



**TOWN OF OXFORD
PLANNING & ZONING COMMISSION**

S.B. Church Memorial Town Hall
486 Oxford Road, Oxford, Connecticut 06478-1298
www.Oxford-CT.gov

Regular Meeting Minutes

Tuesday, July 2, 2019

7:30 P.M Main Meeting Room

S.B. Church St. Memorial Town Hall

CALL TO ORDER

Chairman Jeff Luff called the meeting to order at 7:30 PM.

PLEDGE OF ALLEGIANCE

ROLL CALL

Present: Joshua Dykstra, John Kerwin, Pete Zbras, Dave Sauter, and Jeff Luff.

Also Present: Steve Macary, ZEO and Jessica Pennell.

Absent: Dan Wall, Tanya Carver, Pat Cocchiarella, Greg Wanamaker, and Alan Goldstone.

SEATING OF ALTERNATES

Chairman Jeff Luff seated Alternate Commissioner Joshua Dykstra.

I. PUBLIC HEARINGS

A. CONTINUED PUBLIC HEARINGS

B. NEW PUBLIC HEARINGS

C. FUTURE PUBLIC HEARINGS AND OPEN PUBLIC HEARINGS

1. **Z-19-057 [IND] – 306 Riggs Street – Owner: Anne Strobel – Applicant: Anne Strobel & Oxford Chiropractic Health, LLC** (Special Exception – Article 9, §9.13)

Public Hearing – June 18, 2019. Deadline to close Public Hearing – July 22, 2019.

Chairman Jeff Luff stated that he checked the ramp, and found nothing in the regulations that says that

it does not conform. He noted that the other item was the lighting; and asked the applicant if they would have a problem turning off the lights during non-business hours and making sure that the lighting is dark-sky compliant.

Commissioner John Kerwin stated for the record that he was not present at the first Public Hearing; he did listen to the recording of the meeting and is up to date on the application.

Dominick Thomas, Attorney for the applicant, stated that there was an issue brought up regarding the sign, he submitted a rendering of the sign with the dimensions and noted that it complies with the sign regulations for the industrial zone. He also mentioned that there was an issue discussed regarding the enclosure of the stoop.

Chairman Jeff Luff stated that the Commission has already addressed that issue.

Commissioner Pete Zbras questioned the box in front of the sign.

Attorney Thomas stated that his client stated that it is an electrical conduit. He noted that potentially, in the future, the sign can be lit with indirect light, but it is not a lighted sign.

Commissioner John Kerwin questioned if the applicant is willing to surrender the prior residential use.

Attorney Thomas stated that he is willing to do that, but also, by law if the application is approved, the residential use would be abandoned.

Commissioner John Kerwin questioned if the applicant would acknowledge the abandonment of the residential use.

Attorney Thomas stated that it would be fully abandoned.

Chairman Jeff Luff asked Steve Macary, ZEO to check the lighting for the sign to make sure it is compliant with the regulations.

Public Comments:

Nil Guillet, 2 Douglas Drive stated that as he understands it, everything east of Riggs Street is zoned RGCD. He questioned how this parcel is zoned industrial. He explained that previously, there was a cottage business permit for a landscaper. He stated that there was nothing commercial about the business; he suggested that this is spot zoning. He noted that the zoning map shows the parcel as RGCD. He also explained that the structure has to exist within the setback regulations.

Chairman Jeff Luff stated that Attorney Thomas can explain how the parcel is industrial. He noted that the Assessor's card states that the parcel is industrial.

Nil Guillet suggested that the Assessor's card could be wrong.

Chairman Jeff Luff stated that the building is pre-existing.

Nil Guillet stated that the building is pre-existing, non-conforming. He also voiced concerns over the lighting.

Chairman Jeff Luff stated that he has addressed that issue with the applicant.

Nil Guillet voiced concern over the handicap ramp.

Chairman Jeff Luff stated that it is an industrial lot and needs to be ADA compliant.

Attorney Thomas explained the history of the parcel and how it remains an industrially zoned parcel.

MOTION BY Commissioner John Kerwin to close the Public Hearing.

Second by Commissioner Pete Zbras.

All (5) Ayes.

Motion passed unanimously.

[Public Hearing Closed – July 2, 2019. Deadline for Commission action: September 4, 2019.]

II. REGULAR MEETING BUISNESS

A. AMENDMENTS TO THE AGENDA

MOTION BY Commissioner Dave Sauter to amend the agenda to add a letter from George Mitchell, Jr. as #1 under Correspondence.

Second by Alternate Commissioner Joshua Dykstra.

All (5) Ayes.

Motion passed unanimously.

B. AUDIENCE OF CITIZENS

C. CORRESPONDENCE

1. Letter dated July 1, 2019 from George Mitchell, Jr., Chairman – Oxford Library Building Committee.

Chairman Jeff Luff read the correspondence into the record.

MOTION BY Commissioner John Kerwin to make a favorable recommendation to the Board of Selectmen to release the performance bond in the amount of \$50,000.00, on receipt of a letter indicating approval from Brian Nesteriak, Town Engineer.

Second by Commissioner Pete Zbras.

All (5) Ayes.

Motion passed unanimously.

