



**TOWN OF OXFORD**  
**PLANNING & ZONING COMMISSION**  
S.B. Church Memorial Town Hall  
486 Oxford Road, Oxford, Connecticut 06478-1298  
[www.Oxford-CT.gov](http://www.Oxford-CT.gov)

**Planning & Zoning Commission**  
**Regular Meeting Minutes**  
**Tuesday, September 1, 2020**  
**7:30 PM - Online/Remote Meeting**

The Planning & Zoning Commission will meet remotely on **Tuesday, September 1, 2020, at 7:30 PM.**

Members of the public and applicants that would like to join us online can access the meeting using the following information:

**Option #1:** Join with Google Meet

**Meeting ID:** [meet.google.com/sim-xmcg-rgb](https://meet.google.com/sim-xmcg-rgb)

**Option #2:** Join by Phone

**Phone Numbers:**

**(US)+1 636-431-4829**

**PIN: 840 125 591#**

**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 Jesse Schremmer.

**Also Present:** Jessica Pennell, P&Z Coordinator.

**Not Present:** Dave Sauter, Mary LoPresti and Steve Macary.

**IV. SEATING OF ALTERNATES**

**Vice-Chairman John Kerwin** seated Alternate Joshua Dykstra.

**V. PUBLIC HEARINGS**

- A. Recessed Public Hearings:
- B. New Public Hearings - NONE
- C. Future Public Hearings

Public Hearing on Tuesday, September 15, 2020 for the following application:

- 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)

## **VI. REGULAR MEETING BUSINESS**

- A. Amendments to the Agenda – NONE
- B. Audience of Citizens – (Items not listed on the Agenda)
- C. Correspondence – NONE
- D. Old Business – Matters on which a Public Hearing was held
  - 1. 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 Exception, Article 5, Section 5.3.1 - Non-Commercial Recreational Use)

### **MOTION BY Vice-Chairman John Kerwin:**

It is hereby resolved that the following application is hereby DENIED, for reasons stated herein, as well as those apparent on the record:

**APPLICATION NO. Z-20-010 – 403/407/411 Roosevelt Drive**  
New Haven Rowing Club  
Applicant: Stuart Lathers Associates, LLC  
Special Exception, Article 5, Section 5.3.1 - Non-Commercial Recreational Use

### **FINDINGS:**

- 1. The property is located in a Residential District, established pursuant to Article 5 of the Oxford Zoning Regulations.
- 2. The regulations for the Residential District permit “recreational uses” under Article 5.3.1, “subject to the securing of a Special Exception as provided in Article 10 of the [Oxford Zoning Regulations]”.
- 3. The applicant, the New Haven Rowing Club (NHRC) is a private club located on a lot adjacent to the Housatonic River on Route 34, Roosevelt Drive. A special exception was granted to the NHRC in 1991 to construct the existing boathouse and use it as a non-commercial recreational facility. Membership in the club is private. The club provides storage for rowboats or “barks” and other rowing equipment, membership parking and most importantly access to the river for its

members in order to row on the Housatonic River.

4. The APPLICATION NO. Z-20-010 is for the construction of an additional 5,048 SF unheated boathouse, which would provide additional storage and access to the river. The club owns three adjacent lots, #403, 407 and 411. Each lot is owned individually through separate deeds. The proposed building would be located on one lot, adjacent to the next lot containing the existing building.

5. A public hearing was held on this application, which is incorporated herein.

6. The NHRC is located in the riverside neighborhood of Oxford. Due to the topography of the river valley in this neighborhood, most of the lots in the neighborhood enjoy access to the river and these residents utilize the river for recreational purposes such as swimming, power boating, and water skiing. The commission heard testimony from residents in this neighborhood. These neighbors expressed concerns that the expansion of the NHRC's use of the river associated with the proposed expansion of the NHRC would negatively impact the other residents' recreational use of the river. The commission heard testimony that with the expansion of the NHRC's use of the river, due to the conflicting uses of rowboats and power boating as explained during the public hearings, the resident's enjoyment of their property and the quality of their recreational use of their properties would be negatively impacted.

7. The proposed building would be within approximately 15' of the existing building. Articles 5.5, Schedule B, and 3.16 of the Oxford Regulations require a setback of 25' from a property line. Article 3.27.1 requires the merger of lots under this circumstance. The applicant declined to merge the lot under a single deed to avoid this nonconformity. The Residence District A zoning district provides for a required 25' side yard setback; See Zoning Regulations Section 5.5 and Schedule B; the proposed site development would result in a building located within the side yard setback.

8. The record demonstrates that under the proposed APPLICATION NO. Z-20-010, the proposed site development would result in a building located within the side yard setbacks in violation of the Oxford Zoning Regulations.

9. The record demonstrates that the proposed APPLICATION NO. Z-20-010 fails to satisfy the conditions for a special exception under Article 10.1.3 and Article 10.3.1 of the Oxford Regulations, which sections are incorporated and referenced herein, because the proposed increase use, buildings, or structures will be detrimental to the health, safety, welfare and property values in the neighborhood because it will permit increased use of the river by NHRC to the detriment of the community as a shared resource available to all citizens.

10. The commission also incorporates any other reasons for denial, which are apparent on the record.

**Second by Commissioner Brett Olbrys.**

Dated this 1st day of September, 2020.

Planning and Zoning Commission of the Town of Oxford By: \_\_\_\_  
John Kerwin, Vice Chairman & Chairman Pro Tempore Vote

Number of Commission Members in favor of Foregoing Resolution: 6

Number of Commission Members opposed to Foregoing Resolution: 1 - Commissioner Pat Cocchiarella

**Motion passed 6-1.**

**E. Old Business – Other Matters**

1. Bond Release Request – Haynes Construction Company – Meadowbrook Estates  
*(Referred to Jim Galligan, P&Z Engineer – Awaiting Report)*
2. Bond Release Request – Oxford Supply, LLC – Subdivision/Performance Bond  
(The letters listed below refer to the Bond Release Request for **Technology Park**)
  - a. Letter dated 8/12/2020 from Kevin Condon, Town Counsel to Planning & Zoning Chairman
  - b. Letter dated 8/17/2020 from Neil Marcus to Kevin Condon

**MOTION BY Commission Secretary Pat Cocchiarella** to make a favorable recommendation to the Board of Selectmen to release the bond based on the correspondence from Kevin Condon, Town Counsel.

**Second by Commissioner Brett Olbrys.**

**All Ayes.**

**Motion passed unanimously.**

**F. New Business – Schedule a Public Hearing**

**G. New Business**

**H. Zoning Enforcement**

**I. Zoning Regulations Subcommittee**

**J. Minutes**

**K. Invoices**

**L. Other Business**

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

**M. Adjournment**

**MOTION BY Commissioner Dan Wall** to adjourn the meeting at 7:56 PM.

**Second by Commissioner Brett Olbrys.**

**All Ayes.**

**Motion passed unanimously.**

Respectfully submitted,



Jessica Pennell, Coordinator  
Planning & Zoning Commission

20 DEC -1 PM 10:06  
TOWN OF GARDEN  
OFFICE OF THE TOWN CLERK  
JESSICA PENNELL