



**TOWN OF OXFORD
PLANNING & ZONING COMMISSION**
S.B. Church Memorial Town Hall
486 Oxford Road, Oxford, Connecticut 06478-1298
www.Oxford-CT.gov

**Planning & Zoning Commission
Regular Meeting Minutes
Tuesday, October 6, 2020
7:30 PM - Online/Virtual Meeting**

The Planning & Zoning Commission met remotely on **Tuesday, October 6, 2020, at 7:30 PM.**

Members of the public and applicants that were able to join us online by accessing the meeting using the following information:

Option #1: Join with Google Meet

Meeting ID:

meet.google.com/dfq-fpoa-uaj

Option #2: Join by Phone

Phone Numbers:

[\(US\)+1 501-991-4263](tel:+15019914263)

PIN: 512 194 084#

I. CALL TO ORDER

Vice-Chairman John Kerwin called the meeting to order at 7:30 PM.

II. PLEDGE OF ALLEGIANCE

III. ROLL CALL

Present: Joshua Dykstra, John Kerwin, Pete Zbras, Pat Cocchiarella, Dan Wall, Brett Olbrys, and Mary LoPresti.

Also Present: Steve Macary, ZEO, and Jessica Pennell, P&Z Coordinator.

Not Present: Dave Sauter, and Jesse Schremmer.

IV. SEATING OF ALTERNATES

V. PUBLIC HEARINGS

A. Recessed Public Hearings – NONE

B. New Public Hearing – NONE

C. Future Public Hearings – NONE

VI. REGULAR MEETING BUSINESS

A. Amendments to the Agenda

MOTION BY Commissioner Pete Zbras to add the 9/1/20 meeting minutes to the agenda under “Minutes”.

Second by Commissioner Dan Wall.

All Ayes.

Motion passed unanimously.

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

C. Correspondence

Commission Secretary Pat Cocchiarella read the following correspondence into the record.

- a. **Bond Release Request** – Haynes Construction Company – Meadowbrook Estates
Letter dated 9/30/20 from Kathy Ekstrom, Development Manager, Haynes Development.

The Commission requested that this request and the letter from P&Z Engineer, Jim Galligan be sent to Town Counsel Kevin Condon for review and clarification.

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

1. **Z-20-327 [RESA] - 312 Chestnut Tree Hill Road - Owner: Estate of Serge Mihaly, Sr.**
Applicant: Matthew Mihaly, 111 Booth Hill Road, Trumbull, CT (2-Lot Re-subdivision)
(Request for waiver of dedication of Open Space) (Request for Waiver of fee in lieu of Open Space)

The following correspondence, submitted with the application, and was read into the record on 9/15/20:

- a. Letter from the OCCIWA dated 8/28/20 regarding open space.
b. Letter from OCCIWA dated 8/28/20 regarding fees in lieu of open space.
c. Revised letter from James H. Galligan, P&Z Engineer dated 3/19/20 (received 8/12/20).
d. Letter from James H. Galligan, P&Z Engineer dated 8/31/20.
e. Letter from Matthew Mihaly dated 9/9/20 (Requests for waivers).

Public Hearing closed on 9/15/20, Commission action by 11/17/20.

The Commission deliberated on this application, and the waiver request.

MOTION BY Commission Secretary Pat Cocchiarella to have the appropriate entity prepare a resolution for the application and the waiver request, for the next regular meeting.

Second by Commissioner Brett Olbrys.

All Ayes.

Motion passed unanimously.

E. Old Business – Other Matters

F. New Business – Schedule a Public Hearing

The Commission will schedule a Public Hearing on the following application:

1. **Z-20-350 [IND] – 21-23 Nichols Road – Owner & Applicant: TPB Contractors, LLC – c/o Attorney Dominick Thomas, 315 Main Street, Derby CT 06418**
(Modification of a Special Exception) (Site Plan)

Proposed date to hold the Public Hearing is Tuesday, October 20, 2020.

MOTION BY Commission Secretary Pat Cocchiarella to schedule a public hearing on Z-20-350 for 10/20/20.

Second by Commissioner Dan Wall.

All Ayes.

Motion passed unanimously.

G. New Business

1. **Z-20-340 [COMM] – 140 Oxford Road – Owner: Hazel DeAngelis, 88 North Benham Road, Seymour, CT 06483 - Applicant: Robert Barbieri Jr., d/b/a “Chippy’s Service Station, LLC**
(Use Permit)

The Commission discussed this application briefly. It was noted by Vice-Chairman John Kerwin that the application would require a Public Hearing under Article 7, Section 7.3.8; it requires a Public Hearing in accordance with Article 3, Section 3.10.1. He referred to the Statement of Use submitted by the applicant and stated that the requested use is to store vehicles on the property, and that is referred to in Article 3, Section 3.10.1., which includes “garages”. He also noted that the Zoning Regulations reference CGS §14-25 which are the statutes regarding motor vehicles, therefore, the definition of “garage” under the statute would apply to this application.

Vice-Chairman John Kerwin explained that before the Commission can even consider this application, the applicant has to secure approval from ZBA. He stated that if the applicant receives approval from the ZBA, the applicant can apply to Planning & Zoning, and the Commission can set a public hearing.

MOTION BY Commission Secretary Pat Cocchiarella to deny Z-20-340 without prejudice.

Second by Commissioner Pete Zbras.

All Ayes.

Motion passed unanimously.

