



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, November 17, 2020
7:30 PM - Online/Virtual Meeting

The Planning & Zoning Commission will meet remotely on **Tuesday, November 17, 2020, 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:

Please click on the link or copy & paste into browser to join the Zoom meeting.
<https://us02web.zoom.us/j/85307393874>

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

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)**

Exhibits submitted by Attorney Dominick Thomas on behalf of the applicant:

1. Postal Form 3877 – Proof of Mailing
2. Photo of sign posted on the property for Public Hearing.
3. Notice to Property Owner within 250' of 21-23 Nichols Road
4. Notice to Property Owner within 250' of 21-23 Nichols Road
5. Notice to Property Owner within 250' of 21-23 Nichols Road
6. Notice to Property Owner within 250' of 21-23 Nichols Road
7. Notice to Property Owner within 250' of 21-23 Nichols Road
8. Town of Oxford GIS Map radius map for 21 Nichols Road
9. Town of Oxford GIS Map radius map for 23 Nichols Road
10. Copy of Application for a Modification of a Special Exception pursuant to **Article 2, Section 2.14 a, Article 9, Section 9.3.2.1, and Article 10, Section 1.07.2(6).**
11. Copy of Statement of Use dated 9/25/20.
12. Copy of Addendum to the Statement of Use
13. Site Plan for 21 Nichols Road
14. Architectural Drawing #1
15. Architectural Drawing #2
16. Judicial Notice #1 – Motion for Order
17. Judicial Notice #2 – Motion for Judgement in Accordance with Stipulation
18. Judicial Notice #3
19. Judicial Notice #4
20. Rock Crusher – Decibel Levels
21. Map showing surrounding properties and their uses.

Correspondence has submitted by the public for consideration during the Public Hearing.

E. Old Business – Other Matters

F. New Business – Schedule a Public Hearing

G. New Business

H. Zoning Enforcement

I. Minutes

1. 10/20/20 - Regular Meeting Minutes

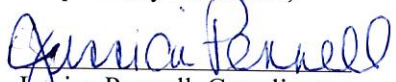
J. Invoices

K. Other Business

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

L. Adjournment

Respectfully submitted,


Jessica Pennell, Coordinator
Planning & Zoning Commission

20 NOV 16 PM 2:14
TOWN OF OXFORD, CT
THOMAS CLERK
Thomas Clerk



TOWN OF OXFORD

S.B. Church Memorial Town Hall
486 Oxford Road, Oxford, Connecticut 06478-1298
www.Oxford-CT.gov

Planning & Zoning Commission

TOWN OF OXFORD PLANNING & ZONING COMMISSION PUBLIC HEARING NOTICE

The Planning & Zoning Commission of the Town of Oxford, Connecticut will hold a Public Hearing on **Tuesday, October 20, 2020 at 7:30 PM** on the following application:

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)

At the meeting, interested persons may be heard, and written correspondence will be received. Please submit written correspondence to pandz@oxford-ct.gov at least 24 hours before the meeting. A copy of the proposal will be posted online at least 24 hours before the meeting.

Information to join the Public Hearing:

Meeting ID:

meet.google.com/tqt-oxuf-dih

Phone Numbers:

[\(US\)+1 530-536-0047](tel:+15305360047)

PIN: 173 671 732#

Dated at Oxford, Connecticut this 7th day of October 2020.

PLEASE PUBLISH on October 9th & October 16th, 2020.

BY: Jessica Pennell, Coordinator
Planning & Zoning Commission



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

Z#:	<u>2-20-350</u>
Date Received:	_____
Date Accepted:	_____
Date on Agenda:	_____
65 Day Exp.:	_____
Extension:	_____
2 nd Extension:	_____

Planning and Zoning Commission

*** Please Note:**

- Read Instructions Thoroughly Before Completing Form
- This form Must Be Completely Typewritten or Legibly Printed in Ink

1) **APPLICATION:** This is an application for: *(Check the ones that apply)*

- | | | | |
|---|--|--|------------------------------|
| <input type="checkbox"/> Subdivision | <input type="checkbox"/> Resubdivision | Total Number of Lots: _____ | Art 2, Sec 2.14a |
| <input type="checkbox"/> Zone Change | <input checked="" type="checkbox"/> ^{Modification of} Special Exception | S/E (Include Article & Section No.): _____ | Art 9, Sec 9.3.21 |
| <input type="checkbox"/> Excavation | <input type="checkbox"/> Map/Text Amendment | (Include Article & Section No.): _____ | Art 10, Sec 10.7.2(6) |
| <input checked="" type="checkbox"/> Site Plan | <input type="checkbox"/> Other _____ | | |

Name of Project Title (Subdivision/Resubdivision): _____

2) **PROPERTY LOCATION(s):**

a) Street Address: 21 & 23 Nichols Road

Town Clerk Record Map Number: N/A

Assessor's Identification Numbers:

Map: 18 Block: 30 Lot: 6 & 6-1 Unit: _____

Zoning District: *(Check One)*

- | | | | |
|----------------------------------|------------------------------------|---|---|
| <input type="checkbox"/> RES A | <input type="checkbox"/> RES Golf | <input type="checkbox"/> COM | <input type="checkbox"/> Planned COM |
| <input type="checkbox"/> RES POD | <input type="checkbox"/> Ox Center | <input checked="" type="checkbox"/> IND | <input type="checkbox"/> CORP BP <input type="checkbox"/> Other |

Water and Sewer: *(Check the ones that apply)*

- | | |
|--|--|
| <input type="checkbox"/> Municipal Sanitary Sewers | <input type="checkbox"/> Private Wells |
| <input type="checkbox"/> On Site Septic Systems | <input type="checkbox"/> Public Water |

b) Street Address: _____

Town Clerk Record Map Number: _____

Assessor's Identification Numbers:

Map: _____ Block: _____ Lot: _____ Unit: _____

Zoning District: *(Check One)*

- | | | | |
|----------------------------------|------------------------------------|------------------------------|---|
| <input type="checkbox"/> RES A | <input type="checkbox"/> RES Golf | <input type="checkbox"/> COM | <input type="checkbox"/> Planned COM |
| <input type="checkbox"/> RES POD | <input type="checkbox"/> Ox Center | <input type="checkbox"/> IND | <input type="checkbox"/> CORP BP <input type="checkbox"/> Other |

Water and Sewer: *(Check the ones that apply)*

- | | |
|--|--|
| <input type="checkbox"/> Municipal Sanitary Sewers | <input type="checkbox"/> Private Wells |
| <input type="checkbox"/> On Site Septic Systems | <input type="checkbox"/> Public Water |

Please indicate who will be the POINT OF CONTACT:

(All communications and correspondence will be directed to the Point of Contact)

(Check one)

APPLICANT OWNER LAND SURVEYOR ENGINEER ARCHITECT

3) APPLICANT: TPB CONTRACTORS, LLC

Address: C/O Atty. Dominick Thomas, 315 Main Street
Town: Derby State: CT Zip Code: 06418
Phone: (203) 735-9521 Fax: (203) 7382-8129 Email: djt@cohen-thomas.com

4) OWNER(s): T&C PARTNERS, LLC

Address: C/O Atty. Dominick Thomas, 315 Main Street
Town: Derby State: CT Zip Code: 06418
Phone: (203) 735-9521 Fax: (203) 732-8129 Email: djt@cohen-thomas.com

5) APPLICANT'S OWNERSHIP INTEREST: Common ownership of LLCs / tenant of owner

6) LAND SURVEYOR: _____ REG. No: _____

Address: _____
Town: _____ State: _____ Zip Code: _____
Phone: () _____ Fax: () _____ Email: _____

7) CIVIL ENGINEER: JAMES SWIFT REG. No: _____

Address: 1
Town: _____ State: _____ Zip Code: _____
Phone: (203) 209-3746 Fax: () _____ Email: jim@swiftpe.com

8) ARCHITECT: _____ REG. No: _____

Address: _____
Town: _____ State: _____ Zip Code: _____
Phone: () _____ Fax: () _____ Email: _____

9) PREFERRED OR RECOMMENDED NAMES OF NEW ROADS TO BE CONSTRUCTED: _____

(Subject to BOS Approval)

(Check One) Private Road Town Road _____ Length of Road

10) STATUS OF WETLANDS PERMIT: PREVIOUSLY APPROVED

(Please Provide a Copy)

11) ACREAGE OF OPEN SPACE and/or CONSERVATION EASEMENTS: N/A

12) SURETY OPTION (See Article 9 of Subdivision Regulations): N/A

(Check the one that applies)

- Improvements will be completed prior to endorsement and filing of record subdivision.
- Surety will be provided.
- Conditional approval is requested.

13) WAIVERS: _____

(Check the one that applies) N/A

- No waivers of the subdivision regulations are required.
- Waivers of one or more sections of the subdivision regulations are requested.
(Please provide a written description of the reason for the waiver and attached to and make part of this application.)

19) AUTHORIZATION AND ENDORSEMENTS:

a) APPLICANT:

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.

APPLICANT SIGNATURE _____

NAME PRINTED Attorney Dominick Thomas
Attorney for Applicant

DATE 9/25/2020

b) PROPERTY OWNER(s):

The undersigned, being all of the owners of the premises referred above, hereby consent to the filing of this application together with meeting of all requirements of the applicant by the Commission for same.

OWNER SIGNATURE _____

NAME PRINTED Attorney Dominick Thomas

DATE 9/25/2020

Attorney for Owner

20) INFORMATIONAL:

Communications with and recommendations from contracted P&Z staff are the sole responsibility of the applicant.

21) ACTION TAKEN:

(This SECTION is to be filled out by Planning & Zoning Staff ONLY)

DENIED / APPROVED
(Check One)

APPROVED WITH CONDITIONS Yes or No
(Check One)

See Letter dated _____ for DETAILS of ACTION taken and attach a copy hereto.

BY: _____ DATE _____
(Name & Title)



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-20-350
 Date: September 25, 2020

STATEMENT OF USE
 Article 11, Section 2

Property Address: 21-23 Nichols Road Zone: IND Map: 18 Block: 30 Lot: 6 & 6-1

APPLICANT: T & C PARTNERS LLC and TPB CONTRACTORS LLC
 Address: C/O Attorney Dominick Thomas, 315 Main Street
 Town: Derby State: CT Zip Code: 06418
 Phone: (203) 735-9521 Fax: (203-) 732-8129 Email: djt@cohen-thomas.com

OWNER(s): T & C PARTNERS LLC
 Address: 21 Nichols Road
 Town: Oxford State: CT Zip Code: 06478
 Phone: () Fax: () Email:

Name of Proposed Business: TpB Contractors LLC

Total Square Footage Existing building -6000 + s/f Hours of Operation: See Addendum

Number of Employees: Self Number of Parking Spaces: N/A

List Hazardous and/or Chemicals Material on site (In & Outdoor): None
 (Must provide MSDS Sheets if applicable)

Provide Approval from: PDDH _____ Fire Marshal _____ Other _____

Description of Business (Include as much detail as possible or the application will be considered incomplete)

SEE ATTACHED ADDENDUM.

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.

Dominick J. Thomas, Jr. 9/25/2020
 Applicant's Signature Date
 Attorney for Applicant and Owner

STATEMENT OF USE ADDENDUM

The Commission approved a Contractor Yard Special Exception in 2018 without rock processing. The Commission then enacted new regulations (Sec. 2.14a and 10.7 et seq.) which permit rock processing as part of a contractor yard use. This application is to modify the approved special exception permit to permit rock processing in a building as per Section 10.7.2(6). The building has been previously reviewed by the Commission. Rock processing, when needed, would be performed Monday to Friday between the hours of 8:00am and 5:00pm and Saturday from 8:00am to 12:00pm. There would be no rock processing on Sunday or holidays. A modified site plan, previously reviewed by the Commission, is submitted herewith along with a building elevation. The proposed processing building and site plan are exactly as approved by the Commission for the settlement of the pending zoning appeal.

Name and Address of Sender

Check type of mail or service:

- Certified
- COD
- Delivery Confirmation
- Express Mail
- Insured
- Recorded Delivery (International)
- Registered
- Return Receipt for Merchandise
- Signature Confirmation

Affix Stamp Here
 (If issued as a certificate of mailing, or for additional copies of this bill) -
 Postmark and Date of Receipt

Article Number	Addressee (Name, Street, City, State, & ZIP Code)	Postage	Fee	Handling Charge	Actual Value if Registered	Insured Value	Due Sender if COD	DC Fee	SC Fee	SH Fee	RD Fee	RR Fee
1.	Glenn Persson 124 Hawley Rd Oxford, CT 06478											
2.	Nichols Road LLC 21 Finance Dr Danbury, CT 06810											
3.	Stihl Incorporation 536 Viking Dr Virginia Beach, VA 23452-7											
4.	Oxford Land LLC 154 Route 202 Lincolndale NY 10540											
5.	Marie Seno & Marie Nitsche 130 Hawley Rd Oxford, CT 06478											
6.												
7.												
8.												
Total Number of Pieces Listed by Sender		Total Number of Pieces Received at Post Office	Postmaster, Per (Name of receiving employee)									



PS Form 3877, February 2002 (Page 1 of 2)

Complete by Typewriter, Ink, or Ball

DTT/Beard/9030516
5 Certificates of Mailing
CK# 7370 \$11.00





NOTICE OF HEARING

OXFORD PLANNING & ZONING COMMISSION
TUESDAY, October 20, 2020 @ 7:00 PM
REMOTE HEARING

See online agenda for connection information
FOR MORE INFORMATION CONTACT
OXFORD TOWN HALL / WWW.OXFORD-CT.GOV
203-888-2543

COHEN AND THOMAS
ATTORNEYS AT LAW

315 MAIN STREET
POST OFFICE BOX 313
DERBY, CONNECTICUT 06418

(203) 735-9521
FAX: (203) 732-8129
e-mail: djt@cohen-thomas.com

DOMINICK J. THOMAS, JR.
IAN A. COLE
CHRISTINE L. CURTISS
GAYLE C. CARR
GREGORY M. THOMAS

JAMES E. COHEN
RETIRED

DAVID B. COHEN
(1936-1991)

LITCHFIELD OFFICE
15 MEADOW STREET
LITCHFIELD, CONNECTICUT 06759
(860) 567-3754
FAX (860) 567-3894

October 8, 2020

RE: Notice of Scheduled Public Hearing

Glenn Persson
124 Hawley Rd.
Oxford, CT 06478

Pursuant to the Zoning Regulations of the Town of Oxford, Connecticut, as an abutting property owner or an owner within 250 feet of 21 and 23 Nichols Road, this letter is to notify you of a pending application for a Modification of the Special Exception Permit (Z-18-183) for a contractor yard to permit rock processing in accordance with Section 10.7 et seq. of the Oxford Zoning Regulations which application requires a Public Hearing.

Application #: Z-20-350
Applicant Name: TPB CONTRACTORS LLC
Property Owner: T & C PARTNERS LLC
Site Address: 21 AND 23 NICHOLS ROAD

A Public Hearing will be remote and held on October 20, 2020 at 7:00PM.

The Public Hearing will be remote. Connection information is as follows:

Meeting ID
meet.google.com/tqt-oxuf-dih

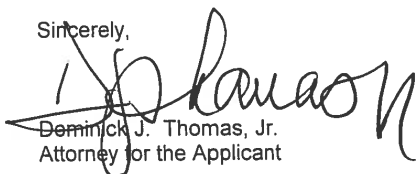
Phone Numbers
(US) +1 530-536-0047
PIN: 173 671 732#.

The application and plans are on file in the Planning & Zoning Office and the Town Clerk's Office, located at 486 Oxford Road, Oxford, Connecticut. The Town Hall is open Monday-Friday BY APPOINTMENT ONLY. A reduced size copy of the application, Statement of Use, site plan and elevations is attached.

Should you have any further questions or concerns regarding this matter, please contact the Planning & Zoning Secretary at (203) 828-6512 / OR

Attorney Dominick Thomas, 203-735-9521 / djt@cohen-thomas.com

Sincerely,



Dominick J. Thomas, Jr.
Attorney for the Applicant

COHEN AND THOMAS
ATTORNEYS AT LAW

315 MAIN STREET
POST OFFICE BOX 313
DERBY, CONNECTICUT 06418

(203) 735-9521
FAX: (203) 732-8129
e-mail: djt@cohen-thomas.com

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LITCHFIELD, CONNECTICUT 06759
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October 8, 2020

RE: Notice of Scheduled Public Hearing

Nichols Road LLC
21 Finance DR.
Danbury, CT 06810

Pursuant to the Zoning Regulations of the Town of Oxford, Connecticut, as an abutting property owner or an owner within 250 feet of 21 and 23 Nichols Road, this letter is to notify you of a pending application for a Modification of the Special Exception Permit (Z-18-183) for a contractor yard to permit rock processing in accordance with Section 10.7 et seq. of the Oxford Zoning Regulations which application requires a Public Hearing.

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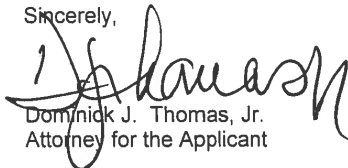
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Sincerely,



Dominick J. Thomas, Jr.
Attorney for the Applicant

COHEN AND THOMAS
ATTORNEYS AT LAW

315 MAIN STREET
POST OFFICE BOX 313
DERBY, CONNECTICUT 06418

(203) 735-9521
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(860) 567-3754
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October 8, 2020

RE: Notice of Scheduled Public Hearing

Stihl Incorporation
536 Viking Dr.
Virginia Beach, VA 23452-7

Pursuant to the Zoning Regulations of the Town of Oxford, Connecticut, as an abutting property owner or an owner within 250 feet of 21 and 23 Nichols Road, this letter is to notify you of a pending application for a Modification of the Special Exception Permit (Z-18-183) for a contractor yard to permit rock processing in accordance with Section 10.7 et seq. of the Oxford Zoning Regulations which application requires a Public Hearing.

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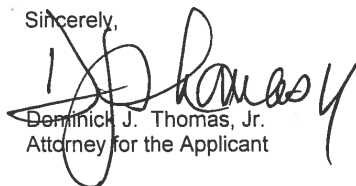
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Attorney Dominick Thomas, 203-735-9521 / djt@cohen-thomas.com

Sincerely,



Dominick J. Thomas, Jr.
Attorney for the Applicant

COHEN AND THOMAS
ATTORNEYS AT LAW

315 MAIN STREET
POST OFFICE BOX 313
DERBY, CONNECTICUT 06418

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15 MEADOW STREET
LITCHFIELD, CONNECTICUT 06759
(860) 567-3754
FAX (860) 567-3894

October 8, 2020

RE: Notice of Scheduled Public Hearing

Oxford Land LLC
154 Route 202
Lincolndale, NY 10540

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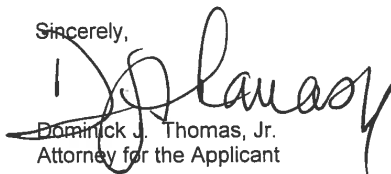
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Attorney Dominick Thomas, 203-735-9521 / djt@cohen-thomas.com

Sincerely,



Dominick J. Thomas, Jr.
Attorney for the Applicant

COHEN AND THOMAS
ATTORNEYS AT LAW

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15 MEADOW STREET
LITCHFIELD, CONNECTICUT 06759
(860) 567-3754
FAX (860) 567-3894

October 8, 2020

RE: Notice of Scheduled Public Hearing

Marie Seno & Marie Nitsche
130 Hawley Rd.
Oxford, CT 06478

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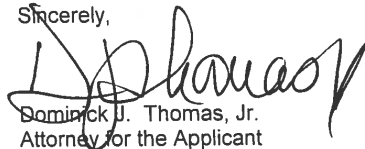
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Sincerely,



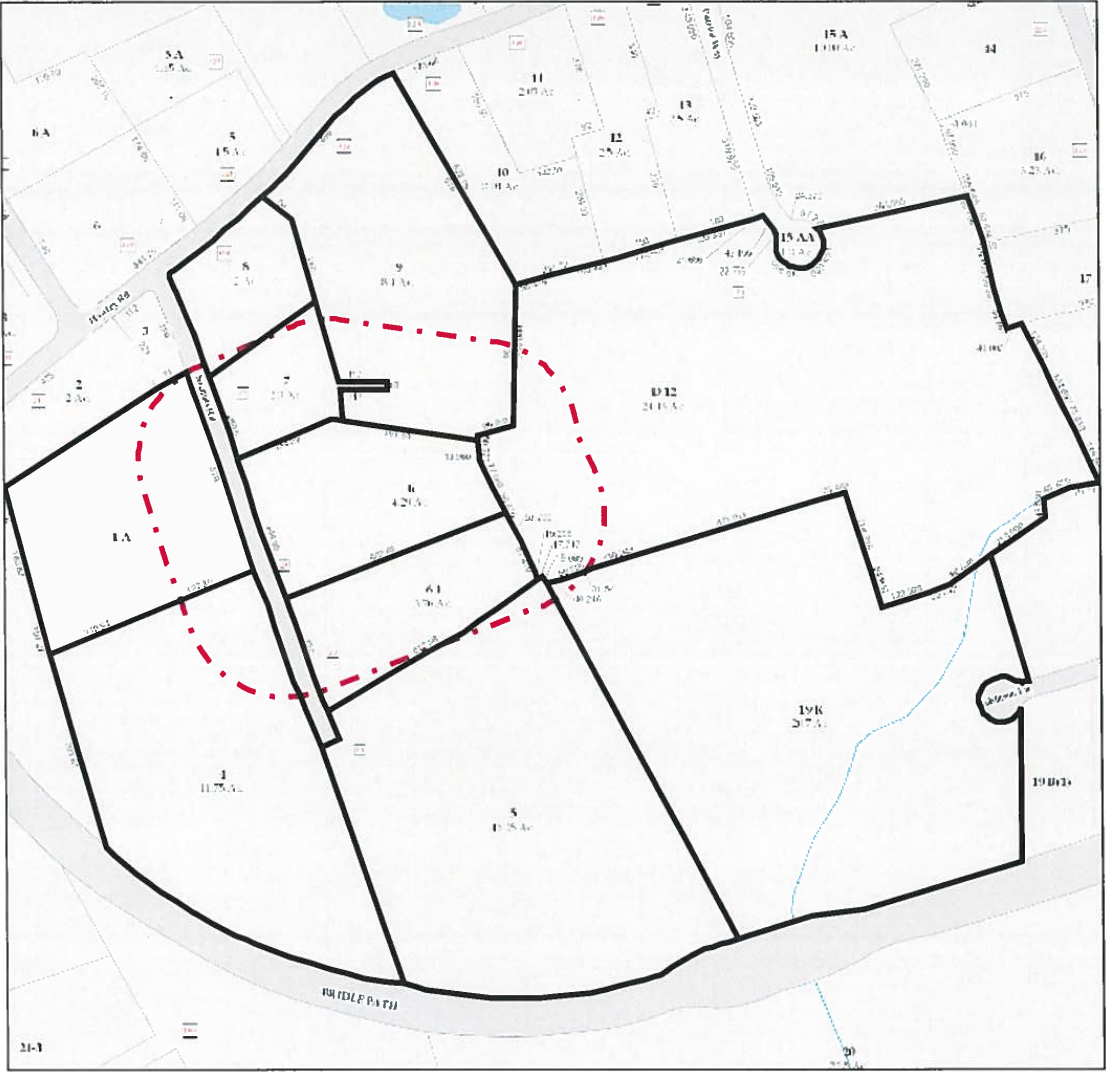
Dominick J. Thomas, Jr.
Attorney for the Applicant

Town of Oxford

Geographic Information System (GIS)



Date Printed: 10/8/2020



MAP DISCLAIMER - NOTICE OF LIABILITY
This map is for assessment purposes only. It is not for legal description or conveyances. All information is subject to verification by any user. The Town of Oxford and its mapping contractors assume no legal responsibility for the information contained herein.

