



**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, March 3, 2020

7:30 P.M - Main Meeting Room

S.B. Church St. Memorial Town Hall

I. CALL TO ORDER

Chairman Jeff Luff called the meeting to order at 7:32 PM.

II. PLEDGE OF ALLEGIANCE

III. ROLL CALL

Present: Joshua Dykstra, Dave Sauter, Pete Zbras, John Kerwin, Jeff Luff, Pat Cocchiarella, and Brett Olbrys.

Not Present: Dan Wall and Mary LoPresti.

Also Present: Steve Macary, ZEO and Jessica Pennell.

IV. SEATING OF ALTERNATES

Chairman Jeff Luff seated Joshua Dykstra for Dan Wall.

V. PUBLIC HEARINGS

A. Continued Public Hearings

B. New Public Hearings

Z-20-010 [RESA] – 403/407/411 Roosevelt Drive – New Haven Rowing Club

Owner: New Haven Rowing Club, Inc. – **Applicant:** Stuart Lathers Associates, LLC
(Special Permit – Non-Commercial Recreational Use)

Chairman Jeff Luff outlined the intent of the public hearing, and public hearing procedures. He called for any conflicts of interest from the Commission or the applicant.

There were no conflicts.

Commission Secretary Pat Cocchiarella read the Call of the Meeting/Legal Notice.

Chairman Jeff Luff asked the applicant to submit the proof mailings and the photos of the sign posted on the property.

It was noted that the applicant has already submitted those items to Jessica Pennell.

John Gorman introduced himself, as a member of the New Haven Rowing Club, he also introduced Stu Lathers, the architect and John Wren, the engineer for the project.

John Gorman gave a brief summary of the previous Planning & Zoning approvals for the property located at 407 Roosevelt Drive. He also stated that between 1991 and 1993, the club purchased the property at 403 and 411 Roosevelt Drive. He explained that they are a non-profit organization registered with the IRS as a 501(c)(3). He stated that they are a taxpayer in the Town of Oxford. He also stated that once a year they hold a regatta, which is one of their bigger fundraisers, and they donate approximately \$8,000 to 9,000 to Habitat for Humanity.

John Gorman reviewed the current building and the addition to the site plan. He stated that the reason for the addition is to be able to store more boats inside, currently they are storing some boats outside. He explained that currently there are two buildings on the property, a house and a cinderblock building; neither of them is FEMA compliant. They are proposing to take down the current buildings and replace them with the proposed storage building.

John Gorman stated that they are requesting that the approximately \$5,000.00 building fees be waived. He stated that the fee is aggressive in terms of what they are doing for charities, etc.

Joe Wren, Engineer for the project, explained that all parcels involved in the application are under the same ownership, and they are all located in the flood zone. He explained that the proposal is to leave the existing building and parking area and to construct a second boat storage building that will be FEMA compliant. He went on to discuss the drainage on the site and noted that they are working with Jim Galligan, P&Z Engineer on the drainage and infiltration system.

Joe Wren referred to the Zoning Data Table depicted on the plans and discussed the street line setbacks for the proposed boat house. He stated that the proposed boat house is 20' from the street line, and 30' is normally required. He noted that the current storage building is 18.5' from the street line. He went on to discuss the side yard setbacks and the lot coverage, again referring to the Zoning Data Table. He stated that there is currently no plan to merge the parcels, but again, they are all under the same ownership. He explained that the entire site will be served by septic and well and the new building will not have any plumbing. He stated that they have wetlands approval, and he referred to a letter from Jim Galligan.

Stuart Lathers, Architect for the applicant discussed the design of the original building as well as the proposed building. He referred to exhibits showing the views of the proposed building in conjunction with the existing building. He stated that they are proposing three bays in the new building, and are proposing to take down the existing non-conforming structures that they are currently using for storage. He noted that they will use dark grey metal shingles for the new building, and there will be no outside lighting, except for a light on the porch.

Questions from the Commission:

Commission Secretary Pat Cocchiarella questioned if there is any reason why the parcels are not combined, because that would eliminate the setback issues.

John Gorman stated that they are separate parcels with separate liability issues.

Chairman Jeff Luff asked if Mr. Gorman could explain the liability issues.

John Gorman went on to explain the liability issues.

Vice-Chairman John Kerwin stated that they are requesting many exceptions to the regulations.

Stu Lathers stated that in 2003 they purchased the adjoining parcels, and then requested that the special exception be extended to those additionally purchased parcels. He stated at that time they were not proposing any construction of buildings at that time, but decided that it would still be wise to get approval for the same special exception on the additional two parcels.

Vice-Chairman John Kerwin requested the additional approval from 2003.

Commission Secretary Pat Cocchiarella noted that the special exception is already approved for all three parcels.

John Gorman explained that the way the land was located, the insurance they had to have on the property was a reason why they have been kept as separate parcels.

