

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, June 5, 2018

7:30 PM

Main Meeting Room

S.B. Church Memorial Town Hall

CALL TO ORDER

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

PLEDGE OF ALLEGIANCE

ROLL CALL

Present: John Kerwin, Pete Zbras, Arnie Jensen, Jeff Luff, and Pat Cocchiarella.
Tanya Carver arrived at 7:34 PM.

Also Present: Steven S. Macary, ZEO and Jessica Pennell, Administrative Secretary.

SEATING OF ALTERNATES

Chairman Jeff Luff seated Alternate Commissioner John Kerwin.

PUBLIC HEARINGS:

Chairman Jeff Luff opened the Public Hearing on the following application:

Z-18-184 [RESA] - 219 Meadowbrook Road (Map: 35 Block: 80 Lot: 23-1)

Owner & Applicant: Mountain Road Estates, LLC, 30-D Progress Ave, Seymour, CT

Application: Special Exception; Article 5, § 5.3.3 and Article 10, § 10.10

(Proposed additional Age Restricted Housing Units – Meadow Brook Estates)

Chairman Jeff Luff outlined the public hearing procedures.

Commission Secretary Pat Cocchiarella read the legal notice.

Chairman Jeff Luff called for any conflicts of interest from the Commission or applicant. Commission members and the applicant both stated that there were no conflicts of interest.

Dominick Thomas, Attorney for the applicant handed in the proof of mailings and the photo of the sign that was posted on the property.

Commission Secretary Pat Cocchiarella noted the following correspondence for the record:

a. Letter dated 4/12/18 from Kathy Ekstrom, Haynes Development Manager (ATTACHMENT A).

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

b. Letter dated 5/5/18 from Jim Galligan, P&Z Engineer (ATTACHMENT B).

Attorney Thomas read the letter submitted by Kathy Ekstrom. He explained a brief history of the procedures as they have been done with previous modifications. He noted that at the Commission's request, the applicant has submitted a Special Exception application to add the additional units back into the final phase of the project. He explained that this would be a 9 unit increase over the originally approved 182 units, with the final number of units being 191.

Attorney Thomas, at this point, asked the Commissioners if they had any questions.

Chairman Jeff Luff opened the floor to Commission members.

Alternate Commissioner John Kerwin asked questions related to Article 10.10 (Age Restricted Housing) and how it relates to the density of the development at the time of approval.

Attorney Thomas responded to his questions, pointing out other sections of Article 10.10.

Alternate Commissioner John Kerwin referred Attorney Thomas to Article 10, §10.10.2A.

Attorney Thomas responded, and stated that it is related to expansion to other properties, this expansion is within the current area of development. He also referred to Article 10.10 and stated that there are ambiguities he believes that the regulation may have been changed sometime after Meadowbrook was approved.

Alternate Commissioner John Kerwin went on to explain that you cannot increase the number of units without a special exception, his concern is with the way prior approvals were granted. He questioned why the applicant did not request the 191 units in the original approval.

Attorney Thomas responded that at the time, the way the plans were laid out, without any site work, 182 units was the best fit.

Alternate Commissioner John Kerwin discussed the fees and the number of lots.

Discussion ensued regarding the other 55+ communities in town and their relation to the Meadowbrook approval.

Alternate Commissioner John Kerwin referred to Article 10.10, §10.10.2D and noted that the applicant is allowed only one expansion to the development.

Commission Secretary Pat Cocchiarella stated that the 9 units that the applicant is requesting are located where they were located on the original submission.

Attorney Thomas agreed with Commissioner Cocchiarella's statement.

Commissioner Tanya Carver questioned the acreage of the parcel.

Tom Haynes, Owner, Haynes Development stated that they have approximately 120 acres; 40 in Seymour and 80 in Oxford.

At this time, Chairman Jeff Luff opened the floor for public comments.

James Zibluk of 24 Edgewood Road, questioned if the applicant has 182 units in total with the 9 additional units included.