Approximate Scale: 1 inch = 400 ft

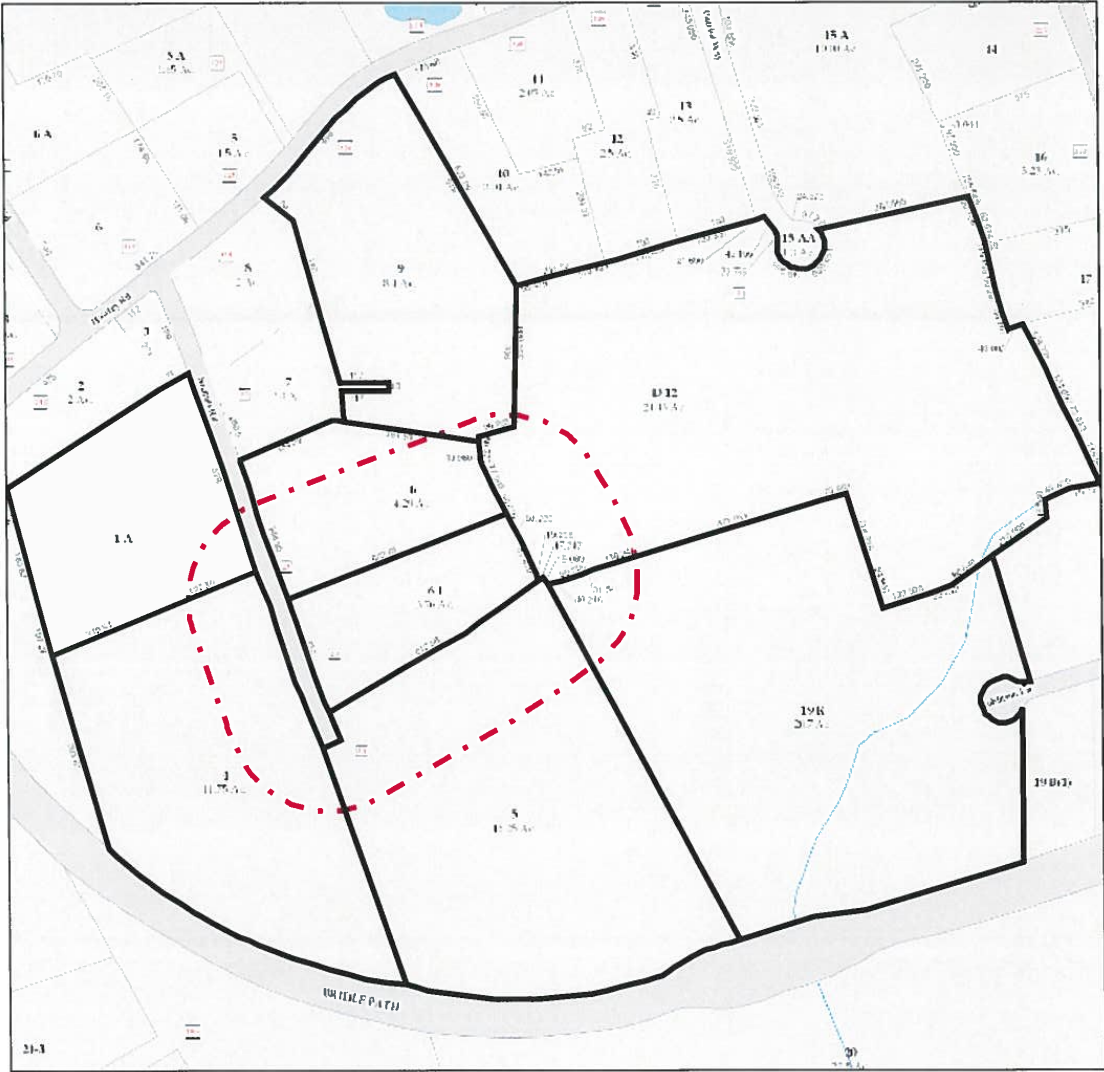


Town of Oxford

Geographic Information System (GIS)



Date Printed: 10/8/2020



MAP DISCLAIMER - NOTICE OF LIABILITY

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Approximate Scale: 1 inch = 400 ft





Planning and Zoning Commission

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

Z#:	_____
Date Received:	_____
Date Accepted:	_____
Date on Agenda:	_____
65 Day Exp.:	_____
Extension:	_____
2 nd Extension:	_____

* Please Note:

- Read Instructions Thoroughly Before Completing Form
- This form Must Be Completely Typewritten or Legibly Printed in Ink

1) APPLICATION: This is an application for: *(Check the ones that apply)*

- | | | | |
|---|--|--|------------------------------|
| <input type="checkbox"/> Subdivision | <input type="checkbox"/> Resubdivision | Total Number of Lots: _____ | Art 2, Sec 2.14a |
| <input type="checkbox"/> Zone Change | <input checked="" type="checkbox"/> ^{Modification of} Special Exception | S/E (Include Article & Section No.): _____ | Art 9, Sec 9.3.21 |
| <input type="checkbox"/> Excavation | <input type="checkbox"/> Map/Text Amendment | (Include Article & Section No.): _____ | Art 10, Sec 10.7.2(6) |
| <input checked="" type="checkbox"/> Site Plan | <input type="checkbox"/> Other | _____ | |

Name of Project Title (Subdivision/Resubdivision): _____

2) PROPERTY LOCATION(s):

a) Street Address: 21 & 23 Nichols Road

Town Clerk Record Map Number: N/A

Assessor's Identification Numbers:

Map: 18 Block: 30 Lot: 6 & 6-1 Unit: _____

Zoning District: *(Check One)*

- | | | | |
|----------------------------------|------------------------------------|---|---|
| <input type="checkbox"/> RES A | <input type="checkbox"/> RES Golf | <input type="checkbox"/> COM | <input type="checkbox"/> Planned COM |
| <input type="checkbox"/> RES POD | <input type="checkbox"/> Ox Center | <input checked="" type="checkbox"/> IND | <input type="checkbox"/> CORP BP <input type="checkbox"/> Other |

Water and Sewer: *(Check the ones that apply)*

- | | |
|--|--|
| <input type="checkbox"/> Municipal Sanitary Sewers | <input type="checkbox"/> Private Wells |
| <input type="checkbox"/> On Site Septic Systems | <input type="checkbox"/> Public Water |

b) Street Address: _____

Town Clerk Record Map Number: _____

Assessor's Identification Numbers:

Map: _____ Block: _____ Lot: _____ Unit: _____

Zoning District: *(Check One)*

- | | | | |
|----------------------------------|------------------------------------|------------------------------|---|
| <input type="checkbox"/> RES A | <input type="checkbox"/> RES Golf | <input type="checkbox"/> COM | <input type="checkbox"/> Planned COM |
| <input type="checkbox"/> RES POD | <input type="checkbox"/> Ox Center | <input type="checkbox"/> IND | <input type="checkbox"/> CORP BP <input type="checkbox"/> Other |

Water and Sewer: *(Check the ones that apply)*

- | | |
|--|--|
| <input type="checkbox"/> Municipal Sanitary Sewers | <input type="checkbox"/> Private Wells |
| <input type="checkbox"/> On Site Septic Systems | <input type="checkbox"/> Public Water |

Please indicate who will be the **POINT OF CONTACT:**

(All communications and correspondence will be directed to the Point of Contact)

(Check one)

APPLICANT OWNER LAND SURVEYOR ENGINEER ARCHITECT

3) APPLICANT: TPB CONTRACTORS, LLC

Address: C/O Atty. Dominick Thomas, 315 Main Street

Town: Derby State: CT Zip Code: 06418

Phone: (203) 735-9521 Fax: (203) 7382-8129 Email: djt@cohen-thomas.com

4) OWNER(s): T&C PARTNERS, LLC

Address: C/O Atty. Dominick Thomas, 315 Main Street

Town: Derby State: CT Zip Code: 06418

Phone: (203) 735-9521 Fax: (203) 732-8129 Email: djt@cohen-thomas.com

5) APPLICANT'S OWNERSHIP INTEREST: Common ownership of LLCs / tenant of owner

6) LAND SURVEYOR: _____ REG. No: _____

Address: _____

Town: _____ State: _____ Zip Code: _____

Phone: () _____ Fax: () _____ Email: _____

7) CIVIL ENGINEER: JAMES SWIFT REG. No: _____

Address: 1

Town: _____ State: _____ Zip Code: _____

Phone: (203) 209-3746 Fax: () _____ Email: jim@swiftpe.com

8) ARCHITECT: _____ REG. No: _____

Address: _____

Town: _____ State: _____ Zip Code: _____

Phone: () _____ Fax: () _____ Email: _____

9) PREFERRED OR RECOMMENDED NAMES OF NEW ROADS TO BE CONSTRUCTED: _____

(Subject to BOS Approval)

(Check One) Private Road Town Road _____ Length of Road

10) STATUS OF WETLANDS PERMIT: PREVIOUSLY APPROVED

(Please Provide a Copy)

11) ACREAGE OF OPEN SPACE and/or CONSERVATION EASEMENTS: N/A

12) SURETY OPTION (See Article 9 of Subdivision Regulations): N/A

(Check the one that applies)

Improvements will be completed prior to endorsement and filing of record subdivision.

Surety will be provided.

Conditional approval is requested.

13) WAIVERS:

(Check the one that applies) N/A

No waivers of the subdivision regulations are required.

Waivers of one or more sections of the subdivision regulations are requested.

(Please provide a written description of the reason for the waiver and attached to and make part of this application.)

14) EARTH EXCAVATION:

(Check one)

Yes No

If yes, how many cubic yards of material to be removed, filled, and/or dispersed. _____ cubic yards.

15) FLOOD ZONE:

(Check one)

Yes No If yes, what zone. _____

16) APPLICATION/SUPPORTING DOCUMENTS:

(Indicate Attached or Not Applicable)

<input checked="" type="checkbox"/> Project Narrative Letter	_____ Fire Marshal's Review
_____ Record Subdivision Plan	_____ Letter from Public Water Supply
<input checked="" type="checkbox"/> Site Development Plan	_____ P.D.D.H. Approval
_____ Plan and Profile	_____ Inland Wetlands Approval
_____ Standard Construction Details	_____ W.P.C.A. Approval
_____ Connecticut Highway Department	_____ Legal Boundary Description
_____ Engineering Department Review	_____ Zoning and Subdivision History
_____ Drainage Calculations	_____ Certificate from Assessor
_____ Other: _____	_____ Other: _____

17) REFERRALS:

(Check the ones that apply)

- A portion of the property effected by the decision of the Commission is located within five hundred (500) feet of the boundary of an adjoining municipality.
- A portion of the sewer or water drainage from the project site will flow through and significantly impact the sewage system within the adjoining municipality.
- Water run-off from the improved site will impact streets or other municipal or private property within the adjoining municipality.
- Subdivision/Resubdivision includes land which abuts or is partially located in the Town of _____.
- Referral to Regional Planning Agencies is required.

If any of the above applies, the applicant is required to give written notice of his/her application to the adjoining municipality and submit a copy to P&Z. Notification must be by **CERTIFIED MAIL/RETURN RECEIPT.**

18) APPLICATION FEES: (Additional fees may apply - See Schedule of Fees)

Application Fee is as follows:

_____ Building Lots (x) \$ _____ per lot = \$ N/A

_____ Cubic yards (x) \$100 for each 1,000 cubic yards = \$ N/A

Public Hearing Fee = \$ 600.00

Other Fees = \$ 650.00 (300 + *350)

State Fee = \$ 60.00

Total Fee = \$ 1310.00 (Ck#) _____

19) AUTHORIZATION AND ENDORSEMENTS:

a) APPLICANT:

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.

APPLICANT SIGNATURE

NAME PRINTED Attorney Dominick Thomas
Attorney for Applicant

DATE 9/25/2020

b) PROPERTY OWNER(s):

The undersigned, being all of the owners of the premises referred above, hereby consent to the filing of this application together with meeting of all requirements of the applicant by the Commission for same.

OWNER SIGNATURE

NAME PRINTED Attorney Dominick Thomas DATE 9/25/2020

Attorney for Owner

20) INFORMATIONAL:

Communications with and recommendations from contracted P&Z staff are the sole responsibility of the applicant.

21) ACTION TAKEN:

(This SECTION is to be filled out by Planning & Zoning Staff ONLY)

DENIED / APPROVED
(Check One)

APPROVED WITH CONDITIONS Yes or No
(Check One)

See Letter dated _____ for DETAILS of ACTION taken and attach a copy hereto.

BY: _____ DATE _____
(Name & Title)



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 #: _____
 Date: September 25, 2020

STATEMENT OF USE

Article 11, Section 2

Property Address: 21-23 Nichols Road Zone: IND Map: 18 Block: 30 Lot: 6 & 6-1

APPLICANT: T & C PARTNERS LLC and TPB CONTRACTORS LLC
 Address: C/O Attorney Dominick Thomas, 315 Main Street
 Town: Derby State: CT Zip Code: 06418
 Phone: (203) 735-9521 Fax: (203-) 732-8129 Email: djt@cohen-thomas.com

OWNER(s): T & C PARTNERS LLC
 Address: 21 Nichols Road
 Town: Oxford State: CT Zip Code: 06478
 Phone: () Fax: () Email: _____

Name of Proposed Business: TPB Contractors LLC

Total Square Footage Existing building -6000 + s/f Hours of Operation: See Addendum

Number of Employees: Self Number of Parking Spaces: N/A

List Hazardous and/or Chemicals Material on site (In & Outdoor): None
 (Must provide MSDS Sheets if applicable)

Provide Approval from: PDDH _____ Fire Marshal _____ Other _____

Description of Business (Include as much detail as possible or the application will be considered incomplete)

SEE ATTACHED ADDENDUM.

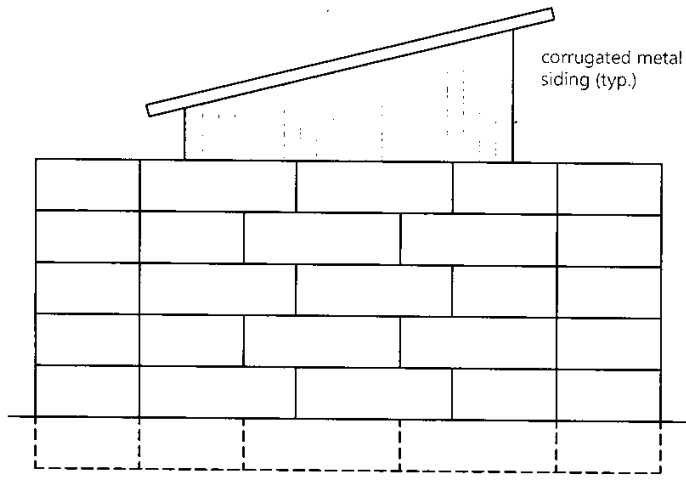
I (we) hereby certify that I (we) are making this application on behalf of and with full authority of the owner(s) of the property or premises and am aware of and understand the Zoning and/or Subdivision Regulations pertinent to the application and affirm that the statements and information provided 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.

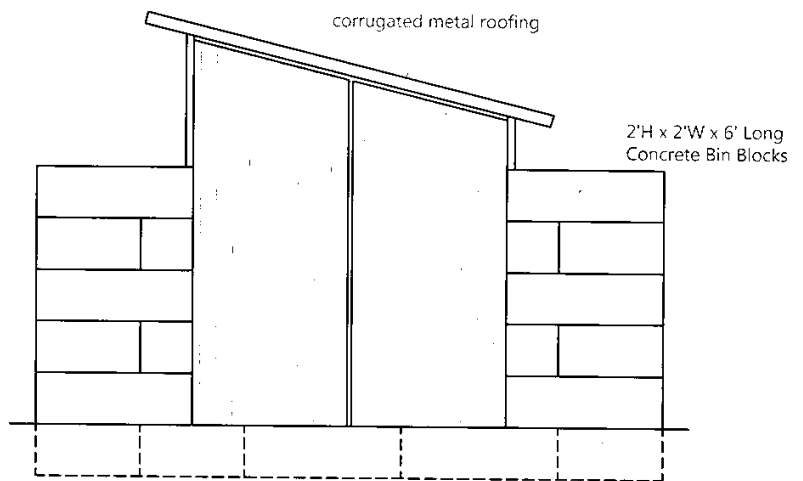
Dominick J. Thomas, Jr.
 Applicant's Signature
 Attorney for Applicant and Owner
9/25/2020
 Date

STATEMENT OF USE ADDENDUM

The Commission approved a Contractor Yard Special Exception in 2018 without rock processing. The Commission then enacted new regulations (Sec. 2.14a and 10.7 et seq.) which permit rock processing as part of a contractor yard use. This application is to modify the approved special exception permit to permit rock processing in a building as per Section 10.7.2(6). The building has been previously reviewed by the Commission. Rock processing, when needed, would be performed Monday to Friday between the hours of 8:00am and 5:00pm and Saturday from 8:00am to 12:00pm. There would be no rock processing on Sunday or holidays. A modified site plan, previously reviewed by the Commission, is submitted herewith along with a building elevation. The proposed processing building and site plan are exactly as approved by the Commission for the settlement of the pending zoning appeal.



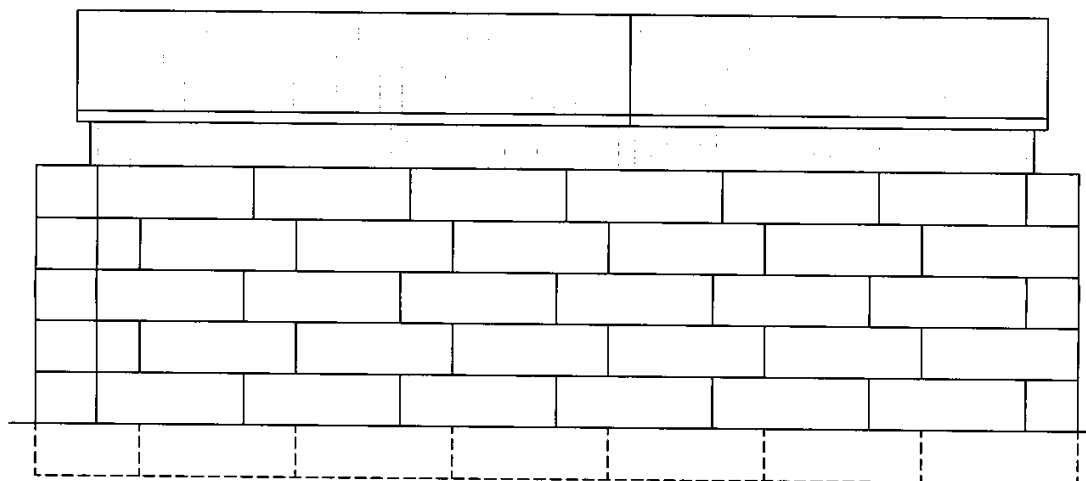
Rear Elevation



Front Elevation

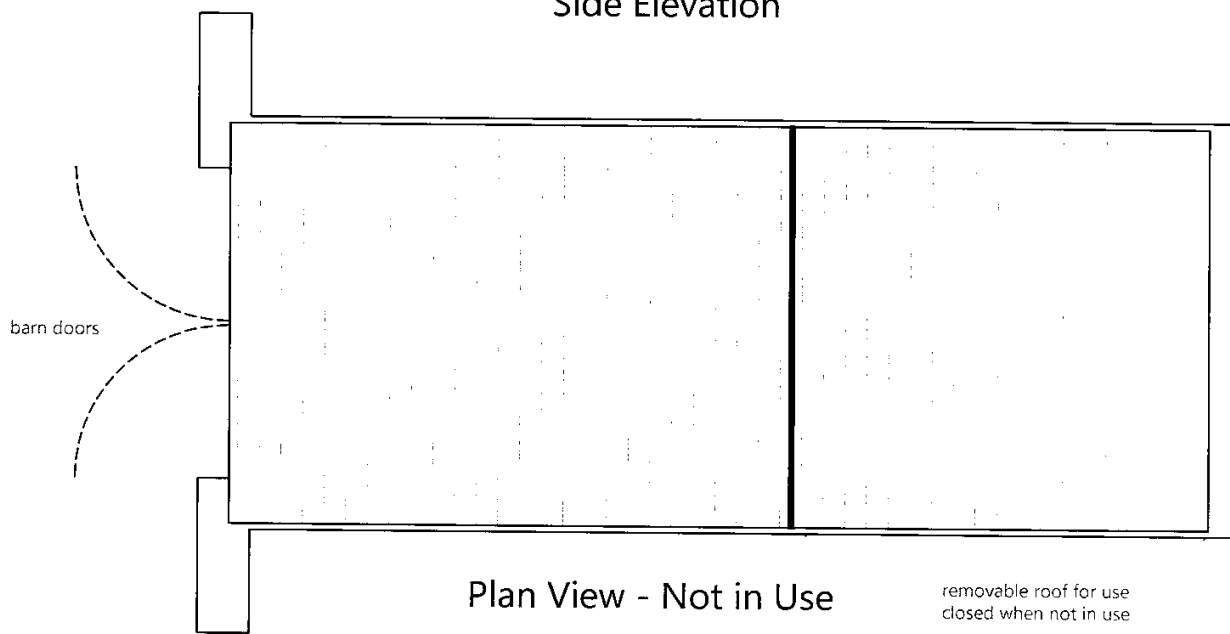
course of block below grade (typ.)

2'H x 2'W x 6' Long Concrete Bin Blocks



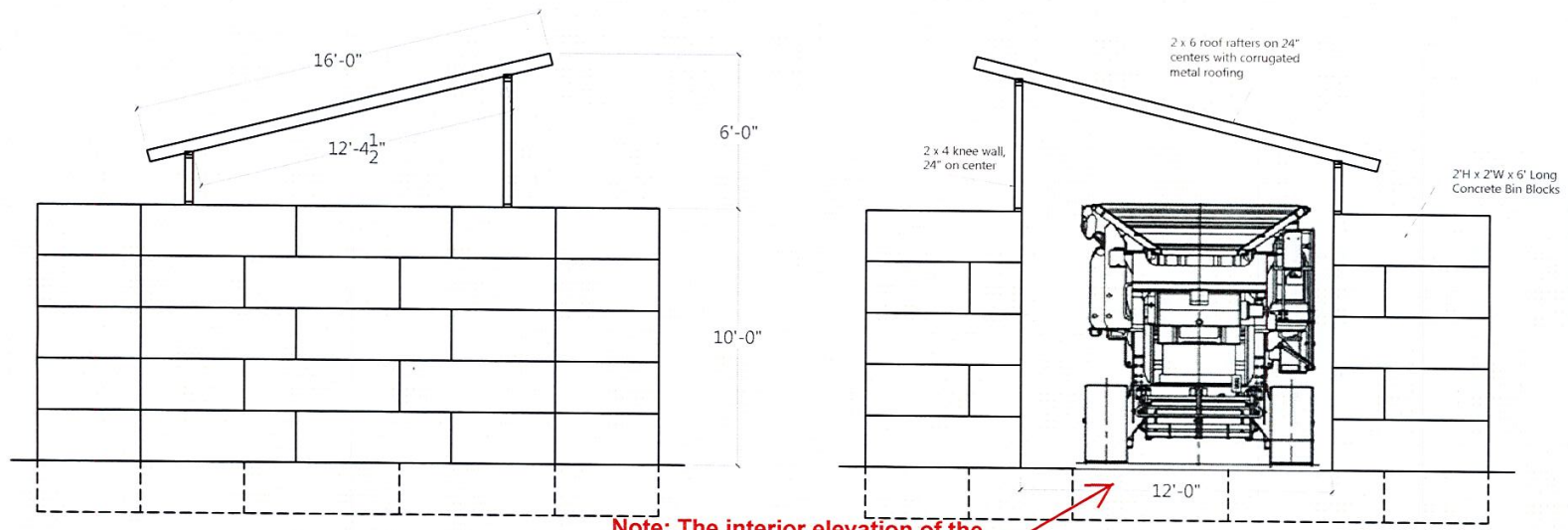
Side Elevation

course of block below grade (typ.)



Plan View - Not in Use

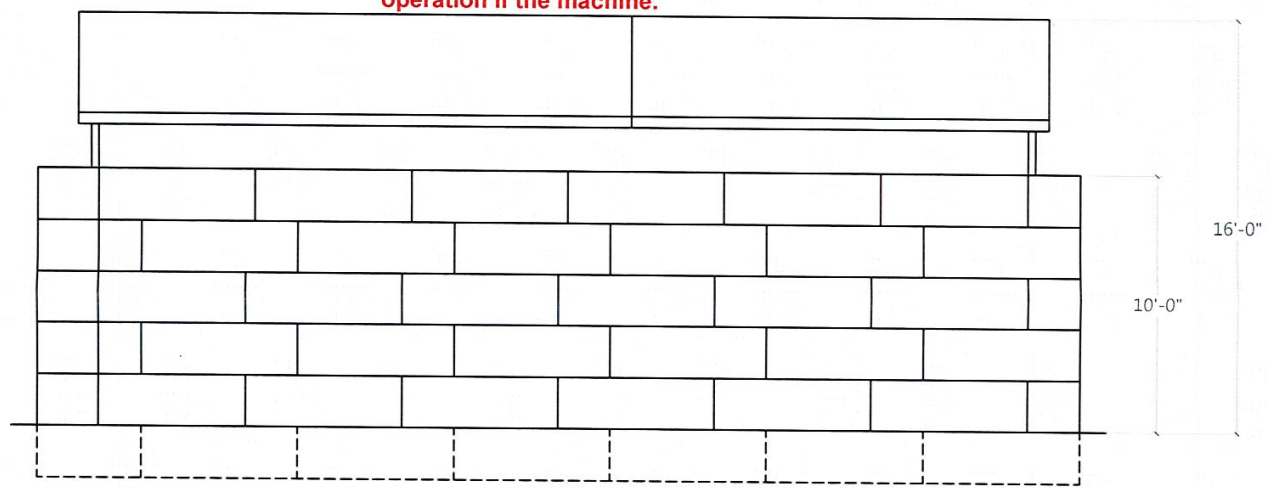
removable roof for use closed when not in use



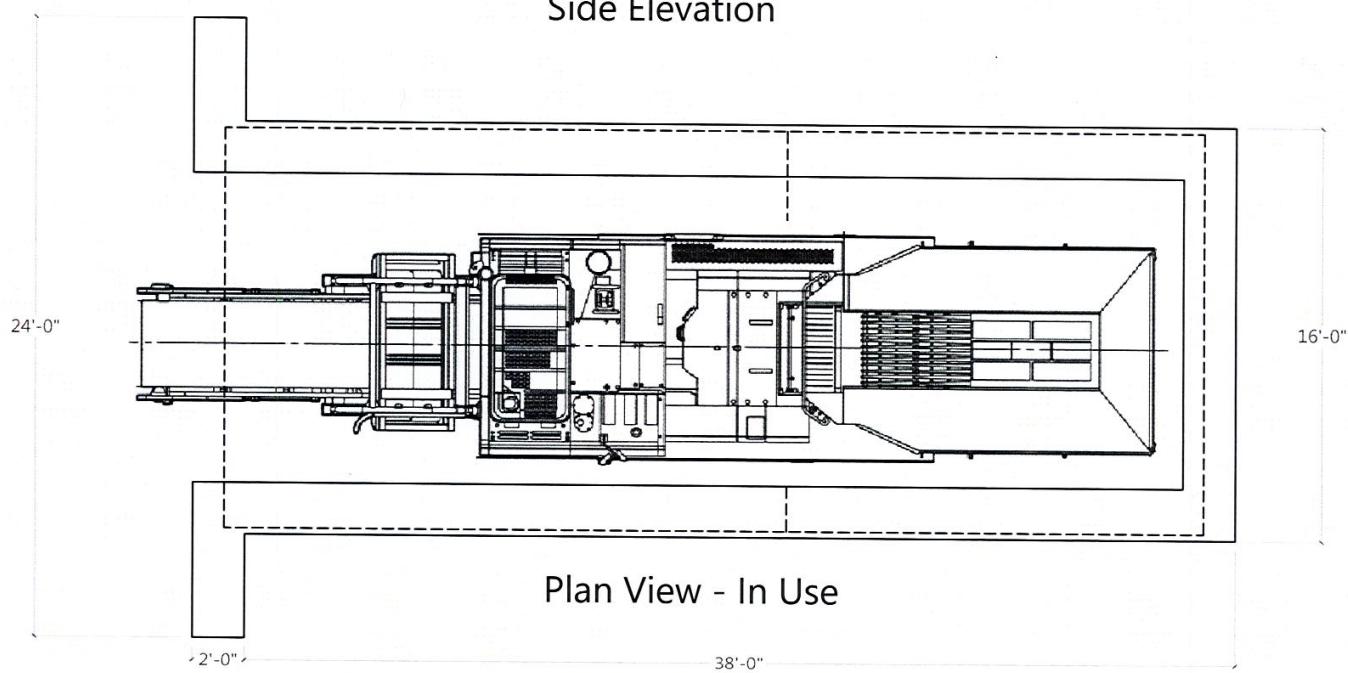
Rear Elevation

Front Elevation

Note: The interior elevation of the floor of the structure will be 6" to 12" lower than the exterior ground elevation to insure proper operation if the machine.



