

**TOWN OF OXFORD**  
**PLANNING & ZONING COMMISSION**  
 S.B. Church Memorial Town Hall  
 486 Oxford Road, Oxford, Connecticut 06478-1298  
 Phone: (203) 828-6512 · Email: [pandz@oxford-ct.gov](mailto:pandz@oxford-ct.gov)  
[www.Oxford-CT.gov](http://www.Oxford-CT.gov)



**Planning & Zoning Commission**  
**Regular Meeting Minutes**  
 Tuesday, December 5, 2023  
 7:30 PM – Main Meeting Room  
 S.B. Church Memorial Town Hall

**I. Call to Order**

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

**II. Pledge of Allegiance**

**III. Roll Call**

Commissioner/Staff	Present	Absent
Sara Locke	X	
Joshua Dykstra	X	
Dan Wall	X	
Pete Zbras	X	
Pat Cocchiarella	X	
Carl Bouchard	X	
Ed Rowland	X	
Jason Swan	X	
Jessica Pennell	X	
Steve Macary		X
Kevin McSherry	X	

**Note:** Dan Wall attended the meeting remotely. He left the meeting at 8:25 PM.

**IV. Seating of Alternates – No alternates were seated.**

**V. Public Hearings - None**

**VI. Regular Meeting Business**

**Executive Session:** To discuss ongoing litigation regarding AAN – CV22-6049298-S – Defeo Materials, LLC v. Planning and Zoning Commission of the Town of Oxford.

**Motion by Chairman Pat Cocchiarella** to enter executive session at 7:42 PM, second by Commissioner Pete Zbras.

**All (7) Ayes.**

**Motion passed unanimously.**

**Chairman Pat Cocchiarella** invited all present Commissioners, Attorney McSherry, and Jessica Pennell, Coordinator.

**Motion by Commissioner Pete Zbras** to exit executive session at 7:57 PM, second by Commission Secretary Carl Bouchard.

**All (7) Ayes.**

**Motion passed unanimously.**

**Chairman Pat Cocchiarella** stated for the record that no action or votes were taken during executive session.

A. Amendments to the Agenda – None

B. Correspondence – None

C. Old Business – None

1. Possible Action on regarding AAN – CV22-6049298-S – Defeo Materials, LLC v. Planning and Zoning Commission of the Town of Oxford.

D. New Business

1. **Z-23-205 [RESA] – 81 Newgate Road – Owner & Applicant:** Marc Deslauriers, 81 Newgate Road Oxford, Connecticut (Special Exception – Article 10, Section 10.13 – Farm Events)  
**(Set Public Hearing Date)**

**Motion by Commission Secretary Carl Bouchard** to schedule a public hearing for Z-23-205 on ***Tuesday, January 16, 2024 at 7:30 PM***, second by Commissioner Ed Rowland.

**All (7) Ayes. Motion passed unanimously.**

E. Zoning Enforcement

**Chairman Pat Cocchiarella** explained that Steve Macary, ZEO is out on medical leave. He noted that he was in the office today and there was a steady flow of customers throughout the morning.

- a. ZEO Approved Permits

F. Approval of Minutes – None

G. Invoices – None

H. Audience of Citizens – Items not listed on the agenda

**Lisa Suttile, 1 Sarah Drive & Allison Wiencek, of 35 Pisgah Road** approached the Commission to discuss items regarding the homeowners of 39 Pisgah Road.

**Lisa Suttile** explained that she and Allison live on both sides of 39 Pisgah Road. She noted that she has been speaking to Steve Macary, ZEO, since March regarding the neighboring property and the variances that were approved regarding the setbacks.

**Chairman Pat Cocchiarella** explained that if 39 Pisgah was a previously approved lot, then the owner would have the ability to build on the property.

**Lisa Suttile** stated that she has a copy of the minutes but they do not specify a distance for the setbacks.

**Attorney McSherry** questioned if the variance was recorded in the land records.

**Lisa Suttile** explained her concern that the lot was vacant and now they are building a house that doesn't meet the setbacks in the current regulations.

**Chairman Pat Cocchiarella** explained how the neighbors got the variance.

**Lisa Suttile** asked if the neighbors have to be notified.

**Attorney McSherry** stated that at the time the neighbor's would have been notified of the application for a variance. He explained that there are three (3) variances; lot area, lot shape, and access/frontage. He noted that ZBA took into consideration the shape of the lot and the inability of the person to purchase adjacent land which created a hardship. He stated that the setbacks were adjusted by the variance.