Alternate Commissioner John Kerwin responded to the question.

Chairman Jeff Luff and Commissioner Pete Zbras also responded to the question.

Francis Teodosio of 111 Great Hill Road, stated that the development is 200' from his home and he requested to see the units that had been marked with an "X" on the plans. He questioned if the units that were moved were free standing or duplexes. He asked if the trade-off was 1 for 1.

Attorney Thomas responded to his questions and stated that there were 3 single family and 3 duplexes.

Kathy Ekstrom, Haynes Development responded by explaining that the approval was not based on attached or detached units, they had the liberty of making that decision based on the market. She also clarified that as they added units, they came before the Commission with site plan modification applications.

Mr. Teodosio referred to the density and commented that the units were not 1 for 1, the last phase is the most dense area of the development. He referred to the number of units that were shown previously and that there are 2 more units currently shown. He made reference to a unit closest to Great Hill Road that seems to be more elevated than other units, and questioned the original topography. He expressed concerns regarding the effect the unit would have on the neighbor.

Chairman Jeff Luff requested that Tom Haynes find out the elevation of the original.

Mr. Haynes responded that the elevation is approximately 10' above road grade.

Chairman Jeff Luff stated that they would look at the elevations.

Mr. Teodosio commented that there are units are partially constructed. He also mentioned a detention basin on the property.

Chairman Jeff Luff stated that they could get Jim Galligan to look at it.

Mr. Zibluk agreed with Mr. Teodosio, and questioned if any of the additional 9 units have been built.

Mr. Haynes replied that they are not over 182 homes.

A discussion ensued regarding slopes and grades and previously built homes.

Chairman Jeff Luff explained that Gordon Gramolini, the Building Official, does the inspections and if there is anything that is not what the Commission approves, he catches it and brings it to the Commission's attention. He reiterated that he would have the P&Z Engineer look at the elevations and detention basin.

Linda Czaplinski of 30 Freeman Road, questioned if ground has been broken for any of the 9 units that have not been approved.

Chairman Jeff Luff explained that it is an entire phase.

Ms. Czaplinski repeated her question; whether or not a shovel has gone into the ground for any of the 9 additional units, and if that is being considered.

Chairman Jeff Luff stated that they would ask the applicant.

Ms. Czaplinski clarified that the question is if work is going on that has not been approved.

Mr. Haynes explained that they have built 178 foundations.

Mr. Teodosio stated that he can clarify that some units marked with an "X" are under construction.

Chairman Jeff Luff asked Mr. Teodosio to provide some evidence, a picture or video.

Mr. Teodosio urged Commissioners to visit the site.

Chairman Jeff Luff explained that they have officials that work for the town that are not present to defend themselves. He requested that Mr. Teodosio provide information as proof of what he is claiming so that they can investigate.

Chairman Jeff Luff commented that he would have the Town Officials go out and check tomorrow to see if they have any concerns.

Ms. Czaplinski commented that she wanted to clarify that she is not questioning the integrity of any of the town employees or inspectors going out and doing their job.

Attorney Thomas explained that the applicant has taken the appropriate steps to address and correct the number of units and the applicant has stated that he has applied for and received 178 foundation permits.

A discussion ensued regarding natural buffers to Fox Drive and the location of the elevated unit (#144).

Mr. Haynes stated that they have built the last phase the way they have built every other phase and there are foundations on some units marked with an “X” on them. He noted that the procedure has been consistent for the last 15 years. He explained that there is a procedure process from the Town that has to be followed in order to get approval before any foundation or building is constructed.

Commission Secretary Pat Cocchiarella stated that there are no extra units, the extra units are already located within the development.

Discussion ensued regarding the number of units in the last phase now as compared to the original approval.

Commissioner Tanya Carver referred to a letter dated 5/19/15 and the unit in question. She reminded the Commission that this is a special exception and they have the authority to change or remove units if necessary.

Attorney Thomas and **Mr. Teodosio** tried to clarify the location of the unit in question.