Side Elevation



Plan View - In Use

Notice Content:Notice Issued: **09/15/2020**Docket Number: **AAN-CV-18-6029419-S**Case Caption: **TPB CONTRACTORS, LLC Et Al v. PLANNING AND ZONING
COMMISSION OF THE TOWN OF OXFO**Notice Sequence #: **1**

JDNO NOTICE

Re: 138.00 - MOTION FOR ORDER

The foregoing, having been CONSIDERED by the Court, is hereby:

DENIED

On September 25, 2018, the court (Hiller, J.) granted the Werdens' motion to be made party defendants in this administrative appeal. See Order at Docket Entry No. 101.10. Judge Hiller's order of September 25, 2018 is the law of the case. "Underlying the law of the case doctrine is the view that '[a] judge should hesitate to change his own rulings in a case and should be even more reluctant to overrule those of another judge.' Breen v. Phelps, 186 Conn. 86, 99, 439 A.2d 1066 (1982). The doctrine provides that '[w]here a matter has previously been ruled upon interlocutorily, the court in a subsequent proceeding in the case may treat that decision as the law of the case, if it is of the opinion that the issue was correctly decided, in the absence of some new or overriding circumstance.' (Internal quotation marks omitted.) Haggerty v. Williams, 84 Conn.App. 675, 683, 855 A.2d 264 (2004)." (Footnote omitted.) Wasko v. Manella, 87 Conn. App. 390, 395, 865 A.2d 1223 (2005).

The court does not conclude that Judge Hiller decided the question of the Werdens' intervention incorrectly, and the plaintiffs have not demonstrated that any new or overriding circumstance exists sufficient for this court to change the order of September 25, 2018. Moreover, in order for the court to "drop" the Werdens pursuant to General Statutes § 52-109 and Practice Book § 9-19, the court must conclude that the Werdens were "misjoined". See General Statutes § 52-109 & Practice Book § 9-19 ("New parties may be summoned in, AND PARTIES MISJOINED MAY BE DROPPED, by order of the judicial authority, at any stage of the cause, as it deems the interests of justice require." [emphasis added by capitalization].) The record fails to demonstrate that the Werdens were misjoined in this action.

For the foregoing reasons, the motion is DENIED.

Pierson, J
9/15/20

Notice Content:

Notice Issued: **09/15/2020**

Docket Number: **AAN-CV-18-6029419-S**

Case Caption: **TPB CONTRACTORS, LLC Et Al v. PLANNING AND ZONING COMMISSION OF THE TOWN OF OXFO**

Notice Sequence #: **2**

JDNO NOTICE

RE: 129.00 - MOTION FOR JUDGMENT IN ACCORDANCE WITH STIPULATION

The foregoing, having been CONSIDERED by the Court, is hereby:

DENIED

Familiarity with the case law and arguments recited by each party is presumed and need not be generally repeated.

By a motion to be made party defendants dated September 12, 2018 (Docket Entry No. 101.00), Robert and Steva Werdens asked to intervene in this litigation, involving an administrative appeal. In the foregoing motion, the Werdens argued, inter alia, that they would suffer harm if the plaintiffs were successful in their appeal herein. On September 25, 2018, the court (Hiller, J.) granted the foregoing motion, thereby making the Werdens defendants in the action. See Docket Entry No. 101.10.

Before the court is a Joint Motion For Judgment In Accordance With Stipulation, Docket Entry No. 129.00 (joint motion), by which the plaintiffs and the defendant, Planning and Zoning Commission of the Town of Oxford, move the court to enter judgment in accordance with an agreement reached by them. The Werdens object to the joint motion and proposed stipulated judgment. See Docket Entry No. 136.00.

On September 14, 2020, the court held a hearing on the joint motion pursuant to General Statutes § 8-8(n).

General Statutes § 8-8 (n) reads, in part, that "[n]o appeal taken under subsection (b) of this section shall be withdrawn and no settlement BETWEEN THE PARTIES to any such appeal shall be effective unless and until a hearing has been held before the Superior Court and such court has approved such proposed withdrawal or settlement." (Emphasis supplied by capitalization.) Our Appellate Court has held that "[A]LL OF THE PARTIES MUST CONSENT to a stipulated judgment in a land use appeal made pursuant to section 8-8 [n] . . ." (Emphasis supplied by capitalization; citations omitted; internal question marks omitted.) Dietzel v. Planning Commission, 60 Conn. App. 153, 160, 758 A.2d 906 (2000).

CONTINUED ON PAGE 2...

JDNO NOTICE

AAN-CV-18-6029419-S TPB CONTRACTORS, LLC Et AI v. PLANNING AND ZONING COMMISSION OF THE TOWN OF OXFO

Notice Issued: **09/15/2020**

Court Address:

CLERK, SUPERIOR COURT
ANSONIA-MILFORD JD
14 WEST RIVER STREET
PO BOX 210
MILFORD, CT 06460

Website: www.jud.ct.gov

Notice Content:

Notice Issued: **09/15/2020**

Docket Number: **AAN-CV-18-6029419-S**

Case Caption: **TPB CONTRACTORS, LLC Et AI v. PLANNING AND ZONING COMMISSION OF THE TOWN OF OXFO**

Notice Sequence #: **3**

JDNO NOTICE

It cannot be disputed seriously that the Werden defendants are "parties" to this action, as that word is commonly understood and as it is used in § 8-8 (n). See General Statutes § 1-1 (a) ("In the construction of the statutes, words and phrases shall be construed according to the commonly approved usage of the language; and technical words and phrases, and such as have acquired a peculiar and appropriate meaning in the law, shall be construed and understood accordingly."). "Ordinarily, the word 'party' has a technical meaning, referring to . . . the party plaintiff or defendant, whether composed of one or more individuals and whether natural or legal persons." (Citations omitted.) Lieberman v. Reliable Refuse Co., 212 Conn. 661, 669, 563 A.2d 1013 (1989).

General Statutes § 8-8 (n) allows this court to approve a proposed settlement "between the parties", which, by definition and of necessity, includes the Werdens. For the court to sanction the proposed stipulation and enter it as a judgment of the court would be to approve a settlement between SOME of the parties only--a result that is not contemplated by the plain language of the statute. Moreover, such an outcome would contradict the Appellate Court's directive in Dietzel, supra, to the effect that ALL of the parties must consent to a stipulated judgment in a land use appeal under § 8-8 (n).

The moving parties attempt to distinguish the status of the Werdens on the grounds that they are permissive intervening defendants only, whose presence is unnecessary to the disposition of this case, and who were not made parties to this action as a matter of right (as was the case in Dietzel). While the moving parties emphasize the distinction between permissive versus mandatory, necessary or as-of-right intervention, neither the language of § 8-8 (n) or Dietzel makes such a distinction.

CONTINUED ON PAGE 3...

Attorney/Firm: COHEN & THOMAS (010072)

E-Mail: firm@cohen-thomas.com

Notice (JDNO)

Docket No: AAN-CV-18-6029419-S
Issue Date: 09/15/2020
Sent By: Civil/Family
My Tags: DJT

JDNO NOTICE

AAN-CV-18-6029419-S TPB CONTRACTORS, LLC Et AI v. PLANNING AND ZONING COMMISSION OF THE TOWN OF OXFO

Notice Issued: **09/15/2020**

Court Address:

CLERK, SUPERIOR COURT
ANSONIA-MILFORD JD
14 WEST RIVER STREET
PO BOX 210
MILFORD, CT 06460
Website: www.jud.ct.gov

Notice Content:

Notice Issued: **09/15/2020**
Docket Number: **AAN-CV-18-6029419-S**
Case Caption: **TPB CONTRACTORS, LLC Et AI v. PLANNING AND ZONING COMMISSION OF THE TOWN OF OXFO**
Notice Sequence #: **4**

JDNO NOTICE

Rather, both reflect that all parties to a case must stipulate to an agreement before it can be approved and entered as a judgment of the court.

The joint motion is DENIED accordingly. This order is, of course, without any prejudice to the plaintiffs' right to move to withdraw this appeal in accordance with the provisions of General Statutes § 8-8 (n).

It is so ORDERED.

Pierson, J
9/15/20

The crusher in full operation has a noise level as follows:

80 decibels at 100 feet away

74 decibels at 200 feet away


68 decibels at 300 feet away

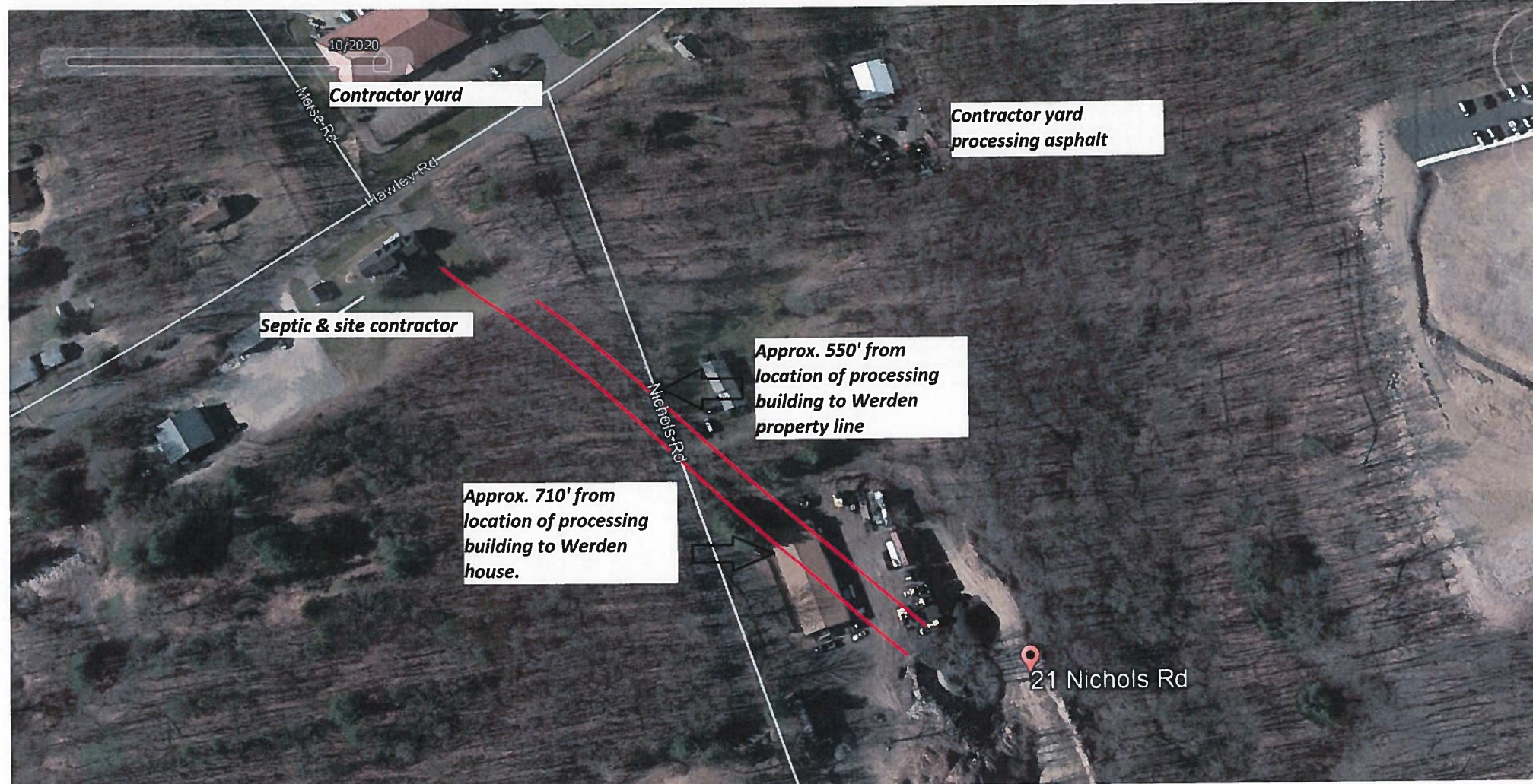
These readings were taken while the crusher operation was set up and running out of doors.

The operation we are proposing is as an inside operation.

The building will have 4" insulated walls, 6" roof and doors to contain the noise to the inside of the building.

Please note: An upright vacuum cleaner in your home has a noise level of 85 decibels.

4
3/15/01




**TOWN OF OXFORD
PLANNING & ZONING COMMISSION**

S.B. Church Memorial Town Hall
486 Oxford Road, Oxford, Connecticut 06478-1298
Phone: (203) 828-6512 · Email: pandz@oxford-ct.gov
www.Oxford-CT.gov




MEMORANDUM


DATE: June 20, 2019
TO: Margaret West-Mainor, Town Clerk
FROM: Planning & Zoning Commission
RE: Approved Amendments to the Oxford Planning & Zoning Regulations

.....

The Planning & Zoning Commission, at their meeting on 6/18/2019 approved the attached amendments to the Oxford Zoning Regulations. The amendments include changes to Article 2 – Definitions, Article 10 – Special Exceptions, and Article 14 – Earth Excavation and Regrading.

I have attached the final approved amendments, which will become effective as of July 1, 2019.

Sincerely,

Jessica Pennell
Administrative Secretary
Planning & Zoning Commission

19 JUN 20 AM 10:11
TOWN OF OXFORD CT

TOWN CLERK

ARTICLE 2 – DEFINITIONS

2.14a Contractor Yard – A property used for (a) storage of vehicles, construction or earthmoving equipment, (b) storage of earth or biological materials, and (c) processing and recycling of earth or biological materials.

ARTICLE 10 – SPECIAL EXCEPTIONS

Section 10.7 – Contractor Yards

10.7.1 Purpose. Because of the nature of these businesses, many contractors' yards resemble a construction site, with similar impacts, such as erosion, dust, noise, a concentration of heavy vehicle traffic, and substantial outdoor storage of materials and equipment. The purpose of this Section is to set standards that will allow operation of such yards over a long period of time, without causing serious detriment to public health, safety, and the value of surrounding properties.

10.7.2 Standards. In addition to the requirements of this Article for the issuance of a special exception, the following additional standards, requirements and conditions shall apply.

1. The minimum lot size shall be at least five (5) acres.
2. No contractor yard shall be approved unless it includes an enclosed building with a minimum gross floor area in accordance with the following schedule. The total land area shall exclude land which is wetlands and/or watercourses on site.

<u>Total Land Area</u>	<u>Minimum Building Size</u>
5 Acres to 10 Acres	5,000 square feet of gross floor area plus 2,000 square feet per acre in excess of 5 acres
10 Acres to 25 Acres	15,000 square feet of gross floor area plus 1,000 square feet per acre in excess of 10 acres
Over 25 Acres	30,000 square feet of gross floor area

3. Parking and storage of vehicles and equipment
 - a. No parking of passenger vehicles may occur within the setbacks.
 - b. No parking or storage of vehicles or equipment may occur within one hundred (100') feet from any property line, unless screened by a building.
 - c. All vehicles and equipment parked or stored in outdoor areas (a) shall be registered with the Department of Motor Vehicles or other appropriate state agency for operation in the State of Connecticut or (b) if such registration is not required, shall be in operable condition. All other vehicles and equipment shall be parked or stored in enclosed buildings only.

d. All vehicle and equipment parking and storage areas shall be screened from view from adjacent properties with vegetative plantings or buildings.

4. Maintenance of vehicles and equipment

a. All maintenance and repair of vehicles and equipment shall occur in an enclosed building.

5. Outdoor Storage

a. All earth and biological material storage shall be in areas enclosed on at least three sides by walls of at least three (3') feet in height.

b. Earth and biological materials which are subject to becoming airborne as dust shall be covered.

c. All outdoor storage areas shall be screened from view from adjacent properties by vegetative plantings or buildings.

d. No outdoor storage shall be located so as to obstruct drainage facilities or vehicle circulation patterns or otherwise impair the orderly functioning of the site.

e. No demolition debris or other waste may be stored or processed on the site.

6. Processing of earth and biological materials

a. All machinery and equipment for Earth and Biological Material Processing shall be operated only within an enclosed building. All Earth and Biological Material Activities shall occur only within an enclosed building.

7. Dust, odor, noise and erosion control.

a. The applicant shall provide for an on-going dust, odor and erosion controls program to ensure that migration of dust, soil and odor off the site does not occur.

b. All buildings shall be constructed in a manner to ensure that the site does not exceed the sound decibel limits proscribed by the State of Connecticut Department of Energy and Environmental Protection, Conn. Agencies. Regs. § 22a-69.

c. The site shall be operated in a manner to ensure that the site does not exceed the sound decibel limits proscribed by the State of Connecticut Department of Energy and Environmental Protection, Conn. Agencies. Regs. § 22a-69.

d. The sound decibel limits proscribed by the State of Connecticut Department of Energy and Environmental Protection, Conn. Agencies. Regs. § 22a-69 are incorporated herein by reference, and zoning enforcement officer shall be authorized to enforce such limits as part of these Zoning Regulations.

8. Traffic

- a. The volume of traffic entering and exiting the site and the condition of the vehicles shall not cause hazardous conditions or be otherwise detrimental to the appropriate and orderly development or use of the surrounding neighborhood.
- b. The site shall provide for an anti-tracking pad at all entrances and exits to the site.

10.7.3 Additional Application Requirements

In addition to all other Special Exception requirements, the application shall contain the following additional information:

1. Size, location, maximum height and type of materials in any stockpiles or other outdoor storage areas.
2. The site plan shall show all areas for passenger vehicle parking areas, with spaces numbered.
3. The site plan shall show all areas for parking and storage of other vehicles and equipment, labelled with the maximum number of such vehicles and equipment to be parked or stored in such areas.
4. A narrative describing the type, size and number of vehicles and equipment entering and exiting the site on a regular basis and to be stored on the site.
5. For any processing activities, the size, location and type of equipment, and the anticipated volume and/or capacity of such equipment and the type of materials.
6. Types of vehicle maintenance to be performed and provisions for waste disposal.
7. Building size, proposed uses and general floor plan layout.
8. Renderings showing the proposed visual impact of the proposed site from each public street bordering the site, and from points along any state highway from which the site will be visible, with foliage shown in spring, summer and winter.

19 JUN 20 AM 10:12
TOWN OF OXFORD, CT
Margaret A. Clark
TOWN CLERK

ARTICLE 2 - DEFINITIONS

[new] **2.9a Biological Materials** – tree stumps, logs, branches and leaves, brush and other vegetative debris, but not including construction and/or demolition debris.

[new] **2.18 Earth Materials** - earth, sand, gravel, clay, stone, loam, topsoil or asphalt, but not including construction and/or demolition debris.

[amended and renumbered] **2.18a Earth and Biological Material Processing** – Any activity which involves the processing of Earth and Biological Materials, with or without the use of mechanical equipment, including without limitation, crushing, washing, sorting, screening, grinding, chipping, mulching, or otherwise processing Earth and Biological materials.

[amended and renumbered] **2.18a Earth and Biological Material Activity** – Any activity which involves the excavation, blasting, cutting, filling, grubbing, grading or regrading of land, with or without the use of mechanical equipment, or which involves the removal of trees, stumps, brush and other vegetation.

ARTICLE 14 - EARTH AND BIOLOGICAL MATERIAL PROCESSING AND ACTIVITIES

Section 14.1 Prohibition on Earth and Biological Material Processing and Activities

14.1 No person shall carry out any Earth and Biological Material Processing or Activities except pursuant to a permit issued pursuant to this Article, or pursuant to a Special Exception issued pursuant to Article 10.7.

14.2 Special Exception for Earth and Biological Material Processing and Activities

14.2.1 All Earth and Biological Material Processing and Activities, except those exempted under Section 14.3 hereof, shall require a Special Exception issued pursuant to Article 11 of these Regulations. A Special Exception for Earth and Biological Material Processing or Activities shall only be granted in conjunction with an application for a Site Plan for a bona fide construction project otherwise permitted by these regulations.

14.2.2 An Application for Special Exception for Earth and Biological Material Processing or Activities pursuant to this section shall, in addition to all other requirements of these regulations, be accompanied by the following:

(a) In the case of proposed earth material activities, a plan drawn to a scale of not less than 100 feet to the inch at a contour level of 2 foot intervals, showing:

- (1) Grades of the land at the time of the application, based upon a field survey;
- (2) Proposed grades at the completion of the excavation;
- (3) Indication, by shading of those areas where the existing grades are in excess of 35%;

(b) In the case of proposed earth material activities, an assessment of the geological and bedrock conditions by a geotechnical engineer or other qualified professional engineer with appropriate experience, which would include an evaluation as to whether blasting would be needed to accomplish the plan.

(c) In the case of proposed biological material activities, a plan drawn to a scale of not less than 100 feet to the inch at a contour level of 2 foot intervals showing the areas of proposed activities.

(d) The Commission may require the submission of such additional information, including data on soil conditions, location and depth of rock ledge and ground water conditions that it deems necessary to make a reasonable review of the application. The Commission may waive in whole or in part the requirements for submission of a plan of existing and proposed contours in cases where the contours are not deemed necessary for reasonable review of the application.

14.2.3 Criteria for Decision

The Commission, after public hearing on due notice, may grant a Special Exception, subject to appropriate conditions and safeguards, to permit the proposed Earth and Biological Material Processing or Activities, provided the following criteria are present and the requirements and conditions set forth below are met:

- (a) The final grades called for in the site plan reflect the minimal disturbance to the property that would be required to achieve the purpose of the development.
- (b) The final grades called for in the site plan reflect the minimum amount of earth or biological materials to be brought on to the site or removed from the site which is necessary to achieve the proposed development.
- (c) Not more than 5,000 cubic yards of material are to be removed from the site.
- (d) That the plan provides for proper drainage of the area both during and after the excavation.
- (e) No sharp declivities, pits, depressions or soil erosion problems will be created. All areas that have been disturbed by the activities shall be regraded to a slope necessary to maintain stability, with a maximum finished slope of 2:1 (2 feet horizontal to 1 foot vertical), except areas in which exposed solid rock is left exposed to the surface, in which case, the maximum permitted slope shall be 1:4 (1 foot horizontal to 4 feet vertical).
- (f) That the proposed activities will not impair the future use of the property in accordance with these Regulations and that the finished grades will not impair good development and safe use of the property after the completion of the activities.
- (g) That the proposed activities will not depress land values or adversely affect surrounding property in the neighborhood.

- (h) That there shall be no activities within 50' of a property or street line except to an elevation equal with or above the grade of the adjoining street, or when done in conjunction with the re-grading of an adjoining property, and determined by the Commission. The Commission may permit activities within 50' of a property or street line for property within the Commercial, Industrial, High Technology Industrial or Corporate Business Park District if it determines that such activities will have no detrimental impacts upon the orderly use and development of the adjacent property.
- (i) There shall be no activities that degrade or adversely disrupts the flow of groundwater.
- (j) That the top layer of arable soil for a depth of 6" shall be set aside and retained on the premises and for re-spreading over any excavated area upon completion of the excavation or removal, in accordance with proposed site plans, and seeded with a suitable cover crop.
- (k) That no fixed machinery shall be erected or maintained on the premises, excepted as permitted herein.
- (l) That proper provision will be made for control of dust.
- (m) That the proposed truck passage will not create safety or traffic hazards.
- (n) That the plan provides for proper fencing or barriers to discourage outside access to any part of the premises in which removal or storage of materials or terrain factors may cause danger.
- (o) Earth and Biological Material Activities shall only be permitted in conjunction with the preparation of the land for development in accordance with an approved site plan or subdivision. Where permitted in conjunction with the preparation of the land for an approved site plan or subdivision, the Commission must find that the degree of the activities, including the amount of material to be removed and placed, is the minimum necessary to facilitate the development of the land as permitted in a feasible manner, except the Commission may grant a Special Exception for major re-grading for properties in the Commercial, Industrial, or Corporate Business Park districts, when done for the preparation for land development. In such circumstances, the applicant shall submit a Conceptual Site Plan that shows the proposed location of buildings and preliminary grading plans.
- (p) That a soil erosion and sediment control plan for the excavation has been submitted and certified in accordance with Article 12.
- (q) That the relevant conditions of Article 10 have been complied with.
- (r) If the application is approved in phases, the Commission may impose additional conditions for subsequent phases as determined by factors discovered during previous phase work.
- (s) All excavation and fill activities shall be conducted between 8:00 AM and 4:00 PM, Monday through Friday.

7

(t) No biological or foreign materials shall be buried or otherwise deposited.

(u) No construction or demolition debris may be brought onto the property, nor may it be buried or otherwise deposited on the property. The Commission shall not authorize such activities as part of any Special Exception.

14.2.4 Duration of Permit. A Special Exception for Earth and Biological Material Processing or Activities shall expire two (2) years after the expiration of the appeal period for any decision to grant such a special exception, and all activities not completed by that date shall cease. The Commission may, at its discretion (a) grant a maximum of two (2) extensions for no more than two (2) years each for a total of no more than four (4) years or (b) allow the Special Exception to expire at the same time as the Site Plan or Subdivision in conjunction with which it was approved is due to expire.