**Lisa Suttile** stated that on her side of the property the contractor took down brush and trees.

**Allison Wiencek** stated that they infringed on her property and built a wall.

**Lisa Suttile** stated that their concern is that they have nothing in writing on how to rectify the situation.

A lengthy discussion ensued regard the violations, issues with the contractor, and run-off. Discussion also included the survey stakes and reference markers.

**Allison Wiencek** stated that her concern is that there is not a plan that shows how this will all be fixed; she wants to see an approved plan because what has been done up to this point was not approved.

**Lisa Suttile** noted that the new general contractor has reached out to her and Allison and was trying to make things right. She explained what she wanted regarding her property; and also noted that it looks like a hole was dug where they dumped rock and ledge.

**Chairman Pat Cocchiarella** stated that there are Cease and Desists on the property at this time.

**Attorney McSherry** clarified that on Lisa's side, trees and brush were removed, and on Allison's side they built a wall.

**Allison Wiencek** stated that they had to blast ledge, but instead of removing it from the site, they pushed it to/past her property line. She explained that she calls it a “wall”, but really it is just piles of ledge and tree trunks.

**Attorney McSherry** briefly discussed the bond that has already been released.

**Allison Wiencek** stated that she is concerned that if someone else buys the property without the issues being resolved, it will continue. She stated that they would like something in writing saying the issues that have been identified.

**Attorney McSherry** stated that he understands that a new contractor has been hired.

**Allison Wiencek** stated that some of the rocks have been removed and they are currently building a new wall.

**Chairman Pat Cocchiarella** asked if the new wall was being constructed on her property.

**Allison Wiencek** explained that they are not sure because they don’t know if the property has ever been surveyed.

There was a brief discussion regarding whether or not the pins are still in, and where they are located.

**Lisa Suttile** reiterated that they would like something in writing detailing what has been going on with both sides of the property to make sure that the homeowners are responsible.

A discussion ensued regarding if there were violations to be handled by other departments such as building and wetlands.

**Alternate Commissioner Sara Locke** suggested that they write down their concerns submit them as correspondence.

**Lisa Suttile** stated that she has been working with Steve since March

**Allison Wiencek** stated that she would like to see an approved plan.

**Chairman Pat Cocchiarella** stated that he will look at the file tomorrow, and asked that they submit their concerns in writing.

#### I. Other Business

- a. Any other business the Commission deems necessary for discussion.
- b. Discussion/possible action regarding December 19, 2023/January 2, 2024 Regular Meetings.

Commissioners briefly discussed the 1/2/24 meeting; and all agreed that it should be canceled.

Commissioners also discussed the December 19, 2023 regular meeting and decided not to cancel the meeting at this time, but to leave it up to the Chairman’s discretion.

**Motion by Commission Secretary Carl Bouchard** to authorize the Chairman to cancel the December 19, 2023 regular meeting, **seconded by Commissioner Pete Zbras.**

**All (6) Ayes.**

Motion passed unanimously.

The Commission discussed the required training for Commissioners per C.G.S. 21-29, and Attorney McSherry went over the training items that are required by the state. They also discussed how they would like to handle accepting applications going forward, pre-application meetings, application check-off list, and time limits for certain types of applications.

**Chairman Pat Cocchiarella** noted that when public hearings are held, the Commission needs to discuss items of concern, or any technical issues with the application early in the process.

Commissioners did express that larger maps should be available at the meetings and/or public hearings.

A discussion ensued regarding equipping the meeting room with a type of system that would integrate monitors, recording, and sound equipment.

**Chairman Pat Cocchiarella** explained that Commissioner Pete Zbras had done extensive research on a system for the Commission many years ago, and asked if that information was still available.

**Commissioner Pete Zbras** stated that he still has the paperwork and he will give a copy to Jessica.

**Alternate Commissioner Sara Locke** asked if there is any progress with finding a planner for the Affordable Housing Plan.

**Chairman Pat Cocchiarella** stated that he will be speaking with George Temple regarding the planner.

**Commissioner Pete Zbras** asked some questions regarding commercial uses in the industrial zone, and a brief discussion ensued.

J. Adjournment

**Motion by Commissioner Ed Rowland** to adjourn the meeting at 8:52 PM, **second by Commissioner Joshua Dykstra.**

**All (6) Ayes.**

Motion passed unanimously.

Respectfully submitted,

  
Jessica Pennell, Coordinator

2023 DEC 21 P 12:14  
TOWN OF GRAFTON, CT  
JESSICA PENNELL