

**TOWN OF OXFORD
PLANNING & ZONING COMMISSION**

S.B. Church Memorial Town Hall
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**Planning & Zoning Commission
Regular Meeting Agenda
Tuesday, February 6, 2024
7:30 PM – Main Meeting Room
S.B. Church Memorial Town Hall**

I. Call to Order

Chairman Pat Cocchiarella called the meeting to order at 7:34 PM.

II. Pledge of Allegiance

III. Roll Call

Sara Locke	Present
Diamond Rosa	Present
Josh Dykstra	Present
Dan Wall	Present
Pete Zbras	Present
Pat Cocchiarella	Present
Carl Bouchard	Present
Ed Rowland	Present
Jason Swan	Present
Jessica Pennell	Present
Steve Macary	Present
Kevin McSherry	Present

IV. Seating of Alternates – No alternates were seated.

V. Chairman Comments – The Chairman made some brief comments regarding the possibility of live-streaming meetings in the future.

VI. Approval of Minutes

- a. **MOTION BY Commission Secretary Carl Bouchard** to approve the 12/5/2023 Organizational Meeting Minutes as presented. **Second by Commissioner Jason Swan.**
All (7) Ayes. Motion passed unanimously.

- b. **MOTION BY Commission Secretary Carl Bouchard** to approve the 12/19/2023 Regular Meeting Minutes as presented. **Second by Commissioner Pete Zbras.**

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

VII. Public Hearing on the following application:

Scheduled for 2/6/24 during the Regular Meeting.

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

Chairman Pat Cocchiarella opened the public hearing and outlined the public hearing procedures.

Commission Secretary Carl Bouchard read the legal notice.

Commission Secretary Carl Bouchard also read the following correspondence into the record:

- a. Letter dated 11/17/23 from William Santini
Re: Authorization for road access for 81 Newgate Road.
- b. Letter dated 11/13/23 from Fire Marshal, Scott Pelletier
- c. Letter from Weston Bartosik – 31 Whitegate Road
- d. Letter from Chris Dubois – 57 Newgate Road
- e. Letter from Tom & Cleide Francis – 113 Newgate Road
- f. Letter from Tom Anderson – 53 Reality Road
- g. Letter from Vanessa Perez-Rivera – 60 Newgate Road
- h. Letter from Lawrence Shamaly – 51 Newgate Road
- i. Letter from William Santini – 33 Whitegate Road

Marc Delauries, applicant and owner, 81 Newgate Road, handed out a packet of information for the Commission and staff. He noted that he would be going through the regulations and explaining how he meets each requirement.

He noted the following in support of the application:

- Ownership – He has owned and lived at the subject property for 27 years.
- Verifiable source of income – submitted Schedule F and documentation from the State of Connecticut Department of Revenue Services, Farmer Tax Exemption Permit.
- Parking – Referred to Page 6 of the packet. He also indicated on the site plan where the parking would be located. He noted that he meets the requirement for 450 parking spaces.

There was a brief discussion regarding the setback requirements. It was noted by Chairman Pat Cocchiarella that the 250' setback requirement is from the event area, not the property lines.

- Number of events – 12 per year maximum.
- Lighting – Lighting will be confined to the event area and parking areas, and will be no light trespass onto adjacent properties. He also noted that there is a buffer of trees surrounding the property.

- Adequate restrooms, he referred to pages 11, 12, and 13 of the packet, which showed photos of the restrooms.
- Separate access and exit, he referred to page 5 of the packet, and pointed it out on the site plan. He also noted that there is an emergency access, not required in the regulations, and referred to page 17.
- Sound/Noise – He explained that the speakers would be placed in a westerly direction, where there is a tree line and the property goes uphill.

Mr. Delauries concluded his presentation, and noted that he is working with the Building Official and a consultant to get all the buildings permitted. He also noted that the required septic system has been installed and he has received a permit to discharge.

Chairman Pat Cocchiarella asked the Commissioner if they had any questions.

Alternate Sara Locke asked questions relating to the driveway and accommodations for any one with disabilities.

Mr. Delauries answered her questions regarding the driveway, and noted that they ask if anyone will need any accommodations before an event.

Commissioner Jason Swan asked about the number of events per year.

Commissioner Pete Zbras asked questions regarding the existing buildings and if they are permitted at this time. He also explained the why the 250' requirement was incorporated into the regulations.

There were no further questions from the Commissioners at this time.

Chairman Pat Cocchiarella opened the floor to the audience.

Tom Francis, 113 Newgate Road spoke in favor of the application, stating that he has never had a problem with traffic or noise.

Erik Granato, 37 Reality Road handed out a presentation to the Commissioners and staff, and set up his laptop in front of the Commission to share exhibits. He briefly noted that his drone photos had been used by the applicant in their presentation, he stated that he was not aware that his correspondence would be shared with anyone before the meeting.

