

**TOWN OF OXFORD**  
**PLANNING & ZONING COMMISSION**  
 S.B. Church Memorial Town Hall  
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**Planning & Zoning Commission**  
**Regular Meeting Minutes**  
 Tuesday, February 20, 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 7:33 PM.

**II. Pledge of Allegiance**

**III. Roll Call**

Sara Locke	Present
Diamond Rosa	Absent
Josh Dykstra	Present
Dan Wall	Absent
Pete Zbras	Present
Pat Cocchiarella	Present
Carl Bouchard	Present
Ed Rowland	Absent
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 had no comments at this time.

**VI. Approval of Minutes**

a. 2/6/24 Regular Meeting Minutes

Motion by Commission Secretary Carl Bouchard to approve the minutes as corrected.

Second by Commissioner Pete Zbras. All (5) Ayes.

*Motion passed unanimously.*

## **VII. Audience of Citizens**

Linda Czaplinski, 30 Freeman Road questioned if anything ever came of the discussion an ordinance to address shooting firearms on private property.

Chairman Pat Cocchiarella stated that there has been no further discussion regarding moving forward with the ordinance at this time.

## **VIII. Public Hearing on the following application:**

*Recessed Hearing Scheduled for 2/20/24 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)

Marc Deslauriers, applicant, noted that there seems to be some confusion in regards to the regulations, and he went over the following items for clarification:

- Read the definition of “farm events” as presented in the regulations.
- Outlined the ownership requirements.
- Read the portion of the regulation referring to farming as a verifiable source of income.
- Noted the setback requirements for the event area and parking area, and parking requirements based on the number of guests, and noted that 300 guests would require 450 parking spaces per the regulations.
- The requirement for a police officer for traffic and safety is the number of invited guests is over 75.
- Noted the prohibitions outlined in the regulations.
- Lighting requirements, adequate restroom facilities, number of events allowed per year between May 1st and October 31<sup>st</sup>.
- Entry and exit, and emergency vehicles.

Mr. Deslauriers reiterated to the Commission that he received a letter from the Fire Marshal, which was issued to him after the property was inspected. He noted that he mentioned the additional access that could be used for emergencies to the Fire Marshal. He stated that he was asked to get permission in writing from the neighbor to cross is property. He stated that he has a letter from Mr. Santine granting him authorization. He emphasized that the access across Mr. Santini’s property would be used for emergency vehicles only, and has never been used by patrons at any event to leave the property. He also noted that the only reason the emergency access has been considered and made part of the application is only because it exists; it is not a requirement of the regulations.

Mr. Deslauriers returned to going over items in the regulations; he further pointed out the regulations in regard to amplified music and noise. He noted that at the last meeting he tested, and will continue to test noise levels to determine if they cause a nuisance. He reiterated that they would be positioning the speakers in a direction to cause the least amount of noise to the surrounding areas so they do not have complaints about noise; it is their intention to make sure the noise is below the decimal level of the town regulations.

Mr. Deslauriers continued reading the regulations, pointing out that if they violate the special exception, enforcement action would occur, and their permit could be revoked. He discussed the requirements of Article 10 and Article 11, as well as the requirements for any new construction, or renovations to existing structures. He stated that at the last

meeting he explained how he met every requirement, but that there are still some questions regarding the emergency egress. He noted that it may be a problem for some of the residents on Flora and White Gate; he submitted a picture of the emergency accessway with additional fencing blocking the area in order to address concerns that guests may try to drive around the fence and use the accessway to leave the property. He explained that the fences would not be removed at any time; the access would be used by emergency vehicles only. He gave the Commission update regarding the building; and stated that he is awaiting building review from the Fire Marshal, who was on vacation last week.

Mr. Deslauriers had no further information to share with the Commission at this time.

