



**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 Agenda
Tuesday, January 5, 2021
7:30 PM - Online/Virtual Meeting

The Planning & Zoning Commission will meet remotely on **Tuesday, January 5, 2021, 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:

Join Zoom Meeting:

<https://us02web.zoom.us/j/82935843658?pwd=a0ZmZml1UWU1NEs4TVN6ZmJhL2RQZz09>

Meeting ID: 829 3584 3658

Passcode: 932650

Connect by Phone: 1-646-558-8656

I. CALL TO ORDER

II. PLEDGE OF ALLEGIANCE

III. ROLL CALL

IV. SEATING OF ALTERNATES

V. PUBLIC HEARINGS

A. Recessed Public Hearings – NONE

B. New Public Hearings- NONE

C. Future Public Hearings – NONE

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 – NONE

E. Old Business – Other Matters – NONE

F. New Business – Schedule a Public Hearing – NONE

G. New Business

1. Z-20-368 [IND] – 353 Christian Street – Owner: Mark Sippin, 234 Main Street, Monroe, CT – Applicant: Chris Bardugone, dba “BDG Enterprise, LLC, 4 Woods Way, Woodbury, CT
(Change of Use Permit)

H. Zoning Enforcement

I. Minutes

1. 12/1/20 - Regular Meeting Minutes
2. 12/15/20 – Regular Meeting Minutes

J. Invoices – NONE

K. Other Business

- a. Any other business the Commission deems necessary for discussion.
- b. Riverview Subdivision – Request from Horbal & Judson – Possible Update

L. Adjournment

Respectfully submitted,

Jessica Pennell, Coordinator
Planning & Zoning Commission

PLANNING & ZONING COMMISSION

TOWN OF OXFORD
486 Oxford Road
Oxford, CT 06478
(203) 888-2543

Z#: 2-20-368
Date Rec'd:
Date on Agenda:
65-Day Expiration:

ZONING PERMIT APPLICATION

(This permit is hereby applied for in accordance with the requirements of the Oxford Zoning Regulations)

Property Identification

Street Address: 353 CHRISTIAN ST.
Subdivision Name: Date Approved:
Map: Block: Lot: Zoning district:

Owner/Applicant

Owner Name: MARK SIPPIN
Owner Address: 234 MAIN ST. MONROE, CT 06468
Owner Telephone: 203-880-6798

Applicant Name: CHRIS BARDUGONE DBA BDG-ENTERPRISE LLC
Applicant Address: 4 WOODS WAY WOODBURY, CT 06798
Applicant Telephone: 203-246-6997

Miscellaneous Information

Special Exception: Article Section Yes No
Site Plan Approval: Article Section Yes No
Estimated Cost of Construction:
Variance Granted: Date Granted:

Signatures/Authorization

Application for Zoning Permit approval as described herein is hereby made. The Oxford Planning & Zoning Commission and its technical staff are authorized to enter the property for the purpose of evaluating this application.

Permit Void If: a) Work or activity not commenced within 1 year of the date of issuance or b) Authorized construction not completed within 2 years of the date of issuance.

This permit, if issued, is based upon the plot plan submitted. Falsification, by misrepresentation or omission, or failure to comply with the conditions of approval of this permit constitute a violation of the Oxford Zoning Regulations.

Property Owner or Agent Signature
Date: 12/22/2020

Purpose

- New Home
Addition
Garage
Cottage Business
Swimming Pool IG AG
Sign
Shed
Barn
Change of Use
Excavating/Filling
Trailer
Other

Use

- Single-Family Residence
Multi-Family Residence
Commercial
Industrial
Residential/POD
Other

Required Approvals and Dates

- Inland Wetlands
P.D.D.H.
Fire Marshal (Signature) 12/21/20
Z.B.A.
W.P.C.A.
Floodplain
Copy of Deed
Driveway
Erosion Control Plan
Plot Plan *
Other

P.I.F.
Town Fee
State Fee
Total Fee: 2800.00

*Draw plot plan of proposed construction and attach. Plan must show property boundaries and dimensions; location of proposed buildings on property with respect to boundaries; location of existing buildings on property; outside dimensions of all buildings proposed or now existing; location of water supply; location of sewage system. All copies must have a complete sketch. Construction and use must be exactly as described in this application. If later changes from this plan are desired prior approval of an amended application is necessary.

Denied Approved By: Steven J. Macay Date: 12/22/2020
Title: ZEO
Reason for Denial:

ZPA-1
(Adopted 5/15/97)



TOWN OF OXFORD
S.B. Church Memorial Town Hall
486 Oxford Road, Oxford, Connecticut 06478-1298

www.Oxford-CT.gov

Planning and Zoning Commission

Application #: Z-20-368
Date: _____

STATEMENT OF USE

Article 11, Section 2

Property Address: 353 CHRISTIAN ST Zone: _____ Map: _____ Block: _____ Lot: _____

Name and Address of Owner: MARK SIPPON 234 MAIN ST. MONROE, CT 06468

Name and Address of Applicant: CHRIS BARDONE 4 WOODS WAY WOODBRIDGE CT 06798

Name of Proposed Business: BDC ENTERPRISE LLC

Total Square Footage: _____

Hours of Operation: MONDAY -> FRIDAY 9A-5P

Number of Employees: 1

List Hazardous and/or Chemicals Material on site: LOADED AMMUNITION IN RETAIL PACKAGING

