

TOWN OF OXFORD  
PLANNING & ZONING COMMISSION  
S.B. Church Memorial Town Hall  
486 Oxford Road, Oxford, Connecticut 06478-1298  
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**Planning & Zoning Commission  
Regular Meeting Minutes  
Tuesday, August 1, 2023  
7:30 PM – Main Meeting Room  
S.B. Church Memorial Town Hall**

A. Call to Order

**Chairman Cocchiarella** called the meeting to order at 7:38 PM.

B. Pledge of Allegiance

C. Roll Call

**Present:** Sara Locke, Carl Bouchard, Joshua Dykstra, Pete Zbras, Pat Cocchiarella, Brett Olbrys and Dan Wall.

**Also Present:** Steve Macary, ZEO, Kevin McSherry, Land Use Counsel (remote), and Jessica Pennell, Coordinator.

**Not Present:** Ed Rowland and Robert Carr.

D. Seating of Alternates

E. Approval of Minutes

F. Public Hearings:

**SCHEDULED PUBLIC HEARINGS:**

Tuesday, August 15, 2023 at 7:30 PM:

**Z-23-154 [RESA] – 403/407/411 Roosevelt Drive – Owner:** New Haven Rowing Club, Inc., 407 Roosevelt Drive, Oxford, CT 06478 **Applicant's Representative:** Stuart Lathers Associates, LLC, 319 Peck Street, New Haven, CT 06513

***(Special Exception – Article 10, Section 10.5 – Non-Commercial Recreational Use) (Site Plan – Construct a 5,048 sq. ft. building)***

**G. Regular Meeting Business**

1. Amendments to the Agenda
2. Audience of Citizens – (Items not listed on the Agenda)

**Margaret West-Mainor, 10 Sioux Drive**, addressed the Commission regarding an ongoing dispute with her neighbor at 14 Sioux Drive. She explained the complaints and actions of her neighbor to the Commission. She also noted that she and her husband make artwork and attend art shows; she noted that their trailers used to transport the artwork and some personal items when they go to the art shows. She passed around photos of her yard to the Commission. She noted that she came and talked to the ZEO regarding the actions of her neighbor, and the ZEO sent a letter to the owners of 14 Sioux Drive. She noted that after the neighbor received the letter things got worse. She explained that they have done everything that the ZEO has asked them to do regarding their cottage business, and also stated that she asked the ZEO if she could install a 10 (ten) foot fence, and was told it was against the zoning regulations. She spoke about the other businesses in the neighborhood, and noted that they also have trailers.

A discussion ensued between Commissioner Zbras and Chris Manior regarding putting up a fence, or shielding the trailer from the public view.

Commission members discussed the logo on the trailer and personal vehicle, the working outside, and the light issue.

**Steve Macary, ZEO** asked the Commission if they would like him to lift the Cease & Desist.

Commissioners asked the ZEO if they have complied with the regulations.

**Steve Macary, ZEO** stated that if the lettering on the truck is removed and the trailer is covered then he doesn't have a problem with the property. He also stated that he had requested that the neighbor at 14 Sioux Drive put a shield on the lights that are shining onto property at 10 Sioux Drive.

**Commission Secretary Olbrys** read the regulation pertaining to cottage businesses, and noted the section of the regulation that lists prohibited uses in regards to the lights.

Some Commissioners expressed that this is a neighbor issue, and noted that the ZEO can determine if the conditions of the Cease & Desist have been met.

Commissioners discussed the definition of a commercial vehicle and again asked the ZEO if he believes that 10 Sioux Drive is now in compliance.

**Steve Macary, ZEO** stated that he does believe they are in compliance.

**Mrs. West-Mainor** stated that with a cottage business you are allowed a sign, and asked why her truck couldn't be the sign.

**Steve Macary, ZEO** stated that there is a size requirement for signs.

**MOTION BY Commissioner Dan Wall** to have the ZEO lift the Cease & Desist for property located at 10 Sioux Drive because the ZEO has determined that the conditions of the Cease & Desist have been met.

**Second by Commissioner Dykstra.**

**Ayes (5), Abstention, (1), Commissioner Zbras.**

Motion passed.

**Tony Pevornick, 14 Sioux Drive**, spoke about the actions of his neighbors and the actions of the Commission at the June 20, 2023 Regular meeting.

A discussion ensued between Commissioners and Mr. Pevornick regarding the action they took at the previous meeting. Commissioners also explained that noise is under the purview of local law enforcement, and the Commission determines how they will interpret the regulations.

**Steve Macary, ZEO** stated that the property owners of 10 Sioux Drive have covered their trailer and removed the stickers from their vehicles. He stated that the Commission determined that they are in compliance.

A discussion ensued between the ZEO and Mr. Pevornick.