Commission Secretary Carl Bouchard noted that a number of letters were submitted as correspondence. He read or noted the following for the record:

- a. Letter from Amy D’Rosa, 13 White Gate Road
- b. Letter from Eric Raspet, 23 White Gate Road
- c. Letter from Kathy Raspet, 23 White Gate Road
- d. Letter from Eva Raspet, 23 White Gate Road
- e. Letter from John Raspet, 23 White Gate Road
- f. Letter from Jennifer Camarro, 37 Reality Road
- g. Letter from Geral Loescher, 94 Good Hill Road
- h. Letter from Clifford & Louise Anderson, 27 White Gate Road
- i. Letter from someone in opposition, submitted by Mark Deslauriers

Jennifer Camarro, 37 Reality Road, stated that she wrote the item that was submitted as correspondence by the applicant.

Chairman Pat Cocchiarella asked if there was anyone from the public that would like to speak.

Erik Granato, 37 Reality Road, handed out a 12x19 presentation to the Commissioners and staff. He began his presentation by giving the Commission background information his family, and on his employment history.

Mr. Granato made several comments regarding concerns about this application;

- Referred to his first encounter with the ZEO about 81 Newgate Road after an event.
- Noted encounters with the owners of 81 Newgate Road.
- Expressed opinions about the owners of 81 Newgate Road.
- Noted that the issue is not about agritourism, but with the landowners building and operating a commercial wedding venue in a residential zone.
- Referred to the applicant’s tax returns and IRS requirements
- He made comments regarding ADA compliance
- Referred to items related to the Schedule F submitted by the applicant.
- Noted that the applicant owns several companies.
- Referenced comments from the 2/6/24 meeting where there was a brief discussion about the parking at Jackson’s Cove when the location is used for events.
- Referenced comments a made by a commissioner regarding other drinking spots in town.
- Commented on decibel readers, levels, and impulse noise.

- Referred to a Facebook post by the First Selectman, and also referred to Board of Selectmen meeting minutes from August 16, 2023
- Commented on the Commission not regulating noise.
- Commented on the emergency access, and the letter from the Fire Marshal.
- Noted comments from the 12/7/21 meeting regarding how many farms meet this regulation.
- Commented that the regulation appears specific to this one property.
- Referred to a timeline in his presentation.

Mr. Granato concluded his presentation.

Chairman Pat Cocchiarella asked if there were any other members of the public that would like to speak.

Leslie Alexander, 25 Reality Road, spoke in opposition of the application. She noted concerns regarding quality of life, traffic, and congestion on the roads. She asked questions regarding fines, the consequences of construction without permits, and whether this property meets the requirements to be considered a farm. She commented on the noise and, the creation of a commercial enterprise in a residential zone.

Jennifer Camarro, 37 Reality Road, spoke in opposition of this application. She asked questioned regarding the hours of operation, amplified music, and a buffer.

Linda Czaplinski, 30 Freeman Road, reiterated her comments from the last meeting. She noted that the issues and concerns should have been brought forward at the Public Hearings related to the regulations.

Marsha Franko, 35 Dutton Road, made comments regarding the requirements of the regulation that refer to farm activity as a verifiable source of income.

Commissioner Pete Zbras made statements regarding the research done in the Assessor's office to determine the number of parcels in Town that are considered farm or forest. He also noted that the emergency exit was approved by the Fire Marshal and it is an additional safety feature.

Attorney McSherry stated that the applicant should have a chance to respond to the comments made by the public.

Marc Deslauriers explained the reason the numbers are not visible is because he redacted them because they have personal details that he wanted to keep private. He also noted that he noted that the income has to be shown in order to qualify for the farm exemption.

Chairman Pat Cocchiarella addressed a comment from the audience and stated that the public comment portion of the hearing has passed. He also noted that he would like to keep the hearing open until the building department has responded to the applicant.

Motion by Commission Secretary Carl Bouchard to recess the public hearing to Tuesday, March 5, 2024 at this location. Second by Commissioner Joshua Dykstra. All (5) Ayes.

*Motion passed unanimously.*

## **IX. Regular Meeting Business**

A. Amendments to the Agenda

Motion by Commission Secretary Carl Bouchard to amend the agenda to add an invoice from McSherry Law Office under Invoices, as Item #1. Second by Commissioner Joshua Dykstra.

