



**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, April 5, 2022
7:30 PM – Main Meeting Room
S.B. Church Memorial Town Hall

The meeting was accessible to the public via Zoom.

I. CALL TO ORDER

Chairman Cocchiarella called the meeting to order at 7:39 PM.

II. PLEDGE OF ALLEGIANCE

III. ROLL CALL

Present in person: Joshua Dykstra, Dan Wall, Pete Zbras, John Kerwin, Pat Cocchiarella, and Brett Olbrys. Steve Macary, ZEO, Jessica Pennell, Coordinator, and Kevin McSherry, Land Use Counsel.

Present Remotely: Jesse Schremmer.

Absent: Ed Rowland

IV. SEATING OF ALTERNATES

Chairman Cocchiarella seated Alternate Commissioner Dykstra.

V. PUBLIC HEARINGS

A. Recessed Public Hearings

The following Public Hearing recessed to April 19, 2022:

1. **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)

The following Public Hearing recessed to April 5, 2022:

2. **Z-22-031 [IND] – 2 Pheasant Run Road (Lot 1R) – Owner: 589 Investments, LLC, P.O. Box**
506, Oxford, CT – Applicant: Becir & Esma Selmani, 43 Eagle View Road, Southbury, CT

(Special Exception Use – Self-Storage Facility) (Site Plan – Construct a 30,000 sq. ft. industrial building)

Curt Jones, Civil 1, engineer for the applicant briefly went over the revised landscaping plan and lighting plan that was submitted per the Commission's request. He also submitted the building layout and the architectural renderings.

Commissioners asked questions regarding parking and the flow of traffic, and briefly discussed the registration of vehicles that may be stored at the facility.

MOTION BY Commissioner Kerwin to close the Public Hearing.

Second by Commissioner Zbras.

All (7) Ayes.

Motion passed unanimously.

(Hearing closed on 4/5/22, Commission action by 6/7/22)

B. New Public Hearings – NONE

C. Future Public Hearings – NONE

VI. REGULAR MEETING BUSINESS

A. Amendments to the Agenda

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

Joyce Millo, Kathryn Stevens and John Millo came before the Commission to discuss their options regarding property located on Seth Den Road. They explained their current situation to the Commission and stated that have spoken to several Town Officials and other Town departments regarding the property and are looking for guidance in determining their options to resolve the issues so that they can sell the property.

Commissioners agreed that they are unable to advise the owners in a legal capacity regarding their but referred them to Steve Macary, ZEO and Land Use Counsel, Kevin McSherry to go over the maps and determine the status of the subdivision.

C. Correspondence

Commission Secretary Olbrys noted the following correspondence and stated that it is on file in the Planning & Zoning Department:

- a. Memorandum from Keith Rosenfeld, Senior Regional Municipal Planner
Re: C.G.S. P.A. No. 21-01 Addendum

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

1. **Z-22-019 – Proposed Text Amendment to the Oxford Zoning Regulations - Applicant: Becir & Esma Selmani, 43 Eagle View Road, Southbury, CT 06488** *(Proposed Amendments: Article 2 – Definitions, add Section 2.45(a), Article 9, Industrial District, – add Section 9.23.3, Article 10 – Special Exceptions, add 10.11.1-10.11.4)*

*(Hearing closed on 3/15/22 – Commission Action on or before 5/3/22)
(Deliberations with possible action)*

Commission Secretary Olbrys read the following resolution:

WHEREAS, the Oxford Planning and Zoning Commission has an application for a proposed “self-service storage facility” in the industrial zone of the town of Oxford, as that area is regulated under Article 9 of the Oxford Planning and Zoning Regulations

AND that “self-service storage” facilities are not currently permitted in any district of the town of Oxford by the Oxford Planning and Zoning Regulations,

AND that such a proposed use is consistent with the uses permitted by way of a special exception under Article 9 of the Oxford Planning and Zoning Regulations, specifically Article 9, Section 9.3 et seq.,

AND that such a proposed use in the industrial zone, only, is consistent with the Oxford Planning and Zoning Regulations and the town's Plan of Conservation and Development and,

The following Text Amendments to the Oxford Planning and Zoning Regulations are hereby adopted:

A. THAT ARTICLE 9.3 IS AMENDED TO ADD THE FOLLOWING SECTION:

9.3.23: Self-service storage facilities are permitted only in the industrial zone, and only upon the securing of and compliance with a special exception under Article 10 & Section 10.11:

B. THAT ARTICLE 2 IS AMENDED TO ADD THE FOLLOWING SECTION AND REORDER 2.45a to b:

2.45a As defined in Connecticut General Statutes § 42-159(a) (and as may be amended heretofore) “self-service storage facility” means any real property designed and used for the renting or leasing of individual self-contained units of storage space or designated parking spaces to occupants who are to have access to such units for storing and removing personal property only, and not for residential purposes. No self-service storage space shall be used as living quarters. No retail, repair, or other business activity shall be conducted out of the individual rental storage spaces. No occupancy, other than occupancy necessary to deposit and pick-up storage items shall be permitted in the individual rental storage spaces. No activities other than rental of storage spaces and pick-up and deposit of storage shall be allowed on the premises.