**Chairman Cocchiarella**, after heated discussions, stated that the Commission would no longer be discussing this issue.

**Linda Czaplinski, 30 Freeman Road**, questioned the Commission on the follow-up letter from Nafis & Young, the Cease & Desist in place for property owned by Mr. Nichols, as well as a notice to Cease & Restore by filling the holes to give access to emergency vehicles. She noted that she took pictures last week when Steve was on vacation and the road was graded. She took additional photos and asked that they be shared with the Commissioners.

**Steve Macary, ZEO** stated that he was going to give the Commissioners the photos submitted by Mrs. Czaplinski at the Show Cause Hearing.

**Mrs. Czaplinski** expressed her concerns over a previous Cease & Desist that was disregarded, and the current Cease & Desist that has been violated. She objected to the photos not being shared with the Commission until the Show Cause Hearing.

**Kevin McSherry, Land Use Counsel for the Commission**, stated that the appropriate time for the photos to be shared is during the evidentiary part of the hearing being held on August 15, 2023. He explained that the ZEO will present the photos as evidence during the hearing.

**Mrs. Czaplinski** stated that the photos were not submitted for the hearing, they are to demonstrate that the neighbor is continuing to do work on the road.

**Attorney McSherry** explained that the Commission has to follow a process; he briefly outlined the process for Mrs. Czaplinski.

**Mrs. Czaplinski** stated that she would like better communication regarding why items are not being shared with the Commission. She expressed concern that the Cease & Desist is not being enforced.

**Steve Macary, ZEO** explained that he is not sure how to proceed with the situation.

A brief discussion ensued between the ZEO and Mrs. Czaplinski.

**Mrs. Czaplinski** again asked why the Cease & Desist order wasn't enforced.

**Steve Macary, ZEO** stated that he was told that it is a private issue between the neighbors.

**Commissioner Zbras** questioned why the Commission is involved if this is a private road.

**Attorney McSherry** explained why the Commission is involved at this time, and the hearing will determine if the Commission has jurisdiction regarding the run-off onto Mrs. Czaplinski's property.

**Mrs. Czaplinski** again asked why the Cease & Desist from May was not enforced.

A discussion ensued regarding the violations cited in the Cease & Desist to Mr. Nichols. Mrs. Czaplinski also noted items from the court judgement from the previous litigation. She expressed her concern regarding the enforcement of the zoning regulations.

3. Correspondence

4. Old Business:

1. **Z-23-135 [IND] – 19 East Commerce Drive** – Applicant: Borghesi Building & Engineering, 2155 East Main Street, Torrington, CT 06790 – Owner: Town of Oxford, 486 Oxford Road, Oxford, CT 06478

*(Special Exception – Article 9, Section 9.3.1- Construct a Building over 50,000 sq.ft.) (Site Plan) Hearing closed on 7/18/23*

It was noted that Attorney McSherry would be preparing a resolution for the August 15, 2023 regular meeting.

**MOTION BY Commission Secretary Olbrys** to table this item.

**Second by Commissioner Wall.**

**All (6) Ayes.**

Motion passed unanimously.

2. **PZC-23-001 – Proposed Text Amendments to the Oxford Planning & Zoning Regulations:**

- 1.) Farm Events/Activities Regulations (Attachment A)
- 2.) Accessory Dwelling Units (Attachment B)

*Hearing closed on 7/18/23*

**MOTION BY Commission Secretary Olbrys** to table this item.

**Second by Commissioner Zbras.**

**All (6) Ayes.**

Motion passed unanimously.

**Attorney McSherry** left the meeting at 8:38 PM.

5. New Business

1. **Z-23-160 [IND] – 2 Commerce Drive** – Owner & Applicant: David Sippin, 234 Main Street, Monroe, CT Applicant's Representative: Ronald Wolff, Wolff Engineering, 39 Sherman Hill Road, Woodbury, CT 06798

*(Waiver Request – Article 14.1.5 – Re-grading in conjunction with Site Plans) (Site Plan – Construct a 30,000 sq. ft. building – shell only)*

**Ron Wolff, Wolff Engineering**, was present to represent the applicant. He explained the location of the property, description of the property and the proposal for a 30,000 square foot building. He stated that they are requesting a waiver for the excavation, as outlined in Article 14 of the Oxford Zoning Regulations. He also noted that the application has been approved by the Inland/Wetlands Agency and the W.P.C.A.

Commissioners discussed the amount of excavation, the fees, and the request for the waiver.

**MOTION BY Commissioner Zbras** to grant the requested waiver of the requirement that a Public Hearing be held for the excavation.

**Second by Commission Secretary Olbrys.**

**All (6) Ayes.**

Motion passed unanimously.