Thomas Biondi of 135 Great Hill Road stated that the house that is elevated is a concern because of runoff onto the Jacobs property.

Chairman Jeff Luff stated that they would look into the concerns. He entertained a motion to close the hearing.

Commissioner Tanya Carver stated that they are waiting for information and answers to questions that have been asked.

Chairman Jeff Luff stated that they have 65 days to approve or deny the application, during that time they can receive information from staff on any items brought up this evening.

MOTION BY Vice Chairman Arnie Jensen to close the Public Hearing.

Second by Commissioner Pete Zbras.

All (6) Ayes.

Motion passed 6-0.

Chairman Jeff Luff opened the public hearing on the following application:

Commission Secretary Pat Cocchiarella read the legal notice.

Z-18-180 [COMM] – 35 Oxford Road, (Map: 80 Block: 35 Lot: 30)

Owner: Dave Dambryoso/Jave, LLC, 60 Quaker Farms Rd, Oxford, CT

Applicant: Guerrera Construction, 154 Christian St, Oxford, CT

Application: SE; Article 14, § 14.6 (Temporary Use of Processing Machinery for Site Improvement)

Chairman Jeff Luff requested the proof of mailing and photo of the sign posted on the property from Robert Rossi who is present representing the applicant.

Robert Rossi of Guerrera Construction explained that a sign was not posted on the property.

The Commission informed him that he would need to send out his notice to property owners within 250' again and post a sign on the property in order to move forward with the application. They also explained that they would have to recess the public hearing until the requirements are fulfilled.

Chairman Jeff Luff requested that Mr. Rossi agree to an extension verbally for the record.

Mr. Rossi agreed that he would provide an extension if necessary.

MOTION BY Vice Chairman Arnie Jensen to recess the Public Hearing to June 19, 2018.

Second by Commissioner Pete Zbras.

All (6) Ayes.

Motion passed 6-0.

Chairman Jeff Luff opened the Public Hearing on the following application:

Z-18-183 [IND] 21 & 23 Nichols Road, (Map: 18 Block: 30 Lot: 6 & 6-1)

Owner: T & C Partners, LLC c/o Atty. Dominick Thomas, Derby, CT

Applicant: TPB Contractors, LLC

Application: Special Exception; Article 9, Section 9.3.21 (Contractor's Yard)

Commission Secretary Pat Cocchiarella read the legal notice.

Chairman Jeff Luff called for any conflicts of interest from the Commission or applicant. Commission members and the applicant both stated that there were no conflicts of interest.

Dominick Thomas, Attorney for the applicant, explained that the applicant is coming before the Commission for a Special Exception to operate a contractor's yard and a rock crusher as an accessory use. He outlined the history of the property, stating that his client held a meeting with IW and P&Z when he bought the property in 2012, and was told that there were no issues with his intentions for the property. He noted that there were no issues until a year ago, when complaints were filed regarding the business running at 21-23 Nichols Road.

Attorney Thomas discussed briefly the other operations in town in the area that were approved without special exception permits. He referred to regulations that discuss residential uses in the industrial zone. He also went on to explain his interpretation of Article 14 (Earth Excavation) of the zoning regulations. He stated that nothing in the town's zoning regulations address what his client is proposing. He requested that the Commission review the definitions in Article 2; accessory uses, contractor's yard and excavation, as well as Article 9, §9.3.21.

Attorney Thomas explained what his client is proposing with the application:

There will be no changes to the existing building, he referred to a site plan that depicted the location of stockpiles, a sifter and a proposed rock crusher. The applicant is requesting the ability to crush up to 8 times per year to process material from site work jobs, not process material he is excavating on the site. The proposed hours of operation are 8 AM to 5 PM, Monday through Friday.

Attorney Thomas submitted photos of other contractor's yards in the area and made statements

regarding their permits and operations.

Chairman Jeff Luff explained that the information on the other businesses is not pertinent to this application.

Alternate Commissioner John Kerwin noted that Attorney Thomas may be presenting these items to show the impact on the neighborhood.