Provide Approval from: PDDH _____ Fire Marshal SIP Other _____

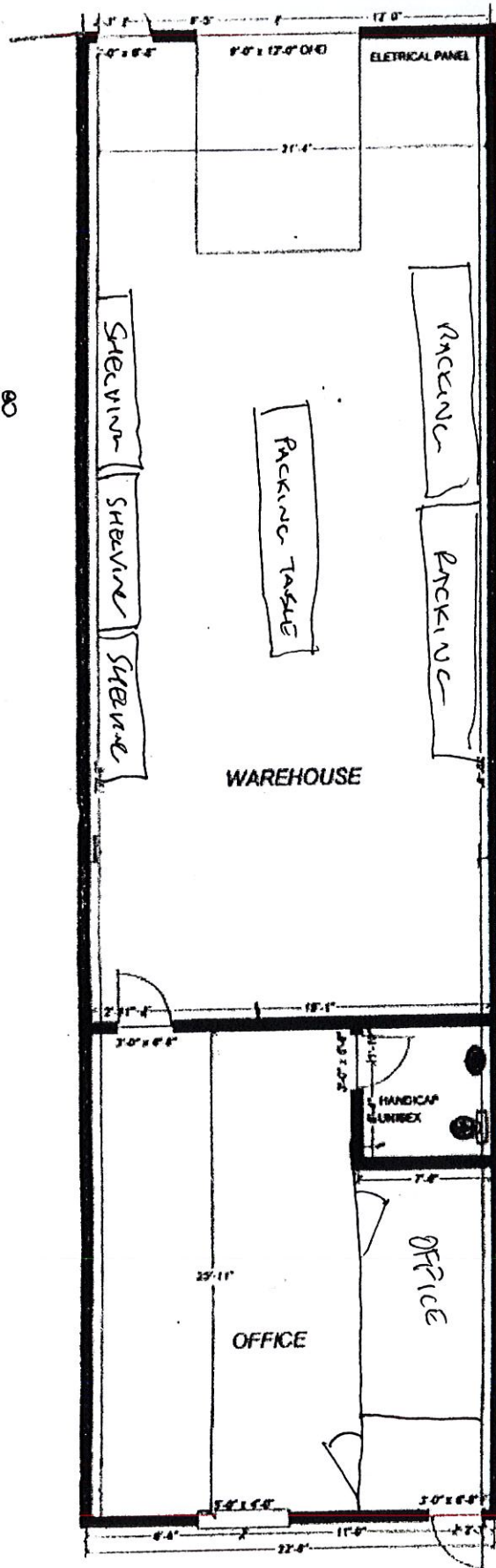
BUSINESS IN E-COMMERCE ONLY - NO WALK IN

I (we) hereby certify that I (we) are making this application on behalf of and with full authority of the owner(s) of the property or premises and am aware of and understand the Zoning and/or Subdivision Regulations pertinent to the application and affirm that the statements and information provided are accurate and true. Further, the undersigned hereby authorizes the Town of Oxford and its agents, to access the premises during normal business hours or hours of construction, for the purpose of pre and post application investigations, inspection of improvements or construction, and enforcement of the Zoning and/or Subdivision Regulations, Town Ordinances, and/or General Statutes of the State of Connecticut, as may be applicable and/or amended.

I understand that if any of the above statements are false, I may be subject to fines and/or penalties.

[Signature] 12/29/2020
Applicant's Signature Date

CHRIS BAROUGNE
 4 WOODS WAY
 WOODBURY, CT 06798
 203-246-6997



Unit 12B
 353 Christian St.
 Oxford, CT

| | |
|--------|--------|
| 50,000 | 115 GR |
| 20,000 | 55 GR |
| 10,000 | 69 GR |
| 500 | 124 GR |
| 200 | 90 GR |

353 unit 12B
 Christian St.



(PART 1)

REQUIRED CONSTRUCTION APPROVALS

1) Applicant: CHRIS BARDUGONE
 Property Address: 353 CHRISTIAN ST. OXFORD CT UNIT 125
 Permit Use: WHOLESALE DISTRIBUTION
 Subdivision Lot #: R2 Zone: Comm zone

OBTAIN SIGNATURES IN NUMERICAL ORDER

The same plan must be submitted to each land-use department. If changes are made to the plans after an approval has been given, the plans must be re-submitted to all prior departments for re-approval.

2) To be filled out by Tax Assessor: Map: 17 Block: 34 Lot: 3K2
 Street Address: 353 Christian Street
 Signature of Assessor: Joyce E. Eades #50335700 Date: Dec. 14, 2020

3) To be filled out by Tax Collector: Taxes Current: Yes / No
 Signature of Tax Collector: Ashley Schummer Date: _____

4) To be filled out by P.D.D.H. or W.P.C.A.

Plan Date: _____ Signature: _____ Date: _____

5) To be filled out by Inland / Wetlands: **NO EXTENSION OF EXISTING FOUNDATION OR ADDED FOOTPRINTS**
 Plan Date: _____ Signature: [Signature] DATE Date: 12/14/20
 I/W Permit Number: _____

6) To be filled out by Driveway Inspector:
 Plan Date: _____ Signature: [Signature] Date: _____
 Driveway Permit Number: _____

7) To be filled out by Zoning Enforcement Official:
 Plan Date: _____ Signature: [Signature] Date: 12/22/20
 Zoning Permit Number: _____ Aquifer Protection Area: Y or N

8a) To be filled out by Fire Department (If driveway exceeds 500 ft) (If applicable):
 Plan Date: _____ Signature: _____ Date: _____

8b) To be filled out by Fire Marshal for Building Permit (If applicable):
 Plan Date: _____ Signature: [Signature] Date: 12-21-20

9) To be filled out by Building Official:
 Plan Date: _____ Signature: _____ Date: _____
 Building Permit Number: _____

(After construction, applicant MUST obtain post-construction approvals on the back of this form to receive a C.O.)

MOTION BY Vice-Chairman John Kerwin to approve the Riverview Subdivision as presented by Town Counsel, Kevin Condon and the Memorandum of Decision filed by the Court.

(attached)

Second by Commissioner Brett Olbrys.

All Ayes.

Motion passed unanimously.

3. Bond Release Request – Meadowbrook Estates (*Refer to Jim Galligan for Review*)
4. CFPZA Annual Conference – March 26, 2020
5. Any other business the Commission deems necessary for discussion.

M. Adjournment

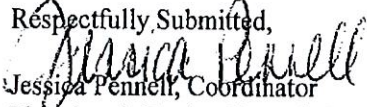
MOTION BY Vice-Chairman John Kerwin to adjourn the meeting at 9:33 PM.

Second by Commissioner Brett Olbrys.

All Ayes.

Motion passed unanimously.

Respectfully Submitted,


Jessica Pennell, Coordinator
Planning & Zoning Commission

20 FEB 13 PM 3:45
TOWN OF EXPORD, CT
J. Pennell
TOWN CLERK



**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, December 1, 2020
7:30 PM - Online/Virtual Meeting**

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

Join Zoom Meeting:

<https://us02web.zoom.us/j/84351520829?pwd=MnluVXZlQUZpVFRvNzE2dnBxK09lQT09>

Meeting ID: 843 5152 0829

Passcode: 275305

I. CALL TO ORDER

Chairman Dave Sauter called the meeting to order at 7:30 PM.

II. PLEDGE OF ALLEGIANCE

III. ROLL CALL

Present: Joshua Dykstra, John Kerwin, Pete Zbras, Dave Sauter, Pat Cocchiarella, Dan Wall, Brett Olbrys, and Jesse Schremmer.

Also Present: Steve Macary, ZEO, and Jessica Pennell, P&Z Coordinator.

Not Present: Mary LoPresti.

IV. SEATING OF ALTERNATES

No alternates were seated.

V. PUBLIC HEARINGS

A. Recessed Public Hearings – NONE

B. New Public Hearings- NONE

C. Future Public Hearings – NONE

VI. REGULAR MEETING BUSINESS

A. Amendments to the Agenda – NONE

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

C. Correspondence

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

- a. Letter dated 11/16/20 from Jesse Judson, L.S. to Steve Macary, ZEO
Re: Lot #5 Riverview Subdivision, Riverview Road

Commissioners discussed this briefly and requested more information regarding the original plans, and the most recent litigation.

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

1. **Z-20-350 [IND] – 21-23 Nichols Road – Owner & Applicant: TPB Contractors, LLC – c/o Attorney Dominick Thomas, 315 Main Street, Derby CT 06418**
(Modification of a Special Exception) (Site Plan)

Chairman Dave Sauter explained that the Commission has previously deliberated on this application. He stated that he and Vice-Chairman John Kerwin were working on a resolution that would include the conditions discussed at the previous meeting. He noted that the draft resolution has been sent to Attorney Peter Olson for review.