Staff and Attorney McSherry explained why his presentation was shared, noting that once it is received by staff, it becomes public record.

Mr. Granato proceeded with his presentation, explaining the slides and presenting audio from previous meetings regarding 81 Newgate Road. He questioned the “verifiable source of income”, and played two (2) audio clips from the 6/16/21 Planning & Zoning regular meeting. He also questioned the source of payment for the application fees. He commented on the modifications

done to the property, and played a video clip from a 2016 Facebook post that was taken during an event in order to demonstrate the noise.

Mr. Granato noted his concerns about the safety of people in the neighborhood if the emergency access had to be utilized, as it exits into an existing residential area where no one was notified. He also mentioned concerns about the attendees leaving under the influence of alcohol. He noted that there would be issues with traffic (attendees & emergency services) in the event of an emergency.

Mr. Granato also presented a slide that depicted black and red arrows and explained their designations, as well as photos of the event parking, and a photo of parked cars from a previously held event. He played the audio from the 12/7/21 meeting, and concluded his presentation.

Attorney McSherry requested that Erik point out his property location on the map.

Mr. Granato pointed out his property location.

Jennifer Camarro, 37 Reality Road stated concerns about the noise and traffic safety, and further spoke in opposition of the application.

Brian Walsh, 39 O'Neil Road, spoke in favor of the application.

Brittney Romagna, 39 O'Neil Road, spoke in favor of the application.

Leslie Alexander, 25 Reality Road, spoke in opposition of the application, noting concerns about a commercial operation in a residential zone.

Leonard Alexander, 25 Reality Road agreed with Leslie Alexander's comments in opposition.

Jerry Loescher, 94 Good Hill Road, noted concerns about traffic, and the buildings that were built/modified without permits.

Bill Santini, 33 Whitegate Road, owner of the property authorizing the emergency access across his property, and spoke in favor of the application.

Paula Guillet, 175 Good Hill Road, had questions and concerns regarding the application. She noted concerns over noise on a regular basis, and having a business in a residential area. She also voiced concerns about traffic, and asked if there is a time that events have to end. She also questioned the setbacks and parking, and whether this would set a precedent for the future, or could be considered spot-zoning.

Chairman Pat Cocchiarella explained that he would answer questions after everyone has spoken.

Linda Czaplinski, 30 Freeman Road, spoke in support of the application and noted that the time for these concerns was when the regulation was being drafted.

Chairman Pat Cocchiarella asked if there was anyone else that would like to speak; there were no members of the audience that spoke at this time. He asked the Commissioners if they had any questions or comments.

Commissioner Pete Zbras made comments regarding the concerns about drinking at these events. He mentioned other areas in town that people go specifically to drinking, and they still have to drive on the same small roads in town.

Commissioner Jason Swan asked the applicant about the average attendance at events.

Mr. Deslauries stated that average attendance is about 150 people.

Commissioner Jason Swan asked how many cars are usually at an event.

Mr. Desluries stated that there are usually about 75 cars.

Commissioner Jason Swan asked the applicant if he would be opposed to a condition of approval that set the speakers in a fixed direction.

Mr. Deslauries stated that he would not have a problem with that condition.

Commissioner Pete Zbras explained that as far as the emergency access goes, the Commission asked the Fire Marshal to review the location because they are the ones that would have to handle any emergencies.

Chairman Pat Cocchiarella noted that the Commission does not regulate noise, there is an ordinance, and it is enforced by the police department. He also commented that there is always going to be traffic on the road, and they cannot regulate the traffic. He answered the question regarding the setbacks, which is 25' in the residential zone.

Mr. Deslauries briefly discussed that the emergency access is not required in the regulations, and is only for emergency vehicles, in the case of an emergency. He also noted that not everyone leaves an event at the same time, people leave at various times during an event; which will not have a detrimental impact on the traffic in the area.

There was no further discussion.

Chairman Pat Cocchiarella moved to recess the public hearing to Tuesday, February 20, 2024 at 7:30 PM. **Second by Commissioner Pete Zbras.**

All (7) Ayes. Motion passed unanimously.

VIII. Regular Meeting Business

A. Amendments to the Agenda

1. **Motion by Commission Secretary Carl Bouchard** to amend the agenda to add a Bond Release Request from Pulte Homes Phase 4 East under New Business #1. **Second by Commissioner Joshua Dykstra.**
All (7) Ayes. Motion passed unanimously.

B. Audience of Citizens – (Items not listed on the agenda)

C. Correspondence

Commission Secretary Carl Bouchard read and/or noted the following correspondence for the record:

- a. Memorandum dated 1/8/24 from the Office of the First Selectman to All Departments
Re: Capital Improvement Plan

The Commission briefly discussed the capital plan; Steve Macary, ZEO noted that he requested a new vehicle from the ARPA Committee, but the request was denied. Commissioners stated that a new vehicle should be requested in the department's capital plan.