Alternate Commissioner John Kerwin and Chairman Jeff Luff discussed Article 10, §10.10.3.

Attorney Thomas also informed the Commission that his client owns “Scottie’s Demolition” which has a business address of 21 Nichols Road. He briefly explained the demolition license and requirements.

Tom Beard, Owner, 21 Nichols Road explained his demolition license, requirements, process, etc.

Chairman Jeff Luff questioned if the business is licensed in town, and asked if Mr. Beard had a use permit for the demolition business.

Discussion ensued regarding whether or not a use permit was needed just to use an address for a business with no equipment, employees, etc.

Chairman Jeff Luff opened the floor to the Commission.

Chairman Jeff Luff questioned the rock crushing days and limited hours, and the impact on officials monitoring the operation.

Alternate Commissioner John Kerwin questioned if there would be any other work done other than rock crushing.

Attorney Thomas explained the other operations that would take place on site.

Alternate Commissioner John Kerwin stated that currently this property does not have a permit for a contractor’s yard.

Attorney Thomas confirmed that there is no special exception for this property.

Alternate Commissioner John Kerwin commented that this is two applications, one for the contractor’s yard and one for the rock crusher. He referred to the Schedule C in the zoning regulations which prohibits rock crushing unless it is done in accordance with Article 14 of the zoning regulations. He referred to Article 10, §10.1-10.3.

Attorney Thomas suggested that it would be a quarry operation.

Alternate Commissioner John Kerwin disagreed with Attorney Thomas’s interpretation of the regulations, and suggested a possible modification to the regulations.

Attorney Thomas explained the applicant’s operation.

Chairman Jeff Luff asked if the applicant owns a rock crusher.

Attorney Thomas replied that the applicant does not own a rock crusher.

Commissioner Pete Zbras pointed out a cross out on the Statement of Use submitted with the application.

Attorney Thomas explained that it is not a cross out, it is a preprinted line.

Steven Kulas, Attorney, explained that he represents some of the surrounding neighbors who are concerned with the application. He requested the opportunity to ask questions of the applicant.

Attorney Kulas questioned if the applicant has provided proof of wetlands approval.

Chairman Jeff Luff stated that no wetlands approval has been submitted to date.

Attorney Kulas questioned if the applicant would be crushing material from other job sites and if the applicant would be bringing any materials from demolition jobs to the site.

Attorney Thomas responded; he contacted wetlands and was told that there was no need to apply for a wetlands permit. He also responded by stating that the applicant may bring material to this site from other jobs on rare occasions.

Chairman Jeff Luff asked if the applicant would be willing to have his land tested for contamination.

Attorney Thomas replied that he would have to speak to his client, and made reference to other operations in Town.

Commissioner Tanya Carver reminded the Commission that this application stands on its own, apart from previous applications and approvals. She also stated that the Commission has a right to request information of the applicant for a special exception application.

Attorney Kulas commented that there are residential homes in the area, and although they are non-conforming uses, it does not take away the owners any less rights than any other owner in the neighborhood. He suggested that the residents will be subject to increased noise and truck traffic, and requested that the Commission take this into consideration.

Attorney Kulas went on to explain that Schedule C of the regulations is clear and unambiguous. He submitted photos to show what was already being stockpiled on the property. He also mentioned that the rock crusher is on the property as of today.

Chairman Jeff Luff asked if there is a photo of the rock crusher.

Attorney Kulas replied that there is not a photo of the rock crusher. He also mentioned that there are no limits to when the materials can be brought onto the site.

Chairman Jeff Luff stated that the Commission does not have control over that.

Attorney Kulas reiterated his concerns regarding the affect that the use of the property would have on the neighboring parcels, also questioning the dust that would be generated from the use of the rock crusher.

Victor Tomporowski of 20 Hawley Road questioned the request of the crusher for 8 times per year, possibly for a week at a time.

Chairman Jeff Luff reiterated that the application is for a rock crusher, to be used, no more than 8 times per year to process material. He stated that he would clarify the hours of operation.