C. THAT ARTICLE 10 IS AMENDED TO ADD THE FOLLOWING SECTION:

10.11.1 Intent: To permit "self-storage" facilities only in the industrial zone

10.11.2 **Permitted by Special Exception.** "Self-storage" facilities are permitted by the granting of a special exception in the Industrial Zone, Article 9, under the following conditions, in addition to Article 10, Sections 10.1 to 10.3, where applicable.

10.11.3 Parking: Off-street parking for access to the units shall conform to Article 9, Section 9.8, with the additional requirements, as follows:

- A. One (1) parking space for every 3000 feet or fraction thereof with a minimum of three (3) spaces being provided.
- B. **Rented Parking Spaces:** Parking spaces may be rented for the use for the outdoor storage of any vehicular, boat, ski-doo, RV's or trailer storage. No construction materials are to be stored in designated areas approved by the Planning & Zoning Commission. The location of rented parking spaces shall be subject to the requirements of Section 10.11.4.A, with regard to the location of suitable buffers and screening, in the form of fencing or landscaping, in the discretion of the Oxford Planning & Zoning Commission shall be required.

10.11.4 General Requirements for Self-service Storage Facilities:

- A. Landscaping shall be provided in all required setback areas and throughout non-storage parking areas. In any area where a proposed self-service storage facility abuts a residential zone, as established under Article 5 of the Oxford Planning & Zoning regulations, suitable buffers and screening, in the form of fencing or landscaping, in the discretion of the Oxford Planning & Zoning Commission shall be required.
- B. The sale of any item from or at a leased self-service storage facility is specifically prohibited.
- C. It is unlawful for any owner, operator or lessee of any self-service storage facility or portion thereof to offer for sale or to sell any item of personal property or to conduct any type of commercial activity of any kind whatsoever other than leasing of the storage units, or to permit same to occur upon any area designated as a self-service storage facility.
- D. *Exceptions to Sales, Sale of Defaulting Occupant's Property.* The sale of a defaulting occupant's property, as authorized by Connecticut General Statutes §§ 42-160 through 42-168 (as those sections may be amended) shall be permitted in accordance with a temporary use permit issued pursuant to Article 3, Section 3.28, except that such temporary use permitted for the sale of such property shall only be allowed for a maximum of two (2) consecutive days, two (2) times per year and during the hours of 9:00 AM to 5:00 PM, and that no amplified public address system is allowed.
- E. **Storage of Caustic, Hazardous, or Toxic Materials.** The storage of any caustic, hazardous, or toxic materials or waste materials thereof shall be prohibited.
- F. No amplified public address system shall be allowed.
- G. Any other conditions that the Oxford Planning & Zoning Commission determines are necessary to assure the safety of the property stored at the facility and to minimize the impact on law enforcement, such as theft deterrent and security systems in the form of 24-hour video monitoring key card access.

I move the amendment be adopted as written above with the effective date of April 15, 2022.

Second by Commissioner Kerwin.

All (7) Ayes.

Motion passed unanimously.

2. **Z-22-014 [COMM]– Applicant & Owner: Pitt-Conn Holdings, LLC, c/o Attorney Dominick Thomas, 315 Main Street, Derby, CT, 06418** *(Proposed Text Amendment to the Zoning Regulations Article 3, General Regulations; (Amend) Section 3.24, Parking – General Requirements) (Hearing closed on 3/1/22 – Commission Action on or before 5/3/22) (Deliberations with possible action)*

WHEREAS, the Oxford Planning and Zoning Commission has an application for a proposed text amendments of the Parking Regulations of the town of Oxford that are regulated under 3.24 of the Oxford Planning and Zoning Regulations,

WHEREAS, the Oxford Planning and Zoning Commission may amend its regulations pursuant to Article 18 of the Oxford Zoning Regulations,

AND that such a proposed amendment is consistent with the Oxford Planning and Zoning Regulations and the town's Plan of Conservation and Development and,

The following Text Amendments to the Oxford Planning and Zoning Regulations are hereby adopted:

§3.24: Restaurants, taverns, bars 1 per 100 square feet of GLA or 1 per 3 seats, whichever is greater.

[NEW] Restaurant, cocktail lounge or similar use primarily for sale and consumption of food or beverage on the premises with more than twenty (20) seats: One (1) parking space for each one hundred fifty (150) square feet of gross leasable area (GLA) plus one (1) additional space for each 50 square feet of patron bar and/or cocktail lounge area.

Restaurant, cocktail lounge or similar use primarily for sale and consumption of food or beverage on the premises with twenty (20) seats or less: One (1) parking space for each two (2) patron dining area seats plus one (1) additional space for each 50 square feet of patron bar and/or cocktail lounge area.

Restaurant primarily for sale of food and beverages consumed off premises with twenty (20) seats or less: One (1) parking space for each two hundred fifty (250) square feet of gross leasable area (GLA).

