



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 5, 2021
7:30 PM – Main Meeting Room
S.B. Church Memorial Town Hall

The meeting was accessible online by using the following information:

Zoom Meeting: <https://zoom.us/j/97297727409?pwd=Q0F3MEg2cWZYK2NsalI5L0xvTWxmZz09>

Meeting ID: 972 9772 7409

Passcode: 588851

Join by Phone: +1 929 205 6099

Meeting ID: 972 9772 7409

Passcode: 588851

I. CALL TO ORDER

Vice-Chairman John Kerwin called the meeting to order at 7:33 PM

II. PLEDGE OF ALLEGIANCE

III. ROLL CALL

Present: Joshua Dykstra, Pete Zbras, Dave Sauter, John Kerwin, Pat Cocchiarella, and Brett Olbrys.
Dan Wall attended the meeting via Zoom.

Also Present: Steve Macary, ZEO, Kevin McSherry, Land Use Counsel, and Jessica Pennell, Coordinator.

Not Present: Jesse Schremmer.

IV. SEATING OF ALTERNATES

Vice-Chairman John Kerwin seated Alternate Commissioner Joshua Dykstra.

V. PUBLIC HEARINGS

A. Recessed Public Hearings – NONE

B. New Public Hearing:

1. **Z-21-126 [COMM] – 126 Oxford Road** – **Owner:** Mark Cipriano, Napoli Woodbury, LLC – Dollar General Plaza, 58 Pleasant Drive, Southbury, CT – **Applicant:** Gagandeep Sachdeva, – 9 Fox Run Lane, Seymour, CT 06483
(Special Exception – Article 10, Article 7, Section 7.3.16, and Article 17 - Sale of Alcoholic Beverages)

Vice-Chairman John Kerwin opened the Public Hearing and outlined the Public Hearing Procedures.

Commission Secretary Pat Cocchiarella read the legal notice for the meeting.

Vice-Chairman John Kerwin called for any conflicts of interest from Commissioners.

All Commissioners stated that they had no conflicts of interest regarding the application.

Vice-Chairman John Kerwin called for any conflicts of interest from the applicant.

The applicant stated that they had no conflicts of interest.

It was noted that the building size on the plan does not coincide with the building size noted in the Statement of Use. The correct building size is 2,593 square feet.

Vice-Chairman John Kerwin asked that the building size be amended from 2,300 square feet to 2,593 square feet on the statement of use submitted with the application.

Vice-Chairman John Kerwin requested that Jessica Pennell, Coordinator, confirm if the applicant has met all the Public Hearing requirements, including the notice to abutters, and the sign posted on the property.

Jessica Pennell stated that the applicant has submitted all the necessary documentation required for the public hearing.

Commission Secretary Pat Cocchiarella noted a letter dated August 31, 2021 from the representative's attorney.

Vice-Chairman John Kerwin invited the applicant's representative to begin the presentation.

Attorney Fran Teodosio, 481 Oxford Road, gave a brief summary of the previous application for 126 Oxford Road, (Z-18-158), approval of two (2) buildings. The larger building is the Dollar General, and smaller building is the subject of this application. He explained that his client would be operating a liquor store, he intends to have six (6) employees, and the proposed hours of operation are 8:00 a.m. to 10:00 p.m. Monday through Saturday, and 10:00 a.m. to 6:00 p.m. on Sundays. He noted that the name of the business is Quick Stop Liquor.

Vice-Chairman John Kerwin asked if any Commission members have any comments at this time.

Commissioner Pete Zbras questioned the sign and its location on the property; he noted concerns about the site lines.

Commissioner Dave Sauter questioned the sign, and its led display.

Attorney Teodosio stated that the led sign would not be blinking or flashing, it would advertise sales and specials.

Commission Secretary Pat Cocchiarella questioned the sign's compliance with the regulations, which only allow for one monument sign per parcel in the commercial zone.

The Commission and Attorney Teodosio briefly discussed the sign regulations for the Commercial District.

The applicant withdrew their freestanding sign that was proposed with the application after the discussion with the Commission.

Commissioner Brett Olbrys asked if the sign would be advertising anything that is not related to the liquor store.

Attorney Teodosio stated that the sign would only be used for the liquor store.

Vice-Chairman John Kerwin asked what other regulatory agencies have authority over the sale of alcohol.

Attorney Teodosio answered that the State of Connecticut also has jurisdiction over the sale of alcohol.

Vice-Chairman John Kerwin asked if there was any state agency that regulates, on a continual basis, the sale of alcohol.

Attorney Teodosio stated that the State Liquor Commission also has jurisdiction over the sale of alcohol.

Vice-Chairman John Kerwin questioned the provisions that will be made for garbage and recycling.

Attorney Teodosio stated that they are working with Inland/Wetlands regarding recycling and garbage because of the wetlands located behind the buildings. He stated that the Inland/Wetlands Enforcement Officer would not sign off on the C.O. until he was satisfied with the provisions for garbage and recycling.

Steve Macary, ZEO noted that there were previous problems with the dumpster located behind Dollar General.

Vice-Chairman John Kerwin questioned if there was a traffic study regarding the setbacks for the sign from Route 67.

Steve Macary, ZEO stated that the setbacks would be enforced by the State of Connecticut. He also mentioned that there is a landscaping plan for the property; it was included in the original application.

Attorney Teodosio stated that the state would remove any sign on Route 67 that was in a site line or right-of-way.

The Commission briefly discussed the traffic light at the intersection of Park Road, Route 67, and the entrance to the Tommy K's Plaza.

Vice-Chairman John Kerwin stated that the bright LED lighting may pose risks for drivers, especially around dusk.

Commissioner Pete Zbras questioned if the dumpster would be enclosed.