Mr. Tomporowski also expressed concerns about the increased truck traffic and noise from the trucks.

Steva Werden of 110 Hawley Road noted that Attorney Thomas refers to Metcalf, who was renting the property and was denied.

Chairman Jeff Luff questioned what was denied.

Ms. Werden stated that Metcalf was denied a rock crusher in 2005. She went on to give a brief history of the other owners and uses of the property. She expressed that the owner currently does not have a permit and they are not permitted to do what they are doing on the site. She noted that on multiple times trucks are delivering concrete, pavement, wood chips and debris; with no set schedule.

Chairman Jeff Luff explained that on the previous occasion that the applicant came before the Commission, the information was confusing and there were no clear answers to the previous approvals for the property.

Ms. Werden reiterated that the applicant does not have a permit to operate.

Chairman Jeff Luff stated that they have a use permit for their business that is registered with the Town.

Ms. Werden questioned if the applicant came before the Commission and received a permit for their current operations. She asked what permit they are operating under if Metcalf left in 2000 and the use was then switched to manufacturing.

Chairman Jeff Luff stated that the use of the contractor's yard follows the property.

Ms. Werden questioned the regulations and the referred to a section that mentioned use permits are only good for 2 years.

Discussion ensued regarding whether or not there is currently a rock crusher on the site, and if it is currently being used.

Steve Macary, ZEO stated that currently there is a rock crusher on the property.

Discussion ensued regarding procedures to be taken between the ZEO, and the public if they believe the rock crusher is being used during the application process.

Alternate Commissioner John Kerwin questioned if the applicant have an existing permit for a contractor's yard.

Chairman Jeff Luff reiterated that the approval of a previous contractor's yard follows the property. He mentioned that he and Commission Secretary Pat Cocchiarella had a meeting.

Steve Macary, ZEO reiterated that there is a special exception in the file, and it goes with the land.

Fernando Pires of 2 Morse Road, stated that he owns Morse Watchman and he is concerned about the dust, and increased traffic.

Joe Licnikas of 103 Hawley Road stated that he is concerned about environmental impacts and contamination. He noted that the site is in the area near Jack's Brook and Little River. He questioned the wetlands, and flood zones.

Chairman Jeff Luff stated that the Commission cannot make a decision until they receive wetlands approval.

Gerald Bonvisuto of 85 Hawley Road expressed concerns about noise and traffic. He questioned if there is a crusher on site if it is rented or owned.

Marie Seno of 130 Hawley Road commented that there a residential homes in the area and her concerns about noise, truck traffic, air quality and possible well contamination.

Attorney Steven Kulas referred to minutes of Planning & Zoning meetings from 1995, the minutes included an approval that had 16 conditions.

Chairman Jeff Luff requested a copy of the minutes presented by Attorney Kulas.

Attorney Dominick Thomas commented that Attorney Kulas reference to those minutes is irrelevant to this application.

Attorney Kulas requested that the Commission consider the history of the property be part of this public hearing.

Attorney Thomas commented that the Commission is obligated to follow its own regulations. He noted that his client has agreed to provide a Phase 1 to the Commission from when his client purchased the property. He expressed to the Commission that his client must comply with OSHA requirements for dust from the sifter or crusher. He discussed the Commission and the obligations to treat everyone the same, he mentioned the other sites where permits would need to be obtained by special permit.

Attorney Thomas also mentioned the following; contractor's yards are seasonal, no residential uses are allowed in the industrial zone, prohibitions because the Town chose to make this part of town an economic development area, a wetlands permit is not required because there is no regulated activity. He also noted the process for residential uses and the procedures for expansion on non-conforming uses, as well as his opinion that Schedule C is not an unambiguous statement.

Chairman Jeff Luff stated that the Commission would do their due diligence and look into the items of concern expressed this evening.

Robert Werden of 110 Hawley Road expressed that although there are regulations that apply to residences in the industrial zone, it does not mean that they cannot live there and add on to their residential homes.