[NEW] 3.24.2A Shared Parking: For mixed-use developments involving multiple non-residential uses or multi-family residential uses in combination with other appropriate non-residential uses, the Commission may determine a standard for shared parking at its sole discretion taking into account evidence presented to the Commission of the parking peak times for the different uses and requirements for safe internal traffic flow.

3.24.3A. The Applicant under Section 3.24 shall provide a floor plan on a scale of ¼"= 1 foot. The Floor plan shall detail the number of seats, location of all fixtures, accurate and precise numeration of patrons. The approved floor plan shall be attached as a condition of approval to the applicant's Special Exception.

Commissioners deliberated briefly regarding the new addition of 3.24.2A. There were concerns regarding the Commission having "sole" discretion of determining parking standards.

MOTION BY Commissioner Kerwin to amend the text amendment language as follows:

[NEW] 3.24.2A Shared Parking: For mixed-use developments involving multiple non-residential uses or multi-family residential uses in combination with other appropriate non-residential uses, the Commission may ~~determine a standard for shared parking at its sole discretion~~ *adjust the required number of shared parking spaces, in an amount not to exceed 20% of the number of spaces required pursuant to §3.24, taking into account evidence presented to the Commission of the parking peak times for the different uses and requirements for safe internal traffic flow.*

Second by Commission Secretary Olbrys.

All (7) Ayes.

Motion to amend the amendment passed unanimously.

Commission Secretary Olbrys moved the Parking Text amendment be adopted as written, and amended above with an effective date of April 15, 2022.

Second by Commissioner Wall.

All (7) Ayes.

Motion passed unanimously.

3. **Z-22-015 [RES-A] – Applicant & Owner: Marc Deslauries, c/o Attorney Dominick Thomas, 315 Main Street, Derby, CT, 06418** *(Proposed Text Amendments to the Zoning Regulations – Article 5, (New) Section 5.3.5; Article 10, (New) Section 10.12, (Amend) Article 17.2.1) (Hearing closed on 3/1/22 – Commission Action on or before 5/3/22)*

Commissioners discussed this item briefly.

MOTION BY Commissioner Kerwin to deny application Z-22-015.

Second by Commissioner Wall.

All (7) Ayes.

Motion passed unanimously.

E. Old Business – Other Matters

F. New Business – Schedule a Public Hearing

G. New Business – Other

H. Zoning Enforcement

Steve Macary, ZEO briefly updated and discussed the Commission regarding the following:

1. 9 Sioux Drive
2. 15 Old Church Road
3. Anonymous Complaints

I. Minutes

1. **MOTION BY Commission Secretary Olbrys** to approve the March 15, 2022 - Regular Meeting Minutes as presented.

Second by Commissioner Zbras.

All (7) Ayes.

Motion passed unanimously.

J. Invoices

1. **MOTION BY Commission Secretary Olbrys** to approve Adkins Printing – Invoice #4881 (Archival Paper - \$166.58).
Second by Commissioner Wall.
All (7) Ayes.
Motion passed unanimously.
2. **MOTION BY Commission Secretary Olbrys** to approve the CFPZA – Yearly Membership Dues in the amount of \$110.00.
Second by Commissioner Zbras.
All (7) Ayes.
Motion passed unanimously.

K. Other Business

- a. Letter from Lisa Foster dated 12/1/2021
Re: Riverview Drive (*Referred to Land Use Counsel, Kevin McSherry*)
- b. *Riverbend Estates – Bond Release (Referred to Jim Galligan)*
- c. Property Located at 36 – 40 Hunter’s Mountain Road (*Recessed*) – Awaiting Wetlands Action

Attorney McSherry gave a brief update on the current wetlands status and noted that this would not be coming before zoning in the near future.

- d. Discussion with possible action – New Land Use Legislation Opt-Out Provisions
- e. Any other items the Commission deems necessary for discussion.

Commissioners discussed drafting their own regulation related to “farm events” or “agritainment”.

MOTION BY Commissioner Kerwin to form a sub-committee to review text amendments regarding agritainment in the Town of Oxford. Members of the subcommittee are Chairman Cocchiarella, Commissioner Zbras, Commissioner Schremmer, and Commissioner Wall.

Second by Commission Secretary Olbrys.

All (7) Ayes.

Motion passed unanimously.

The Commissioners discussed the charge of the sub-committee and noted that they would establish a meeting schedule at the next meeting.

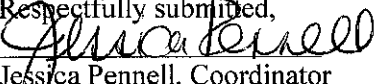
L. Adjournment

MOTION BY Commissioner Zbras to adjourn the meeting at 9:17 PM.

Second by Commissioner Wall.

All (7) Ayes.

Motion passed unanimously.

Respectfully submitted,

Jessica Pennell, Coordinator
Planning & Zoning Commission

22 APR -7 PM 1:51
TOWN OF OXFORD, CT
Oliver to A. Wall
TOWN CLERK