Attorney Teodosio stated that it would be enclosed.

Vice-Chairman John Kerwin opened the floor to the public.

There were no public comments regarding the application.

MOTION BY Commission Secretary Pat Cocchiarella to close the Public Hearing.

Second by Commissioner Brett Olbrys.

All (7) Ayes.

Motion passed unanimously.

C. Future Public Hearing:

1. Public Hearing scheduled for 10/19/21 on the following application:

Z- 21-133 [COMM] – 60 Oxford Road – Owner & Applicant: Pitt-Conn Holdings, LLC,
15 Apple Drive, Oxford, CT 06478 – Proposed “Dunkin Donuts”
(Special Exception – Article 10, and Article 7 - Section 7.7.3.2- Drive Thru Window)
(Referred to Planning & Zoning Engineer, Jim Galligan)

2. Public Hearing scheduled for 11/16/21 on the following application:

Z-21-142 [VCMUD] – 400 Boulder Pass – Owner & Applicant: The Residences at
Quarry Walk, LLC in c/o Attorney Dominick Thomas, 315 Main Street, P.O.Box 313,
Derby, CT *(Re-subdivision – Article 6, Section 6.2.4)*

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. **Proposed Amendment to the Zoning Regulations - Proposed 18-month Moratorium on retail sales, manufacture, and cultivation of Marijuana/Cannabis.**

Public Hearing closed on 9/7/21; Commission unanimously approved an extension for action by 11/16/21.

E. Old Business – Other Matters

1. **C.G.S. § 8-24 Referral for the Dissolution of Moose Hill Estates**, 7 – Lot subdivision, 47 Moose Hill Road

Attorney McSherry briefly explained the 8-24 process to the Commission. He explained that the recommendation would go to the Board of Selectmen, and a Town Meeting would be held for the sale of the property from the Town back to the property owner. He also noted that the Commission would have to authorize a new mylar, to be filed on the land records that reflect the changes to the property after any action by the Board of Selectmen.

MOTION BY Commission Secretary Pat Cocchiarella to make a favorable recommendation to the Board of Selectmen, pursuant to C.G.S. §8-24 regarding the expired Moose Hill Estates Subdivision. Also, included are favorable recommendations for the following associated with the Moose Hill Estates Subdivision: the re-conveyance of Roslyn Lane to C&M Homes, Inc. from the Town of Oxford, and the release of five (5) recorded easements granted to the Town of Oxford by C&M Homes, Inc., specifically; a Detention Basin Maintenance Easement and Access Easement; a Fire Tank Easement, a Temporary Turnaround Easement, and Slope Easements over Lots 1, 3, and 7, all in conjunction with the expired Moose Hill Estates Subdivision.

Second by Commissioner Pete Zbras.

All (7) Ayes.

Motion passed unanimously.

F. New Business – Schedule a Public Hearing - NONE

G. New Business – Other

1. **Z-21-149 [IND] – 6 Benson Road** – Owner: Grand Realty, LLC – 37 Jolie Road, Naugatuck, CT 06770 – Applicant: Paragon Signs & Graphics – 6 Benson Road, Oxford, CT
(Use Permit)

Vice-Chairman John Kerwin explained that subject property for this application is currently under enforcement action, and should be tabled this evening.

MOTION BY Commission Secretary Pat Cocchiarella to table this application.

Second by Alternate Commissioner Joshua Dykstra.

All (7) Ayes.

Motion passed unanimously.

H. Zoning Enforcement – NONE

I. Minutes

1. **MOTION BY Commission Secretary Pat Cocchiarella** to approve the 8/3/2021 Regular Meeting Minutes as presented.
Second by Commissioner Brett Olbrys.
All (6) Ayes. (1) Abstention - Joshua Dykstra
Motion passed.
2. **MOTION BY Commission Secretary Pat Cocchiarella** to approve the 8/17/2021 Regular Meeting Minutes as presented.
Second by Commissioner Pete Zbras.
All (7) Ayes.
Motion passed unanimously.

J. Invoices – NONE

K. Other Business

- a. Any other business the Commission deems necessary for discussion. – NONE
- b. Possible Updates from Land Use Counsel, Kevin McSherry.

Attorney McSherry gave a brief update on the Werden case, and informed the Commission that the majority of the record has been filed; the only items left to be filed are transcripts from the Public Hearings, which were held remotely in October of 2020.

- c. Public Act 21-29 – Opt Out – Parking & Accessory Apartments – Review with Possible Action

A brief discussion ensued regarding the recently passed Public Acts that affect Planning & Zoning/Land Use.

Attorney McSherry explained the process that the Commission needs to take in order to opt out of any of the changes to the zoning regulations due to the passing of the Public Acts.

No action was taken.

- d. Planning & Zoning Policies & Procedures Review.

Vice-Chairman John Kerwin stated that he sent Jessica a suggestion regarding pre-application meetings. There were no other updates to report.

The Commission discussed canceling the November 2, 2021 meeting, as it falls on Election Day.

MOTION BY Commission Secretary Pat Cocchiarella to cancel the November 2, 2021 Regular Meeting.
Second by Commissioner Brett Olbrys.
All (7) Ayes.
Motion passed unanimously.

L. Adjournment

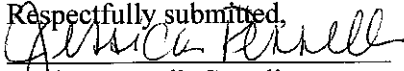
MOTION BY Commission Secretary Pat Cocchiarella to adjourn the meeting at 8:21 PM.

Second by Commissioner Pete Zbras.

All (7) Ayes.

Motion passed unanimously.

Respectfully submitted,



Jessica Pennell, Coordinator
Planning & Zoning Commission

21 DEC -2 PM 2:00
TOWN OF OXFORD, CT
C. M. [Signature]
TOWN CLERK