Vice-Chairman John Kerwin stated that if all the parcels are owned by the New Haven Rowing Club, some of the deficiencies and non-conforming issues can be remedied if they joined all the parcels together. He also went on to say that he is not pleased with the proposed architecture, he would like to see more details regarding the architecture.

Stuart Lathers stated that the reason that the architecture on this building is different is because it will require less maintenance.

Vice Chairman John Kerwin requested more detailed architectural drawings.

Vice Chairman John Kerwin also noted that they are requesting a waiver of the \$5,000.00 building fees, and questioned if they have submitted any financial documentation with that request. He stated that Town Hall supports charities and are non-profit as well, and if they are asking the Town to waive that fee because they are a charitable organization, it is incumbent upon the applicant to show the Commission financials to back up the request.

John Gorman stated that they are asking for the fee waiver because the amount is extraordinary.

Chairman Jeff Luff referred to the fee schedule and he explained that he did meet with the applicant, and discussed this concern. He asked the applicant to bring the request to the Commission, and noted that First Selectman Temple was not opposed to the Commission waiving the fees.

Chairman Jeff Luff discussed the fee schedule with the Commission.

Vice-Chairman John Kerwin stated that the First Selectman can send a letter to the Commission stating his stance on the matter of waiving the fees.

Commissioner Brett Olbrys questioned if they are installing solar panels.

Stu Lathers stated that at this time, it is an idea, but they will not pursue it until they get zoning approval.

Public Comments:

Michael Misiewicz, 7 Roosevelt Drive, Seymour, stated that he has concerns about the number of people utilizing the river. He noted that there is only so much river for the people that pay taxes in Town. He stated that there is a concern that they may start holding more events.

Commission Secretary Pat Cocchiarella questioned the applicant if the river is shut down when the shells are on the river.

John Gorman replied that river is not shut down, and most of the rowing takes place between 6:00 AM and 9:00 AM. He explained that the club has 70-90 members and that hasn't number hasn't changed in 20 years.

Chairman Jeff Luff stated that the Commission has no control over the water space, and that the applicant does pay taxes on the property.

Commissioner Pete Zbras questioned how many boats are out at one time.

John Gorman explained that it varies by shell size, but approximately 12 out at one time.

Commissioner Brett Olbrys questioned if there is a potential for expansion.

Stu Lathers stated that they are not interested in growing, and the parking also causes restrictions.

Owner, 437 Roosevelt Drive, questioned the sign on the building that says "Hopkins", they noted that Hopkins does come out and use the building.

Stu Lathers stated that the sign does say "Hopkins", and they currently allow them to use their facility for rowing.

Owner, 437 Roosevelt Drive, stated that they are concerned about the potential that other schools may use the building.

Stu Lathers stated that they have had a relationship with Hopkins for fifteen years. He also stated that the Lake Housatonic Authority governs the river.

Chairman Jeff Luff requested that the applicant ask the Lake Housatonic Authority to submit a letter to the Commission regarding the concerns of the public.

Commissioner Brett Olbrys questioned if they collect money from Hopkins, and if Hopkins is sponsoring the building.

Stu Lathers stated that there are no current plans to be sponsored by Hopkins, but it is their hope that they could use one of the bays for storage.

Commissioner Dave Sauter explained that he is part of a non-profit organization, and they are always looking for possible income opportunities. He questioned if they would be doing any marketing to get other schools involved.

John Gorman stated that they are not considering marketing to other schools.

Chairman Jeff Luff stated that the Commission cannot consider the finances of the organization when making their decision.

Commissioner Dave Sauter stated that he understands that, but he is considering how the marketing to other schools could impact the future of the organization.

Vice-Chairman John Kerwin stated that he believes that the Commission can look at the financial viability of the organization because they are asking the Commission to waive the building fees. He also stated that the Commission does not control the water, they do have an obligation to determine if the Special Exception will be detrimental to the health, safety, and welfare of the neighborhood. He stated that this application can be considered as part of the neighborhood so that they consider the impact of the expansion of the use.

Commission Secretary Pat Cocchiarella stated that the only thing the Commission is looking at is the proposal to build a storage building.

Vice-Chairman John Kerwin stated that it is an expansion of the use, it is an application to just build a building, it is a Special Exception.

Joe Wren, Engineer for the applicant, stated that he disagrees because there is no proposed expansion of the use. He stated that it is a new building to store what is already there, and that the number of members is not going to change. He also noted that the regulations state that because all the lots are under common ownership, they can be looked at as one lot. He referred to the definition of "lot" in the regulations, Article 2, Section 31, and he also referred to "Merger of Lots", which is under Article 3, Section 27.

Chairman Jeff Luff stated that Vice-Chairman Kerwin is referring to the merger of lots making this parcel with the proposed building more compliant. He asked the applicant to consider merging the three lots.