Section 14.3 Zoning Permit for Certain Earth and Biological Material Activities

14.3.1 Earth and Biological Material Activities in conjunction with the construction of a new single family residential home in conformance with valid building and zoning permits may be carried out upon issuance of a Zoning Permit by the Zoning Enforcement Officer, subject to the following requirements and conditions:

(a) all materials brought onto the site in connection with such activities shall be consistent with what is customarily required to construct the house, driveway and to create a usable yard area;

(b) all such activities shall be the minimum necessary to construct the house, driveway and create a usable yard area;

(c) all such activities shall occur within 150' of the foundation of the house, except for activities associated with the construction of a driveway;

14.3.2 Earth and Biological Material Activities which meet the following criteria may be carried out upon issuance of a Zoning Permit by the Zoning Enforcement Officer:

(a) Earth Material Activities wherein the net volume of materials to be excavated, blasted, cut, filled, graded, regraded or removed from the property is less than 1200 cubic yards;

(b) Earth and Biological Material Activities wherein less than one (1) acre of land is disturbed, and less than (1) acre of land is subject to the removal of the removal of trees, stumps, brush and other vegetation.

14.3.3 Earth and Biological Material Processing may not occur pursuant to a Zoning Permit issued pursuant to this Section.

14.3.4. The following conditions shall apply to all Zoning Permits issued pursuant to this Section:

(a) no biological materials, foreign materials or construction or demolition debris shall be buried or otherwise deposited; and

(b) all earth materials brought onto the site shall be earth materials classified as clean fill by the Department of Environmental Protection, State of Connecticut and shall not include, garbage, debris, waste or any other foreign material that would require any permit to fill from the Department of Environmental Protection.

(c) the applicant shall provide a narrative setting forth the purpose of the activities.

(d) The Zoning Enforcement Officer may request additional information from the applicant to demonstrate compliance with this section.

Section 14.4 - Enforcement

14.4.1 Whether pursuant to a Special Exception or Zoning Permit, the applicant shall submit reports at intervals not exceeding once every 6 months, or the completion of each phase as designated on the approved plan, whichever is more frequent, that shows the progress of the earth excavation/removal. Such report, including a certified plan, shall be prepared by a licensed engineer or land surveyor and shall include the following information:

(a) Existing contours, which shall include a comparison with the proposed grades approved within the plan.

(b) The existing grades at 2 foot contours in locations required by the Commission, which shall include a comparison with the proposed grades within the plan.

(c) Sedimentation and erosion control features in place.

(d) Estimate of the amount of material which has been removed.

The Commission or the zoning enforcement officer may require a report which contains the information required above at any time in which the Commission or the zoning enforcement officer have reason to question the conformance of the earth re-grading/removal operation with the approved plan, or if unforeseen problems or issues arise.

14.4.2 All costs incurred by the Town of Oxford in monitoring the applicant's compliance with any earth removal approval, including the cost and services of, but not limited to, the zoning enforcement officer, Town Engineer, Town Planner and any others as determined appropriate by the Commission shall be paid by the applicant within 30 days after billing applicant for same. Failure to provide such payment shall void any approval under this Section.

Section 14.5 - Nonconforming Uses

No Earth or Biological Material Processing or Activities shall occur or be allowed from any site for which a non-conforming earth or biological material activity use is claimed except in accordance with this section.

14.5.1 The owner of the site shall, upon request of the Commission, provide with all facts and data which indicate a legal non-conforming use does exist. If the Commission shall agree that a legal non-

conforming use does exist, it may request that the owner of the site indicate specifically and in writing, what the owner's activity plans or intentions are. The Commission may request that the owner supply the Commission with information set forth in Section 14.2 of this Article. The Commission may request such information annually or at any time it appears said plans, intentions or information has been changed.

14.5.2 The Commission may require that one or more of the conditions set forth in Section 14.2 of this Article be satisfied prior to any continued activities if the Commission shall conclude that the health, welfare, safety or environmental factors requires the imposition of such conditions. Specifically and without limitations, "health, welfare, safety or environmental factors" shall include such matters as noise and dust, soil stability, traffic, pollution of streams and rivers, effect of activities upon neighbors' septic tanks and wells, blasting effects, if any, prevention of erosion and avoidance of dangers due to sharp cliffs and declivities during and after activities.

14.5.3 The permit period shall not exceed 2 years. A written request for extension must be submitted in writing if the applicant wishes to apply for an extension which shall not exceed 2 additional years.

14.5.4 If the site contains any fixed machinery which has legal, non-conforming use status, or manmade pits or holes, the Commission may require that the machinery, pits or holes be enclosed during non-working hours to prevent injury to outsiders.

14.5.5 If the above conditions are not satisfactorily complied with, the Commission may order removal or excavation operations be stopped.

Section 14.6 Temporary Use of Earth and Biological Processing Equipment for Site Improvement

14.6.2 The temporary use of Earth and Biological Processing equipment in conjunction with Earth and Biological Material Activities is permitted only after the granting of a Special Exception by the Commission, and may only be granted in conjunction with a Special Exception for Earth and Biological Material Activities in accordance with this Article. Nevertheless, an application for temporary use of processing machinery may be submitted at any time during which a Special Exception is in full force and effect.

14.6.3 The Earth and Biological Processing equipment which may be utilized pursuant to a Special Exception granted pursuant to this section shall be limited to the temporary use of a portable, self-contained, enclosed, single stage or two stage reduction, with spray bar, stone crushing machine and/or other related support machinery necessary for the operation of the stone crushing machine and/or other related support machinery necessary for the operation of the stone crushing machine to further the removal of earth, sand, gravel, clay, stone or other earthen material, or equipment necessary for the processing of biological material for site improvement for a limited period of time.

14.6.4 The use of such machinery shall be limited to Monday through Friday, inclusive, between the hours of 8:00 AM and 4:00 PM.

14.6.4 Such a Special Exception may be granted only if the Commission finds that the following conditions and requirements have been met:

- (a) That the site must be a minimum size of 2 acres, except as provided for in Section 14.6.4 (t).
- (b) That such Special Exception may be granted only when in conjunction with a bona fide earth and biological material activity proposal which has been submitted and is in conformance with Article 14 and other applicable Regulations.
- (c) That such a Special Exception may be granted only when such machinery is necessary to further a site plan approval or other approved use of the subject premises.
- (d) The Commission may impose such conditions and safeguards as are necessary for the control of noise, drainage, dust, erosion and sedimentation, blasting, fuel spillage and cleanup.
- (e) That the machinery, equipment or structures may be directed to be located at a particular specified location on the premises so as not to adversely impact the public health, safety and welfare.
- (f) That no machinery, equipment or structures covered by this Special Exception shall be operated or located outside of the area for which this Special Exception is granted.
- (g) That such machinery shall be removed from the premises immediately upon termination of the Special Exception or upon revocation of same.
- (h) That all other conditions and requirements of this Article shall be met regarding earth excavation at the subject premises.
- (i) That the relevant conditions and requirements of Article 10 have been complied with.
- (j) That the Commission may grant extensions not longer than 2 years upon application, which extension may be granted within the sole discretion of the Commission.
- (k) Such machinery, equipment or structures may be used only for processing materials from the same site as originally approved.
- (l) No such machinery, equipment or structures shall be located on the site within less than 150' of any property or street line or within less than 300' of an existing residential building or on any other lot, or 500' from any adjoining Town line, except as provided for in Section 14.6.20.
- (m) Applicant to provide copy of suitable insurance policy to the Town. The policy shall provide levels of protection satisfactory to Town Counsel. Said policy shall name the Town as co-insured on the policy.
- (n) The area open to the work at any given time shall be no more than 6 acres. Every attempt to stabilize any excavated area shall be made prior to October 15th of any given year. No security reductions will be granted prior to the actual stabilization should work on that section

be done after October 15th. This reduction comment shall apply to the amount of security designated for such purpose.

(o) Those areas not stabilized by October 15th shall require additional sedimentation and erosion control measures until the next growing season.

(p) A condition of approval at this time is that any substantial deviation from this approval will be in accordance with Article 19 of the Oxford Zoning Regulations and in accordance with standard procedures as established by the Oxford Planning & Zoning Commission.

(q) Any and all costs associated with the enforcement of these Regulations may be billed to the applicant and/or owner and/or operator of the property involved.

(r) The Commission may consider allowing the addition of other processing equipment to the site if it feels the completion of the work will be hastened. The removal of this additional processing equipment must be made immediately after the completion of the work or if/when the Commission feels it has exhausted its use.

(s) The manufacturer and model of the specific machinery to be used shall be presented to the Commission for their review and approval. All machinery used shall be designed to generate a minimum amount of dust and noise.

(t) The Commission may permit the temporary use of processing machinery on a site less than 2 1/2 acres in size that is located at least 50' from all property boundaries and at least 200' from the nearest residential building for a period of up to 1 month. The Commission may extend the period of time for up to 1 additional month if it finds that delays in the processing were a result of weather or other conditions beyond the control of the contractor. Such extension may be granted without an additional public hearing based upon testimony presented at the original hearing, and additional information requested by the Commission. The Commission shall only permit the use of processing machinery that generates a minimum amount of dust and noise.

14.6.5 Under no circumstances shall the use of temporary processing machinery continue unless a Special Exception is in full force and effect, nor shall it continue beyond the point where a certificate of occupancy has been issued.

19 JUN 20 AM 10:11
TOWN OF OXFORD, CT
Margaret A. Wolf
TOWN CLERK

E. Old Business – Other Matters

1. 21-23 Nichols Road – TPB Contractors, LLC and T&C Partners, LLC

Application for Site Plan and Special Exception - Consideration of Proposed Settlement of Appeal Pursuant to Practice Book Sec. 14-7B (j) - TPB Contractors, LLC v. Planning & Zoning Commission of the Town of Oxford, Docket No. AAN CV 18 6029419 S

Note: Materials related to the proposed settlement are on file in the zoning office.

Peter Olson, Land Use Counsel was present to explain the proposed settlement to the Commission. He stated that the Commission approved this application for a Special Exception for a contractor's yard, except that the Commission denied the applicant permission to conduct rock-crushing activities. He noted that subsequent to that, the Commission adopted new regulations that cover contractor's yards and earth processing activities. He explained that this application was made before the new regulations took effect. He stated that there is an appeal pending; the property owner has approached the Commission with a proposed resolution of the appeal. The resolution would be to allow the rock crushing within a building constructed on the property, which complies with what the new regulations require for rock-crushing within a building. He noted that some materials were submitted for the Commission to review. he shared a preview of the proposed building and the site plan.

Attorney Olson also explained the process for settling a pending appeal. He stated that although this isn't a public hearing, the Commission may give the public an opportunity to speak.

* **Vice-Chairman John Kerwin** questioned how the Commission can know that the proposal complies with the current regulations.

* **Attorney Olson** stated that because the application was filed before the regulations were changed, there is no requirement that they comply with the new regulations. He noted that a settlement can paper over anything that it deemed to not comply. He explained that by the applicant putting the crusher in a building, the Commission has let the applicant propose something that complies with the regulations.

Vice-Chairman John Kerwin asked if the proposed particular enclosure, if it were to come under the new regulations, would it comply.

Attorney Olson, stated "correct".

Attorney Dominick Thomas, representing the applicant, stated that he has been working with Peter Olson, Land Use Counsel, and his client has taken the extra step to create the building.

Attorney Steven Kulas, representing Robert Werden, who is also a party to the current pending appeal, stated that if you look at the new regulations, the settlement does not comply. He noted that the new regulations are not limited to having a crusher contained, they also limit the type of materials to be crushed, and where the materials are to come from. He explained that the settlement does not comply with the old regulations or the new regulations. He noted that the settlement does not address the materials to be crushed, the hours of operation, or noise barriers. He stated that there is insufficient information in the settlement that would address the concerns in the new regulations. He stated, on behalf of Mr. Werden, that the board deny the settlement agreement.

Discussion ensued regarding the roof of the building related to noise and dust.

Attorney Olson stated that the point of the enclosure is to minimize the noise, but it will never be completely eliminated with a rational idea of what a building could be for this type of use.

MOTION for discussion, by Commissioner Brett Olbrys to accept the settlement and authorize counsel to take the necessary steps to implement the proposed settlement.

Second by Commission Secretary Pat Cocchiarella.



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

Z#:	<u>218-183</u>
Date Received:	_____
Date Accepted:	_____
Date on Agenda:	_____
65 Day Exp.:	_____
Extension:	_____
2 nd Extension:	_____

Planning and Zoning Commission

*** Please Note:**

- Read Instructions Thoroughly Before Completing Form
- This form Must Be Completely Typewritten or Legibly Printed in Ink

1) APPLICATION: This is an application for: *(Check the ones that apply)*

- | | | |
|--------------------------------------|---|---|
| <input type="checkbox"/> Subdivision | <input type="checkbox"/> Resubdivision | Total Number of Lots: _____ |
| <input type="checkbox"/> Zone Change | <input checked="" type="checkbox"/> Special Exception | S/E (include Article & Section No.): Art 9, Sec 9.3.21 |
| <input type="checkbox"/> Excavation | <input type="checkbox"/> Map/Text Amendment | (include Article & Section No.): _____ |
| <input type="checkbox"/> Site Plan | <input type="checkbox"/> Other | _____ |

Name of Project Title (Subdivision/Resubdivision): _____

2) PROPERTY LOCATION(s):

a) Street Address: 21 & 23 Nichols Road

Town Clerk Record Map Number: N/A

Assessor's Identification Numbers:

Map: 18 Block: 30 Lot: 6 & 6-1 Unit: _____

Zoning District: *(Check One)*

- | | | | |
|----------------------------------|------------------------------------|---|---|
| <input type="checkbox"/> RES A | <input type="checkbox"/> RES Golf | <input type="checkbox"/> COM | <input type="checkbox"/> Planned COM |
| <input type="checkbox"/> RES POD | <input type="checkbox"/> Ox Center | <input checked="" type="checkbox"/> IND | <input type="checkbox"/> CORP BP <input type="checkbox"/> Other |

Water and Sewer: *(Check the ones that apply)*

- | | |
|--|--|
| <input type="checkbox"/> Municipal Sanitary Sewers | <input type="checkbox"/> Private Wells |
| <input type="checkbox"/> On Site Septic Systems | <input type="checkbox"/> Public Water |

b) Street Address: _____

Town Clerk Record Map Number: _____

Assessor's Identification Numbers:

Map: _____ Block: _____ Lot: _____ Unit: _____

Zoning District: *(Check One)*

- | | | | |
|----------------------------------|------------------------------------|------------------------------|---|
| <input type="checkbox"/> RES A | <input type="checkbox"/> RES Golf | <input type="checkbox"/> COM | <input type="checkbox"/> Planned COM |
| <input type="checkbox"/> RES POD | <input type="checkbox"/> Ox Center | <input type="checkbox"/> IND | <input type="checkbox"/> CORP BP <input type="checkbox"/> Other |

Water and Sewer: *(Check the ones that apply)*

- | | |
|--|--|
| <input type="checkbox"/> Municipal Sanitary Sewers | <input type="checkbox"/> Private Wells |
| <input type="checkbox"/> On Site Septic Systems | <input type="checkbox"/> Public Water |

FILE COPY

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Please indicate who will be the POINT OF CONTACT:

(All communications and correspondence will be directed to the Point of Contact)

(Check one)

APPLICANT OWNER LAND SURVEYOR ENGINEER ARCHITECT

3) APPLICANT: TPB CONTRACTORS, LLC

Address: C/O Atty. Dominick Thomas, 315 Main Street
Town: Derby State: CT Zip Code: 06418
Phone: (203) 735-9521 Fax: (203) 7382-8129 Email: djt@cohen-thomas.com

4) OWNER(s): T&C PARTNERS, LLC

Address: C/O Atty. Dominick Thomas, 315 Main Street
Town: Derby State: CT Zip Code: 06418
Phone: (203) 735-9521 Fax: (203) 732-8129 Email: djt@cohen-thomas.com

5) APPLICANT'S OWNERSHIP INTEREST: Common ownership of LLCs / tenant of owner

6) LAND SURVEYOR: _____ REG. No: _____
Address: _____
Town: _____ State: _____ Zip Code: _____
Phone: (____) _____ Fax: (____) _____ Email: _____

7) CIVIL ENGINEER: JAMES SWIFT REG. No: _____
Address: 104 VILLAGE ROAD
Town: SHELTON State: CT Zip Code: 06484
Phone: (203) 926-9665 Fax: (____) _____ Email: _____

8) ARCHITECT: _____ REG. No: _____
Address: _____
Town: _____ State: _____ Zip Code: _____
Phone: (____) _____ Fax: (____) _____ Email: _____

9) PREFERRED OR RECOMMENDED NAMES OF NEW ROADS TO BE CONSTRUCTED: _____
(Subject to BOS Approval)
(Check One) Private Road Town Road _____ Length of Road

10) STATUS OF WETLANDS PERMIT: PREVIOUSLY APPROVED
(Please Provide a Copy)

11) ACREAGE OF OPEN SPACE and/or CONSERVATION EASEMENTS: N/A

12) SURETY OPTION (See Article 9 of Subdivision Regulations): N/A
(Check the one that applies)

- Improvements will be completed prior to endorsement and filing of record subdivision.
- Surety will be provided.
- Conditional approval is requested.

13) WAIVERS: _____
(Check the one that applies) N/A

- No waivers of the subdivision regulations are required.
- Waivers of one or more sections of the subdivision regulations are requested.
(Please provide a written description of the reason for the waiver and attached to and make part of this application.)

14) EARTH EXCAVATION:

(Check one)

Yes No

If yes, how many cubic yards of material to be removed, filled, and/or dispersed. _____ cubic yards.

15) FLOOD ZONE:

(Check one)

Yes No If yes, what zone. _____

16) APPLICATION/SUPPORTING DOCUMENTS:

(Indicate Attached or Not Applicable)

<input checked="" type="checkbox"/> Project Narrative Letter	_____ Fire Marshal's Review
_____ Record Subdivision Plan	_____ Letter from Public Water Supply
<input checked="" type="checkbox"/> Site Development Plan	_____ P.D.D.H. Approval
_____ Plan and Profile	_____ Inland Wetlands Approval
_____ Standard Construction Details	_____ W.P.C.A. Approval
_____ Connecticut Highway Department	_____ Legal Boundary Description
_____ Engineering Department Review	_____ Zoning and Subdivision History
_____ Drainage Calculations	_____ Certificate from Assessor
_____ Other: _____	_____ Other: _____

17) REFERRALS:

(Check the ones that apply)

- A portion of the property effected by the decision of the Commission is located within five hundred (500) feet of the boundary of an adjoining municipality.
- A portion of the sewer or water drainage from the project site will flow through and significantly impact the sewage system within the adjoining municipality.
- Water run-off from the improved site will impact streets or other municipal or private property within the adjoining municipality.
- Subdivision/Resubdivision includes land which abuts or is partially located in the Town of _____.
- Referral to Regional Planning Agencies is required.

If any of the above applies, the applicant is required to give written notice of his/her application to the adjoining municipality and submit a copy to P&Z. Notification must be by **CERTIFIED MAIL/RETURN RECEIPT.**

18) APPLICATION FEES: (Additional fees may apply - See Schedule of Fees)

EXACT COPY

Application Fee is as follows:

_____ Building Lots (x) \$ _____ per lot = \$ _____

_____ Cubic yards (x) \$100 for each 1,000 cubic yards = \$ _____

Public Hearing Fee = \$ 2779

Other Fees = \$ 970.00

State Fee = \$ _____

Total Fee = \$ _____ (Clk#) _____

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19) AUTHORIZATION AND ENDORSEMENTS:

a) APPLICANT:

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.

APPLICANT SIGNATURE *[Signature]*
NAME PRINTED Attorney Dominick Thomas DATE 4/26/2018
Attorney for Applicant

b) PROPERTY OWNER(s):

The undersigned, being all of the owners of the premises referred above, hereby consent to the filing of this application together with meeting of all requirements of the applicant by the Commission for same.

OWNER SIGNATURE *[Signature]*
NAME PRINTED Attorney Dominick Thomas DATE 4/26/2018
Attorney for Owner

20) INFORMATIONAL:

Communications with and recommendations from contracted P&Z staff are the sole responsibility of the applicant.

21) ACTION TAKEN:

(This SECTION is to be filled out by Planning & Zoning Staff ONLY)

DENIED / APPROVED
(Check One)

APPROVED WITH CONDITIONS Yes or No
(Check One)

Sec Letter dated _____ for DETAILS of ACTION taken and attach a copy hereto.

BY: _____ DATE _____
(Name & Title)

FILE COPY

17



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 #: 2-18-183
 Date: April 26, 2017

STATEMENT OF USE
 Article 11, Section 2

Property Address: 21-23 Nichols Road Zone: IND Map: 18 Block: 30 Lot: 6 & 6-1

APPLICANT: T & C PARTNERS LLC and TPB CONTRACTORS LLC
 Address: C/O Attorney Dominick Thomas, 315 Main Street
 Town: Derby State: CT Zip Code: 06418
 Phone: (203) 735-9521 Fax: (203-) 732-8129 Email: djt@cohen-thomas.com

OWNER(s): T & C PARTNERS LLC
 Address: 21 Nichols Road
 Town: Oxford State: CT Zip Code: 06478
 Phone: () Fax: () Email:

Name of Proposed Business: TPB Contractors LLC

Total Square Footage Existing building -6000 s/f Hours of Operation: Variable - See below

Number of Employees: Self Number of Parking Spaces: See below

List Hazardous and/or Chemicals Material on site (In & Outdoor): None
 (Must provide MSDS Sheets if applicable)

Provide Approval from: PDDH Fire Marshal Other

Description of Business (Include as much detail as possible or the application will be considered incomplete)
The site is the former site for the Metcalf Paving contractor yard and other industrial uses. TPB Contractors is an Excavation/site/property maintenance contractor. TPB also does work for the State of Connecticut. The use is a contractor yard and business. Topsoil, stone, process, salt and sand is sold from the site on an on-call basis.
The owner is the only employee. The hours of operation are governed by work contracts. The business requires the use of a crusher no more than eight (8) times a year to process material from site work jobs. A sifter for topsoil is used throughout the year. Stock piles on the site are property secured and stabilized. The site is in full compliance with the bulk standards for the industrial zone. SEE ADDENDUM

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.

Dominick J. Thomas, Jr. 4/26/2018
 Applicant's Signature Date
 Attorney for Applicant and Owner

Form P&Z 001 (Rev 1/27/09)

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RECORD PAGE 005

051

**ADDENDUM TO STATEMENT OF USE:
SPECIAL EXCEPTION PERMIT
T & C PARTNERS LLC
TPB CONTRACTORS LLC
21-23 NICHOLS ROAD**

Use of the crusher is accessory to the Contractor Yard use permitted by Special Exception in the Industrial Zone. It will be used will be no more than eight (8) total workdays in a year. The crushing activity will be on Monday to Saturday from 8:00am to 5:00pm. Crushing activity will not necessarily be on a single full work day (eight (8) hours) but may be a work day divided over several days. The Zoning Enforcement Office will be advised of the accessory crushing activity.



- PIN**
 - Approximate location based on user input and does not represent an authoritative property location
- MAP PANELS**
 - Selected FloodMap Boundary
 - Digital Data Available
 - No Digital Data Available
 - Unmapped
- OTHER AREAS**
 - Area of Minimal Flood Hazard Zone X
 - Effective 10MP
 - Area of Undetermined Flood Hazard Zone B
 - Otherwise Protected Area
 - Coastal Barrier Resource System Area
- SPECIAL FLOOD HAZARD AREAS**
 - Without Base Flood Elevation (BFE) Zone A, A-1, A-99
 - With BFE or Depth
 - Regulatory Floodway Zone AE, AO, AH, AF, AR
- OTHER AREAS OF FLOOD HAZARD**
 - 0.2% Annual Chance Flood Hazard, Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile Zone X
 - Future Conditions 1% Annual Chance Flood Hazard Zone X
 - Area with Reduced Flood Risk due to Levee, See Notes, Zone X
 - Area with Flood Risk due to Levee, Zone X
- OTHER FEATURES**
 - Cross Sections with 1% Annual Chance Water Surface Elevation
 - Coastal Transect
 - Base Flood Elevation Line (BFE)
 - Limit of Study
 - Jurisdiction Boundary
 - Coastal Transect Baseline
 - Profile Baseline
 - Hydrographic Feature
- GENERAL STRUCTURES**
 - Channel, Culvert, or Storm Sewer
 - Levee, Dike, or Floodwall

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NO: AANCV186029419S : SUPERIOR COURT
TPB CONTRACTORS, LLC : JUDICIAL DISTRICT
 : OF ANSONIA-MILFORD
v. : AT MILFORD, CONNECTICUT
PLANNING AND ZONING COMMISSION : SEPTEMBER 14, 2020
OF THE TOWN OF OXFORD

E X C E R P T

BEFORE THE HONORABLE W. GLEN PIERSON, JUDGE

A P P E A R A N C E S :

Representing the Plaintiffs:

ATTORNEY DOMINICK J. THOMAS, JR.
Cohen & Thomas
315 Main Street
P.O. Box 313
Derby, Connecticut 06418

Representing the Defendant Planning & Zoning Commission of the
Town of Oxford:

ATTORNEY PETER S. OLSON
Land Use & Conservation Counsel
275 Greenwood Avenue
Bethel, Connecticut 06801

Representing the Defendants Robert and Steva Werden:

ATTORNEY STEVEN P. KULAS
246 Bank Street, 2nd Floor
Seymour, Connecticut 06483

Recorded and Transcribed By:

Ellen Bowen
Court Recording Monitor
106 Elizabeth Street
Derby, Connecticut 06418

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1 ATTY. OLSON: I'll start with Attorney Kulas'
2 comments. First, his comment about the proposed
3 order is selective reading at best. He ignores the
4 comma after the word sustained and ignores the
5 language that says: (as read) but is amended as
6 stated herein. Simply the way we drafted it, if we
7 had the Court reverse the commission's decision,
8 there wouldn't be anything left to base the
9 modification of the order on. So the appropriate way
10 to do it is for the Court to sustain the decision but
11 amend it as follows. And we listed all the
12 conditions, which includes the change to allow the
13 rock crushing.