Vice-Chairman John Kerwin noted that the Commission has until December 24, 2020 to take action on this application. He explained that Attorney Olson drafted a motion of approval that outlined some of the issues and made some findings on the Commission’s behalf. He stated that the applicant had engaged in rock crushing prior to submitting an application. He explained that they would like the applicant’s consent to authorize inspections to ensure that compliance is maintained. He stated that he believes that it is permissible for the Commission to add conditions to assure compliance with the application, regulations, and approval. He noted that he would like to get an agreement on the record and make the granting of the Special Exception conditioned on the defendant providing consent for an inspection to make sure that the is complying with the conditions.

Commissioner Brett Olbrys questioned if the building is the proper size to hold the rock crusher, and if the rock crusher does not fit into the building, would the building have to be modified.

Vice-Chairman John Kerwin stated that if the machine does not fit in the building, it would not be able to operate.

Commission Secretary Pat Cocchiarella brought up some of the standard conditions of approval, and stated that some of them don’t apply to this application and could be eliminated.

Commissioner Dan Wall stated that he hasn’t seen the document that the Commissioners are referring to, but stated that he still believes the application should be approved based on the discussion at the 10/20 meeting.

Chairman Dave Sauter suggested a motion to table this item and send it back to Peter Olson for final review.

MOTION BY Commission Secretary Pat Cocchiarella to table this application.

Second by Vice-Chairman John Kerwin.

All Ayes.

Motion passed unanimously.

E. Old Business – Other Matters

1. Authorize the Chairman and Secretary to sign the Mylar for the following approved re-subdivision:

Z-20-327 [RESA] - 312 Chestnut Tree Hill Road - Owner: Estate of Serge Mihaly, Sr.
Applicant: Matthew Mihaly, 111 Booth Hill Road, Trumbull, CT
(Re-subdivision of Lot #2)

MOTION BY Commission Secretary Pat Cocchiarella to authorize the Chairman and Commission Secretary to review and sign the mylar for Z-20-327.

Second by Commissioner Pete Zbras.

All Ayes.

Motion passed unanimously.

F. New Business – Schedule a Public Hearing

G. New Business

H. Zoning Enforcement

Commissioner Brett Olbrys questioned the process for filing a zoning complaint.

A brief discussion ensued regarding the process, the paperwork involved, anonymous complaints, and the availability of the complaint form on the website.

It was noted that that zoning complaint form is accessible on the website.

Chairman Dave Sauter stated that this is something that can be discussed in greater detail at another time.

I. Minutes

1. 10/20/20 - Regular Meeting Minutes

MOTION BY Commission Secretary Pat Cocchiarella to table the 10/20/20 meeting minutes.

Second by Vice-Chairman John Kerwin.

All Ayes.

Motion passed unanimously.

J. Invoices

K. Other Business

- a. Approve 2021 Regular Meeting Schedule.

Commissioners agreed to keep the current day and time for their regular meetings.
A final 2021 schedule will be presented and approved at the 12/15/20 meeting.

- b. Any other business the Commission deems necessary for discussion.

Commissioner Pete Zbras brought up concerns regarding food trucks that could possibly be taking way from local business owners and restaurants. He stated that he would like to not allow any more during the pandemic. Commissioners discussed briefly the food trucks, and the process of approval.

Commissioners stated that it is something to consider, and that some research of the process would be helpful.

L. Adjournment

MOTION BY Commissioner Pete Zbras to adjourn the meeting at 8:24 PM.

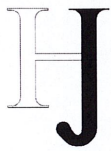
Second by Commission Secretary Pat Cocchiarella.

All Ayes.

Motion passed unanimously.

Respectfully submitted,

Jessica Pennell, Coordinator
Planning & Zoning Commission



November 16, 2020

Oxford Planning & Zoning Department
Mr. Steven Macary, Zoning Enforcement Official
486 Oxford Road
Oxford, CT 06478

Re: Lot #5 Riverview Subdivision
Riverview Road
Oxford, CT

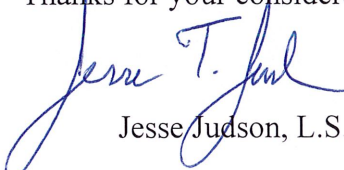
Dear Mr. Macary,

As you are aware LARS Realty, LLC is the owner of the Riverview Subdivision off Roosevelt Drive and Punkup Road. In 2008 a four-lot subdivision was approved, the site was excavated, and Riverview Road was constructed and accepted by the Town. At that time Parcel "D", a 7.6 acre piece at the end of Riverview Road, was created and labeled "Not an approved building lot at this time". In 2017 the Planning and Zoning Commission approved (with conditions) the re-subdivision of Parcel "D" into two interior lots, Lots 5 & 6. The lots were to be accessed off the end of Riverview Road and included the construction of a culvert across a watercourse and the excavation of approximately 16,000 cubic yards of material.

