoning Commission

17 NOV -9 PM 1:34  
TOWN OF OXFORD, CT  
*Gregory H. West*  
TOWN CLERK