14 Second, if the Court deems it appropriate, and
15 as Attorney Thomas conceded, you can incorporate the
16 hours of operation as stated in the application as
17 part of the proposed order. There is no reason that
18 can't be added, and that's probably an appropriate
19 change.

20 Third, I want to clarify my comment on
21 nonconformity. And it's a little complicated. But
22 the new regulations that the commission adopted
23 regarding contractor yards require that a
24 contractor's yard have a building on it. And there's
25 a minimum size set forth. The reason the commission
26 did that is they were concerned about, essentially,
27 raw land in Oxford increasingly being used for

1 contractor's yards and, essentially, becoming big
2 parking lots for equipment and junk and materials and
3 the town not receiving any benefit from that in the
4 form of an increased tax base from, you know,
5 building new projects. So if you want to do a
6 contractor's yard, you have to have a building.
7 That's the way it works. The regulations also say if
8 you want to do crushing, you have to do it within a
9 building. But the building that satisfies the
10 contractor yard provision is not the same as the
11 building that satisfies the crushing provision.
12 Those are two different concepts. And, sure, they
13 could be combined into one, but they don't have to
14 be.

15 The commission approved the application for
16 contractor's yard submitted by this applicant before
17 those new regulations came into place. So the
18 nonconformity isn't being created by what we're doing
19 here. It was already created when the commission
20 adopted those new regulations. That nonconformity is
21 the allowance of a contractor's yard without a
22 building of a minimum size. Now, I do note that
23 there is a building on the property, it's 6,000
24 square feet in size. It just is not the 12,000
25 required by the new regulation. So that's the
26 nonconformity I was referring to. Allowing crushing
27 to occur in a new building is not in any way out of

1 conformity with the regulations.

2 Attorney Thomas will go into more detail, I'm
3 sure, on this because he's yelled at me many times
4 about this, is that you cannot conduct a crushing
5 operation solely within an enclosed building.
6 There's no way to get the material in, no way to get
7 the material out, no way to control the dust and
8 fumes in a way that doesn't kill everybody working in
9 there. So the compromised building, which the town
10 has allowed on other sites and is now allowing here,
11 is a building with a door that opens and areas for
12 the material to come in through the roof and go out
13 through the front. Then when it's not in use, it
14 closes up. That's the compromise that the commission
15 has come up with that we think has a mitigating
16 effect on the neighborhood for dust and noise and
17 smoke.

18 The last comment I'd like to make is that the
19 individuals who spoke referred to a neighborhood and
20 their residences. But what's very clear is that this
21 is an industrial zone. And there may be residences
22 in the industrial zone. But the zoning regulations
23 that govern the area are the industrial zoning
24 regulations, which allow contractor's yards by
25 special exception. And those regulations now allow
26 rock crushing by special exception. And allows other
27 activities that associate with those materials and

1 activities that create noise and dust and smoke. And
2 that's why it's in the industrial zone. And so, I
3 don't mean to minimize the effect that industrial
4 activities have on residences and neighborhoods, but
5 it needs to be kept in mind that that's the zone
6 these properties are located in. This is not a
7 subdivision neighborhood, you know, out in the middle
8 of nowhere. So that's all I have.

9 Well, I, sorry, I have one last comment. I
10 agree with the *Dietzel* decision that certain types of
11 interveners have veto rights. The point of these
12 hearings isn't just to ask people: Do you object?
13 It's to make sure the public has notice when
14 decisions that commissions make are changing. Like I
15 said, I've had this happen to me where an approval-a
16 denial that I was perfectly happy with representing a
17 neighbor was turning into an approval, and I had no
18 way to deal with it. The purpose of these hearings
19 is for the Court to hear from the public, and so
20 we're glad that the Court was able to do that. But
21 that doesn't mean that the public should be allowed
22 to object to a hearing-to a settlement that's in the
23 best interest of the matter and in judicial economy.
24 The Court's job is to make that decision. So with
25 *Dietzel*, it may be that there's no case law that
26 specifically is held that an individual that is not
27 statutorily aggrieved has the right to object. But

1 there's nothing that says that that is the law that
2 they're required to have the right to object. There
3 are different classes of interveners, and here they
4 are not statutorily aggrieved. And, therefore, they
5 don't--they should not have the right to object to a
6 settlement that's in the best interests of the
7 matter. Thank you, Your Honor.

8 *****END OF EXCERPT*****

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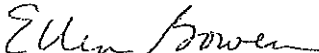
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NO: AANCV186029419S : SUPERIOR COURT
TPB CONTRACTORS, LLC : JUDICIAL DISTRICT
 : OF ANSONIA-MILFORD
V. : AT MILFORD, CONNECTICUT
PLANNING AND ZONING COMMISSION : SEPTEMBER 14, 2020
OF THE TOWN OF OXFORD

C E R T I F I C A T I O N

I hereby certify the foregoing pages are a true and correct transcription of the audio recording of the above-referenced case, heard in Superior Court, Judicial District of Ansonia-Milford, Milford, Connecticut, before the Honorable W. Glen Pierson, Judge, on the 14th day of September, 2020.

Dated this 5th day of October, 2020 in Derby, Connecticut.



Ellen Bowen
Court Recording Monitor

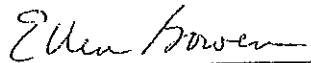
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NO: AANCV186029419S : SUPERIOR COURT
 TPB CONTRACTORS, LLC : JUDICIAL DISTRICT
 : OF ANSONIA-MILFORD
 v. : AT MILFORD, CONNECTICUT
 PLANNING AND ZONING COMMISSION : SEPTEMBER 14, 2020
 OF THE TOWN OF OXFORD

ELECTRONIC VERSION
CERTIFICATION

I hereby certify the electronic version is a true and correct transcription of the audio recording of the above-referenced case, heard in Superior Court, Judicial District of Ansonia-Milford, Milford, Connecticut, before the Honorable W. Glen Pierson, Judge, on the 14th day of September, 2020.

Dated this 5th day of October, 2020 in Derby, Connecticut.


 Ellen Bowen
 Court Recording Monitor

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TPB CONTRACTORS, LLC Et Al
 V.
 PLANNING AND ZONING COMMISSION
 OF THE TOWN OF OXFO

JUDICIAL DISTRICT OF ANSONIA/
 MILFORD
 AT MILFORD

9/15/2020

ORDER

ORDER REGARDING:
 09/11/2020 138.00 MOTION FOR ORDER

The foregoing, having been considered by the Court, is hereby:

ORDER: DENIED

On September 25, 2018, the court (Hiller, J.) granted the Werdens' motion to be made party defendants in this administrative appeal. See Order at Docket Entry No. 101.10. Judge Hiller's order of September 25, 2018 is the law of the case. "Underlying the law of the case doctrine is the view that '[a] judge should hesitate to change his own rulings in a case and should be even more reluctant to overrule those of another judge.' *Breen v. Phelps*, 186 Conn. 86, 99, 439 A.2d 1066 (1982). The doctrine provides that '[w]here a matter has previously been ruled upon interlocutorily, the court in a subsequent proceeding in the case may treat that decision as the law of the case, if it is of the opinion that the issue was correctly decided, in the absence of some new or overriding circumstance.' (Internal quotation marks omitted.) *Haggerty v. Williams*, 84 Conn.App. 675, 683, 855 A.2d 264 (2004)." (Footnote omitted.) *Wasko v. Manella*, 87 Conn. App. 390, 395, 865 A.2d 1223 (2005).

The court does not conclude that Judge Hiller decided the question of the Werdens' intervention incorrectly, and the plaintiffs have not demonstrated that any new or overriding circumstance exists sufficient for this court to change the order of September 25, 2018. Moreover, in order for the court to "drop" the Werdens pursuant to General Statutes § 52-109 and Practice Book § 9-19, the court must conclude that the Werdens were "misjoined". See General Statutes § 52-109 & Practice Book § 9-19 ("New parties may be summoned in, AND PARTIES MISJOINED MAY BE DROPPED, by order of the judicial authority, at any stage of the cause, as it deems the interests of justice require." [emphasis added by capitalization].) The record fails to demonstrate that the Werdens were misjoined in this action.

For the foregoing reasons, the motion is DENIED.

Judicial Notice (JDNO) was sent regarding this order.

438578

 Judge: W GLEN PIERSON

This document may be signed or verified electronically and has the same validity and status as a document with a physical (pen-to-paper) signature. For more information, see Section I.E. of the *State of Connecticut Superior Court E-Services Procedures and Technical Standards* (<https://jud.ct.gov/external/super/E-Services/e-standards.pdf>), section 51-193c of the Connecticut General Statutes and Connecticut Practice Book Section 4-4.

Notice Content:Notice Issued: **09/15/2020**Docket Number: **AAN-CV-18-6029419-S**Case Caption: **TPB CONTRACTORS, LLC Et Al v. PLANNING AND ZONING COMMISSION OF THE TOWN OF OXFO**Notice Sequence #: **2**

JDNO NOTICE

RE: 129.00 - MOTION FOR JUDGMENT IN ACCORDANCE WITH STIPULATION

The foregoing, having been CONSIDERED by the Court, is hereby:

DENIED

Familiarity with the case law and arguments recited by each party is presumed and need not be generally repeated.

By a motion to be made party defendants dated September 12, 2018 (Docket Entry No. 101.00), Robert and Steva Werden asked to intervene in this litigation, involving an administrative appeal. In the foregoing motion, the Werdens argued, inter alia, that they would suffer harm if the plaintiffs were successful in their appeal herein. On September 25, 2018, the court (Hiller, J.) granted the foregoing motion, thereby making the Werdens defendants in the action. See Docket Entry No. 101.10.

Before the court is a Joint Motion For Judgment In Accordance With Stipulation, Docket Entry No. 129.00 (joint motion), by which the plaintiffs and the defendant, Planning and Zoning Commission of the Town of Oxford, move the court to enter judgment in accordance with an agreement reached by them. The Werdens object to the joint motion and proposed stipulated judgment. See Docket Entry No. 136.00.

On September 14, 2020, the court held a hearing on the joint motion pursuant to General Statutes § 8-8(n).

General Statutes § 8-8 (n) reads, in part, that "[n]o appeal taken under subsection (b) of this section shall be withdrawn and no settlement BETWEEN THE PARTIES to any such appeal shall be effective unless and until a hearing has been held before the Superior Court and such court has approved such proposed withdrawal or settlement." (Emphasis supplied by capitalization.) Our Appellate Court has held that "[A]LL OF THE PARTIES MUST CONSENT to a stipulated judgment in a land use appeal made pursuant to section 8-8 [n] . . ." (Emphasis supplied by capitalization; citations omitted; internal question marks omitted.) Dietzel v. Planning Commission, 60 Conn. App. 153, 160, 758 A.2d 906 (2000).

CONTINUED ON PAGE 2...

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Notice Content:Notice Issued: **09/15/2020**Docket Number: **AAN-CV-18-6029419-S**Case Caption: **TPB CONTRACTORS, LLC Et Al v. PLANNING AND ZONING COMMISSION OF THE TOWN OF OXFO**Notice Sequence #: **3**

JDNO NOTICE

It cannot be disputed seriously that the Werden defendants are "parties" to this action, as that word is commonly understood and as it is used in § 8-8 (n). See General Statutes § 1-1 (a) ("In the construction of the statutes, words and phrases shall be construed according to the commonly approved usage of the language; and technical words and phrases, and such as have acquired a peculiar and appropriate meaning in the law, shall be construed and understood accordingly."). "Ordinarily, the word 'party' has a technical meaning, referring to . . . the party plaintiff or defendant, whether composed of one or more individuals and whether natural or legal persons." (Citations omitted.) *Lieberman v. Reliable Refuse Co.*, 212 Conn. 661, 669, 563 A.2d 1013 (1989).

General Statutes § 8-8 (n) allows this court to approve a proposed settlement "between the parties", which, by definition and of necessity, includes the Werdens. For the court to sanction the proposed stipulation and enter it as a judgment of the court would be to approve a settlement between SOME of the parties only--a result that is not contemplated by the plain language of the statute. Moreover, such an outcome would contradict the Appellate Court's directive in *Dietzel*, supra, to the effect that ALL of the parties must consent to a stipulated judgment in a land use appeal under § 8-8 (n).

The moving parties attempt to distinguish the status of the Werdens on the grounds that they are permissive intervening defendants only, whose presence is unnecessary to the disposition of this case, and who were not made parties to this action as a matter of right (as was the case in *Dietzel*). While the moving parties emphasize the distinction between permissive versus mandatory, necessary or as-of-right intervention, neither the language of § 8-8 (n) or *Dietzel* makes such a distinction.

CONTINUED ON PAGE 3...

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STEVEN PHILIP KULAS (303697)

Notice (JDNO)

Docket No: AAN-CV-18-6029419-S

Issue Date: 09/15/2020

Sent By: Civil/Family

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AAN-CV-18-6029419-S TPB CONTRACTORS, LLC Et Al v. PLANNING AND ZONING COMMISSION OF THE TOWN OF OXFO

Notice Issued: 09/15/2020

Court Address:

CLERK, SUPERIOR COURT

ANSONIA-MILFORD JD

14 WEST RIVER STREET

PO BOX 210

MILFORD, CT 06460

Website: www.jud.ct.gov

Notice Content:

Notice Issued: 09/15/2020

Docket Number: **AAN-CV-18-6029419-S**

Case Caption: **TPB CONTRACTORS, LLC Et Al v. PLANNING AND ZONING COMMISSION OF THE TOWN OF OXFO**

Notice Sequence #: 4

JDNO NOTICE

Rather, both reflect that all parties to a case must stipulate to an agreement before it can be approved and entered as a judgment of the court.

The joint motion is DENIED accordingly. This order is, of course, without any prejudice to the plaintiffs' right to move to withdraw this appeal in accordance with the provisions of General Statutes § 8-8 (n).

It is so ORDERED.

Pierson, J

9/15/20

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Last updated: 04/21/2017

Section 22a-174-3b

Title 22a - Environmental Protection
Department of Energy and Environmental Protection
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04/21/2017

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- (f) Nonmetallic mineral processing equipment.
- (1) The owner or operator of nonmetallic mineral processing equipment consisting of one or more internal combustion engines shall properly maintain and such equipment in accordance with the following conditions:
- (A) If every internal combustion engine that supplies power for the nonmetallic mineral processing equipment has an individual maximum output rating than or equal to 600 horsepower, the owner or operator shall:
- (i) For all such internal combustion engines in combination, not exceed 67,400 gallons of fuel oil usage in any twelve (12) month rolling aggregate.
 - (ii) For any fuel oil consumed by such internal combustion engine or engines, not exceed a fuel sulfur content of 0.05% by weight, dry basis, and
 - (iii) Not use the nonmetallic mineral processing equipment and associated internal combustion engine or engines to result in emissions of any indivi pollutant greater than fifteen (15) tons per year in any twelve (12) month rolling aggregate; or
- (B) If any internal combustion engine that supplies power for the nonmetallic mineral processing equipment has an individual maximum output rating k 600 horsepower, the owner or operator shall:
- (i) For all internal combustion engines supplying power to the nonmetallic mineral processing equipment in combination, not exceed 48,900 gallons of usage in any twelve (12) month rolling aggregate,
 - (ii) For any fuel oil consumed by such internal combustion engine or engines, not exceed a fuel sulfur content of 0.05% by weight, dry basis, and
 - (iii) Not use the nonmetallic mineral processing equipment and associated internal combustion engine or engines to result in emissions of any indivi pollutant greater than fifteen (15) tons per year in any twelve (12) month rolling aggregate.
- (2) The owner or operator of any nonmetallic mineral processing equipment that is powered by electricity shall not use such nonmetallic mineral pro equipment to result in emissions of any individual air pollutant greater than fifteen (15) tons per year in any twelve (12) month rolling aggregate.
- (3) The owner or operator of nonmetallic mineral processing equipment shall maintain records of the information necessary for the commissioner to de compliance with the requirements of subdivisions (1) and (2) of this subsection. Information sufficient to make such determinations may include the info specified in subdivision (4) of this subsection. All records made to determine compliance with the requirements of this section shall be:
- (A) Made available to the commissioner to inspect and copy upon request; and
 - (B) Maintained for five (5) years from the date such record is created.
- (4) The owner or operator of nonmetallic mineral processing equipment may make and maintain records of the following information:
- (A) Records of the quantity of fuel used, in gallons, for each month and each twelve (12) month rolling aggregate; and
 - (B) For each nongaseous fuel shipment received, records of the sulfur content as a percent by weight, dry basis, and type of fuel.
- (g) Surface coating operation.
- (1) The owner or operator of a surface coating operation shall properly maintain equipment and conduct such coating operations only in accordance v following limitations on VOCs, hazardous air pollutants and particulate matter:

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Connecticut Department of Energy and Environmental Protection

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[Permits and Licenses \(/DEEP/Permits-and-Licenses/Permits-and-Licenses\)](#)

Air Emissions - New Source Review Program Fact Sheet

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Air Emissions - New Source Review Program

An Environmental Permitting Fact Sheet

Program Overview

The New Source Review permit program, administered by the Engineering and Enforcement Division of the Bureau of Air Management, regulates emissions released to the air from new and modified stationary sources. Examples of such sources include, but are not limited to: boilers; stationary internal combustion engines such as diesels and turbines; incinerators; rock crushing operations; chemical reactors and mixers; paint spray booths; metal degreasers; metal plating and surface treatment operations; printing operations; volatile liquid storage tanks; and many other manufacturing or processing operations.

Exemption from permitting is governed by regulation. The Permit Exemptions section of this fact sheet provides more information about those sources eligible for exemption, the related conditions under which they are required to be operated, and references to the appropriate sections of the Regulations of Connecticut State Agencies (RCSA).

Prior to beginning the actual construction of any stationary source or modification of any source to which RCSA Section 22a-174-3a(a)(1) applies, the owner or operator shall:

- apply for and obtain an individual permit; or,
- elect to operate the source in accordance with the provisions of RCSA Section 22a-174-3b, 22a-174-3c or 22a-174-42.

In making a decision to grant an air permit, the Department must determine, at a minimum, that: 1) the proposed activity will incorporate the appropriate control technology and/or operational limitations; 2) the emissions will be in compliance with the state's hazardous air pollutant regulations; and, 3) the proposed activity will not cause any significant deterioration in the air quality.

Authorizing Statutes

Sections 22a-170 and 22a-174 of the Connecticut General Statutes /DEEP/Laws/Laws-and-Regulations) (CGS)

Clean Air Act (<http://www.epa.gov/air/caa/>) (42 U.S.C., Sec. 7401 *et. seq.*)

Regulations

Sections 22a-174-2a, 22a-174-3a, 22a-174-3b, 22a-174-3c, 22a-174-26 and 22a-174-42 of the Regulations of Connecticut State Agencies (RCSA) /DEEP/Laws/Laws-and-Regulations)

Title 40 Code of Federal Regulations

(<http://www.gpoaccess.gov/cfr/index.html>) (CFR) Parts 60, 61 and 63

Who Must Apply

Individual permits are required for any new or modified source which is not otherwise exempt under RCSA Section 22a-174-3a(a)(2) and is a:

- New major stationary source;
- Major modification;
- New or reconstructed major source of hazardous air pollutants subject to the provisions of subsection (m) of RCSA Section 22a-174-3a;
- New emission unit with potential emissions of 15 tons or more per year of any individual air pollutant;
- Modification to an existing emission unit which increases potential emissions of any individual air pollutant from such unit by 15 tons or more per year; or

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- Stationary source or modification that becomes a major stationary source or major modification solely by virtue of a relaxation in any enforceable limitation which was established after August 7, 1980, on the capacity of the source or modification otherwise to emit a pollutant;
- Incinerator for which construction commenced on or after June 1, 2009, except if such incinerator is used for the primary purpose of reducing, controlling or eliminating air pollution, or as a solid waste incineration unit subject to an emission guideline issued pursuant to Section 129 of the Clean Air Act;
- New stationary source that emits, or has the potential to emit, equal to or greater than 100,000 tons per year of CO₂e and 100 tons per year of greenhouse gases;
- Major stationary source when such major stationary source undertakes a physical change or change in the method of operation that will result in a net emissions increase that is equal to or greater than 75,000 tons per year CO₂e; or
- Stationary source that emits, or has the potential to emit, equal to or greater than 100,000 tons per year of CO₂e and 100 tons per year of greenhouse gases, when such stationary source undertakes a physical change or change in the method of operation that will result in a net emissions increase that is equal to or greater than 75,000 tons per year CO₂e.

Permit Exemptions

The owner or operator of a source or modification which meets the applicability thresholds of RCSA Section 22a-174-3a(a)(1) may conduct the following activities and may construct or operate the following sources without a permit:

- Any activity that:

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- o Adds air pollution control equipment or implements process changes to control air pollution unless the addition or implementation results in an increase in actual emissions of any individual air pollutant of 15 tons or more per year, or ten tons or more per year of a hazardous air pollutant subject to the provisions of subsection (m) of RCSA Section 22a-174-3a.
- o Relocates a portable rock crusher which is subject to a permit or exemption letter issued by the commissioner pursuant to former RCSA Section 22a-174-3, provided the owner or operator is in compliance with any such permits and provides written notice to the commissioner prior to such relocation.
- o Constitutes a conversion from fuel oil to natural gas, or in addition to fuel oil, provided such conversion does not increase actual emissions of any individual air pollutant by 15 tons or more per year, unless such conversion results in reconstruction.
- o Constitutes a conversion from residual fuel oil to distillate fuel oil, or in addition to residual fuel oil, provided such conversion does not increase actual emissions of any individual air pollutant by 15 tons or more per year, unless such conversion results in reconstruction.
- Any stationary source that is:
 - a stripping facility used to remove VOC from contaminated groundwater or soil pursuant to an order issued by the commissioner, provided such facility has a control device with VOC removal efficiency of at least 95%;
 - a portable engine or boiler temporarily replacing an existing engine or boiler, provided the replacement units have a combined emission rate equal to or less than the existing units and that the number of days total that any and all such portable engines or boilers may be used does not exceed 90 days in any calendar year;

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- in compliance with RCSA Section 22a-174-30, 22a-174-30 or 22a-174-42, unless otherwise subject to RCSA Section 22a-174-3a; or
- a gasoline dispensing facility, as defined in RCSA Section 22a-174-30(a) (3).
- Any mobile source or non-road engine as defined in 40 CFR Part 89.

RCSA Section 22a-174-3b allows for exemptions from permitting for construction and operation of external combustion units, automotive refinishing operations, emergency engines, nonmetallic mineral processing equipment and surface coating operations.

RCSA Section 22a-174-3c allows for exemptions from permitting through limitations on potential to emit for external combustion units, automotive refinishing operations, emergency engines, nonmetallic mineral processing equipment and surface coating operations.

RCSA Section 22a-174-42 allows for an exemption from permitting for construction and operation of a distributed generator.

See RCSA Sections 22a-174-3b, 22a-174-3c and 22a-174-42 for applicability, operating, emissions and record keeping requirements associated with the permit exemptions allowed by these regulations.

Required Documents

The owner or operator of a stationary source or modification subject to the provisions of RCSA Section 22a-174-3a shall apply for a permit on forms prescribed by the commissioner. These forms are available on the [Applications Forms and Instructions \(/DEEP/Permits-and-Licenses/Air-Emissions-Permits-and-General-Permits\)](#) download page.

Permit application packages shall include:

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- Permit Application for Stationary Sources of Air Pollution - New Source Review (DEEP-NSR-APP-200);
- *Applicant Compliance Information* (DEP-APP-002);

Depending on your proposed activity, you will need to use the main NSR forms listed above, and you will also need to submit one or more of the supplemental NSR forms listed below:

- *Manufacturing or Processing Operations* (DEEP-NSR-APP-201);
- *Fuel Burning Equipment* (DEEP-NSR-APP-202);
- *Incinerators or Landfill Flares* (DEEP-NSR-APP-203);
- *Volatile Liquid Storage* (DEEP-NSR-APP-204);
- *Surface Coating or Printing Operations* (DEEP-NSR-APP-205);
- *Metal Plating or Surface Treatment Operations* (DEEP-NSR-APP-206);
- *Metal Cleaning Degreasers* (DEEP-NSR-APP-207);
- *Concrete, Asphalt Concrete, Mineral Processing or Other Similar Equipment* (DEEP-NSR-APP-208);
- *Site Remediation Equipment* (DEEP-NSR-APP-209);
- *Air Pollution Control Equipment* (DEEP-NSR-APP-210);
- *Stack and Building Parameters* (DEEP-NSR-APP-211);
- *Unit Emissions* (DEEP-NSR-APP-212);
- *Major Modification Determination Form* (DEEP-NSR-APP-213);
- *Analysis of Best Available Control Technology Form* (DEEP-NSR-APP-214a);
- *Non-Attainment Review Form* (DEEP-NSR-APP-215);
- *Prevention of Significant Deterioration (PSD) of Air Quality Form* (DEEP-NSR-APP-216);
- *Premises Information Form* (DEEP-NSR-APP-217)

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and any other form, information, or documentation required by the forms listed above.

Any document, including application forms, submitted to the commissioner shall be signed by an individual in accordance with the signatory responsibilities requirements of RCSA Section 22a-174-2a(a).

Fees

An initial application fee of \$940 for each permit for each source is required with the application. Permit fees, based on the inventory of emissions at the premises, are calculated subject to the provisions of RCSA Section 22a-174-26 and billed upon completion of the tentative determination. See RCSA Section 22a-174-26, and CGS Section 22a-174(g) for detailed fee information.

Review and Processing

Upon receipt of the application package, the initial application fee and the certified copy of the Notice of Application, the application is administratively sufficient. The technical review phase of the process then begins.

In the initial technical review, the maximum potential emissions of the source are determined to assess whether a permit is required. If a permit is not required, the Department will send notification of this to the applicant and refund one-half of the application fee.