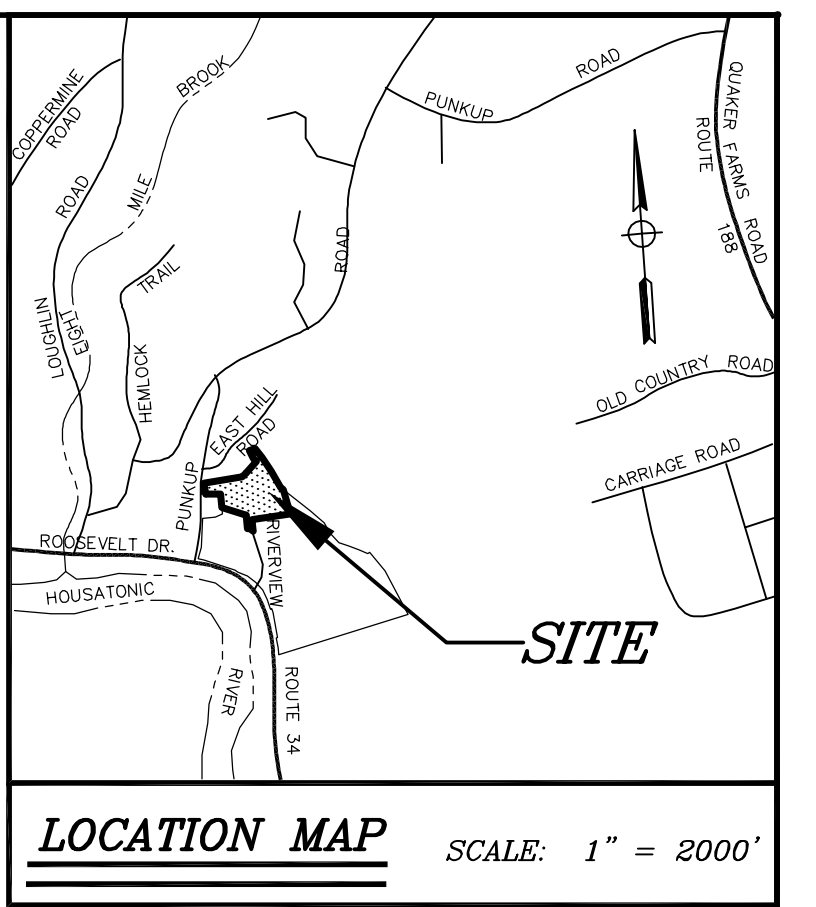
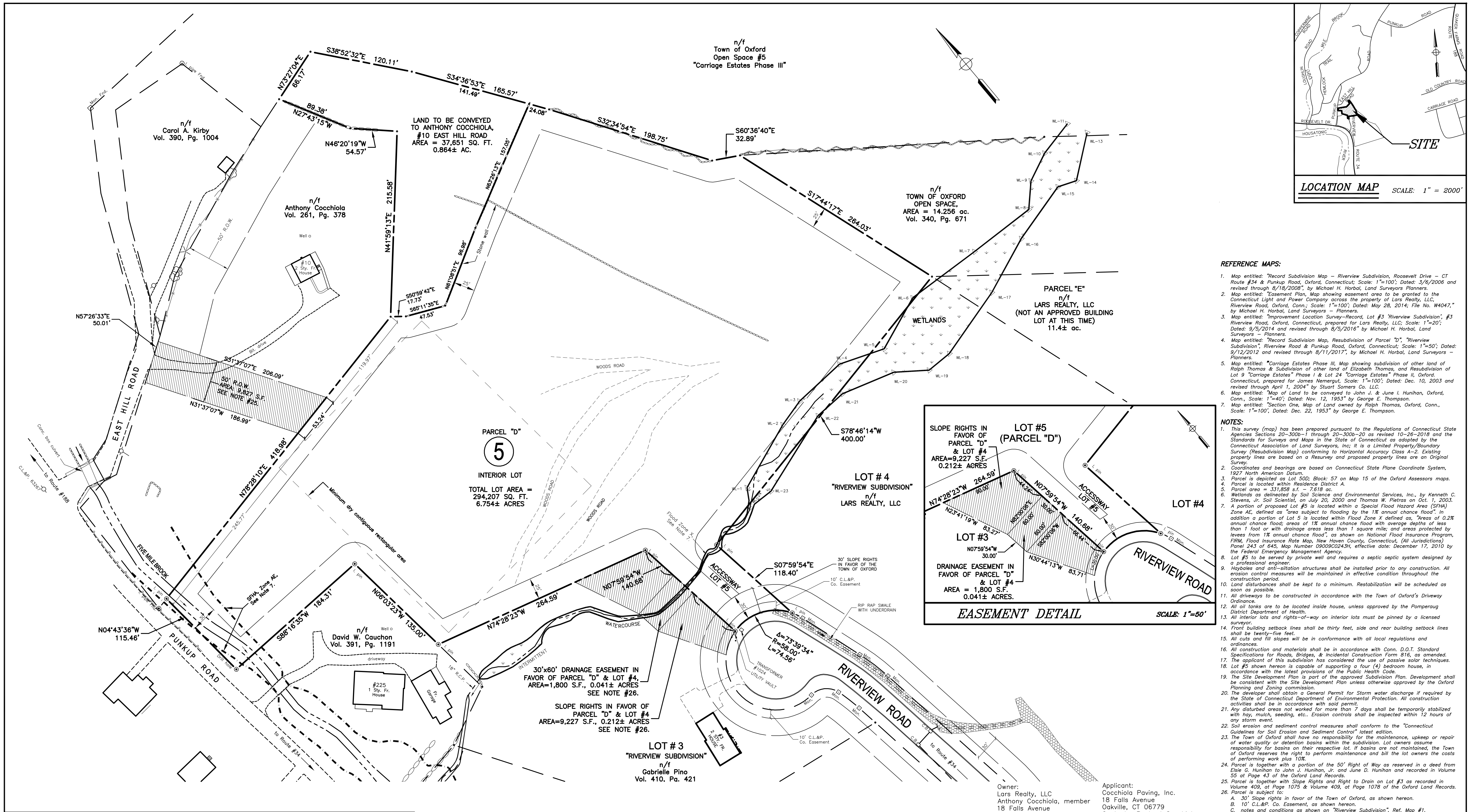
LARS Realty, LLC is exploring the possibility of abandoning the previous approval for Lots 5 & 6 and seeking approval of Parcel "D" as one lot, Lot #5. Lot #5 would be accessed off East Hill Road through an existing right of way. It would be classified as an interior lot and have frontage on both Riverview Road and Punkup Road. The approval of Lot #5 as a single lot would eliminate the watercourse crossing and the need to excavate the 16,000 cubic yards.

We are requesting your guidance in determining the steps and approvals required to move forward in abandoning the previous approval of Lots 5 & 6 and have Lot #5 classified an approved building lot. I have attached copies of the previous approved subdivision plans along with preliminary plans for Lot #5 for your review.

