



**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, February 4, 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 7:30 PM.

II. PLEDGE OF ALLEGIANCE

III. ROLL CALL

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

Also Present: Jessica Pennell, Steve Macary, ZEO and Peter Olson, Land Use Counsel.

Not Present: Dan Wall.

IV. SEATING OF ALTERNATES

Chairman Jeff Luff seated Alternate Joshua Dykstra for Commissioner Dan Wall.

COMMISSION CONSIDERATION – Re: Settlement of Litigation with Timberlake Investment Partners V, LLC vs. Planning & Zoning Commission of the Town of Oxford:

Settlement Agreement, Revised Conceptual Plan, and revised conceptual Architectural Drawings related to the following matters:

Timberlake Investment Partners V, LLC v. Planning & Zoning Commission of the Town of Oxford, judicial district of Hartford, land use docket at Hartford, docket no. HHD CV 19 6114942 S; and

Timberlake Investment Partners V, LLC v. Planning & Zoning Commission of the Town of Oxford, judicial district of Hartford, land use docket at Hartford, docket no. HHD CV 19 6114943 S.

Peter Olson, Land Use Counsel, discussed the settlement with the Commission. He stated that at the last meeting, in Executive Session, the Commission discussed the settlement proposal from Timberlake. He explained that at that meeting he was directed to reply to Timberlake that the proposal is generally acceptable, with some revisions. He, by direction of the Commission, undertook those revisions. He noted that, technically, they are here tonight for what is called a “settlement meeting”. He referred to the practice book, §14-7a, which requires that any settlement or withdrawal hearing by a Commission

has to be approved by the Commission at a public meeting. He also stated that the court requirement is mainly that it has to be listed on the agenda of the meeting as a settlement, and it is listed on tonight's agenda. He stated that in addition, the Commission also has to publish a notice of the upcoming settlement meeting which includes the date that the court would eventually consider the settlement. He stated that notice of the meeting with the required information has been published. He stated that the only problem is that the revisions to the plans were not completed until today, so they have not been on file in the office, and the Commission does not have an agreed upon settlement agreement as of yet. He noted that counsel for the property owner has asked that he go through the revised plan, now received and on file and make sure that the Commission is good to go forward and then take an actual vote. He stated that the Commission is continuing this meeting until 2/18/20, when they will take an actual vote to approve the settlement agreement. He noted that that will give time for the settlement agreement to be on file so that members of the public can view it prior the Commission's action.

Peter Olson, Land Use Counsel, went over the revisions to the plans since the executive session.

- Buildings D1 and D2 have been separated due to revisions from the Fire Marshal
- There have been revisions to the height of some buildings due to comments from the Fire Marshal.
- The unit count has been increased to 180, which is more than the last plan; the increase is to meet the Commission's request that 20% of the units be declared affordable.

Peter Olson, Land Use Counsel stated that with the number of affordable units that the Town has approved, so that when they get built, the Town will have nine (9) years of a moratorium from 8-30g.

The Commission members discussed the following items:

- Height of the buildings.
- The unit count increase.
- The 55 and older provision.
- The deed restrictions that will be applied.
- Conservation easements in favor of the Town.
- The review of the architectural renderings.

Peter Olson, Land Use Counsel, requested that comments from the Commission be put in writing for him to review before the next meeting.

Chairman Jeff Luff asked if there were any public comments.

MOTION BY Commission Secretary Pat Cocchiarella to continue this item to the next meeting.

Second by Commissioner Brett Olbrys.

All Ayes.

Motion passed unanimously.

V. PUBLIC HEARINGS

A. Continued Public Hearings

B. New Public Hearings

C. Future Public Hearings and Open Public Hearings

VI. REGULAR MEETING BUSINESS

A. Amendments to the Agenda

The Commission amended the agenda to change the address for application Z-20-006 from 248 Oxford Road to 144 Oxford Road. The applicant has changed the location of his proposed business.

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-19-326 [COMM] — 357 Oxford Road – Owner: Hiren Patel – Applicant: Mike Andolina “Krispy Krunchy Chicken” (Use Permit) (WITHDRAWN)**

This application has been withdrawn by the applicant and will be removed from the agenda.