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If a permit is required, the permit engineer will then conduct a detailed technical review. This review will consist of several components, depending on the source, including an analysis of all applicable state and federal requirements; a best available control technology analysis (BACT); an ambient impact analysis, including screening analysis and/or refined modeling; and, a determination of compliance with the maximum allowable stack concentration (MASC) for all hazardous air pollutants. On conclusion of this review, a draft permit is written. This draft permit will contain operating limits and conditions, such as fuel and production limits, stack testing or continuous emission monitors (CEM). The draft

permit goes through a rigorous review process that culminates in a tentative determination to grant or deny the permit. The applicant is notified of the tentative determination and billed the permit fee. The Department will publish the notice of Tentative Determination in a newspaper having general circulation in the affected area. The applicant is billed for the cost of publishing the notice. Interested persons have 30 days from publication of the notice to submit written comments on the draft permit or request a public hearing. In certain instances, comments are requested from the Environmental Protection Agency.

After completion of the comment period and the close of any hearing, the Department will consider public comments and issue a final decision on the application.

Public Participation

The applicant is responsible for publishing a Notice of Application when the application is submitted to the Department. Once this notice is published, the applicant must send a copy of the notice to the Chief Elected Official of the municipality in which the regulated activity is proposed, and send a copy of the notice, along with the Certification of Notice Form - Notice of Application (DEEP/Permits-and-Licenses/Common-Forms) (DEP-APP-005A), to the Department.

Within five working days after the tentative determination has been made, the Department will publish a second public notice stating the commissioner's tentative decision to grant or deny the permit. The applicant is responsible for the cost of this publication. A thirty day comment period is provided during which written comments may be submitted and a public hearing may be requested. A public hearing may be held if requested. The Department may require an applicant to post a sign on the site or to provide any other reasonable form of notice necessary to apprise the public and abutting landowners of the proposed activity.

nose seeking a permit to construct or expand: any electric generating facility with capacity of more than ten megawatts; sludge or solid waste incinerator or combustor; sewage treatment plant with a capacity of more than 50 million gallons per day; intermediate processing center, volume reduction facility or multi-town recycling facility with a combined monthly volume in excess of 25 tons; new or expanded landfill, including, but not limited to, a landfill that contains ash, construction and demolition debris or solid waste; medical waste incinerator; or major source of air pollution, as defined by the federal Clean Air Act, in an environmental justice community must file and receive approval of a meaningful public participation plan from the Department prior to filing an application for such permit and consult with the chief elected official or officials of the town or towns in which the affecting facility is to be located or expanded to evaluate the need for a community environmental benefit agreement. As part of the plan, applicants must organize an informal public meeting at a time convenient to the environmental justice community. During the public meeting, the applicant must make a reasonable and good faith effort to provide clear, accurate and complete information about the proposed facility or the proposed facility expansion and its potential environmental and health impacts. The Department must wait at least 30 days after the public meeting to act on the applicant's permit application.

Refer to www.ct.gov/deep/environmentaljustice (<https://www.ct.gov/deep/environmentaljustice>) for more information.

Application Average Processing Time

For this permit program, processing time for a typical application, based upon recent experience is less than 180 days. Past performance is not a guarantee of future processing timeframes. In order to increase the efficiency of application processing, we recommend that you utilize the Bureau of Air Management's Pre-Application and Application Review Meetings (../cwp/view.asp?cid=2684&q=510330&deepnav_GID=1997) process, assure that your application package is properly completed at the time of submittal, and that you promptly reply to any requests for information.

Permit Duration

Most permits do not expire, but may, on a case by case basis, be issued for a limited duration.

Authorized Activities Prior to Permit Issuance

The owner or operator of a stationary source or modification who is required to obtain a permit or non-minor permit modification under the provisions of RCSEA Section 22a-174-3a may, prior to obtaining such permit:

- enter into binding agreements or contractual obligations to undertake construction of the proposed stationary source or modification for which a permit is required; and
- begin site clearing activities.

Such activities *do not include actual construction*. Actual construction activities include, but are not limited to, the following activities which are specifically required for construction of the proposed stationary source or modification:

- excavating, blasting, removing rock and soil; or
- installing footings, foundations, retaining walls, or permanent storage structures.

Permit Revocation

The commissioner may revoke any permit on his own initiative or at the request of the permittee in accordance with CGS Sections 4-182(c) and 22a-174c, RCSEA Section 22a-3a-5(d), and any other applicable law. Any such request shall be in writing and contain facts and reasons supporting the request. See [License Revocation Request \(/DEEP/Permits-and-Licenses/Air-Emissions-Permits-and-General-Permits\) Form \(DEEP-AIR-REQ-004\)](#) for additional information on requesting a license revocation.

For permit related questions, call the Bureau of Air Management's Engineering and Technical Services Division at 860-424-4152.

[Air Permitting Main Page \(/DEEP/Air/Permits/Air-Permits\)](#)

[Air Management Regulations of Connecticut State Agencies \(DEEP/Air/Planning/Regulations/Air-Regulations\)](#)

[Connecticut General Statutes \(http://www.cga.ct.gov/asp/menu/statutes.asp\)](http://www.cga.ct.gov/asp/menu/statutes.asp) (CGS)

[Code of Federal Regulations \(http://www.gpoaccess.gov/cfr/index.html\)](http://www.gpoaccess.gov/cfr/index.html) (CFR)

[Clean Air Act \(http://www.epa.gov/air/caa/\)](http://www.epa.gov/air/caa/) (CAA)

Contact Information

Engineering Section
Bureau of Air Management
Department of Energy and Environmental Protection
90 Elm Street
Hartford, CT 06106-5127
860-424-4152

This overview is designed to answer general questions and provide basic information. You should refer to the appropriate statutes and regulations for the specific regulatory language of the different permit programs. This document should not be relied upon to determine whether or not an environmental permit is required. It is your responsibility to obtain and comply with all required permits.

Fact Sheet DEP-NSR-FS-200

Content Last Updated May 2013

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TOWN OF OXFORD
S.B. Church Memorial Town Hall
486 Oxford Road, Oxford, Connecticut 06478-1298
www.Oxford-CT.gov 203.828.6503

Zoning Enforcement Official

January 6, 2020

T&C PARTNERS
21&23 Nichols Rd.
Oxford, CT 06478

Re: 21&23 Nichols Rd. (Z.18.183) No permit for crushing of rock

The Planning & Zoning Department of the Town of Oxford recently became aware that certain activity was taking place on the above-mentioned property. Upon investigation, it was determined that the activity took place and several deficiencies and violations were identified and noted. The files of the Planning & Zoning office do not reflect any permits issued for the above address and a permit is required.

BELOW ARE MEETING MINUTES 7.17.18 (Z.18.183)

The proposed use of the areas on the plan labelled "Topsoil Screener" and "Crusher", for earth material processing equipment, is hereby DENIED;

The Application for Special Exception, as it is deemed to request a special exception for the use of earth material processing equipment, is hereby DENIED as to that request only, but otherwise approved as stated above.

You are hereby notified to cease operations of rock crushing

As a result, this Notice / Order is issued to inform you that you are currently in violation of the Zoning Regulations of the Town of Oxford, Connecticut.

If you have any further questions or concerns regarding this notice /order, please contact the Zoning Enforcement Official at (203) 888-2543 ext. 3033.

Sincerely,

Steven S. Macary, Zoning Official

Cc : Attorney Kevin Conndon
First Selectman George Temple
Chairman Jeff Luff

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TOWN OF OXFORD
Zoning Board of Appeals

S.B. Church Memorial Town Hall
486 Oxford Road, Oxford, Connecticut 06478-1298
www.Oxford-CT.gov



Zoning Board of Appeals
Special Meeting Minutes
February 3, 2020
Main Meeting Room

CALL TO ORDER

Chairman Jeff Holmes called the meeting to order at 7:10 PM.

PLEDGE OF ALLEGIANCE

ROLL CALL

Present: Jeff Holmes, Larry Ellis, Richard Burns, and Ed Rowland.

The Zoning Board of Appeals will hold a Special Meeting on Monday, February 3, 2020 at 7:00 PM to discuss meetings and procedures.

MOTION BY Member Larry Ellis to approve the minutes of the last meeting.

Second by Ed Rowland.

All Ayes.

Motion passed unanimously.

Board Members discussed a regular meeting schedule.

Chairman Jeff Holmes made a motion to set the Regular Meeting schedule for the 1st Monday of each month at 7:00 PM.

Second by Larry Ellis.

All Ayes.

Motion passed unanimously.

NEW BUSINESS:

Receive and accept the Notice of Appeal, Z-20-100. Set Public Hearing to entertain a letter dated January 6, 2020 from the ZEO to T&C Partners, LLC located at 21-23 Nichols Road/TPB Contractor, LLC – Attorney Dominick Thomas has appealed the decision of the ZEO's letter dated January 6, 2020.

MOTION BY Larry Ellis to accept the letter from T&C Partners, LLC.

Second by Chairman Jeff Holmes.

All Ayes.

Motion passed unanimously.

MOTION BY Chairman Jeff Holmes to schedule a Public Hearing for Monday, March 2, 2020 at 7:00 PM.

Second by Ed Rowland.

All Ayes.

Motion passed unanimously.

ADJOURNMENT

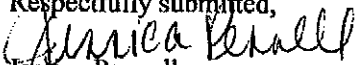
MOTION BY Chairman Jeff Holmes to adjourn the meeting at 7:15 PM.

Second by Larry Ellis.

All Ayes.

Motion passed unanimously.

Respectfully submitted,



Jessica Pennell

Acting ZBA Clerk

20 FEB 20 AM 9:22
TOWN OF OXFORD, CT
Jessica Pennell
TOWN CLERK



ZONING BOARD OF APPEALS
Special Meeting Agenda
Monday, March 9, 2020
Oxford Town Hall
7:00 PM Main Meeting Room
203.828.6503

1. CALL TO ORDER
2. PLEDGE OF ALLEGIANCE
3. ROLL CALL
4. SEETING OF ALTERNATES
5. CONTINUE PUBLIC HEARING

Old Business: Appeal Z-20-100 Commission discussion / letter dated January 6, 2020 From ZEO to T&C Partners LLC 21-23 Nichols RD. / TPB Contractor, LLC Attorney Dominic Thomas has appealed the decision of the ZEO Letter dated January 6, 2020

Respectfully submitted,

Steven S. Macary, ZEO

20 MAR -4 AM 11:03
TOWN OF OXFORD, CT
TOWN CLERK
Stephanie P. White

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50 9/25/20



51 9/25/20



52 9/25/20



53

(B1)



54

(B2)



55

(B3)



56 (B4)





Full Town View

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Print Map

Help

Select

View Legend

Map Layer



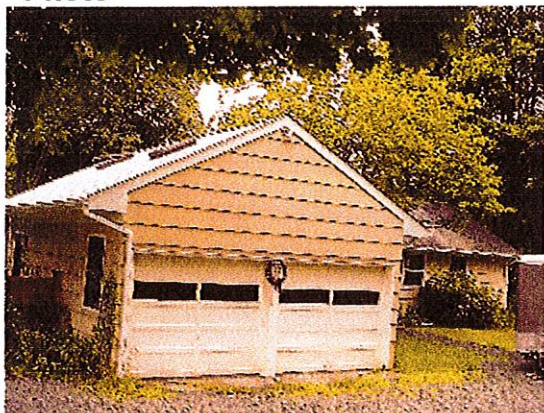


Property Information

Owner	SCIORTINO JAMES S & EMILY
Address	7 HAWLEY RD
Mailing Address	7 HAWLEY RD OXFORD , CT 06478
Land Use	- Single Fam w/In-Law
Land Class	R

Census Tract	L 2
Neighborhood	090
Zoning	OPD
Acreage	1.5
Utilities	
Lot Setting/ Desc	/ Clear,Wooded,Wet

Photo



PARCEL VALUATIONS (Assessed value = 70% of Appraised Value)

	Appraised	Assessed
Buildings	366000	256200
Outbuildings	0	0
Improvements	366000	256200
Extras	0	0
Land	109300	76500
Total	475300	332700
Previous		

Construction Details

Year Built	
Stories	2
Building Style	Colonial
Building Use	Residential
Building Condition	C+
Total Rooms	
Bedrooms	5 Bedrooms
Full Bathrooms	0
Half Bathrooms	
Bath Style	Good
Kitchen Style	Good
Roof Style	Gable
Roof Cover	Arch Shingles

EXTERIOR WALLS:

Primary	Vinyl Siding
Secondary	

INTERIOR WALLS:

Primary	Drywall
Secondary	

FLOORS:

Primary	Hardwood
Secondary	

HEATING/AC:

Heating Type	Forced Hot Air
Heating Fuel	Propane
AC Type	Central

BUILDING AREA:

Effective Building Area	
Gross Building Area	
Total Living Area	

SALES HISTORY:

Sale Date	3/6/2020
Sale Price	465000
Book/ Page	436/ 3

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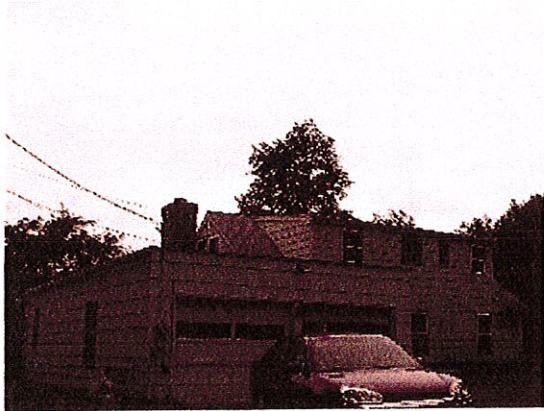


Property Information

Owner	TESBIR MICHELE A & TR OF META W HINZE
Address	11 HAWLEY RD
Mailing Address	1169 GEORGES HILL RD SOUTHURY , CT 06488
Land Use	- Res Dwelling
Land Class	R

Census Tract	L 3
Neighborhood	090
Zoning	RESA
Acreage	3.18
Utilities	
Lot Setting/ Desc	/ Clear,Wooded,Wet

Photo



PARCEL VALUATIONS (Assessed value = 70% of Appraised Value)

	Appraised	Assessed
Buildings	145000	101500
Outbuildings	0	0
Improvements	145000	101500
Extras	0	0
Land	126100	88300
Total	271100	189800
Previous		

Construction Details

Year Built	
Stories	1.75
Building Style	Cape
Building Use	Residential
Building Condition	C
Total Rooms	
Bedrooms	2 Bedrooms
Full Bathrooms	0
Half Bathrooms	
Bath Style	Average
Kitchen Style	Average
Roof Style	Gable
Roof Cover	Arch Shingles

EXTERIOR WALLS:

Primary	Vinyl Siding
Secondary	

INTERIOR WALLS:

Primary	Drywall
Secondary	

FLOORS:

Primary	Hardwood
Secondary	

HEATING/AC:

Heating Type	Hot Water
Heating Fuel	Oil
AC Type	None

BUILDING AREA:

Effective Building Area	
Gross Building Area	
Total Living Area	

SALES HISTORY:

Sale Date	1/14/2015
Sale Price	
Book/ Page	398/ 305

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Property Information

Owner	TOMPOROWSKI VICTOR S & SUSAN
Address	20 HAWLEY RD
Mailing Address	20 HAWLEY RD OXFORD , CT 06478
Land Use	- Res Dwelling
Land Class	R

Census Tract	
Neighborhood	090
Zoning	RESA
Acreage	3.36
Utilities	
Lot Setting/ Desc	/ Clear,Wooded

Photo



PARCEL VALUATIONS (Assessed value = 70% of Appraised Value)

	Appraised	Assessed
Buildings	287100	201000
Outbuildings	13800	9700
Improvements	300900	210700
Extras	0	0
Land	127900	89500
Total	428800	300200
Previous		

Construction Details

Year Built	
Stories	2.00
Building Style	Colonial
Building Use	Residential
Building Condition	B-
Total Rooms	
Bedrooms	4 Bedrooms
Full Bathrooms	0
Half Bathrooms	
Bath Style	Average
Kitchen Style	Average
Roof Style	Gable
Roof Cover	Arch Shingles

EXTERIOR WALLS:

Primary	Vinyl Siding
Secondary	

INTERIOR WALLS:

Primary	Drywall
Secondary	

FLOORS:

Primary	Hardwood
Secondary	Carpet

HEATING/AC:

Heating Type	Forced Hot Air
Heating Fuel	Oil
AC Type	Central

BUILDING AREA:

Effective Building Area	
Gross Building Area	
Total Living Area	

SALES HISTORY:

Sale Date	10/15/2001
Sale Price	399500
Book/ Page	233/1094

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Property Information

Owner	THE COMMUNITY CHAPEL OF THE
Address	24 HAWLEY RD
Mailing Address	122 SOUTH POMPERAUG AVE WOODBURY , CT 06798
Land Use	- Comm/Res
Land Class	C

Census Tract	
Neighborhood	C06
Zoning	RESA
Acreage	31.54
Utilities	
Lot Setting/ Desc	/

Photo



PARCEL VALUATIONS (Assessed value = 70% of Appraised Value)

	Appraised	Assessed
Buildings	263200	184200
Outbuildings	52400	36700
Improvements	315600	220900
Extras	0	0
Land	475400	332800
Total	791000	553700
Previous		

Construction Details

Year Built	
Stories	2
Building Style	Restaurant
Building Use	Comm/Ind
Building Condition	Average
Total Rooms	
Bedrooms	
Full Bathrooms	0
Half Bathrooms	
Bath Style	n/a
Kitchen Style	n/a
Roof Style	Gable
Roof Cover	Asph/F Gls/Cmp

EXTERIOR WALLS:

Primary	Pre-Fab Wood
Secondary	

INTERIOR WALLS:

Primary	Plywood Panel
Secondary	Drywall/Sheet

FLOORS:

Primary	Hardwood
Secondary	Ceram Clay Til

HEATING/AC:

Heating Type	Forced Air-Duc
Heating Fuel	Oil
AC Type	Central

BUILDING AREA:

Effective Building Area	
Gross Building Area	
Total Living Area	

SALES HISTORY:

Sale Date	1/10/2019
Sale Price	1100000
Book/ Page	427/ 911

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Property Information

Owner	HELLMAN ROBERT R
Address	33 HAWLEY RD
Mailing Address	35 HAWLEY RD OXFORD , CT 06478
Land Use	- Res Dwelling
Land Class	R

Census Tract	
Neighborhood	090
Zoning	RESA
Acreage	23.56
Utilities	
Lot Setting/ Desc	/ Clear

Photo



PARCEL VALUATIONS (Assessed value = 70% of Appraised Value)

	Appraised	Assessed
Buildings	331900	232300
Outbuildings	43700	30600
Improvements	375600	262900
Extras	0	0
Land	219600	153700
Total	595200	416600
Previous		

Construction Details

Year Built	
Stories	2
Building Style	Colonial
Building Use	Residential
Building Condition	B-
Total Rooms	
Bedrooms	4 Bedrooms
Full Bathrooms	0
Half Bathrooms	
Bath Style	Average
Kitchen Style	Average
Roof Style	Gable
Roof Cover	Arch Shingles

EXTERIOR WALLS:

Primary	Vinyl Siding
Secondary	

INTERIOR WALLS:

Primary	Drywall
Secondary	

FLOORS:

Primary	Hardwood
Secondary	

HEATING/AC:

Heating Type	Hot Water
Heating Fuel	Oil
AC Type	Central

BUILDING AREA:

Effective Building Area	
Gross Building Area	
Total Living Area	

SALES HISTORY:

Sale Date	8/24/2009
Sale Price	0
Book/ Page	350/ 387

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Property Information

Owner	HELLMAN ROBERT R
Address	35 HAWLEY RD
Mailing Address	35 HAWLEY RD OXFORD , CT 06478
Land Use	- Res Dwelling
Land Class	R

Census Tract	L 5
Neighborhood	090
Zoning	RESA
Acreage	3.96
Utilities	
Lot Setting/ Desc	/ Clear

Photo



PARCEL VALUATIONS (Assessed value = 70% of Appraised Value)

	Appraised	Assessed
Buildings	324700	227300
Outbuildings	8100	5700
Improvements	332800	233000
Extras	0	0
Land	133900	93700
Total	466700	326700
Previous		

Construction Details

Year Built	
Stories	1.00
Building Style	Ranch
Building Use	Residential
Building Condition	B-
Total Rooms	
Bedrooms	3 Bedrooms
Full Bathrooms	0
Half Bathrooms	
Bath Style	Average
Kitchen Style	Average
Roof Style	Gable
Roof Cover	Arch Shingles

EXTERIOR WALLS:

Primary	Wood Shingle
Secondary	

INTERIOR WALLS:

Primary	Drywall
Secondary	

FLOORS:

Primary	Hardwood
Secondary	

HEATING/AC:

Heating Type	Hot Water
Heating Fuel	Oil
AC Type	Central

BUILDING AREA:

Effective Building Area	
Gross Building Area	
Total Living Area	

SALES HISTORY:

Sale Date	8/24/2009
Sale Price	0
Book/ Page	350/ 387

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Property Information

Owner	MAZZARA PAUL & JENNIFER
Address	77 HAWLEY RD
Mailing Address	77 HAWLEY RD OXFORD , CT 06478
Land Use	- Res Dwelling
Land Class	R

Census Tract	L 6A
Neighborhood	090
Zoning	RESA
Acreage	8.42
Utilities	
Lot Setting/ Desc	/ Clear

Photo



PARCEL VALUATIONS (Assessed value = 70% of Appraised Value)

	Appraised	Assessed
Buildings	173300	121300
Outbuildings	30300	21200
Improvements	203600	142500
Extras	0	0
Land	178500	124900
Total	382100	267400
Previous		

Construction Details

Year Built	
Stories	1.75
Building Style	Cape
Building Use	Residential
Building Condition	C+
Total Rooms	
Bedrooms	3 Bedrooms
Full Bathrooms	0
Half Bathrooms	
Bath Style	Average
Kitchen Style	Average
Roof Style	Gable
Roof Cover	Arch Shingles

EXTERIOR WALLS:

Primary	Vinyl Siding
Secondary	

INTERIOR WALLS:

Primary	Drywall
Secondary	

FLOORS:

Primary	Hardwood
Secondary	

HEATING/AC:

Heating Type	Forced Hot Air
Heating Fuel	Oil
AC Type	Central

BUILDING AREA:

Effective Building Area	
Gross Building Area	
Total Living Area	

SALES HISTORY:

Sale Date	3/1/2011
Sale Price	170000
Book/ Page	364/ 693

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Property Information

Owner	BARKER JASON
Address	79 HAWLEY RD
Mailing Address	79 HAWLEY RD OXFORD , CT 06478
Land Use	- Res Dwelling
Land Class	R

Census Tract	L 6C
Neighborhood	090
Zoning	RESA
Acreage	6.98
Utilities	
Lot Setting/ Desc	/ Clear

Photo



PARCEL VALUATIONS (Assessed value = 70% of Appraised Value)

	Appraised	Assessed
Buildings	343100	240200
Outbuildings	4100	2800
Improvements	347200	243000
Extras	0	0
Land	164100	114900
Total	511300	357900
Previous		

Construction Details

Year Built	
Stories	2.00
Building Style	Colonial
Building Use	Residential
Building Condition	B-
Total Rooms	
Bedrooms	4 Bedrooms
Full Bathrooms	0
Half Bathrooms	
Bath Style	Average
Kitchen Style	Average
Roof Style	Gable
Roof Cover	Arch Shingles

EXTERIOR WALLS:

Primary	Clapboard
Secondary	

INTERIOR WALLS:

Primary	Drywall
Secondary	

FLOORS:

Primary	Hardwood
Secondary	

HEATING/AC:

Heating Type	Hot Water
Heating Fuel	Oil
AC Type	None

BUILDING AREA:

Effective Building Area	
Gross Building Area	
Total Living Area	

SALES HISTORY:

Sale Date	4/3/2019
Sale Price	510000
Book/ Page	428/1055

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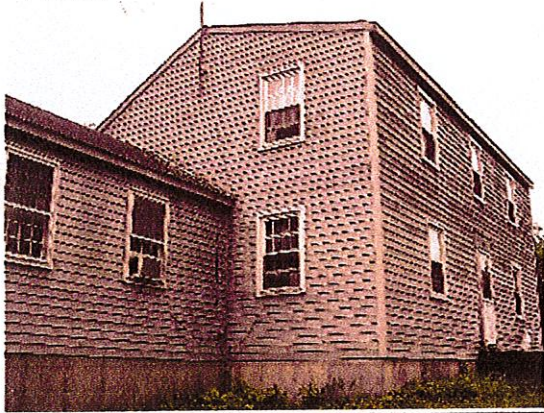


Property Information

Owner	WISER MARIANNE W
Address	81 HAWLEY RD
Mailing Address	81 HAWLEY RD OXFORD , CT 06478
Land Use	- Res Dwelling
Land Class	R

Census Tract	L 6D
Neighborhood	090
Zoning	RESA
Acreage	3.36
Utilities	
Lot Setting/ Desc	/ Clear

Photo



PARCEL VALUATIONS (Assessed value = 70% of Appraised Value)

	Appraised	Assessed
Buildings	191100	133800
Outbuildings	30100	21100
Improvements	221200	154900
Extras	0	0
Land	127900	89500
Total	349100	244400
Previous		

Construction Details

Year Built	
Stories	1.75
Building Style	Colonial
Building Use	Residential
Building Condition	C+
Total Rooms	
Bedrooms	3 Bedrooms
Full Bathrooms	0
Half Bathrooms	
Bath Style	Average
Kitchen Style	Average
Roof Style	Salt Box
Roof Cover	Asphalt

EXTERIOR WALLS:

Primary	Clapboard
Secondary	

INTERIOR WALLS:

Primary	Drywall
Secondary	

FLOORS:

Primary	Hardwood
Secondary	Carpet

HEATING/AC:

Heating Type	Hot Water
Heating Fuel	Oil
AC Type	None

BUILDING AREA:

Effective Building Area	
Gross Building Area	
Total Living Area	

SALES HISTORY:

Sale Date	12/14/2016
Sale Price	
Book/ Page	412/1208

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Property Information

Owner	WEINSTEIN MICHAEL
Address	83 HAWLEY RD
Mailing Address	83 HAWLEY RD OXFORD , CT 06478
Land Use	- Res Dwelling
Land Class	R