Thanks for your consideration,

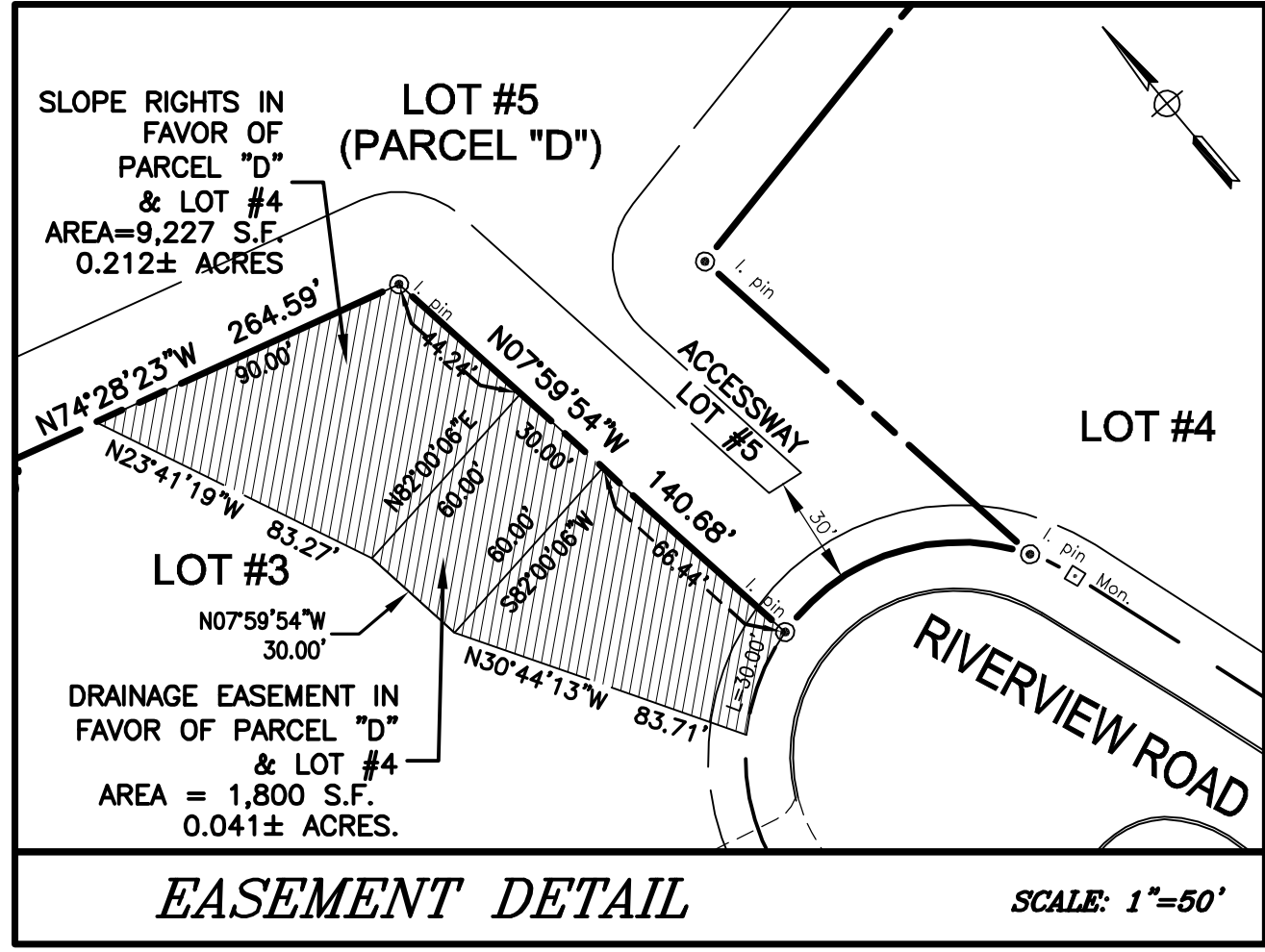


Jesse Judson, L.S.



- REFERENCE MAPS:**
- Map entitled: "Record Subdivision Map - Riverview Subdivision, Roosevelt Drive - CT Route #34 & Punkup Road, Oxford, Connecticut, Scale: 1"=100', Dated: 3/6/2006 and revised through 8/18/2008", by Michael H. Horbal, Land Surveyors - Planners.
 - Map entitled: "Easement Plan, Map showing easement area to be granted to the Connecticut Light and Power Company across the property of Lars Realty, LLC, Riverview Road, Oxford, Conn.; Scale: 1"=100'; Dated: May 28, 2014; File No. W4047," by Michael H. Horbal, Land Surveyors - Planners.
 - Map entitled: "Improvement Location Survey-Record, Lot #3 'Riverview Subdivision', #3 Riverview Road, Oxford, Connecticut, prepared for Lars Realty, LLC. Scale: 1"=20'; Dated: 9/5/2014 and revised through 8/5/2016" by Michael H. Horbal, Land Surveyors - Planners.
 - Map entitled: "Record Subdivision Map, Resubdivision of Parcel 'D', 'Riverview Subdivision', Riverview Road & Punkup Road, Oxford, Connecticut; Scale: 1"=50'; Dated: 9/12/2012 and revised through 8/11/2017", by Michael H. Horbal, Land Surveyors - Planners.
 - Map entitled: "Carriage Estates Phase III, Map showing subdivision of other land of Ralph Thomas & Subdivision of other land of Elizabeth Thomas, and Resubdivision of Lot 9 'Carriage Estates' Phase I & Lot 24 'Carriage Estates' Phase II, Oxford, Connecticut, prepared for James Nemergut. Scale: 1"=100'; Dated: Dec. 10, 2003 and revised through April 1, 2004" by Stuart Somers Co. LLC.
 - Map entitled: "Map of Land to be conveyed to John J. & June I. Hunihan, Oxford, Conn.; Scale: 1"=40'; Dated: Nov. 12, 1953" by George E. Thompson.
 - Map entitled: "Section One, Map of Land owned by Ralph Thomas, Oxford, Conn.; Scale: 1"=100'; Dated: Dec. 22, 1953" by George E. Thompson.

- NOTES:**
- This survey (map) has been prepared pursuant to the Regulations of Connecticut State Agencies Sections 20-300b-1 through 20-300b-20 as revised 10-26-2018 and the Standards for Surveys and Maps in the State of Connecticut as adopted by the Connecticut Association of Land Surveyors, Inc. in a Limited Property/Boundary Survey (Resubdivision Map) conforming to Horizontal Accuracy Class A-2. Existing property lines are based on a Resurvey and proposed property lines are an Original Survey.
 - Coordinates and bearings are based on Connecticut State Plane Coordinate System, 1927 North American Datum.
 - Parcel is depicted as Lot 50D; Block: 57 on Map 15 of the Oxford Assessors maps.
 - Parcel is located within Residence District A.
 - Parcel area = 331,858 s.f. = 7.618 ac.
 - Wetlands as delineated by Soil Science and Environmental Services, Inc., by Kenneth C. Stevens, Jr. Soil Scientist, on July 20, 2000 and Thomas W. Pietras on Oct. 1, 2003.
 - A portion of proposed Lot #5 is located within a Special Flood Hazard Area (SFHA) Zone AE, defined as "area subject to flooding by the 1% annual chance flood". In addition, a portion of Lot #5 is located within Flood Zone X defined as: "Areas of 0.2% annual chance flood; areas of 1% annual chance flood with average depths of less than 1 foot or with drainage areas less than 1 square mile; and areas protected by levees from 1% annual chance flood", as shown on National Flood Insurance Program, FIRM, Flood Insurance Rate Map, New Haven County, Connecticut, (All Jurisdictions) Panel 243 of 645, Map Number 0900500243H, effective date: December 17, 2010 by the Federal Emergency Management Agency.
 - Lot #5 to be served by private well and requires a septic system designed by a professional engineer.
 - Hydrologic and anti-siltation structures shall be installed prior to any construction. All erosion control measures will be maintained in effective condition throughout the construction period.
 - Land disturbances shall be kept to a minimum. Restoration will be scheduled as soon as possible.
 - All driveways to be constructed in accordance with the Town of Oxford's Driveway Ordinance.
 - All oil tanks are to be located inside house, unless approved by the Pomperaug District Department of Health.
 - All interior lots and rights-of-way on interior lots must be pinned by a licensed surveyor.
 - Front building setback lines shall be thirty feet, side and rear building setback lines shall be twenty-five feet.
 - All cuts and fill slopes will be in conformance with all local regulations and ordinances.
 - All construction and materials shall be in accordance with Conn. D.O.T. Standard Specifications for Roads, Bridges, & Incidental Construction Form 816, as amended.
 - The applicant of this subdivision has considered the use of passive solar techniques.
 - Lot #5 shown herein is capable of supporting a four (4) bedroom house, in accordance with the latest provisions of the Public Health Code.
 - The Site Development Plan is part of the approved Subdivision Plan. Development shall be consistent with the Site Development Plan unless otherwise approved by the Oxford Planning and Zoning Commission.
 - The developer shall obtain a General Permit for Storm water discharge if required by the State of Connecticut Department of Environmental Protection. All construction activities shall be in accordance with said permit.
 - Any disturbed areas not worked for more than 7 days shall be temporarily stabilized with hay, mulch, seeding, etc. Erosion controls shall be inspected within 12 hours of any storm event.
 - Soil erosion and sediment control measures shall conform to the "Connecticut Guidelines for Soil Erosion and Sediment Control" latest edition.
 - The Town of Oxford shall have no responsibility for the maintenance, upkeep or repair of water quality or detention basins within the subdivision. Lot owners assume responsibility for basins on their respective lot. If basins are not maintained, the Town of Oxford reserves the right to perform maintenance and bill the lot owners the costs of performing work plus 10%.
 - Parcel is together with a portion of the 50' Right of Way as reserved in a deed from Esig G. Hunihan to John J. Hunihan, Jr. and June D. Hunihan and recorded in Volume 53 at Page 43 of the Oxford Land Records.
 - Parcel is together with Slope Rights and Right to Drain on Lot #3 as recorded in Volume 409, at Page 1075 & Volume 409, at Page 1078 of the Oxford Land Records.
 - Parcel is subject to:
 - 30' Slope rights in favor of the Town of Oxford, as shown herein.
 - 10' C.L.&P. Co. Easement, as shown herein.
 - C. notes and conditions as shown on "Riverview Subdivision", Ref. Map #1.
 - Other rights of record that may exist.
 - All work including all conditions of approval as in Stipulated Judgment, dated April 7, 2008, and recorded in Volume 418 at Pages 18-24 of the Oxford Land Records shall apply.