2. **Z-23-161 [RESA] – 95 Freeman Road** – Owner & Applicant: Susana & Samir Fattah, 95 Freeman Road, Oxford, CT 06478  
*(Site Plan – Addition and Barn – 50'x54')*

**SET PUBLIC HEARING DATE:** *Tuesday, August 15, 2023 during the Regular meeting.*

**MOTION BY Commission Secretary Olbrys** to set a Public Hearing date of Tuesday, August 15, 2023 for Z-23-161.

**Second by Commissioner Zbras.**

**All (6) Ayes.**

Motion passed unanimously.

3. **Z-23-165 [VCMUD] – 101 Main Street “Quarry Walk”** Owner: Oxford Towne Center, LLC, 300 Oxford Road, Oxford, CT 06478 – Applicant: “Quarry Coffee Co.”, Robin Williams, Beau Deprey, Pete Lupachino, 366 Middlebury Road, Middlebury, CT 06762

*(New/Accessory Use – Sale of Alcoholic Beverages)*

**Owner, (name not stated)**, explained that they are seeking a “café permit” to serve wine, beer and liquor.

Commissioners and the applicant discussed the types of alcohol and that it will be sold on the premises, selling alcohol thru the drive-thru, the age of servers, and hours of operation.

**MOTION BY Commission Secretary Olbrys to approve Z-23-165 for a “café permit” as presented to the Commission.**

**Second by Commissioner Zbras.**

**All (6) Ayes.**

Motion passed unanimously.

4. **Z-23-168 [VCMUD] – 220-2F Main Street “Quarry Walk”** – Owner: Oxford Towne Center, LLC, 300 Oxford Road, Oxford, CT 06478 – Applicant: Jessica Barry, 4 Meadow Drive, Oxford, CT 06478 dba “Where Sit Happens” *(New Use Permit – Dog Training Facility)*

**Jessica Barry, applicant**, explained the proposed application to the Commission.

Commissioners had a lengthy discussion regarding the differences and similarities of the proposed use for training classes and coaching to a “doggie day care”. Commissioners voiced their concerns regarding “dog training” in “Quarry Walk” and the potential effects on the surrounding businesses.

**MOTION BY Commission Secretary Olbrys to approve Z-23-168 with the following conditions:**

1. Applicant and their assigns must comply with all representations made at the Planning & Zoning Commission meetings and/or the public hearings regarding this application.
2. Compliance with the Statement of Use dated 7/21/23.
3. Compliance with the Oxford Zoning Regulations as of this date.
4. 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.
5. Overnight stays, boarding of dogs, and daycare for dogs is prohibited.

The reason for approval is the application meets the Oxford Zoning Regulations in effect as of this date.

**Second by Commissioner Zbras.**

**All (6) Ayes.**

Motion passed unanimously.

5. **Town of Oxford – 8-24 Referrals** – Discussion with possible Action Letter dated 5/22/23 from Jeff Luff, Economic Development Director

**Commission Secretary Olbrys** read the letter dated 5/22/23 into the record.

**Jeff Luff, Economic Development Director**, was present to explain the letter that he submitted to the Commission regarding 8-24 Referrals for properties owned by the Town of Oxford.

**MOTION BY Commissioner Wall** to make a favorable recommendation, per CGS §8-24, to the Board of Selectmen regarding all lots identified in Mr. Luff's letter dated 5/22/23.

**Second by Commissioner Dykstra.**

**All (6) Ayes.**

Motion passed unanimously.

6. Zoning Enforcement

**Steve Macary, ZEO** discussed a request for the Rotary Club to post two (2) signs on Route 67.

Commissioners questioned the reasons for the sign request, and discussed approving a sign without an associated building.

**Steve Macary, ZEO** also noted that he asked the applicant to check with the State of CT Department of Transportation.

**MOTION BY Commissioner Zbras** to deny the requested placement of the signs for the Rotary Club.

**Second by Commission Secretary Olbrys.**

**Ayes (4), Nays (2).**

Motion passed 4-2.

7. Invoices

8. Other Business

- a. Any other business the Commission deems necessary for discussion.

**Jessica Pennell, Coordinator** noted that Sara had mentioned the idea that the Commission join the American Planning Association. Commissioners briefly discussed the idea and noted that they would like more information.

**Commissioner Zbras** suggested that the Commission consider revising and updating the section of the regulations that pertains to cottage business permits.

9. Adjournment

**MOTION BY Commissioner Dykstra** to adjourn the meeting at 9:48 PM.

**Second by Commission Secretary Olbrys.**

**All (6) Ayes.**

Motion passed unanimously.

Respectfully submitted,

  
Jessica Pennell, Coordinator

TOWN OF OXFORD, CT  
TOWN CLERK  


2023 SEP 12 PM 2:23