2. **Z-20-001 [IND] *Correction* Zone: OPD — 24 Hawley Road – Owner: The Community Chapel – Applicant: Charles Rosa – 61 Luna Trail, Southbury, CT (Sign Permit) (Referred to Municipal Planner for review)**

Commissioners discussed this application and went over the Municipal Planner’s review. They determined that this sign does not meet the Town of Oxford Zoning Regulations requirements set forth in Article 16, Sign Requirements.

The Commissioners questioned whether a timeframe applied to applications for sign permits and use permits.

Chairman Jeff Luff requested that Steve Macary, ZEO check the application regarding the signs approved for Cornerstone Church located on Oxford Road.

MOTION BY Vice-Chairman John Kerwin to deny this application because it does not conform to the zoning regulations set forth Article 16, Section 3.28.

Second by Commissioner Dave Sauter.

All Ayes.

Motion passed unanimously.

3. **Z-20-003 [IND] — 7 Fox Hollow Road – Owner: Entrepot, BUI, LLC – Applicant: OEC Brewing, 7 Fox Hollow Road, Oxford, CT (Extension of Use) (Referred to ZEO for review)**

Commissioners discussed the parking for this application. **Steve Macary, ZEO** stated that after reviewing the plan, he determined that they need 27 parking spaces, and there are 42 depicted on the plan.

Chairman Jeff Luff asked the applicant if he had enough parking spaces for this addition.

Benjamin Neidhart, 7 Fox Hollow Road, stated that they do have enough parking.

MOTION BY Vice-Chairman John Kerwin to approve Z-20-003 [IND] — 7 Fox Hollow Road –
Owner: Entrepot, BUI, LLC – **Applicant:** OEC Brewing, 7 Fox Hollow Road, Oxford, CT
(Extension of Use) with the following standard conditions:

1. Applicant and their assigns must comply with all representations made at the Planning & Zoning Commission meetings and/or the public hearings regarding this application.
2. Compliance with the Statement of Use dated January 16, 2020.
3. The applicant must comply with the Town of Oxford Permit Procedures and obtain all required signatures from all necessary Town Departments.
4. Compliance with the Oxford Zoning Regulations as of this date.
5. Per Article 3, Section 3.19.1 of the Zoning Regulations, the applicant shall be responsible for rendering payment for any outside experts the Commission assigns to review this application.

Reason for approval is that it meets Oxford Zoning Regulations in effect as of this date.

Second by Commissioner Pete Zbras.

All Ayes.

Motion passed unanimously.

F. New Business – Schedule a Public Hearing

1. Z-20-010 [RESA] – 403/407/411 Roosevelt Drive – New Having Rowing Club
Owner: New Haven Rowing Club, Inc. – **Applicant:** Stuart Lathers Associates, LLC
(Special Permit – Non-Commercial Recreational Use)
Note: Property is located in a Flood Plain.

MOTION BY Commission Secretary Pat Cocchiarella to schedule the public hearing for Tuesday, March 3, 2020.

Second by Vice-Chairman John Kerwin.

All Ayes.

Motion passed unanimously.

G. New Business - Other

1. Z-20-005 [COMM] — 113 Oxford Road – Owner: Quoka Realty Trust –
Applicant: Oxford Lumber, 113 Oxford Road, Oxford, CT (Temporary Events)

MOTION BY Vice-Chairman John Kerwin to approve the following dates for Temporary Events to be held at 113 Oxford Road: 5/7/2020, 6/16/2020, 7/30/2020, 9/16/2020, and 10/8/2020.

Second by Commissioner Pete Zbras.

All Ayes.

Motion passed unanimously.

2. **Z-20-006 [COMM] – 144 Oxford Road – Owner: Thomas C. Kelleher, 144 Oxford Road, LLC – Applicant: Rich Connors, 4 Tall Pines Drive, Oxford, CT 06478**
(Use Permit – Article 7, Section 7.2.5)

The Commission amended the application to reflect the applicant's change of address for the proposed use permit.

Attorney Karen Fisher, represented Rich Connors of 4 Tall Pines Drive, and explained the proposed use to the Commission.