ALL WORK AND IMPROVEMENTS IN CONNECTION WITH THE SUBDIVISION SHALL BE COMPLETED WITHIN FIVE YEARS AFTER APPROVAL OF THIS SUBDIVISION PLAN. SUCH FIVE YEAR PERIOD SHALL EXPIRE ON _____.

APPROVED BY THE PLANNING AND ZONING COMMISSION
OXFORD, CONNECTICUT;
CHAIRMAN: _____ DATE: _____
SECRETARY: _____ DATE: _____

I CERTIFY THAT WETLANDS AS SHOWN WERE FIELD DELINEATED BY SOIL SCIENCE AND ENVIRONMENTAL SERVICES, INC. ON JULY 20, 2000 AND OCTOBER 1, 2003 AND ARE SUBSTANTIALLY CORRECT.

SCOTT D. STEVENS
SOIL SCIENCE AND ENVIRONMENTAL SERVICES, INC.

LEGEND

| | | | |
|---------------------------|---|--------------|------------------------------|
| Mon. Monument | Mon. Connecticut Light & Power Utility Pole w/ number | Find. Found | Found. Now or Formerly |
| Iron Pipe | Utility pole with guy wire | n/f | Chain Link Fence w/ height |
| Iron Pin | Utility pole with lamp | 6' C.L.F. | w/ |
| Property Line | M.H. Manhole | o RL | Roof leader |
| Adjacent Property Line | C.B. or U.I. Catch Basin or Lawn Inlet | o P.L.P. | Flag pole |
| Fence | W.G. Water Gate Valve | P.V.C. | Polyvinyl Chloride Pipe |
| Stone Wall | L.P. Light Post | R.C.P. | Reinforced Concrete Pipe |
| Tree with D.B.H. | C.O. Clean Out | H.D.P.P. | High Density Plastic Pipe |
| Gas service location | G.V. Gas Gate Valve | C.M.P. | Corrugated Metal Pipe |
| Brush/tree line | S.M.P. Stone masonry pillar w/ light | C.I.P. | Cast Iron Pipe |
| Concrete Curb | G. Guide Rail | el. or elev. | el. or elev. |
| Stormwater Sewer Pipe | GS Gas Service Lateral | Bit. | Bituminous |
| Underground Electric Wire | WS Water Service Lateral | Conc. | Concrete |
| Overhead Utility Wires | S.S.L. Sanitary Sewer Lateral | Mas. | Masonry |
| Water main | 10' 10 foot contour with elevation | BLCL | Bituminous Concrete Lip Curb |
| Gas main | 12' 2 foot contour with elevation | CC | Concrete Curb |
| Sanitary Sewer Pipe | 16' 1 foot contour with elevation | S.F.H.A. | Special Flood Hazard Areas |
| Wetlands | Spot elevation | M.B.R. | Metal Beam Rail |
| Wetland Boundary w/ flag | 1% chance floodplain boundary | Typ. | Typical |
| Wetland Flagger by others | | Ex. | Existing |
| Water line | | | |
| Flood Boundary | | | |
| Ledge or Rock | | | |

PRELIMINARY

THIS MAP IS NOT VALID WITHOUT SURVEYORS LICENSE SIGNATURE AND SEALS.

TO MY KNOWLEDGE AND BELIEF THIS MAP IS SUBSTANTIALLY CORRECT AS DATED HEREIN.

DATE: 11/23/2020

JESSE T. JUDSON L.S. REG. NO. 70390

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| REVISIONS | | ZONING LOCATION SURVEY-RECORD | |
|-----------|-------------|-------------------------------|--|
| NO. | DESCRIPTION | DATE | |
| | | | |