2. **Z-20-343 [VCMUD] – 316 Center Rock Green – Owner: Oxford Towne Center, LLC**
Applicant: Allison Zarrelli & Jacque Mihalek d/b/a “Zarmi Bra Boutique, LLC”
(Use Permit)

MOTION BY Commission Secretary Pat Cocchiarella to approve application Z-20-343, 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 regarding this application.
2. Compliance with the Statement of Use dated 9/8/2020.
3. The applicant shall obtain and comply with all the necessary permits and/or approvals, and follow the Town of Oxford approved Permit Procedures.
4. Compliance with the Oxford Zoning Regulations as of this date.

5. The applicant shall be responsible for rendering payment for any outside experts the Commission assigns to review the application.

The reason for approval is the application meets Oxford Zoning Regulations in effect as of this date.

Second by Commissioner Pete Zbras.

All Ayes.

Motion passed unanimously.

3. **Z-20-344 [VCMUD] – 304 Center Rock Green – Owner: Oxford Towne Center, LLC**
Applicant: Eric Herpin & Carlos Herpin, d/b/a “Barber Nation”
(Use Permit)

MOTION BY Commission Secretary Pat Cocchiarella to approve application Z-20-344, 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 regarding this application.
2. Compliance with the Statement of Use dated 9/9/2020.
3. The applicant shall obtain and comply with all the necessary permits and/or approvals, and follow the Town of Oxford approved Permit Procedures.
4. Compliance with the Oxford Zoning Regulations as of this date.
5. The applicant shall be responsible for rendering payment for any outside experts the Commission assigns to review the application.

The reason for approval is the application meets Oxford Zoning Regulations in effect as of this date.

Second by Commissioner Pete Zbras.

All Ayes.

Motion passed unanimously.

4. **Z-20-348 [COMM] – 248 Oxford Road – Owner: Terry Blake, 3333 Main Street, Suite 200, Stratford, CT 06614 – Applicant: Diane Lydixsen, d/b/a “Studio 34, LLC”**
(Use Permit)

Commissioners discussed the sign briefly.

Vice-Chairman John Kerwin noted that there is no sign rendering included in the application, and asked the applicant, for the record, if she would be willing to adjust the size of her sign if it does not meet the sign requirements for the Commercial Zone.

Diane Lydixsen, applicant, agreed to abide by the sign regulations.

MOTION BY Commission Secretary Pat Cocchiarella to approve application Z-20-348, 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 regarding this application.

2. Compliance with the Statement of Use dated 9/9/2020.
3. The applicant shall obtain and comply with all the necessary permits and/or approvals, and follow the Town of Oxford approved Permit Procedures.
4. Compliance with the Oxford Zoning Regulations as of this date.
5. The applicant shall be responsible for rendering payment for any outside experts the Commission assigns to review the application.

The reason for approval is the application meets Oxford Zoning Regulations in effect as of this date.

Second by Commissioner Pete Zbras.

All Ayes.

Motion passed unanimously.

H. Zoning Enforcement

Steve Macary, ZEO, discussed the following items:

1. He reiterated that there was a problem with sheds being placed within the setbacks. He stated that the problem has arisen because there is no requirement for a building permit for sheds under 200 square feet. He noted that the problem sheds are being relocated to comply with the regulations.
2. Punkup Road – He noted that this is the property that has the dogs. He stated that he and the other departments are still working on this, but that the owner has cleaned up the property.
3. Quaker Farms Road – He noted that a property owner is grading without a permit.

Commissioner Pete Zbras questioned the elevator company located on Pheasant Run Road.

Steve Macary, ZEO stated that the company did request a Certificate of Occupancy, but because the conditions of approval have not been met, he is not going to be able to issue a Zoning Certificate of Compliance.

Commissioner Pete Zbras questioned a horse farm on Towner Lane, and stated that it looks like a company is dumping nearby.

Steve Macary, ZEO stated that one of the contractor's is doing that and he has a crushing operation, which is not associated with site development.

Commissioner Pete Zbras stated that he is concerned with the debris being so close to the horses.

Vice-Chairman John Kerwin questioned if they are in violation of their permit.

Steve Macary, ZEO stated that they have currently have permission to you the right-of-way.

Commission Secretary Pat Cocchiarella also stated that they only have access to Towner Lane until the road is installed.

Vice-Chairman John Kerwin requested that Steve Macary, ZEO review the file.

Steve Macary, ZEO stated that he would take some photos, and pull out the plans.

Vice-Chairman John Kerwin also stated that a letter should be written to the owner.

I. Zoning Regulations Subcommittee – Regulations review postponed at this time.

J. Minutes

1. 9/1/20 – Regular Meeting Minutes (Added as an Amendment)

MOTION BY Commission Secretary Pat Cocchiarella to approve the 9/1/20 Regular Meeting Minutes as presented.

Second by Commissioner Pete Zbras.

All Ayes.

Motion passed unanimously.

2. 9/15/20 - Regular Meeting Minutes

MOTION BY Commission Secretary Pat Cocchiarella to approve the 9/15/20 Regular Meeting Minutes as presented.

Second by Commissioner Pete Zbras.

All Ayes.

Motion passed unanimously.

K. Invoices

L. Other Business

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

M. Adjournment

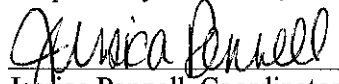
MOTION BY Commission Secretary Pat Cocchiarella to adjourn the meeting at 8:23 PM.

Second by Commissioner Pete Zbras.

All Ayes.

Motion passed unanimously.

Respectfully submitted,



Jessica Pennell, Coordinator
Planning & Zoning Commission

20 NOV 13 AM 10:06
PLANNING & ZONING COMMISSION
Cocchiarella, Pat
Zbras, Pete