MOTION BY Alternate Commissioner John Kerwin to close the Public Hearing.

Second by Commissioner Pete Zbras.

All (6) Ayes.

Motion passed 6-0.

Chairman Jeff Luff called for a recess before entering into the regular meeting portion of the agenda.

REGULAR MEETING

AMENDMENTS TO AGENDA

1. **Motion by Commissioner Tanya Carver** to amend the agenda to add authorization of the Chairman and Commission Secretary to sign the mylar for 25 Old Good Hill Road.
Second by Commission Secretary Pat Cocchiarella.
All (6) Ayes.
Motion passed 6-0.
2. **Motion by Commission Secretary Pat Cocchiarella** to add correspondence to the agenda.
Second by Commissioner Tanya Carver.
All (6) Ayes.
Motion passed 6-0.

CORRESPONDENCE

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

- a. Letter from Attorney Dominick Thomas regarding Application No. Z-18-185.

AUDIENCE OF CITIZENS

(Items not listed on the Regular Meeting Agenda)

NEW BUSINESS

1. **Z-18-194 [IND] Lot 5B Commerce Drive** (Map: 25 Block: 25 Lot: 1AAB5)
Owner & Applicant: Damasceno's Landscapes & Construction, LLC, Shelton, CT
Application: (Contractor's Yard – Special Exception per Article 9, Section 9.3.21)
(Site Plan for a ±22,100 sq. ft. building). **SET PUBLIC HEARING DATE**

MOTION BY Commission Secretary Pat Cocchiarella to set a Public Hearing for **Tuesday, June 26, 2018 at 7:00 PM.**

Second by Vice Chairman Arnie Jensen.

All (6) Ayes.

Motion passed 6-0.

2. **Z-18-169 [IND] 66 Hawley Road** (Map: 18 Block: 29 Lot: 21A)
Owner: Roller Bearing Co of America, Inc., 102 Willenbrock Rd., Oxford, CT
Applicant: Borghesi Building & Engineering, 2155 E. Main St., Torrington, CT
Application: SE Article 9, § 9.3.1 (Site Plan; 60,000 sq. ft. building)

MOTION by Commission Secretary Pat Cocchiarella to approve **Z-18-169 [IND] 66 Hawley Road, Roller Bearing Co of America, Inc.:**

Subject to the following conditions:

1. No substitute material shall be used without approval of the Planning & Zoning Commission and the Planning & Zoning Commission Engineer.
2. The applicant and their assigns must comply with all representations made at Planning & Zoning Commission meetings/and or public hearings regarding this application.
3. The applicant and their assigns must comply with all applicable conditions required by the OCCIWA, Emergency Services (fire, police and ambulance) and the State of Connecticut Department of Transportation (OSTA). This condition shall be made part of the record.
4. A final map shall be submitted to the Planning & Zoning Department for review.
5. All conditions of approval from the OCCIWA, Emergency Services (fire, police and ambulance) and the State of Connecticut Department of Transportation (OSTA) shall be depicted on said map.
6. The applicant shall submit 3 copies of the final approved plans, including an electronic copy.
7. No work to begin until security is set. The bond shall be reviewed by the PZC Engineer in a form acceptable to Town Counsel and installed by the applicant.
8. 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 may assign to review this application, from initial review thorough issuance of a Zoning Certificate of Compliance.
9. The applicant shall have a pre-construction meeting with appropriate Town Staff prior to any construction activities.
10. All exterior signs not directly included with this approval shall be subject to approval by the Planning & Zoning Commission, in accordance with the standards and guidelines as interpreted by the Commission.
11. Site plan approval expires if work is not completed within 5 years from the date of this approval.
12. Applicant shall pay any applicable fees before work begins.
13. Applicant shall follow the Town of Oxford's approved Permit Procedure process, which included review and signatures from the Town Department, including but not limited to; OCCIWA, ZEO, W.P.C.A and/or P.D.D.H. Fire Department and Building Department.
14. All state permits shall be filed with the Planning & Zoning Department prior to any work.
15. The owner of the building shall ensure capability of communication with the Fire Department and EMS. If this requirement is not met, it is the responsibility of the owner to fix the problem.
16. Any lighting installed must be dark sky compliant.