Census Tract	L 6B
Neighborhood	090
Zoning	RESA
Acreage	4.3
Utilities	
Lot Setting/ Desc	/ Stream

Photo



PARCEL VALUATIONS (Assessed value = 70% of Appraised Value)

	Appraised	Assessed
Buildings	274700	192300
Outbuildings	0	0
Improvements	274700	192300
Extras	0	0
Land	137300	96100
Total	412000	288400
Previous		

Construction Details

Year Built	
Stories	2.00
Building Style	Colonial
Building Use	Residential
Building Condition	B-
Total Rooms	
Bedrooms	5 Bedrooms
Full Bathrooms	0
Half Bathrooms	
Bath Style	Good
Kitchen Style	Good
Roof Style	Gable
Roof Cover	Asphalt

EXTERIOR WALLS:

Primary	Clapboard
Secondary	

INTERIOR WALLS:

Primary	Drywall
Secondary	

FLOORS:

Primary	Hardwood
Secondary	

HEATING/AC:

Heating Type	Hot Water
Heating Fuel	Oil
AC Type	Central

BUILDING AREA:

Effective Building Area	
Gross Building Area	
Total Living Area	

SALES HISTORY:

Sale Date	10/7/2004
Sale Price	428640
Book/ Page	288/ 646

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Property Information

Owner	BONVISUTO GERALD A & PATRICIA D
Address	85 HAWLEY RD
Mailing Address	85 HAWLEY RD OXFORD , CT 06478
Land Use	- Res Dwelling
Land Class	R

Census Tract	L 6E
Neighborhood	090
Zoning	RESA
Acreage	1.52
Utilities	
Lot Setting/ Desc	/ Clear

Photo



PARCEL VALUATIONS (Assessed value = 70% of Appraised Value)

	Appraised	Assessed
Buildings	198000	138600
Outbuildings	1900	1300
Improvements	199900	139900
Extras	0	0
Land	109500	76600
Total	309400	216500
Previous		

Construction Details

Year Built	
Stories	2.00
Building Style	Colonial
Building Use	Residential
Building Condition	C+
Total Rooms	
Bedrooms	3 Bedrooms
Full Bathrooms	0
Half Bathrooms	
Bath Style	Average
Kitchen Style	Average
Roof Style	Gable
Roof Cover	Asphalt

EXTERIOR WALLS:

Primary	Brick Veneer
Secondary	

INTERIOR WALLS:

Primary	Drywall
Secondary	

FLOORS:

Primary	Carpet
Secondary	

HEATING/AC:

Heating Type	Hot Water
Heating Fuel	Oil
AC Type	Central

BUILDING AREA:

Effective Building Area	
Gross Building Area	
Total Living Area	

SALES HISTORY:

Sale Date	10/1/2010
Sale Price	0
Book/ Page	90/ 286

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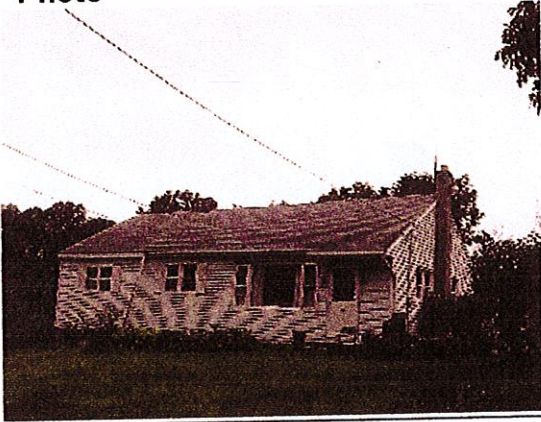


Property Information

Owner	LICNIKAS JOSEPH & PALOMBA SUSAN
Address	97 HAWLEY RD
Mailing Address	97 HAWLEY RD OXFORD , CT 06478
Land Use	- Res Dwelling
Land Class	R

Census Tract	L 7
Neighborhood	090
Zoning	IND
Acreage	1.18
Utilities	
Lot Setting/ Desc	/ Clear

Photo



PARCEL VALUATIONS (Assessed value = 70% of Appraised Value)

	Appraised	Assessed
Buildings	115100	80600
Outbuildings	6100	4300
Improvements	121200	84900
Extras	0	0
Land	104300	73000
Total	225500	157900
Previous		

Construction Details

Year Built	
Stories	1.00
Building Style	Ranch
Building Use	Residential
Building Condition	C
Total Rooms	
Bedrooms	3 Bedrooms
Full Bathrooms	0
Half Bathrooms	
Bath Style	Average
Kitchen Style	Average
Roof Style	Gable
Roof Cover	Arch Shingles

EXTERIOR WALLS:

Primary	Vinyl Siding
Secondary	

INTERIOR WALLS:

Primary	Drywall
Secondary	

FLOORS:

Primary	Hardwood
Secondary	

HEATING/AC:

Heating Type	Forced Hot Air
Heating Fuel	Oil
AC Type	None

BUILDING AREA:

Effective Building Area	
Gross Building Area	
Total Living Area	

SALES HISTORY:

Sale Date	12/31/2014
Sale Price	
Book/ Page	398/ 4

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Property Information

Owner	SALOKAS GERALD & DARLENE
Address	99 HAWLEY RD
Mailing Address	99 HAWLEY RD OXFORD , CT 06478
Land Use	- Res Dwelling
Land Class	R

Census Tract	L 8
Neighborhood	090
Zoning	IND
Acreage	3.43
Utilities	
Lot Setting/ Desc	/ Clear

Photo



PARCEL VALUATIONS (Assessed value = 70% of Appraised Value)

	Appraised	Assessed
Buildings	165300	115700
Outbuildings	10200	7100
Improvements	175500	122800
Extras	0	0
Land	128600	90000
Total	304100	212800
Previous		

Construction Details

Year Built	
Stories	1.00
Building Style	Ranch
Building Use	Residential
Building Condition	C+
Total Rooms	
Bedrooms	2 Bedrooms
Full Bathrooms	0
Half Bathrooms	
Bath Style	Average
Kitchen Style	Average
Roof Style	Gable
Roof Cover	Asphalt

EXTERIOR WALLS:

Primary	Aluminum Sidng
Secondary	

INTERIOR WALLS:

Primary	Drywall
Secondary	

FLOORS:

Primary	Carpet
Secondary	

HEATING/AC:

Heating Type	Hot Water
Heating Fuel	Oil
AC Type	None

BUILDING AREA:

Effective Building Area	
Gross Building Area	
Total Living Area	

SALES HISTORY:

Sale Date	10/1/2010
Sale Price	0
Book/ Page	117/ 161

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Property Information

Owner	LICNIKAS JOSEPH E
Address	103 HAWLEY RD
Mailing Address	103 HAWLEY RD OXFORD , CT 06478
Land Use	- Res Dwelling
Land Class	R

Census Tract	L 8A
Neighborhood	090
Zoning	IND
Acreage	1.5
Utilities	
Lot Setting/ Desc	/ Clear

Photo



PARCEL VALUATIONS (Assessed value = 70% of Appraised Value)

	Appraised	Assessed
Buildings	130500	91400
Outbuildings	800	600
Improvements	131300	92000
Extras	0	0
Land	109300	76500
Total	240600	168500
Previous		

Construction Details

Year Built	
Stories	1.75
Building Style	Cape
Building Use	Residential
Building Condition	C
Total Rooms	
Bedrooms	2 Bedrooms
Full Bathrooms	0
Half Bathrooms	
Bath Style	Average
Kitchen Style	Average
Roof Style	Gable
Roof Cover	Arch Shingles

EXTERIOR WALLS:

Primary	Vinyl Siding
Secondary	

INTERIOR WALLS:

Primary	Drywall
Secondary	

FLOORS:

Primary	Hardwood
Secondary	

HEATING/AC:

Heating Type	Elec Baseboard
Heating Fuel	Electric
AC Type	None

BUILDING AREA:

Effective Building Area	
Gross Building Area	
Total Living Area	

SALES HISTORY:

Sale Date	10/23/1987
Sale Price	0
Book/ Page	133/ 509

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Property Information

Owner	WERDEN ROBERT J
Address	110 HAWLEY RD
Mailing Address	110 HAWLEY RD OXFORD , CT 06478
Land Use	- Res/Com
Land Class	R

Census Tract	R 6
Neighborhood	090
Zoning	IND
Acreage	2
Utilities	
Lot Setting/ Desc	/ Clear

Photo



PARCEL VALUATIONS (Assessed value = 70% of Appraised Value)

	Appraised	Assessed
Buildings	264700	185300
Outbuildings	70000	49000
Improvements	334700	234300
Extras	0	0
Land	114300	80000
Total	449000	314300
Previous		

Construction Details

Year Built	
Stories	1.75
Building Style	Cape
Building Use	Residential
Building Condition	C+
Total Rooms	
Bedrooms	3 Bedrooms
Full Bathrooms	0
Half Bathrooms	
Bath Style	Average
Kitchen Style	Average
Roof Style	Gable
Roof Cover	Arch Shingles

EXTERIOR WALLS:

Primary	Vinyl Shakes
Secondary	

INTERIOR WALLS:

Primary	Drywall
Secondary	

FLOORS:

Primary	Carpet
Secondary	

HEATING/AC:

Heating Type	Forced Hot Air
Heating Fuel	Oil
AC Type	Central

BUILDING AREA:

Effective Building Area	
Gross Building Area	
Total Living Area	

SALES HISTORY:

Sale Date	11/28/1998
Sale Price	0
Book/ Page	206/ 670

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Property Information

Owner	V A S E L L C
Address	119 HAWLEY RD
Mailing Address	119 HAWLEY RD OXFORD , CT 06478
Land Use	- Industrial
Land Class	I

Census Tract	
Neighborhood	C06
Zoning	IND
Acreage	2.58
Utilities	
Lot Setting/ Desc	/

Photo



PARCEL VALUATIONS (Assessed value = 70% of Appraised Value)

	Appraised	Assessed
Buildings	1019600	713700
Outbuildings	8300	5800
Improvements	1098300	768800
Extras	70400	49300
Land	185800	130100
Total	1284100	898900
Previous		

Construction Details

Year Built	
Stories	1
Building Style	Office/Warehs
Building Use	Ind/Comm
Building Condition	Good
Total Rooms	
Bedrooms	
Full Bathrooms	0
Half Bathrooms	
Bath Style	n/a
Kitchen Style	n/a
Roof Style	Gable
Roof Cover	Enam Mtl Shing

EXTERIOR WALLS:

Primary	Concr/Cinder
Secondary	Stucco/Masonry

INTERIOR WALLS:

Primary	Minim/Masonry
Secondary	

FLOORS:

Primary	Concr-Finished
Secondary	

HEATING/AC:

Heating Type	Forced Air-Duc
Heating Fuel	Gas
AC Type	Partial

BUILDING AREA:

Effective Building Area	
Gross Building Area	
Total Living Area	

SALES HISTORY:

Sale Date	1/9/1996
Sale Price	0
Book/ Page	185/1094

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Property Information

Owner	LOCKWOOD SUSAN M
Address	121 HAWLEY RD
Mailing Address	121 HAWLEY RD OXFORD , CT 06478
Land Use	- Res Dwelling
Land Class	R

Census Tract	L 10
Neighborhood	090
Zoning	RESA
Acreage	1.5
Utilities	
Lot Setting/ Desc	/ Clear

Photo



PARCEL VALUATIONS (Assessed value = 70% of Appraised Value)

	Appraised	Assessed
Buildings	367500	257300
Outbuildings	10100	7100
Improvements	377600	264400
Extras	0	0
Land	109300	76500
Total	486900	340900
Previous		

Construction Details

Year Built	
Stories	2.00
Building Style	Colonial
Building Use	Residential
Building Condition	B-
Total Rooms	
Bedrooms	3 Bedrooms
Full Bathrooms	0
Half Bathrooms	
Bath Style	Average
Kitchen Style	Average
Roof Style	Gable
Roof Cover	Arch Shingles

EXTERIOR WALLS:

Primary	Vinyl Siding
Secondary	

INTERIOR WALLS:

Primary	Drywall
Secondary	

FLOORS:

Primary	Hardwood
Secondary	Carpet

HEATING/AC:

Heating Type	Hydro-air
Heating Fuel	Oil
AC Type	None

BUILDING AREA:

Effective Building Area	
Gross Building Area	
Total Living Area	

SALES HISTORY:

Sale Date	8/13/2009
Sale Price	0
Book/ Page	350/ 99

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Property Information

Owner	PERSSON GLEN
Address	124 HAWLEY RD
Mailing Address	124 HAWLEY RD OXFORD , CT 06478
Land Use	- Res Dwelling
Land Class	R

Census Tract	R 9
Neighborhood	090
Zoning	IND
Acreage	8.4
Utilities	
Lot Setting/ Desc	/ Clear

Photo

PARCEL VALUATIONS (Assessed value = 70% of Appraised Value)

	Appraised	Assessed
Buildings	205800	144100
Outbuildings	46200	32400
Improvements	252000	176500
Extras	0	0
Land	178300	124800
Total	430300	301300
Previous		



Construction Details

Year Built	
Stories	2.00
Building Style	Colonial
Building Use	Residential
Building Condition	C+
Total Rooms	
Bedrooms	5 Bedrooms
Full Bathrooms	0
Half Bathrooms	
Bath Style	Average
Kitchen Style	Average
Roof Style	Gable
Roof Cover	Arch Shingles

EXTERIOR WALLS:

Primary	Vinyl Siding
Secondary	

INTERIOR WALLS:

Primary	Drywall
Secondary	

FLOORS:

Primary	Carpet
Secondary	

HEATING/AC:

Heating Type	Hot Water
Heating Fuel	Oil
AC Type	None

BUILDING AREA:

Effective Building Area	
Gross Building Area	
Total Living Area	

SALES HISTORY:

Sale Date	4/13/1999
Sale Price	147000
Book/ Page	209/ 992

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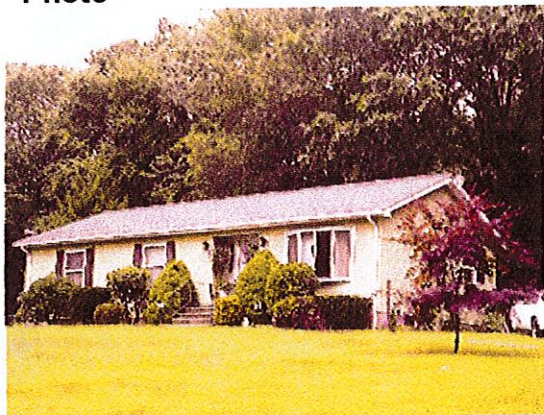


Property Information

Owner	ONOFRIO STEVEN P & KATHRYN L
Address	125 HAWLEY RD
Mailing Address	125 HAWLEY RD OXFORD , CT 06478
Land Use	- Res Dwelling
Land Class	R

Census Tract	L 10A
Neighborhood	090
Zoning	RESA
Acreage	1.65
Utilities	
Lot Setting/ Desc	/ Clear

Photo



PARCEL VALUATIONS (Assessed value = 70% of Appraised Value)

	Appraised	Assessed
Buildings	133200	93200
Outbuildings	20800	14600
Improvements	154000	107800
Extras	0	0
Land	110800	77600
Total	264800	185400
Previous		

Construction Details

Year Built	
Stories	1.00
Building Style	Ranch
Building Use	Residential
Building Condition	C
Total Rooms	
Bedrooms	3 Bedrooms
Full Bathrooms	0
Half Bathrooms	
Bath Style	Average
Kitchen Style	Average
Roof Style	Gable
Roof Cover	Arch Shingles

EXTERIOR WALLS:

Primary	Aluminum Sidng
Secondary	

INTERIOR WALLS:

Primary	Drywall
Secondary	

FLOORS:

Primary	Hardwood
Secondary	

HEATING/AC:

Heating Type	Hot Water
Heating Fuel	Oil
AC Type	None

BUILDING AREA:

Effective Building Area	
Gross Building Area	
Total Living Area	

SALES HISTORY:

Sale Date	10/1/2010
Sale Price	0
Book/ Page	104/ 171

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Property Information

Owner	SENO MARIE & NITSCHÉ MARIE
Address	130 HAWLEY RD
Mailing Address	130 HAWLEY RD OXFORD , CT 06478
Land Use	- Res Dwelling
Land Class	R

Census Tract	R 8
Neighborhood	090
Zoning	IND
Acreage	2
Utilities	
Lot Setting/ Desc	/ Clear

Photo



PARCEL VALUATIONS (Assessed value = 70% of Appraised Value)

	Appraised	Assessed
Buildings	97300	68100
Outbuildings	1400	1000
Improvements	98700	69100
Extras	0	0
Land	114300	80000
Total	213000	149100
Previous		

Construction Details

Year Built	
Stories	2.5
Building Style	Colonial
Building Use	Residential
Building Condition	C
Total Rooms	
Bedrooms	3 Bedrooms
Full Bathrooms	0
Half Bathrooms	
Bath Style	Average
Kitchen Style	Average
Roof Style	Gable
Roof Cover	Asphalt

EXTERIOR WALLS:

Primary	Aluminum Sidng
Secondary	

INTERIOR WALLS:

Primary	Plaster
Secondary	

FLOORS:

Primary	Carpet
Secondary	

HEATING/AC:

Heating Type	Forced Hot Air
Heating Fuel	Oil
AC Type	None

BUILDING AREA:

Effective Building Area	
Gross Building Area	
Total Living Area	

SALES HISTORY:

Sale Date	2/3/1992
Sale Price	0
Book/ Page	159/ 362

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Property Information

Owner	MOHYDE DONALD & CAROL A
Address	133 HAWLEY RD
Mailing Address	133 HAWLEY RD OXFORD , CT 06478
Land Use	- Res Dwelling
Land Class	R

Census Tract	L 11
Neighborhood	090
Zoning	IND
Acreage	4.05
Utilities	
Lot Setting/ Desc	/ Pond

Photo



PARCEL VALUATIONS (Assessed value = 70% of Appraised Value)

	Appraised	Assessed
Buildings	144800	101400
Outbuildings	7200	5000
Improvements	152000	106400
Extras	0	0
Land	134800	94400
Total	286800	200800
Previous		

Construction Details

Year Built	
Stories	1.00
Building Style	Ranch
Building Use	Residential
Building Condition	C
Total Rooms	
Bedrooms	2 Bedrooms
Full Bathrooms	0
Half Bathrooms	
Bath Style	Average
Kitchen Style	Average
Roof Style	Hip
Roof Cover	Asphalt

EXTERIOR WALLS:

Primary	Wood Shingle
Secondary	

INTERIOR WALLS:

Primary	Drywall
Secondary	

FLOORS:

Primary	Hardwood
Secondary	

HEATING/AC:

Heating Type	Hot Water
Heating Fuel	Oil
AC Type	Central

BUILDING AREA:

Effective Building Area	
Gross Building Area	
Total Living Area	

SALES HISTORY:

Sale Date	7/17/2012
Sale Price	210000
Book/ Page	376/ 591

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Property Information

Owner	CONNELLY JAMES & MELISSA
Address	136 HAWLEY RD
Mailing Address	136 HAWLEY RD OXFORD , CT 06478
Land Use	- Res Dwelling
Land Class	R

Census Tract	R 10
Neighborhood	090
Zoning	IND
Acreage	3.04
Utilities	
Lot Setting/ Desc	/ Clear

Photo



PARCEL VALUATIONS (Assessed value = 70% of Appraised Value)

	Appraised	Assessed
Buildings	111400	78000
Outbuildings	2900	2100
Improvements	114300	80100
Extras	0	0
Land	124700	87300
Total	239000	167400
Previous		

Construction Details

Year Built	
Stories	1.00
Building Style	Ranch
Building Use	Residential
Building Condition	C
Total Rooms	
Bedrooms	2 Bedrooms
Full Bathrooms	0
Half Bathrooms	
Bath Style	Average
Kitchen Style	Average
Roof Style	Gable
Roof Cover	Arch Shingles

EXTERIOR WALLS:

Primary	Wood on Sheath
Secondary	

INTERIOR WALLS:

Primary	Drywall
Secondary	

FLOORS:

Primary	Hardwood
Secondary	

HEATING/AC:

Heating Type	Hot Water
Heating Fuel	Oil
AC Type	None

BUILDING AREA:

Effective Building Area	
Gross Building Area	
Total Living Area	

SALES HISTORY:

Sale Date	1/25/2016
Sale Price	228000
Book/ Page	405/ 544

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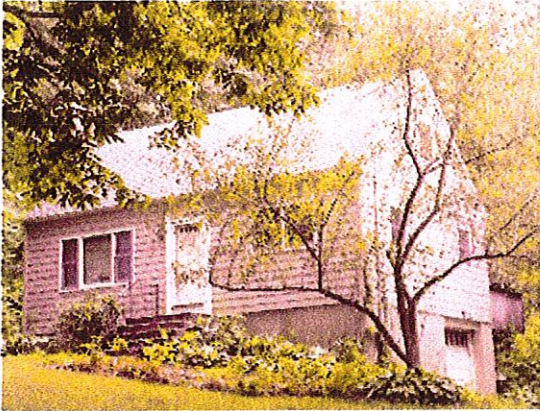


Property Information

Owner	484 COLUMBUS AVE, LLC
Address	140 HAWLEY RD
Mailing Address	15 STATE LINE RD NORFOLK , CT 06058
Land Use	- Res Dwelling
Land Class	R

Census Tract	R 11
Neighborhood	090
Zoning	IND
Acreage	2.05
Utilities	
Lot Setting/ Desc	/ Pond

Photo



PARCEL VALUATIONS (Assessed value = 70% of Appraised Value)

	Appraised	Assessed
Buildings	107100	75000
Outbuildings	400	300
Improvements	107500	75300
Extras	0	0
Land	114800	80400
Total	222300	155700
Previous		

Construction Details

Year Built	
Stories	1.5
Building Style	Cape
Building Use	Residential
Building Condition	C
Total Rooms	
Bedrooms	2 Bedrooms
Full Bathrooms	0
Half Bathrooms	
Bath Style	Average
Kitchen Style	Average
Roof Style	Gable
Roof Cover	Arch Shingles

EXTERIOR WALLS:

Primary	Vinyl Shakes
Secondary	

INTERIOR WALLS:

Primary	Drywall
Secondary	

FLOORS:

Primary	Hardwood
Secondary	

HEATING/AC:

Heating Type	Forced Hot Air
Heating Fuel	Oil
AC Type	Central

BUILDING AREA:

Effective Building Area	
Gross Building Area	
Total Living Area	

SALES HISTORY:

Sale Date	6/1/2016
Sale Price	
Book/ Page	408/ 23

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Property Information

Owner	STOWE WILLIAM JR
Address	146 HAWLEY RD
Mailing Address	146 HAWLEY RD OXFORD , CT 06478
Land Use	- Res Dwelling
Land Class	R

Census Tract	R 12
Neighborhood	090
Zoning	IND
Acreage	2.5
Utilities	
Lot Setting/ Desc	/ Clear

Photo



PARCEL VALUATIONS (Assessed value = 70% of Appraised Value)

	Appraised	Assessed
Buildings	116400	81500
Outbuildings	0	0
Improvements	116400	81500
Extras	0	0
Land	119300	83500
Total	235700	165000
Previous		

Construction Details

Year Built	
Stories	1.00
Building Style	Ranch
Building Use	Residential
Building Condition	C
Total Rooms	
Bedrooms	3 Bedrooms
Full Bathrooms	0
Half Bathrooms	
Bath Style	Average
Kitchen Style	Average
Roof Style	Gable
Roof Cover	Arch Shingles

EXTERIOR WALLS:

Primary	Vinyl Siding
Secondary	

INTERIOR WALLS:

Primary	Drywall
Secondary	

FLOORS:

Primary	Hardwood
Secondary	

HEATING/AC:

Heating Type	Forced Hot Air
Heating Fuel	Oil
AC Type	None

BUILDING AREA:

Effective Building Area	
Gross Building Area	
Total Living Area	

SALES HISTORY:

Sale Date	10/1/2018
Sale Price	220000
Book/ Page	426/ 163

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Property Information

Owner	HOYT GERALYN & LEDDY A DEBRA
Address	148 HAWLEY RD
Mailing Address	148 HAWLEY RD OXFORD , CT 06478
Land Use	- Res Dwelling
Land Class	R

Census Tract	R 13
Neighborhood	090
Zoning	IND
Acreage	2.5
Utilities	
Lot Setting/ Desc	/ Clear

Photo



PARCEL VALUATIONS (Assessed value = 70% of Appraised Value)

	Appraised	Assessed
Buildings	125700	88000
Outbuildings	0	0
Improvements	125700	88000
Extras	0	0
Land	119300	83500
Total	245000	171500
Previous		

Construction Details

Year Built	
Stories	1.00
Building Style	Ranch
Building Use	Residential
Building Condition	C
Total Rooms	
Bedrooms	3 Bedrooms
Full Bathrooms	0
Half Bathrooms	
Bath Style	Average
Kitchen Style	Average
Roof Style	Gable
Roof Cover	Arch Shingles

EXTERIOR WALLS:

Primary	Aluminum Sidng
Secondary	

INTERIOR WALLS:

Primary	Drywall
Secondary	

FLOORS:

Primary	Hardwood
Secondary	

HEATING/AC:

Heating Type	Hot Water
Heating Fuel	Oil
AC Type	Central

BUILDING AREA:

Effective Building Area	
Gross Building Area	
Total Living Area	

SALES HISTORY:

Sale Date	9/9/2009
Sale Price	0
Book/ Page	350/ 725

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Property Information

Owner	CLAFANIS LLC
Address	150 HAWLEY RD
Mailing Address	133 WEST 19TH STREET 9TH FL NEW YORK , NY 10011
Land Use	- Industrial
Land Class	I

Census Tract	L 23
Neighborhood	C06
Zoning	IND
Acreage	10
Utilities	
Lot Setting/ Desc	/

Photo

PARCEL VALUATIONS (Assessed value = 70% of Appraised Value)



	Appraised	Assessed
Buildings	2046900	1432800
Outbuildings	58500	41000
Improvements	2380700	1666500
Extras	275300	192700
Land	260000	182000
Total	2640700	1848500
Previous		

Construction Details

Year Built	
Stories	1
Building Style	Warehouse
Building Use	Comm/Ind
Building Condition	Average
Total Rooms	
Bedrooms	
Full Bathrooms	0
Half Bathrooms	
Bath Style	n/a
Kitchen Style	n/a
Roof Style	Flat
Roof Cover	Rolled Compos

EXTERIOR WALLS:

Primary	Pre-finish Metl
Secondary	

INTERIOR WALLS:

Primary	Drywall/Sheet
Secondary	

FLOORS:

Primary	Concr-Finished
Secondary	Carpet

HEATING/AC:

Heating Type	Forced Air-Duc
Heating Fuel	Gas
AC Type	Central

BUILDING AREA:

Effective Building Area	
Gross Building Area	
Total Living Area	

SALES HISTORY:

Sale Date	8/28/2020
Sale Price	6000000
Book/ Page	440/ 855

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TOWN OF OXFORD

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

www.Oxford-CT.gov

Oxford Planning & Zoning

ZONING COMPLAINT

Date: 10/3/2019

Location of the problem property: 21- Nichols Road, Oxford Ct 06478
(Number and Street)

Property Owners Name: Thomas Beard
Address: 149 Newgate Rd, Oxford 06478
Phone #: 203 650 7262

Nature of problem (please be specific, provide date, times, and pictures when possible):
The property located on 21 Nichols Road, Oxford, is being used as a Commercial Sand + gravel Processing Plant, with Stone Crushing operations. Additionally the Processed material is being sold to the general public. (See attached sheet for specifics)

TYPE OF VIOLATION (Cite Article and section(s) of the Zoning regulations): This activity violates section C paragraph 2 of the Oxford zoning regulations

Complainant Name: Robert & Steven Werden
Address: 110 Hawley Road Oxford CT 06478
Phone #: 203-264-2611

* Under the laws & regulations of the Freedom of Information Act (FOIA), this form is subject to public viewing.