MOTION BY Vice-Chairman John Kerwin to recess the Public Hearing to March 17, 2020.

Second by Commission Secretary Pat Cocchiarella.

All (7) Ayes.

Motion passed unanimously.

C. Future Public Hearings and Open Public Hearings

VI. REGULAR MEETING BUSINESS

A. Amendments to the Agenda

MOTION BY Commission Secretary Pat Cocchiarella to amend the agenda to add Z-20-025 to the agenda as New Business #3.

Second by Commissioner Brett Olbrys.

All Ayes.

Motion passed unanimously.

B. Audience of Citizens - NONE

C. Correspondence - NONE

D. Old Business – Matters on which a Public Hearing was held

E. Old Business – Other Matters

1. **Z-20-009 [IND] – 1 Commerce Drive – Owner & Applicant:** David Sippin, 234 Main Street, Monroe, CT 06468 (Site Plan – 30,000 sq. ft. Building)

Commission Secretary Pat Cocchiarella read a letter from Jim Galligan, P&Z Engineer.

Ron Wolff, Engineer for the applicant was present to represent the applicant. He stated that they have received the comments from Nafis & Young and also received Inland/Wetlands approval. They have also submitted a sign for review and a separate use permit for the first tenant to occupy the building.

Commissioners decided that they would like the applicant to address the four items in Jim Galligan's letter before moving forward.

MOTION BY Vice-Chairman John Kerwin to table this application to the next meeting.
Second by Commission Secretary Pat Cocchiarella.

All Ayes.

Motion passed unanimously.

F. New Business – Schedule a Public Hearing

G. New Business – Other

1. **Z-20-007 [RESA] – 122 Jack's Hill Road – Owner:** Adriene Radcliffe – **Applicant:** Raymond Radcliffe, 122 Jack's Hill Road, Oxford, CT 06478 (Cottage Business Permit)
Commissioners discussed the proposed use of a portion of the home to be used as a home office for a propane company.

Steve Macary, ZEO explained that the applicant will be parking any propane trucks at an off-site location.

Adriene Radcliffe, owner, 122 Jack's Hill Road presented the application to the Commission.

Commissioners discussed the parking of propane trucks on the property during day for a certain amount of hours, they discussed getting more information before making a decision.

MOTION BY Commissioner Pat Cocchiarella to table this application to the next meeting.
Second by Commissioner Pete Zbras.

All Ayes.

Motion passed unanimously.

2. **Z-20-021 [MIHD] – 117 Hurley Road – Owner:** Garden Homes Management, Corp. – **Applicant:** William Davis, 29 Knapp Street, Stamford, CT 06907 (Sign Permit)

Commissioners discussed the proposed sign and location, more information was needed regarding the status of the road, and the sign regulation for this zone.

MOTION BY Commission Secretary Pat Cocchiarella to table this application to the next meeting.

Second by Alternate Commissioner Joshua Dykstra.

All Ayes.

Motion passed unanimously.

3. **Z-20-025 [COMM] - 144 Oxford Road** - Owner: Thomas Kelleher - Applicant; Donald Lindquist, 169 Mt. Pleasant Drive, Derby, CT (Use Permit)

MOTION BY Commission Secretary Pat Cocchiarella to approve application Z-20-025 with the following conditions:

1. Applicant and their assigns must comply with all representations made at the Planning & Zoning Commission meetings and/or Public Hearings.
2. Compliance with the Statement of Use dated 3/2/2020.
3. The applicant must obtain all proper permits and/or approvals outlined in the Town of Oxford permit Procedures.
4. Compliance with the Town of Oxford Zoning Regulations as of this date.
5. The applicant shall be responsible for rendering payment to any outside consultants the Commission assigns to review this application.
6. Any proposed sign must be presented to the ZEO to determine compliance with Article 16 of the Town of Oxford Zoning Regulations.

H. Zoning Enforcement

Steve Macary, ZEO and the Commission discussed signs located at 656 Oxford Road (Cornerstone Church).

I. Municipal Planner

J. Minutes

1. **MOTION BY Commission Secretary Pat Cocchiarella** to approve the 2/18/20 – Regular Meeting Minutes as presented.

Second by Commissioner Brett Olbrys.

All Ayes.

Motion passed unanimously.

K. Invoices

L. Other Business

1. C & M Homes – Abandon Subdivision (TABLED)
(Referred to Jim Galligan & Kevin Condon for review)
2. **Bond Release Request** – Z-07-061 & Z-08-040 – Pilot's Mall, (TABLED)
LLC – Technology Park – Airport Access Road & Donovan

Road (Referred to Kevin Condon for review)

3. **Sign Letter** – Discussion with possible action.

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

REMINDER – Annual CFPZA Conference – March 26, 2020 (ATTENDANCE)

M. Adjournment

Respectfully Submitted,

Jessica Pennell, Coordinator
Planning & Zoning Commission