Second by Commissioner Tanya Carver.

All (6) Ayes.

Motion passed 6-0.

3. **Z-18-203 [RESA] 124 Moose Hill Road** (Map: 29 Block: 72 Lot: 14)

Owner: Howard & Evelyn Belinsky Revocable Trust

Applicant: Moose Hill Cider, LLC – Principal, Glenn Belinsky

Application: (Site Plan) (Use – Winery)

Commissioner Tanya Carver recused herself from this application; she stated for the record that she is a neighboring property owner.

Glenn Belinsky presented his application for a winery to the Commission.

After a lengthy discussion with the applicant, the Commission referred this application to Land Use Counsel, Peter Olson.

Commissioner Tanya Carver joined the Commission at 11:09 PM.

4. **Z-18-202 [VCMUD] Oxford Towne Center – “Quarry Walk”**

Owner & Applicant: Oxford Towne Center, LLC c/o Attorney Dominick Thomas

(Zoning Map/Text Amendment – Article 6) **SET PUBLIC HEARING DATE**

MOTION BY Commission Secretary Pat Cocchiarella to set a Public Hearing for **Tuesday, July 17, 2018.**

Second by Alternate Commissioner John Kerwin.

All (6) Ayes.

OLD BUSINESS

1. **Z-18-158 [COMM] 126 Oxford Road** (Map: 35 Block: 7 Lot: 4)

Owner: Village Retail, LLC, 30 Jelliff Lane, Southport, CT

Applicant: Garrett Homes, LLC c/o BL Companies, 355 Research Parkway, Meriden, CT
(Review architectural for Building #2)

Doug Grunert of Boston + Brockton, architect for the applicant presented the detailed architectural renderings for Building #2. He presented the building layout and façade to the Commission.

Chairman Jeff Luff reminded the Commission that he had requested to see the architectural renderings of the building before they started construction.

The Commission took no action on this application.

ZONING ENFORCEMENT

Report of the ZEO on complaints and violations.

Steven S. Macary, ZEO stated that he would request that the owner of 241 Oxford Road attend the 6/19/18 Regular Meeting.

APPROVAL OF MINUTES

1. **Motion by Vice Chairman Arnie Jensen**, seconded by **Commission Secretary Pat Cocchiarella** to approve the 5/1/18 Public Hearing Minutes for 212 Hogsback Road as presented.
All (6) Ayes.
Motion passed 6-0.
2. **Motion by Vice Chairman Arnie Jensen**, seconded by **Commission Secretary Pat Cocchiarella** to approve the 5/1/18 Public Hearing Minutes for 317 Riggs Street as presented.
All (6) Ayes.
Motion passed 6-0.
3. **Motion by Vice Chairman Arnie Jensen**, seconded by **Commission Secretary Pat Cocchiarella** to approve the 5/1/18 Regular Meeting minutes as presented.
All (6) Ayes.
Motion passed 6-0.

INVOICES

1. **Motion by Commission Secretary Pat Cocchiarella** to approve Nafis & Young Invoice # 089-18 - Hogsback Re-subdivision. **Second by Vice Chairman Arnie Jensen.**
All (6) Ayes.
Motion passed 6-0.
2. **Motion by Commission Secretary Pat Cocchiarella** to approve Nafis & Young Invoice # 103-18 – 317 Riggs Street. **Second by Vice Chairman Arnie Jensen.**
All (6) Ayes. Motion passed 6-0.
3. **Motion by Commission Secretary Pat Cocchiarella** to approve Nafis & Young Invoice # 104-18 – 25 Lisa Drive. **Second by Vice Chairman Arnie Jensen.**
All (6) Ayes. Motion passed 6-0.
4. **Motion by Commission Secretary Pat Cocchiarella** to approve Nafis & Young Invoice # 105-18 – 66 Hawley Road. **Second by Vice Chairman Arnie Jensen.**
All (6) Ayes. Motion passed 6-0.
5. **Motion by Commission Secretary Pat Cocchiarella** to approve Nafis & Young Invoice # 061-18 – 126/128 Oxford Road. **Second by Vice Chairman Arnie Jensen.**
All (6) Ayes. Motion passed 6-0.