- b. CT Federation of Planning & Zoning Agencies Quarterly Newsletter – Winter 2024

This correspondence is informational only and is on file in the Planning & Zoning Department.

D. Old Business

E. New Business

1. **Bond Release Request – Pulte Homes – Z-08-181 & Z-12-018** (Oxford Greens, Phase 4)
 - a. Letter dated 12/19/23 from Tony Schumann regarding the bond release for Oxford Greens Phase 4, Fairview.

The following was added to Item #1, as an amendment to the agenda:

- b. Letter dated 2/6/24 from Tony Schumann regarding a bond release for Tillinghast Drive and Mackenzie Land in Phase 4 East.

Chairman Pat Cocchiarella asked if these requests have been sent to Jim Galligan, Planning & Zoning Engineer.

Jessica Pennell, Coordinator stated that they have been forwarded to Jim Galligan for his review, and that she is awaiting his letters.

2. **8-24 Referral – Woodruff Hill Industrial Park, Lots 5, 6, 7, 13, and 14.**

- a. Letter dated 1/29/24 from Jeffrey Luff, Economic Development Director
Re: Sale of Town owned Lots 5,6,7,13, and 14 – Woodruff Hill Industrial Park

Jeff Luff, Economic Development Director explained that the Town is offering the five (5) lots in the Woodruff Hill Industrial Park for sale and requested the Commission make a favorable recommendation to the Board of Selectmen in compliance with CGS. §8-24.

Commissioners briefly discussed with Mr. Luff the uses that would be allowed in the industrial zone.

Mr. Luff commented that all the lots would be sold for uses permitted in the industrial zone.

Motion by Commission Secretary Carl Bouchard to make a favorable recommendation to the Board of Selectmen regarding Lots 5,6,7,13, and 14 as requested in the Economic Development Director's letter dated 1/29/24. **Second by Vice-Chairman Dan Wall.**

All (7) Ayes. Motion passed unanimously.

3. **Authorization to sign Mylar – Pinewood Apartments**

- a. Authorize the Chairman and Commission Secretary to sign the mylar for filing on the land records.

Chairman Pat Cocchiarella noted that the mylar that has been presented also needs to be signed by the Inland/Wetlands Conservation Commission, which meets next Tuesday.

F. **Zoning Enforcement**

- A. Administratively approved zoning permits (Jan 1st – Jan 31st):

- 1. **Z-24-005 [COMM] – 144 Oxford Road** – Owner: 144 Oxford Road, LLC
Applicant: William Maisto, 50 Country Club Drive, Waterbury, CT – “Party Plus”

- B. Zoning Enforcement Report (Jan 1st – Jan 31st)

Steve Macary, ZEO briefly discussed the following items under zoning enforcement:

- 1. Lot 5B Commerce Drive
- 2. 671 Oxford Road

G. **Invoices**

a. Adobe Invoice #2657733454 – Reimbursement to Jessica Pennell

Motion by Commissioner Ed Rowland to approve the reimbursement to Jessica Pennell.
Second by Commission Secretary Carl Bouchard.
All (7) Ayes. Motion passed unanimously.

H. Other Business

a. Discussion with possible action – Extend Cannabis Moratorium

Chairman Pat Cocchiarella explained that the new cannabis regulation is near completion, and that he would like the Commission to extend the moratorium until March. There was a brief discussion about pushing the date out to April.

Motion by Commission Secretary Carl Bouchard to extend the cannabis moratorium to April 2, 2024. **Second by Commissioner Ed Rowland.**
All (7) Ayes. Motion passed unanimously.

b. Update on the status of the Affordable Housing Plan

Commissioners briefly discussed the progress of the Affordable Housing Plan.

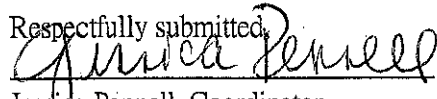
Chairman Pat Cocchiarella explained that it is a process and it will not be something that happens quickly because it does also go through the Board of Selectmen. There was also discussion regarding the Affordable Housing Committee, and the hiring of a planner.

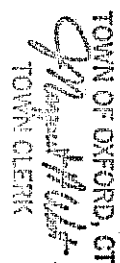
Chairman Pat Cocchiarella stated that he would find out this week if the previous committee is disbanded, or if a new committee will be appointed, and he will see if he can get some information on a planner.

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

I. Adjournment

Motion by Commissioner Ed Rowland to adjourn the meeting at 9:45 PM, **Second by Commissioner Pete Zbras.**
All (7) Ayes. Motion passed unanimously.

Respectfully submitted,

Jessica Pennell, Coordinator
Planning & Zoning Commission

TOWN OF OXFORD, CT

TOWN CLERK

2024 FEB 14 P 4:21