

Town of Oxford
Planning & Zoning Commission
S.B. Church Memorial Town Hall
486 Oxford Road, Oxford, CT 06478

Regular Meeting Minutes
Tuesday, July 19, 2022
7:30 PM – Main Meeting Room
S.B. Church Memorial Town Hall

I. Call to Order

Chairman Cocchiarella called the meeting to order at 7:36 PM.

II. Pledge of Allegiance

III. Roll Call

Present: Pete Zbras, Pat Cocchiarella, and Ed Rowland were present in person.
Jesse Schremmer and Brett Olbrys were present via phone.

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

Not Present: John Kerwin, Dan Wall, Robert Carr, and Joshua Dykstra.

Chairman Cocchiarella asked if Commissioner Schremmer and Commission Secretary Olbrys have the documentation that was provided for this meeting.

Commission Secretary Olbrys and Commissioner Schremmer both stated that they have the documentation.

IV. Seating of Alternates – None

V. Public Hearings

A. Recessed Public Hearings – None

Chairman Cocchiarella stated they are waiting for the applicant to arrive, therefore they will move on to the Regular Meeting Business at this time.

B. New Public Hearings for Tuesday, July 19, 2022:

1. **Z-22-094 [VCMUD] 400 & 500 Boulder Pass and 300 Oxford Road – Owner & Applicant:** Oxford Towne Center, LLC, The Residences at Quarry Walk, LLC & The Residences at Quarry Walk II, LLC. (*Amendment to the VCMUD Concept Plan – The Residences at Quarry Walk*)

Chairman Cocchiarella opened the Public Hearing. He outlined the intent of the public hearing, and public hearing procedures.

Jessica Pennell, Coordinator read the legal notice in the absence of the Commission Secretary.

Chairman Cocchiarella called for any conflicts of interest from the Commission.

There were no conflicts of interest from any of the Commission members.

Chairman Cocchiarella called for any conflicts of interest from the applicants or his representatives.

There were no conflicts of interest from the applicant or his representatives.

Jessica Pennell, Coordinator noted that the applicant has submitted the photo of the sign posted on the property, and the proof of mailings to property owners within 250' of the subject property.

1. Amended Statement of Use that explained the proposals in both application Z-22-094 and Z-22-095
2. Review Letter from Jim Galligan dated July 19, 2022.

Chairman Cocchiarella invited the applicant to begin his presentation.

Kyle Bogardus, Langan Engineering was present, representing, owner, Tom Haynes. He briefly explained that the two (2) applications are being presented together; a conceptual site plan amendment and a site plan modification to Phase 3A, the residential area of Quarry Walk.

Mr. Bogardus noted that the current conceptual plan limits the applicant to 150 units, and the applicant would like to increase number of units to 162. He noted that they would like to decrease the number of two (2) bedroom units, and slightly increase the number of one (1) bedroom units. He stated that all the units are currently two (2) bedroom units, and they would like to reduce twelve (12) units to one (1) bedroom units. He then explained that site plan modification for Phase 3A was to add twenty-five (25) additional parking spaces to the residential area.

Chairman Cocchiarella asked Commissioners if they had any questions.

Commissioner Zbras asked Mr. Bogardus to confirm that the outside of the buildings would be staying the same; that the only changes would be to the interior of the building.

Mr. Bogardus confirmed that there would only be interior changes with the conceptual plan amendment.

There were no other questions or comments from the Commission at this time.

Chairman Cocchiarella asked if there were any questions from the public.

There were no questions or comments from the public.

Chairman Cocchiarella again asked if there were any questions or comments from the Commission.

Commission Secretary Olbrys questioned the additional parking spaces.

Mr. Bogardus briefly discussed where the additional parking would be located.

Kevin McSherry, Land Use Counsel questioned if Mr. Bogardus believed that the additional parking would be adequate for the changes proposed in conceptual plan amendment.

Mr. Bogardus stated that the parking is adequate and, at the Commission's request, an updated parking management plan has been submitted with these applications.

There were no further questions or comments from the Commission.

MOTION BY Commissioner Rowland to close the Public Hearing.

Second by Commissioner Zbras.

All (5) Ayes.

Motion passed unanimously.

C. Future Public Hearings – None

VI. Regular Meeting Business

A. Amendments to the Agenda – None

B. Audience of Citizens

Leslie Alexander – 25 Reality Road brought up concerns regarding 81 Newgate Road. She noted that the Commission did not approve the text amendment that would have allowed weddings, and that there was a wedding this past weekend. She explained that she was subjected to noise from the wedding and she questioned the process, which allows residents to disregard the rules without consequences.

Jennifer Camarro – 27 Reality Road questioned if something changed with the text amendment.

Chairman Cocchiarella stated that a text amendment has not been passed by the Commission at this time. He stated that these things take time, and currently there are no permits to issue; a violation of the noise ordinance in this situation is a police matter.

Jennifer Cammaro expressed her concerns with calling the police, but stated that she would call the police for any noise complaints in the future. She also added that she would support farm stands as part of the regulations that would apply to Farm Events.

Attorney McSherry explained that there would be a public hearing once the regulations are drafted, and public input would be considered at that time.

Erik Granato – 27 Reality Road voiced concerns over the operations still ongoing at 81 Newgate Road. He asked why they are being allowed to have weddings if they have been issued a Cease & Desist. He asked what the ZEO can do to enforce the Cease & Desist.