OTHER BUSINESS

1. Update of the POCD - Discussion with possible action.

Vice Chairman Arnie Jensen stated that they have an upcoming meeting with NVCOG to discuss some modifications and revisions. He also noted that the Commission is also awaiting comments from the Board of Selectmen. He hoped to have it up on the website in approximately 2 weeks.

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

Chairman Jeff Luff discussed the proposal of a shared planning position by NVCOG. He questioned if any Commissioners object to him moving forward with this item, the representative from NVCOG would like an answer as soon as possible.

There were no objections. Commissioners discussed briefly the duties and responsibilities that would be handled by the person in the position. They also discussed Town Planner, Brian Miller and his current status with the Commission.

ADJOURNMENT

MOTION BY Alternate Commissioner John Kerwin to adjourn the meeting at 11:30 PM.

Second by Commissioner Tanya Carver.

All (6) Ayes.

Motion passed 6-0.

Respectfully submitted,

Jessica Pennell



Planning & Zoning Coordinator

18 JUL -2 PM 2:28
TOWN OF MILFORD, CT
TOWN CLERK
Shirley A. West



Sales Center

Meadow Brook Road

Oxford, CT 06478

Tel: (203) 888-8181

Fax: (203) 888-4836

www.meadow-brook.com

received
6/5/18

April 12, 2018

Planning and Zoning Commission
Town of Oxford
486 Oxford Road
Oxford, CT 06478

Dear Chairman Luff,

During the lifecycle of the project, where appropriate, Units were added in earlier phases and "taken" from the final phase with the understanding that we would come before the commission with a site plan modification of having those Units added back into the overall site plan.

Units 66A, 72A, 159A, and (6) six Units on White Birch Lane were constructed in earlier phases. Before the commission is a site plan modification for Mountain Road Estates (a/k/a Meadow Brook Estates). Said application is to modify the site plan to "reinstate" (9) nine Units in the final phase of construction.

All units added are within and per approved setbacks and regulations. There are no changes to or added roadways or infrastructure needed for this modification. This simply fills voids left by previous site plan modifications in the prior phases starting in 2002.

We thank you in advance for your consideration and are available to address any questions you may have.

Sincerely,

Kathy Ekstrom
Development Manager

kse

Attachment A



NAFIS & YOUNG ENGINEERS, INC

CIVIL / ENVIRONMENTAL
ENGINEERING & SURVEYING

Received
10/5/18

May 5, 2018

Mr. Jeffrey Luff, Chairman
Planning and Zoning Commission
Town of Oxford
486 Oxford Road
Oxford, CT 06478

Re: Meadowbrook Estates, Oxford, CT

Dear Mr. Luff:

Nafis & Young Engineers, Inc. (NYE) is in receipt of revised Plans and Application for Site Plan Revision on the above-referenced project. By way of background, this project was originally approved for 182 units. Over the course of construction of the first nine (9) phases the applicant secured approval from the Oxford Planning and Zoning Commission to add nine (9) additional units. Now that they are in the tenth and final phase, the Applicant is making a housekeeping request to increase the approved number of units from 182 to 191. No footprint revisions are being proposed in phase ten (10). Therefore, they are requesting that the Commission approve an increase in the number count from 182 units to 191 units to account for the previously approved nine (9) additional units.

If you have any questions, please contact me at 203-314-8041.

Sincerely,

James H. Galligan, P.E.
Nafis & Young Engineers, Inc.
Town of Oxford Engineer

Attachment B