MOTION BY Commission Secretary Pat Cocchiarella to approve application **Z-20-006 [COMM] – 144 Oxford Road – Owner: Thomas C. Kelleher, 144 Oxford Road, LLC – Applicant: Rich Connors, 4 Tall Pines Drive, Oxford, CT 06478** (Use Permit – Article 7, Section 7.2.5) with the following standard conditions:

1. Applicant and their assigns must comply with all representations made at the Planning & Zoning Commission meetings and/or the public hearings regarding this application.
2. Compliance with the Statement of Use dated January 23, 2020.
3. The applicant must comply with the Town of Oxford Permit Procedures and obtain all required signatures from all necessary Town Departments.
4. Compliance with the Oxford Zoning Regulations as of this date.
5. Per Article 3, Section 3.19.1 of the Zoning Regulations, the applicant shall be responsible for rendering payment for any outside experts the Commission assigns to review this application.
6. Any sign for the proposed business must comply with Article 16 of the Oxford Zoning Regulations.

Reason for approval is that it meets Oxford Zoning Regulations in effect as of this date.

Second by Commissioner Pete Zbras.

All Ayes.

Motion passed unanimously.

3. **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)

This application is incomplete and has been removed from the agenda.

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

Ron Wolff of Wolff Engineering, is present to represent the applicant. He explained to the Commission that the proposed building will be used for industrial, hi-technology, or distribution tenants. He stated that they have secured a lease agreement with Jasco Specialty Batteries, who will occupy a 10,000 square foot unit. He explained that the proposed building is 30,000 square feet. He noted that the application is currently being reviewed by wetlands and Jim Galligan, P&Z Engineer.

MOTION BY Vice-Chairman John Kerwin to table this application.

Second by Commission Secretary Pat Cocchiarella.

All Ayes.

Motion passed unanimously.

H. Zoning Enforcement

The Commission discussed the following items with Steve Macary, ZEO:

- Silano Drive – the number of cars parked on the property. Commissioners agreed that on 2/9/2020 that Steve Macary, ZEO should proceed with the enforcement process and send the next letter noting the violation.
- 368 Oxford Road – a two family house with a tenant, which is not allowed per the zoning regulations. Steve Macary, ZEO mentioned that the owner of the house told him that the tenant would be leaving by June 1st. It was also noted that Town Counsel, Kevin Condon is writing a letter for the owner and the tenant to sign.
- Corner of Bower's Hill Road and O'Neill Road, Steve Macary, ZEO was asked to forward the email to Vice-Chairman John Kerwin.

I. Municipal Planner

Chairman Jeff Luff informed the Commission that he and Commission Secretary Pat Cocchiarella are working with Keith on the updates to the zoning regulations.

J. Minutes

1. **MOTION BY Commission Secretary Pat Cocchiarella** to approve the 1/21/20 – Regular Meeting Minutes as presented.

Second by Commissioner Brett Olbrys.

All Ayes.

Motion passed unanimously.

K. Invoices

1. **MOTION BY Commission Secretary Pat Cocchiarella** to approve Adkins Printing Invoice #248908 – Minutes Books for Permanent Records as presented.

Second by Vice-Chairman John Kerwin.

All Ayes.

Motion passed unanimously.

2. **MOTION BY Commission Secretary Pat Cocchiarella** to approve Arrow Printers, Inc. Invoice #1975 – Zoning Permit Applications as presented.

Second by Commissioner Pete Zbras.

All Ayes.

Motion passed unanimously.

L. Other Business

1. C & M Homes – Abandon Subdivision
(*Referred to Jim Galligan & Kevin Condon for review*)

2. Cocchiola – Riverview Subdivision – Discussion with possible action on Decision.
a. Letter dated 1/22/2020 from Town Counsel, Kevin Condon.

MOTION BY Vice-Chairman John Kerwin to approve the Riverview Subdivision as presented by Town Counsel, Kevin Condon and the Memorandum of Decision filed by the Court.

Second by Commissioner Brett Olbrys.

All Ayes.

Motion passed unanimously.

3. Bond Release Request – Meadowbrook Estates (*Refer to Jim Galligan for Review*)

4. CFPZA Annual Conference – March 26, 2020

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

M. Adjournment

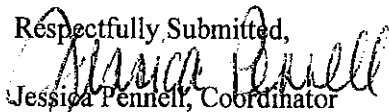
MOTION BY Vice-Chairman John Kerwin to adjourn the meeting at 9:33 PM.

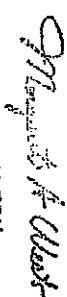
Second by Commissioner Brett Olbrys.

All Ayes.

Motion passed unanimously.

Respectfully Submitted,


Jessica Pennell, Coordinator
Planning & Zoning Commission

20 FEB 13 PM 3:45
TOWN OF OXFORD, CT

TOWN CLERK