D. OLD BUSINESS – MATTERS ON WHICH A PUBLIC HEARING WAS HELD

E. OLD BUSINESS – OTHER MATTERS

1. **Z-19-051 [IND] – 89 Prokop Road – Phase 1 - Building**
Applicant & Owner: Matthew Zaloumis, 315 Riggs Street

(Site Plan - Construct a 7,500 sq. ft. building)

Chairman Jeff Luff read correspondence from Jim Galligan, P&Z Engineer.

Chairman Jeff Luff stated that there were four items that needed to be addressed; the landscaping plan, lighting plan, building height and an updated Statement of Use. He noted that all those items have been addressed.

Commissioners decided to table the item to the next meeting.

MOTION BY Commissioner Dave Sauter to table this to the July 16, 2019 meeting.

Second by Commissioner Pete Zbras.

All (5) Ayes.

Motion passed unanimously.

[Application Accepted: June 4, 2019; Deadline to make decision: August 7, 2019]

2. Z-17-056 – Owner & Applicant: Garden Homes Management – 117 Hurley Road
(Site Plan Modification – Sheds)

[Application Accepted: June 4, 2019; Deadline to make decision: August 7, 2019]

Chairman Jeff Luff stated that there has been a resolution of approval drafted. He noted that the only thing that the Commission is approving is the change regarding the sheds.

Commissioner John Kerwin stated for the record that he has listened to the recording of the meeting when this was presented and discussed.

MOTION TO APPROVE made by Commissioner Dave Sauter:

WHEREAS, The Oxford Planning and Zoning Commission have received Application Z-19-056, for a site plan modification.

WHEREAS, The Oxford Planning and Zoning Commission considered this application at a regularly scheduled meeting/public hearing on June 4, 2019, June 18, 2019 and July 2, 2019.

WHEREAS, The Oxford Planning and Zoning Commission considered the following maps and documents all drawn or prepared by Trinkaus Engineering, within their deliberations:

Oxford Commons – Overall Development Plan dated 12/02/2017, last revised 4/29/2019.

WHEREAS; The Oxford Planning and Zoning Commission considered the Town of Oxford Application Z-19-056 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. This approval allows the modification of single 8'x 8' sheds to be replaced with 8'x 16' sheds as depicted on the proposed plan dated 4/29/2019. All conditions of the original settlement agreement, approved on 1/2/2018, shall still apply.
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. Site Plan approval expires if the work is not completed within five (5) years from the date of approval.

Second by Commissioner Pete Zbras.

All (5) Ayes.

Motion passed unanimously.

3. **Z-16-226 [IND] – Lot 7 Fox Hollow Road – Owner: 589 Investments, LLC – Applicant: Gregory Geaski** (Site Plan Modification)

[Application Accepted: June 18, 2019; Deadline to make decision: August 21, 2019]

F. NEW BUSINESS – SCHEDULE PUBLIC HEARING

1. **Z-19-069 [IND] – Lot 10 Woodruff Hill Industrial Park, a/k/a 4 Woodruff Hill Road Owner & Applicant: 589 Investments, LLC**
(Special Exception – Contractor's Yard - Article 10, §10.7)
(Site Plan – Phase 1 – Construction of a 13,000 sq. ft. building)

SCHEDULE PUBLIC HEARING – Tentative Date: July 16, 2019.

MOTION BY Commissioner John Kerwin to schedule a Public Hearing for July 16, 2019.

Second by Commissioner Dave Sauter.

All (5) Ayes.

Motion passed unanimously.

G. NEW BUSINESS – OTHER

H. ZONING ENFORCEMENT

Steve Macary, ZEO discussed the violations at 3 Charter Oak Drive.

Chairman Jeff Luff explained that Peter Olson, Land Use Counsel, suggested that the Commission and ZEO begin the proper procedure process for a formal filing a formal Cease & Desist for the second in-law apartment. Commissioners agreed that this item should move forward as suggested by Attorney Olson.

Commissioners discussed how to fine violators in a manner, which would yield results. He also noted that there is the possibility that the issue of blight may be something to discuss in the near future; there have been some current inquiries regarding how blight situations can be addressed.

Steve Macary, ZEO and Commissioner John Kerwin briefly discussed the process and the consequences for homeowners if a caveat is placed on the land records for fines and/or violations.

I. MINUTES

1. **MOTION BY Commissioner John Kerwin** to approve the 6/18/19 Meeting Minutes as presented.

Second by Commissioner Pete Zbras.

All (5) Ayes.

Motion passed unanimously.

J. INVOICES

K. OTHER BUSINESS

1. Any other business the Commission deems necessary for discussion.

Commissioners discussed the new Applicant Acknowledgement Form.

MOTION BY Alternate Commissioner Joshua Dykstra to approve the Applicant Acknowledgement Form and to add it to the documents required for a zoning permit application.

Second by Commissioner Pete Zbras.

All (5) Ayes.

Motion passed unanimously.

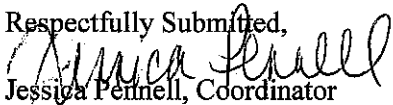
L. ADJOURNMENT


MOTION BY Commissioner John Kerwin to adjourn the meeting at 8:18 PM.

Second by Commissioner Pete Zbras.

All (5) Ayes.

Motion passed unanimously.

Respectfully Submitted,

Jessica Pennell, Coordinator
Planning & Zoning Commission

19 JUL 22 PM 4:38
TOWN OF OXFORD, CT

TOWN CLERK