Signature of Complainant: [Signature] Date: 10/3/19

* Please complete, sign and return to:

Town of Oxford
Planning & Zoning Office - Attn: ZEO
486 Oxford Road
Oxford, CT 06478

* Please note that the ZEO reserves the right to prioritize.

Date (Received by ZEO): 10/3/19 Complaint #: C-14-

REMARKS: (Cite Article and section(s) of the Zoning regulations):

received 10/3/19

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Attached Sheet:

1. The Complainant's have seen outside trucking companies hauling in material, including rock, dirt, asphalt and concrete, on a daily basis, beginning in the spring of 2019 and continuing to the date of this complaint.
2. The Complainant's have seen various trucking companies hauling out processed stone, again on a daily basis since the spring of 2019 to the present date.
3. The complainant's have observed crushing activity going on at 21 Nichols Road, Oxford CT, on various days and at various times since the spring of 2019 to the present date. These crushing activities occur at various times of the day and into early evening, including Saturdays and Sundays.
4. There is a sign posted on the property, which is in violation of the Oxford zoning regulations, which can be construed as offering screened top soil, screened fill and processed for sale.
5. There is a business named **SCOTTYS DEMOLITION SERVICE, LLC**, without zoning approval.

received
10/13/19

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Home > Search Results

Search results for "21 Nichols Road Oxford Ct". 2 total results found.

Download Results

1 of 1

Business Name	Date Formed (MM/DD/YYYY)	Status	Address	City/State	Principal Name(s)	Agent Name(s)
SCOTTY'S DEMOLITION SERVICE, LLC	03/03/2016	Active	21 NICHOLS ROAD, OXFORD, CT 06478 USA	OXFORD, CT	CHRISTINE BLAKEMAN-BEARD, THOMAS BEARD	CHRISTINE BLAKEMAN-BEARD
TPB CONTRACTORS LLC	01/22/2008	Active	21 NICHOLS ROAD, OXFORD, CT 06478 USA	OXFORD, CT	THOMAS P. BEARD	STEPHEN R. BELLIS

1 of 1

Business Inquiry

Total Number of Matches: 1

Page: 1 of 1

Business Search Results

#	Business Name	Business ID	Status	Business Address
1	SCOTTY'S DEMOLITION SERVICE, LLC	1200346	Active	21 NICHOLS ROAD, OXFORD, CT, 06478, USA

Handwritten signature or initials in black ink, appearing to be 'SS' or similar.

Business Inquiry

Total Number of Matches: 1

Page: 1 of 1

Business Search Results

#	Business Name	Business ID	Status	Business Address
1	TPB CONTRACTORS LLC	0925443	Active	21 NICHOLS ROAD, OXFORD, CT, 06478, USA

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From: adminassistant@oxford-ct.gov,
To: newenglandseptic@aim.com, zoningenforce@oxford-ct.gov,
Cc: john.kerwin@icloud.com, firstselectman@oxford-ct.gov,
Subject: Re: Crushing at TPB Contractors
Date: Fri, Sep 25, 2020 12:16 pm

Thank you for your inquiry, I have turned this matter over to our Zoning Enforcement, Officer Steve Macary, who will investigate this matter.

ristyn Rosa
Administrative Assistant
Office of the First Selectman

On Fri, Sep 25, 2020 at 11:49 AM <newenglandseptic@aim.com> wrote:

Dear Mr. Kerwin ,
I would like to inform you that I am making a complaint for crushing against Tom Beard
TPB Contractors located at 21- 23 Nichols Road.
He has been crushing for the last 2 days (9/24/20-9/25/20) I would like someone to go out to the property
ASAP for a site inspection. I am also contacting George Temple and spoke with Kristen Rosa regarding this matter.
I would like to know what the outcome of your visit to this property.
Thank you for your prompt attention to this urgent matter.
Sincerely,
Bob & Steva Werden

Steva Werden
New England
Septic & Excavating, LLC
OXFORD, CONNECTICUT 06478

(203) 888-9143 Oxford / Seymour
(203) 393-2715 Woodbridge / Orange
(203) 264-5525 Southbury
(203) 924-7219 Shelton
(203) 264-2274 Fax



From: newenglandseptic@aim.com,
To: newenglandseptic@aim.com,
Subject: Re: Crushing at TPB Contractors
Date: Fri, Sep 25, 2020 11:57 am

Just to let you know Steve Macary drove down Nichols Road and came right back out. 11:55am.

Steva Werden

**New England
Septic & Excavating, LLC**
OXFORD, CONNECTICUT 06478

03) 888-9143 Oxford / Seymour
03) 393-2715 Woodbridge / Orange
03) 264-5525 Southbury
03) 924-7219 Shelton
03) 264-2274 Fax

-----Original Message-----

From: newenglandseptic@aim.com
To: john.kerwin@icloud.com <john.kerwin@icloud.com>
Cc: firstselectman@oxford-ct.gov <firstselectman@oxford-ct.gov>; adminassistant@oxford-ct.gov <adminassistant@oxford-ct.gov>
Sent: Fri, Sep 25, 2020 11:48 am
Subject: Crushing at TPB Contractors

Dear Mr. Kerwin ,
I would like to inform you that I am making a complaint for crushing against Tom Beard
TPB Contractors located at 21- 23 Nichols Road.
It has been crushing for the last 2 days (9/24/20-9/25/20) I would like someone to go out to the property
SAP for a site inspection. I am also contacting George Temple and spoke with Kristen Rosa regarding this matter.
I would like to know what the outcome of your visit to this property.
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Sincerely,
Bob & Steva Werden

Steva Werden

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203) 888-9143 Oxford / Seymour
203) 393-2715 Woodbridge / Orange
203) 264-5525 Southbury
203) 924-7219 Shelton
203) 264-2274 Fax

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From: zoningenforce@oxford-ct.gov,
To: adminassistant@oxford-ct.gov, newenglandseptic@aol.com,
Subject: Re: Crushing at TPB Contractors
Date: Fri, Sep 25, 2020 2:48 pm

did not find any evidence of stone crushing on the property of Tom Beard. Mr. Beard has permission to do all activities except process stone on the crusher. The building was permitted thru the court. You may direct all complaints to Mike Herd or Kristen Rosa

Thanks

On Fri, Sep 25, 2020 at 12:17 PM Kristyn Rosa <adminassistant@oxford-ct.gov> wrote:
Thank you for your inquiry, I have turned this matter over to our Zoning Enforcement, Officer Steve Macary, who will investigate this matter.

Kristyn Rosa
Administrative Assistant
Office of the First Selectman

On Fri, Sep 25, 2020 at 11:49 AM <newenglandseptic@aim.com> wrote:

Dear Mr. Kerwin ,
I would like to inform you that I am making a complaint for crushing against Tom Beard
TPB Contractors located at 21- 23 Nichols Road.
He has been crushing for the last 2 days (9/24/20-9/25/20) I would like someone to go out to the property
ASAP for a site inspection. I am also contacting George Temple and spoke with Kristen Rosa regarding this matter.
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Thank you for your prompt attention to this urgent matter.
Sincerely,
Bob & Steva Werden

Steva Werden
New England
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(203) 393-2715 Woodbridge / Orange
(203) 264-5525 Southbury
(203) 924-7219 Shelton
(203) 264-2274 Fax

Steven S. Macary
Zoning Enforcement Official

S.B. Church Memorial Town Hall
Planning & Zoning
186 Oxford Road
Oxford, CT 06478
Tel: (203) 828-6503 or (203) 888-2543 Ext. 3033
Fax: (203) 888-4543

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From: zoningenforce@oxford-ct.gov,
To: newenglandseptic@aim.com, adminassistant@oxford-ct.gov, dtsauter1@gmail.com,
Subject: Re: Crushing at TPB Contractors
Date: Fri, Sep 25, 2020 3:23 pm

will forward all of your questions to OPZ commission. I will have them direct me.

Thanks, Have a good night

1 Fri, Sep 25, 2020 at 2:52 PM <newenglandseptic@aim.com> wrote:

Hi Steve,
Did you go non the property and look around?

Steva Werden

New England

Septic & Excavating, LLC

OXFORD, CONNECTICUT 06478

(203) 888-9143 Oxford / Seymour
(203) 393-2715 Woodbridge / Orange
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.B. Church Memorial Town Hall
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36 Oxford Road
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Tel: (203) 828-6503 or (203) 888-2543 Ext. 3033
Fax: (203) 888-4543

mail: Zoningenforce@Oxford-Ct.gov

website: www.oxford-ct.gov

GIS: <http://www.cogcnvgis.com/>

 Please consider the environment before printing this e-mail and/or any attachments.

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TOWN OF OXFORD
S.B. Church Memorial Town Hall
486 Oxford Road, Oxford, Connecticut 06478-1298
www.Oxford-CT.gov 203.828.6503

Planning and Zoning Commission

**ORDER TO DISCONTINUE / CEASE & DESIST STOP WORK ORDER
TOWN OF OXFORD**

Steven Onofrio
125 Hawley RD
Oxford CT. 06478

September 29, 2020

RE: Commercial business residential zone

This Order is issued to you because of the following on your above referenced property:

- Operating a business without any permits / business to intense for a residential zone

5.2.2 The office in a single family dwelling, to be used exclusively for the profession or trade of the occupant of the dwelling, provided that no evidence of the profession or trade is visible from outside the dwelling or building except for an announcement sign not exceeding four (4) square feet in area, provided that the office does not occupy a floor area greater than 25% of the floor area of the dwelling, and provided that said use not substantially increase traffic in the neighborhood. For the purpose of this section, the office to be used exclusively for the profession or trade of the occupant shall not include uses that are primarily retail in nature or rely on public access other than by appointment. For the purpose of this section, floor area of the dwelling shall mean contiguous heated living space of the main residential structure.

There shall be no more than two commercial vehicles and one piece of construction equipment, each with a gross vehicle weight that does not exceed 16,000 lbs, used in conjunction with the profession or trade of the occupant. The commercial vehicle shall be stored in an enclosed structure or otherwise shielded from view from all adjacent properties and public right of ways. There shall be no outside storage of any equipment or materials used in conjunction with the profession or trade of the occupant.

This / these conditions / activities constitute a violation of the Town of Oxford Zoning Regulations Schedule 5.2.2 Therefore, you are hereby ordered to discontinue the preceding violation(s) immediately and to bring the entire property into conformance with the Town of Oxford's Zoning Regulations, and you must do so within (one)1 day of receipt of this letter.

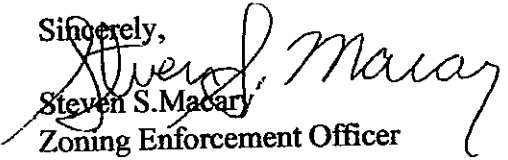
Failure to comply with this order may result in the Town of Oxford taking additional action against you in order to bring this property into compliance. This may result in injunctive orders

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of the Superior Court, attorney's fees, and civil penalties as authorized by the Connecticut General Statutes.

You may consult the Zoning Enforcement Officer if there is any question as to the manner and time of established compliance. If you feel this order has been issued to you in error, you have the right to appeal it to the Oxford Planning and Zoning Commission (15) days of receipt of this order. Failure to do so will constitute a waiver of any defense which would be capable of being heard and decided on by the Board.

Sincerely,


Steven S. Macary
Zoning Enforcement Officer

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Silica

Silica is a common mineral found in many materials on construction sites, like soil, sand, concrete, brick, block, mortar, and granite. When we cut, chip, grind, drill into, or otherwise break or disturb these materials, crystalline silica particles can become airborne and create health hazards. OSHA has developed a new rule regarding silica which comes into effect this year. The best thing about the new rule is Table 1, which discusses dust and respiratory controls to help keep you healthy.

When they're airborne, tiny particles of silica can be inhaled into your lungs. Once you breathe them in, the particles can cause lung disease, lung cancer, kidney disease, and silicosis. Silicosis can be disabling, and even fatal. When silica dust enters the lungs, it can cause scarring that reduces the lungs' ability to take in oxygen. There is no cure for silicosis. And the damage caused by silicosis can make you more susceptible to other lung illnesses such as tuberculosis. It only takes a small amount of silica dust to create a big health hazard for you. If you are exposed to silica dust regularly, stop smoking. Smoking can further increase damage to your lungs.

OSHA's new construction standard (29 CFR 1926.1153) on silica goes into effect (with a few exceptions) on September 23rd of this year. The new rule reduces the permissible exposure limit (PEL) for respirable silica to 50 micrograms per cubic meter of air, averaged over an 8-hour shift. Table 1 in the new standard lists exposure control methods for common construction tasks. When

you use specific dust control methods during specific silica-producing operations, your risk of inhaling silica goes down so much that it becomes unnecessary for the company to monitor or assess your exposure to silica dust. For example, if you are using a stationary masonry saw that has an integrated water delivery system to continuously douse the blade with water, silica dust will not become airborne, and you won't breathe it in.

Sometimes when the work you're doing is creating silica dust, you need respiratory protection even if you're using engineering controls. Table 1 lists the level of protection you'll need, depending on the kind of work and where you're working. In some cases, you may need an N95 or P95 particulate respirator.

So before you use a masonry saw, start removing mortar from a wall, finish drywall, or do any work that involves exposure to crystalline silica, be sure you have reviewed and understand your employer's silica protection program. Know what types of engineering controls and PPE you will need to work safely with silica on your jobsite. Then make sure you use the controls and wear the PPE to protect your lungs. And if you wear a respirator for more than 29 days a year, get checked out by your doctor.

.....
SAFETY REMINDER
.....

Most work that creates silica dust also creates a lot of noise. Protect your hearing with earplugs or ear muffs.

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**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 6, 2020
7:30 PM - Online/Virtual Meeting

The Planning & Zoning Commission met remotely on **Tuesday, October 6, 2020, at 7:30 PM.**

Members of the public and applicants that were able to join us online by accessing the meeting using the following information:

Option #1: Join with Google Meet
Meeting ID:
meet.google.com/dfq-fpoa-uaj

Option #2: Join by Phone
Phone Numbers:
(US)+1 501-991-4263
PIN: 512 194 084#

I. CALL TO ORDER

Vice-Chairman John Kerwin called the meeting to order at 7:30 PM.

II. PLEDGE OF ALLEGIANCE

III. ROLL CALL

Present: Joshua Dykstra, John Kerwin, Pete Zbras, Pat Cocchiarella, Dan Wall, Brett Olbrys, and Mary LoPresti.

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

Not Present: Dave Sauter, and Jesse Schremmer.

IV. SEATING OF ALTERNATES

V. PUBLIC HEARINGS

A. Recessed Public Hearings – NONE

B. New Public Hearing – NONE

C. Future Public Hearings – NONE

VI. REGULAR MEETING BUSINESS

A. Amendments to the Agenda

MOTION BY Commissioner Pete Zbras to add the 9/1/20 meeting minutes to the agenda under “Minutes”.

Second by Commissioner Dan Wall.

All Ayes.

Motion passed unanimously.

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

C. Correspondence

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

- a. **Bond Release Request** – Haynes Construction Company – Meadowbrook Estates
Letter dated 9/30/20 from Kathy Ekstrom, Development Manager, Haynes Development.

The Commission requested that this request and the letter from P&Z Engineer, Jim Galligan be sent to Town Counsel Kevin Condon for review and clarification.

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

1. **Z-20-327 [RESA] - 312 Chestnut Tree Hill Road - Owner: Estate of Serge Mihaly, Sr.**
Applicant: Matthew Mihaly, 111 Booth Hill Road, Trumbull, CT (2-Lot Re-subdivision)
(Request for waiver of dedication of Open Space) (Request for Waiver of fee in lieu of Open Space)

The following correspondence, submitted with the application, and was read into the record on 9/15/20:

- a. Letter from the OCCIWA dated 8/28/20 regarding open space.
b. Letter from OCCIWA dated 8/28/20 regarding fees in lieu of open space.
c. Revised letter from James H. Galligan, P&Z Engineer dated 3/19/20 (received 8/12/20).
d. Letter from James H. Galligan, P&Z Engineer dated 8/31/20.
e. Letter from Matthew Mihaly dated 9/9/20 (Requests for waivers).

Public Hearing closed on 9/15/20, Commission action by 11/17/20.

The Commission deliberated on this application, and the waiver request.

MOTION BY Commission Secretary Pat Cocchiarella to have the appropriate entity prepare a resolution for the application and the waiver request, for the next regular meeting.

Second by Commissioner Brett Olbrys.

All Ayes.

Motion passed unanimously.

E. Old Business – Other Matters

F. New Business – Schedule a Public Hearing

The Commission will schedule a Public Hearing on the following application:

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)

Proposed date to hold the Public Hearing is Tuesday, October 20, 2020.

MOTION BY Commission Secretary Pat Cocchiarella to schedule a public hearing on Z-20-350 for 10/20/20.

Second by Commissioner Dan Wall.

All Ayes.

Motion passed unanimously.

G. New Business

1. **Z-20-340 [COMM] – 140 Oxford Road – Owner: Hazel DeAngelis, 88 North Benham Road, Seymour, CT 06483 - Applicant: Robert Barbieri Jr., d/b/a “Chippy’s Service Station, LLC**
(Use Permit)

The Commission discussed this application briefly. It was noted by Vice-Chairman John Kerwin that the application would require a Public Hearing under Article 7, Section 7.3.8; it requires a Public Hearing in accordance with Article 3, Section 3.10.1. He referred to the Statement of Use submitted by the applicant and stated that the requested use is to store vehicles on the property, and that is referred to in Article 3, Section 3.10.1., which includes “garages”. He also noted that the Zoning Regulations reference CGS §14-25 which are the statutes regarding motor vehicles, therefore, the definition of “garage” under the statute would apply to this application.

Vice-Chairman John Kerwin explained that before the Commission can even consider this application, the applicant has to secure approval from ZBA. He stated that if the applicant receives approval from the ZBA, the applicant can apply to Planning & Zoning, and the Commission can set a public hearing.

MOTION BY Commission Secretary Pat Cocchiarella to deny Z-20-340 without prejudice.

Second by Commissioner Pete Zbras.

All Ayes.

Motion passed unanimously.

2. **Z-20-343 [VCMUD] – 316 Center Rock Green – Owner: Oxford Towne Center, LLC**
Applicant: Allison Zarrelli & Jacque Mihalek d/b/a “Zarmi Bra Boutique, LLC”
(Use Permit)

MOTION BY Commission Secretary Pat Cocchiarella to approve application Z-20-343, with the following conditions:

1. Applicant and their assigns must comply with all representations made at the Planning & Zoning Commission meetings and/or public hearings regarding this application.
2. Compliance with the Statement of Use dated 9/8/2020.
3. The applicant shall obtain and comply with all the necessary permits and/or approvals, and follow the Town of Oxford approved Permit Procedures.
4. Compliance with the Oxford Zoning Regulations as of this date.

5. The applicant shall be responsible for rendering payment for any outside experts the Commission assigns to review the application.

The reason for approval is the application meets Oxford Zoning Regulations in effect as of this date.

Second by Commissioner Pete Zbras.

All Ayes.

Motion passed unanimously.

3. **Z-20-344 [VCMUD] – 304 Center Rock Green – Owner: Oxford Towne Center, LLC**
Applicant: Eric Herpin & Carlos Herpin, d/b/a “Barber Nation”
(Use Permit)

MOTION BY Commission Secretary Pat Cocchiarella to approve application Z-20-344, with the following conditions:

1. Applicant and their assigns must comply with all representations made at the Planning & Zoning Commission meetings and/or public hearings regarding this application.
2. Compliance with the Statement of Use dated 9/9/2020.
3. The applicant shall obtain and comply with all the necessary permits and/or approvals, and follow the Town of Oxford approved Permit Procedures.
4. Compliance with the Oxford Zoning Regulations as of this date.
5. The applicant shall be responsible for rendering payment for any outside experts the Commission assigns to review the application.

The reason for approval is the application meets Oxford Zoning Regulations in effect as of this date.

Second by Commissioner Pete Zbras.

All Ayes.

Motion passed unanimously.

4. **Z-20-348 [COMM] – 248 Oxford Road – Owner: Terry Blake, 3333 Main Street, Suite 200, Stratford, CT 06614 – Applicant: Diane Lydixsen, d/b/a “Studio 34, LLC”**
(Use Permit)

Commissioners discussed the sign briefly.

Vice-Chairman John Kerwin noted that there is no sign rendering included in the application, and asked the applicant, for the record, if she would be willing to adjust the size of her sign if it does not meet the sign requirements for the Commercial Zone.

Diane Lydixsen, applicant, agreed to abide by the sign regulations.

MOTION BY Commission Secretary Pat Cocchiarella to approve application Z-20-348, with the following conditions:

1. Applicant and their assigns must comply with all representations made at the Planning & Zoning Commission meetings and/or public hearings regarding this application.

2. Compliance with the Statement of Use dated 9/9/2020.
3. The applicant shall obtain and comply with all the necessary permits and/or approvals, and follow the Town of Oxford approved Permit Procedures.
4. Compliance with the Oxford Zoning Regulations as of this date.
5. The applicant shall be responsible for rendering payment for any outside experts the Commission assigns to review the application.

The reason for approval is the application meets Oxford Zoning Regulations in effect as of this date.

Second by Commissioner Pete Zbras.

All Ayes.

Motion passed unanimously.

H. Zoning Enforcement

Steve Macary, ZEO, discussed the following items:

1. He reiterated that there was a problem with sheds being placed within the setbacks. He stated that the problem has arisen because there is no requirement for a building permit for sheds under 200 square feet. He noted that the problem sheds are being relocated to comply with the regulations.
2. Punkup Road – He noted that this is the property that has the dogs. He stated that he and the other departments are still working on this, but that the owner has cleaned up the property.
3. Quaker Farms Road – He noted that a property owner is grading without a permit.

Commissioner Pete Zbras questioned the elevator company located on Pheasant Run Road.

Steve Macary, ZEO stated that the company did request a Certificate of Occupancy, but because the conditions of approval have not been met, he is not going to be able to issue a Zoning Certificate of Compliance.

Commissioner Pete Zbras questioned a horse farm on Towner Lane, and stated that it looks like a company is dumping nearby.

Steve Macary, ZEO stated that one of the contractor's is doing that and he has a crushing operation, which is not associated with site development.

Commissioner Pete Zbras stated that he is concerned with the debris being so close to the horses.

Vice-Chairman John Kerwin questioned if they are in violation of their permit.

Steve Macary, ZEO stated that they have currently have permission to you the right-of-way.

Commission Secretary Pat Cocchiarella also stated that they only have access to Towner Lane until the road is installed.

Vice-Chairman John Kerwin requested that Steve Macary, ZEO review the file.

Steve Macary, ZEO stated that he would take some photos, and pull out the plans.

Vice-Chairman John Kerwin also stated that a letter should be written to the owner.

I. Zoning Regulations Subcommittee – Regulations review postponed at this time.

J. Minutes

1. 9/1/20 – Regular Meeting Minutes (Added as an Amendment)

MOTION BY Commission Secretary Pat Cocchiarella to approve the 9/1/20 Regular Meeting Minutes as presented.

Second by Commissioner Pete Zbras.

All Ayes.

Motion passed unanimously.

2. 9/15/20 - Regular Meeting Minutes

MOTION BY Commission Secretary Pat Cocchiarella to approve the 9/15/20 Regular Meeting Minutes as presented.

Second by Commissioner Pete Zbras.

All Ayes.

Motion passed unanimously.

K. Invoices

L. Other Business

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

M. Adjournment

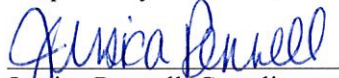
MOTION BY Commission Secretary Pat Cocchiarella to adjourn the meeting at 8:23 PM.

Second by Commissioner Pete Zbras.

All Ayes.

Motion passed unanimously.

Respectfully submitted,



Jessica Pennell, Coordinator
Planning & Zoning Commission

20 NOV 13 AM 10:08
TOWN OF DANFORD, CT
TOWN CLERK
Pat Cocchiarella