Chairman Cocchiarella explained that the Commission and Counsel are still investigating ways to handle the situation properly, as well as draft regulations, and determine what other factors need to be considered, such as property rights.

Attorney McSherry explained that Planning & Zoning would not be on site enforcing the Cease & Desist on the weekends.

C. Correspondence – None

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

E. Old Business – Other

F. New Business – Schedule a Public Hearing

A Public Hearing is scheduled for Tuesday, August 16, 2022, during the regular meeting on the following application:

1. **Z-22-096 – Proposed Zoning Regulation Text Amendment** – **Applicant:** Sit Stay Play Train, LLC c/o Attorney Benjamin Proto, 2885 Main Street, Stratford, CT 06614
(*Proposed Amendments to the Zoning Regulations – Amend Article 9, Section 9.3 – Amend Article 2 – and Amend Article 10*)

A Public Hearing is scheduled for Tuesday, August 16, 2022, during the regular meeting on the following application:

2. **Z-22-108 [IND] – 79 Prokop Road** – **Owner:** Connecticut Rock Development, LLC 166 Little Fox Lane, Southbury, CT – **Applicant:** Defeo Materials, LLC c/o Attorney Dominick Thomas, 315 Main Street, Derby, CT. (*Special Exception – Article 14, Section 14.2*) (*Site Plan – Construct a 5,000 sq. ft. building*)

G. New Business – Other

1. **Z-22-095 [VCMUD] 400 & 500 Boulder Pass** – **Owner & Applicant:** Residences at Quarry Walk, LLC & The Residences at Quarry Walk II, LLC (*Amendment to Phase 3A VCMUD Site Plan Approval*)

Chairman Cocchiarella noted that this application was presented during the public hearing for application Z-22-094.

H. Zoning Enforcement

1. 12 Old Church Road (addressed amended – violation at 15 Old Church Road)

Steve Macary, ZEO stated that this item has been resolved and can be removed from the agenda.

2. 97 Bower's Hill Road

Steve Macary, ZEO noted that both parties are present this evening. He explained the complaint is from the property owners at 99 Bowers Hill Road regarding ground-mounted solar panels installed by the property owners at 97 Bowers Hill Road. He handed out all the documentation, which included the permit issued for the solar panels.

Chairman Cocchiarella stated that the parties could address the Commission.

Richard Chandler, 99 Bower's Hill Road explained the reasons he filed a complaint with ZEO and retained an attorney regarding the installation of the ground-mounted solar panels on the neighbor's property. He noted that his attorney sent a letter to Steve.

Jim and Sara Locke, 97 Bower's Hill Road explained the reasons why they installed the solar panels on their property and the steps they took to address the neighbor's concerns.

Commission Secretary Olbrys requested the photos be accessible to the Commission for review.

Commissioners asked questions regarding the permitting of solar panels.

Chairman Cocchiarella stated that the Commission would have to research this and get more information regarding the permitting of solar panels; it is something that the Commission is not prepared to discuss in detail at this time.

3. 7 Commerce Drive - Damasceno's Landscape

Steve Macary, ZEO stated that he has shut them down because they are violating their conditions of approval.

4. 14 Sioux Drive

Steve Macary, ZEO stated that this problem has been resolved.

5. 574 Oxford Road

Steve Macary, ZEO stated that since the last visit the owner has installed the soil and erosion controls and the tracking pad.

I. Minutes

Jessica Pennell, Coordinator stated that there is an error in the second sentence on page 3. The stated that amended minutes will read “application and Z-22-095 be done simultaneously”.

1. 6/21/2022 Regular Meeting Minutes

MOTION BY Commissioner Zbras to approve the minutes as amended.

Second by Commissioner Rowland.

All (5) Ayes.

Motion passed unanimously.

J. Invoices

The Commissioners discussed the invoice briefly, noting the charges for the time Attorney McSherry has spent on the Affordable Housing Plan.

1. Invoice from McSherry Law Office

MOTION BY Commissioner Zbras to approve the Invoice from McSherry Law Office.

Second by Commissioner Rowland.

All (5) Ayes.

Motion passed unanimously.

K. Other Business

1. Farm Events ad-hoc committee update (if available).

It was noted that there is nothing new to discuss as there was no quorum for the meeting scheduled for earlier tonight.

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

Land Use Counsel, Staff and Commissioners briefly discussed solar panels and the probability of an increase in the number of homes installing solar panels on their homes or property in the future.

Chairman Cocchiarella stated that this is something that would have to learn more about before making any decisions.

Steve Macary, ZEO requested confirmation that a pre-application meeting would be on the August 2nd agenda for the potential owners of 360 Oxford Road.

Chairman Cocchiarella stated that they would be on the agenda for August 2nd.

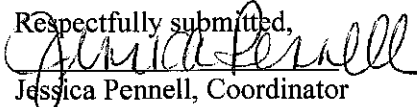
L. Adjournment

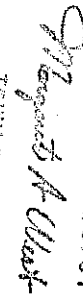
MOTION BY Commissioner Rowland to adjourn the meeting at 8:57 PM.

Second by Commissioner Zbras.

All (5) Ayes.

Motion passed unanimously.

Respectfully submitted,

Jessica Pennell, Coordinator
Planning & Zoning Commission

22 JUL 28 PM 4:04
TOWN OF OXFORD, CT

TOWN CLERK