All (5) Ayes.

*Motion passed unanimously.*

B. Correspondence

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

- a. Letter dated 2/14/24 from Kathy Ekstrom to Steve Macary, ZEO

Re: Site Plan Approval and Associated Fees (Oxford Towne Cener/Quarry Walk)

Commissioners and staff had a brief discussion regarding how they would be handling the reconciliation of fees, and it was determined that staff would discuss this item with the Finance department.

C. Old Business

1. **Bond Release Request – Pulte Homes – Z-08-181 & Z-12-018** (Oxford Greens, Phase 4)

*(Awaiting review report from Jim Galligan)*

Commission Secretary Carl Bouchard read two (2) letters from Tony Schumann, requesting bond releases for Pulte Homes, Oxford Greens – Phase 4 & Phase 4 East.

Jessica Pennell, Coordinator noted that she is awaiting the final review letter from Jim Galligan, P&Z Engineer.

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

Authorize the Chairman and Commission Secretary to sign the mylar for filing on the land records. *(Tabled on 2/6/24) (Awaiting signature from OCCIWA)*

*(This item remained tabled)*

D. New Business

1. **Bond Release Request - RE: Site Plan Bond – Markim Center (a/k/a Oxford Towne Cener/Quarry Walk)** *(Refer to Jim Galligan, P&Z Engineer for review)*

Commission Secretary Carl Bouchard read a letter dated 2/14/24, from Kathy Ekstrom requesting a bond release request. It was noted that this would be sent to Jim Galligan, Planning & Zoning Engineer for final review.

E. Zoning Enforcement

Steve Macary, ZEO stated that he has no items to discuss at this time.

Commissioners and the ZEO discussed the illuminated digital sign in front of the Fire Department on Route 67.

Mr. Macary explained that more businesses are requesting a digital sign since the one in front of the firehouse was installed.

Commissioners and staff discussed that the Town is exempt from its own zoning regulations, and that these types of signs are still prohibited in the sign regulations. Commissioners requested that the ZEO send a letter to the Fire Department explaining that the sign cannot have scrolling advertisements.

Commissioner Pete Zbras mentioned trucks parked near the Dollar Tree in Quarry Walk.

There was a brief discussion regarding the parking spaces at Quarry Walk that are currently being utilized for equipment and materials for winter conditions; it was noted that they are in close proximity to the wetlands. The Commission requested that the ZEO speak with the IWEO and possibly find out what type of items are being stored near the wetlands.

#### F. Invoices

Item #1 was added as an amendment to the agenda.

##### 1. Invoice from McSherry Law Office

Motion by Commission Secretary Carl Bouchard to pay the invoice from McSherry Law Office, in the amount of \$3,800.00. Second by Commissioner Pete Zbras.

All (5) Ayes.

*Motion passed unanimously.*

#### G. Other Business

##### a. Any other items the Commission deems necessary for discussion.

Commission Secretary Carl Bouchard read a statement from the Chairman regarding the procedure for Commissioners if they wish to have an item added to the agenda.

Chairman Pat Cocchiarella also explained that Commissioners must attend a certain number of training hours to comply with state statutes.

Jessica Pennell, Coordinator noted that the Annual CFPZA Conference is in March, and that all the information is in their packet. She also noted that the conference counts toward training hours.

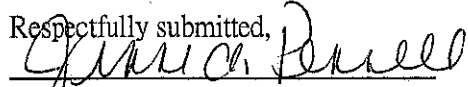
The following Commissioners stated that they would attend the conference; Commissioner Joshua Dykstra, Commissioner Pete Zbras, and Chairman Pat Cocchiarella.

H. Adjournment

Motion by Commissioner Joshua Dykstra to adjourn the meeting at 9:06 PM. Second by Commissioner Pete Zbras. All (5) Ayes.

*Motion passed unanimously.*

Respectfully submitted,



Jessica Pennell, Coordinator  
Planning & Zoning Commission

TOWN OF OXFORD, CT  
*Michael M. M...*  
TOWN CLERK

2024 FEB 27 P 4:31