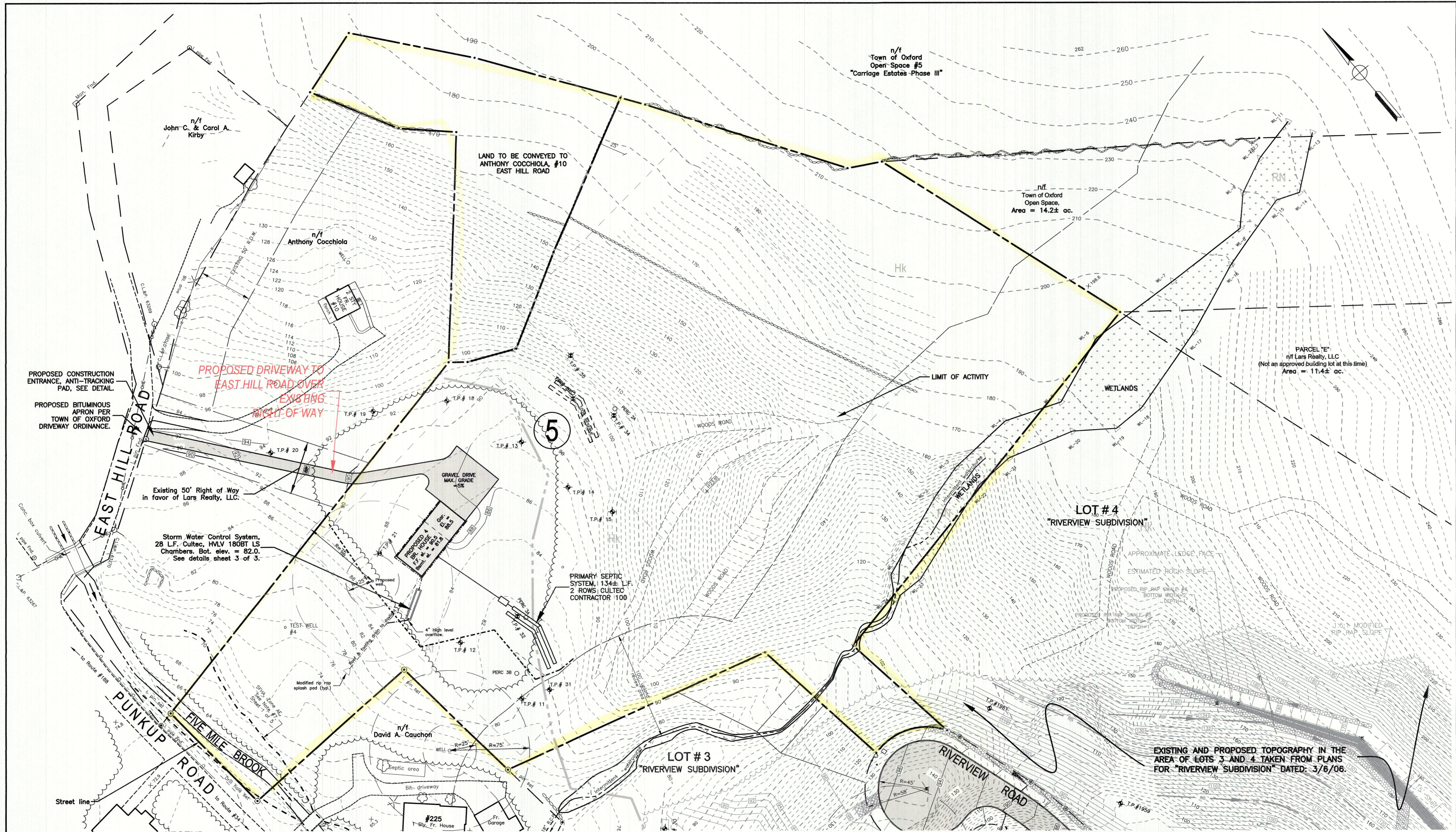
RESUBDIVISION OF PARCEL "D" LOT #5 "RIVERVIEW SUBDIVISION" RIVERVIEW ROAD & PUNKUP ROAD OXFORD, CONNECTICUT

Applicant: Cocchiola Paving, Inc.
18 Falls Avenue
Oakville, CT 06779
Contacts: Raphael Cocchiola
Tel. 860-945-2600
Fax 860-945-2609

Scale: 1"=50'

Date: 11/23/2020
Sheet: 1 of 3
Checked By: J.T.D.
Drawn By: G.P.D.
F.B. No. 355 & 356
CAD No. d2427.dwg
Disk: 60/19
Job No. D-2427

HORBAL & JUDSON
Land Surveyors & Associates
52 Main Street, Seymour, Connecticut (203)888-9660



LEGEND

| | | | |
|----------|--|------|---------------------------------|
| mon. fnd | CONCRETE MONUMENT FOUND | W/L# | WETLANDS |
| CHD | CONNECTICUT HIGHWAY DEPARTMENT | W/L# | WETLAND BOUNDARY W/FLAG NUMBER |
| o pipe | IRON PIPE | --- | SOIL BOUNDARY |
| o pin | IRON PIN | --- | BROOK |
| --- | PROPERTY LINE | --- | GUIDE RAIL |
| n/f | ADJACENT PROPERTY LINE | --- | FENCE |
| CL&P | NOW OR FORMERLY | --- | 10 FT. CONTOURS |
| CL&P | UTILITY POLE (CONN. LIGHT & POWER CO.) | --- | 2 FT. CONTOURS |
| CL&P | UTILITY POLE NUMBER UNKNOWN | --- | SPOT ELEVATION |
| CL&P | CORRUGATED METAL PIPE | --- | LIMIT OF ACTIVITY - (TREE LINE) |
| CL&P | REINFORCED CONCRETE PIPE | --- | GUIDE RAIL |
| CL&P | CATCH BASIN | --- | DEEP TEST PIT LOCATION |
| CL&P | STONE WALL | --- | PROPOSED CONTOURS |
| CL&P | LEDGE ROCK OUTCROP | --- | PROPOSED SPOT ELEVATION |

| | |
|-----|---------------------------------|
| --- | WETLANDS |
| --- | WETLAND BOUNDARY W/FLAG NUMBER |
| --- | SOIL BOUNDARY |
| --- | BROOK |
| --- | GUIDE RAIL |
| --- | FENCE |
| --- | 10 FT. CONTOURS |
| --- | 2 FT. CONTOURS |
| --- | SPOT ELEVATION |
| --- | LIMIT OF ACTIVITY - (TREE LINE) |
| --- | GUIDE RAIL |
| --- | DEEP TEST PIT LOCATION |
| --- | PROPOSED CONTOURS |
| --- | PROPOSED SPOT ELEVATION |

PRELIMINARY

THIS MAP IS PRELIMINARY WITH THE SURVEYOR'S LIMITED SIGNATURE AND ENCLOSURE SEAL. TO MY KNOWLEDGE AND BELIEF, THIS MAP IS SUBSTANTIALLY CORRECT AND NOT IN ERROR.

DATE: 11/23/2020
S.S. REG. 7000

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| REVISIONS | | |
|-----------|-------------|------|
| NO. | DESCRIPTION | DATE |
| | | |
| | | |
| | | |

SITE DEVELOPMENT PLAN

SUBDIVISION OF PARCEL "D"
LOT #5
RIVERVIEW SUBDIVISION
RIVERVIEW ROAD & PUNKUP ROAD
OXFORD, CONNECTICUT

HORBAL & JUDSON
Land Surveyors & Associates
52 Main Street, Seymour, Connecticut (203)888-9660

Scale: 1"=40'
Date: 11/23/2020
Sheet: 2 of 3
Checked By: J.T.J.
Drawn By: G.P.D.
F.B. No. 355 & 356
CAD No. d2427.dwg
Disk: 60/19
Job No. D-2427

LAW OFFICES

CONDON & SAVITT, P.C.

RECEIVED
1/23/20

THOMAS J. CONDON (2014)
HERBERT S. SAVITT
KEVIN W. CONDON

223 WAKELEE AVENUE
P.O. BOX 570
ANSONIA, CT 06401-0570

PHONE: (203) 734-2511
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e-mail: condonsavitt@comcast.net

January 22, 2020

Oxford Planning & Zoning Commission
Jeff Luff, Chairman
486 Oxford Road
Oxford, CT 06478

Re: Cocchiola Paving Inc, et al v Planning & Zoning Commission, Town of Oxford

Dear Chairman Luff:

Regarding the above captioned, I enclose for your review a copy of the zoning appeal decision dated November 4, 2019.

After reviewing appeal briefs and upon hearing testimony and oral argument, the Court sustained the plaintiff's zoning appeal and remanded the matter back to your Commission. The Court ordered Application 2-17-071 and 2-17-072 be approved without the conditions imposed in line (18), (19) and (20) of the Commission's Decision dated November 21, 2017.

As such, the Commission is advised to place this matter on the next regularly scheduled meeting agenda for discussion and approval in accordance with said Court order.

Thank you for your attention and continued cooperation.

Very truly yours,


Kevin W Condon

KWC/bzl
Enc.

MOTION BY Vice-Chairman John Kerwin to table this application.
Second by Commission Secretary Pat Cocchiarella.

All Ayes.

Motion passed unanimously.

H. Zoning Enforcement

The Commission discussed the following items with Steve Macary, ZEO:

- Silano Drive – the number of cars parked on the property. Commissioners agreed that on 2/9/2020 that Steve Macary, ZEO should proceed with the enforcement process and send the next letter noting the violation.
- 368 Oxford Road – a two family house with a tenant, which is not allowed per the zoning regulations. Steve Macary, ZEO mentioned that the owner of the house told him that the tenant would be leaving by June 1st. It was also noted that Town Counsel, Kevin Condon is writing a letter for the owner and the tenant to sign.
- Corner of Bower's Hill Road and O'Neill Road, Steve Macary, ZEO was asked to forward the email to Vice-Chairman John Kerwin.

I. Municipal Planner

Chairman Jeff Luff informed the Commission that he and Commission Secretary Pat Cocchiarella are working with Keith on the updates to the zoning regulations.

J. Minutes

1. **MOTION BY Commission Secretary Pat Cocchiarella** to approve the 1/21/20 – Regular Meeting Minutes as presented.

Second by Commissioner Brett Olbrys.

All Ayes.

Motion passed unanimously.

K. Invoices

1. **MOTION BY Commission Secretary Pat Cocchiarella** to approve Adkins Printing Invoice #248908 – Minutes Books for Permanent Records as presented.

Second by Vice-Chairman John Kerwin.

All Ayes.

Motion passed unanimously.

2. **MOTION BY Commission Secretary Pat Cocchiarella** to approve Arrow Printers, Inc. Invoice #1975 – Zoning Permit Applications as presented.

Second by Commissioner Pete Zbras.

All Ayes.

Motion passed unanimously.

L. Other Business

1. C & M Homes – Abandon Subdivision

(Referred to Jim Galligan & Kevin Condon for review)

2. Cocchiola – Riverview Subdivision – Discussion with possible action on Decision.

a. Letter dated 1/22/2020 from Town Counsel, Kevin Condon.

2/4/20
mtz min.

**Motion Per Memorandum of Decision in the Case of Cocchiola Paving, Inc., ET AL.
VS. Town Planning & Zoning Commission of the Town of Oxford**

Application Nos. Z-17-071 and Z-17-072

Original Motion approved November 21, 2017 (New motion per Memorandum of Decision)

WHEREAS, The Oxford Planning and Zoning Commission have received the following applications:

Application Z-17-071, purporting to be an application to re-subdivide “Parcel D”, a piece of property within the previously approved Riverview Subdivision.

Application Z-17-072, purporting to be an application to excavate 16,000 cubic yards from “Parcel D” of the previously approved Riverview Subdivision.

WHEREAS, by decision, dated April 3, 2008, the Commission approved Application No. Z-06-239 Lars Realty, LLC/Cocchiola Paving, Inc. 4 Lot Subdivision at 262 Roosevelt Drive and Special Permit for excavation in Res-A-Zone, Z-06-240

WHEREAS, the Oxford Planning and Zoning Commission, by decision dated April 3, 2008, agreed to settle the Appeal, Cocchiola Paving, Inc. v. Oxford Planning and Zoning Commission, CV-07-40083565, due to the desire to avoid the possibility of what it believes to be an outcome less conducive to the health, safety, and welfare of the Town of Oxford

WHEREAS, the Commission, based on the desire to have a controlled outcome, which will ensure the maximum control over the development of the parcel in question, and based upon the record before the Commission at the time of the hearing, the Commission made the findings of fact enumerated in the Planning and Zoning minutes of 4-3-08

WHEREAS, the Commission considered Application Nos. Z-17-071 and Z-17-072 at public hearings held August 15, 2017, September 5, 2017, and September 19, 2017

WHEREAS, the Commission has considered the original maps, plans, and accompanying document of the approved subdivision as well as the following documents within their deliberations:

- Letter dated April 17, 2013 from Nafis & Young Consulting Engineers
- Letter dated May 3, 2013 from Donald W. Smith, Jr., PE Consulting Engineer
- Letter dated November 12, 2013 from Donald W. Smith, Jr., PE Consulting Engineer
- Letter dated March 21, 2013 from Pomperaug District Department of Health
- Letter dated May 15, 2015 from Conservation Commission/Inland Wetland Agency
- Letter dated April 13, 2017 from Lars Realty, LLC
- Letter dated September 12, 2017 from Nafis & Young Consulting Engineers
- Reforestation Plan from Lars Realty, LLC revised December 18, 2006

- All surveys, maps, and plans provided and filed by Michael A. Horbal, Land Surveyors & Planners

WHEREAS, the Commission finds the following concerning Application Nos. Z-17-071 and Z-17-072

1. Both Applications are linked and should be considered integral to each other;
2. The Applications are in conformance with the Oxford Zoning Regulations;
3. The Applications are consistent with the sound and rational development of the original subdivision Z-06-239, 262 Roosevelt Drive.

BE IT RESOLVED, based upon the Applications and materials received, and testimony provided at the public hearings, Applications Z-17-071 and Z-17-072 are hereby approved.

This approval is subject to the following conditions:

1. All conditions of approval of Application Nos. Z-06-239 and Z-06-240, Lars Realty LLC/Cocchiola, 4 lot subdivision, 262 Roosevelt Drive and Special Permit for Excavation in Res A-zone, together with the Stipulated Judgment entered April 7, 2008 between Cocchiola Paving, et al v. Oxford Planning and Zoning Commission.
2. The applicant will be required to pay all costs of special consultants or studies deemed necessary by the Commission at any time during the period from initial review through inspection and final acceptance of any improvements.
3. The applicant and their assigns must comply with all representations made at Commission meetings or at public hearings regarding this application.
4. Applicant shall submit three complete copies of the set of plans which reflect these conditions of approval, including and electronic copy.
5. No work to be started until financial security is established by the Commission Engineer in a form acceptable to Town Counsel and provided by the applicant.
6. Compliance with all Town of Oxford Regulations and Ordinances in effect as of this date.
7. All documents required by the approval of these applications and prior approved applications shall be provided and approved prior to the issuance of a zoning permit by the Zoning Enforcement Officer.
8. Once excavation commences the applicant must provide monthly excavation reports to the Planning & Zoning Department.