

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](mailto:pandz@oxford-ct.gov)  
[www.Oxford-CT.gov](http://www.Oxford-CT.gov)



**Planning & Zoning Commission  
Regular Meeting Agenda  
Tuesday, July 18, 2023  
7:30 PM – Main Meeting Room  
S.B. Church Memorial Town Hall**

- A. Call to Order
- B. Pledge of Allegiance
- C. Roll Call
- D. Seating of Alternates
- E. Approval of Minutes
  - a. June 6, 2023 Regular Meeting Minutes
  - b. June 20, 2023 Regular Meeting Minutes
- F. Public Hearings - Tuesday, July 18, 2023 during the regular meeting:

RECESSED from Tuesday, June 20, 2023:

**Z-23-135 [IND] – 19 East Commerce Drive** – Applicant: Borghesi Building & Engineering, 2155 East Main Street, Torrington, CT 06790 – Owner: Town of Oxford, 486 Oxford Road, Oxford, CT 06478

***(Special Exception – Article 9, Section 9.3.1- Construct a Building over 50,000 sq.ft.) (Site Plan)***

NEW scheduled for Tuesday, July 18, 2023 during the Regular Meeting:

**PZC-23-001 – Proposed Text Amendments to the Oxford Planning & Zoning Regulations:**

- 1.) Accessory Dwelling Unit Regulations (Attachment A)
- 2.) Farm Events/Activities Regulations (Attachment B)

G. Regular Meeting Business

1. Amendments to the Agenda
2. Audience of Citizens – (Items not listed on the Agenda)
3. Correspondence
  - a. Letter dated 7/10/23 from Stephanie Cummings  
Re: Riverview Road

4. Old Business

1. **Z-23-129 [RGCD] – Riggs Street and Chestnut Tree Hill Road** Applicant: Timberlake Holding Company, LLC, 42 Cherry Street, P.O. Box 3530, Milford, CT **Property Owner(s):** Timberlake Investment Partners IV; Timberlake Downs Partners, LLC; Timberlake Development Partners, LLC

**(Special Exception – Conceptual Plan Amendment; Article 5A, Section 5A.9 of the Oxford Zoning Regulations)**

2. **Z-23-130 (a) [RGCD] – Chestnut Tree Hill Road** – Applicant: Timberlake Holding Company, LLC, 42 Cherry Street, P.O. Box 3530, Milford, CT. **Owner(s):** Timberlake Investment Partners IV; Timberlake Downs Partners, LLC; Timberlake Development Partners, LLC

**(Special Exception – Site Plan Modification to reduce the number of single family homes and replace with a number of attached homes, Article 5A, Section 5A.8 – Subsection 5A.8.1) (Special Exception – Major Re-grading /Excavation, Article 14, Section 14.2.2) (Site Plan Approval, Article 5A, Section 5A.6 – Subsection 5A.6.1)**

3. **Z-23-130 (b) [RGCD] – Riggs Street** – Applicant: Timberlake Holding Company, LLC, 42 Cherry Street, P.O. Box 3530, Milford, CT **Owner(s):** Timberlake Investment Partners IV; Timberlake Downs Partners, LLC; Timberlake Development Partners, LLC

**(Special Exception – Major Re-grading /Excavation, Article 14, Section 14.2.2) (Site Plan Approval Article 5A, Section 5A.6 – Subsection 5A.6.1)**

5. New Business

1. **Z-23-154 [RESA] – 403/407/411 Roosevelt Drive** – Owner: New Haven Rowing Club, Inc., 407 Roosevelt Drive, Oxford, CT 06478 **Applicant:** Stuart Lathers Associates, LLC (Applicant’s representative), 319 Peck Street, New Haven, CT 06513  
**SET PUBLIC HEARING DATE - Tentative Date: Tuesday, August 15, 2023**

**(Special Exception – Article 10, Section 10.5 – Non-Commercial Recreational Use) (Site Plan – Construct a 5,048 sq. ft. building)**

2. **Z-23-159 [RESA] – 115 A/B Newgate Road** – Owner: Deane Herde, 152 Good Hill Road, Oxford, CT 06478 **Applicant:** Michael Herde, 152 Good Hill Road, Oxford, CT 06478

(Request for Common Driveway – Recommendation from Planning & Zoning Commission to the Board of Selectmen)

- a. Letter dated 6/30/23 from Jim Galligan, Planning & Zoning Engineer
- b. Letter dated 6/28/23 from Wayne Watt, Driveway Enforcement Officer

6. Zoning Enforcement

7. Invoices

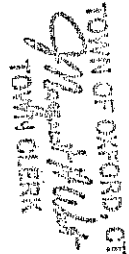
8. Other Business

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

9. Adjournment

Respectfully submitted,

  
Jessica Pennell, Coordinator

2023 JUL 13 P 3:15  
TOWN OF OXFORD, CT  
  
TOWN CLERK

# **TOWN OF OXFORD PROPOSED REGULATIONS FOR ACCESSORY DWELLING UNITS**

## **PURPOSE AND INTENT**

The intent of this regulation is to facilitate the creation of accessory dwelling units in existing single-family zones for the following reasons:

- Create new housing units while respecting the look and scale of single-dwelling development
- Support more efficient use of existing housing stock and infrastructure
- Offer environmentally friendly housing choices with less average space per person and smaller associated carbon footprints
- Provide housing that responds to changing family needs, smaller households, and increasing housing costs
- Provide accessible housing for seniors and persons with disabilities.

## **ALL ACCESSORY DWELLING UNITS**

- 1) Any request for an accessory dwelling unit under these regulations requires
  - a. Town of Oxford "Required Construction Approvals"
  - b. A copy of the Assessor's Card for the lot.
  - c. "Post Construction Approvals" prior to received a certificate of occupancy
- 2) Accessory dwelling units are only permitted in Residential Zones and are not be allowed in any other zone.
- 3) The maximum number of accessory dwelling units permitted is one per building lot. No exemptions permitted.
- 4) The accessory dwelling unit shall utilize the same driveway entrance/exit to the road as the primary dwelling.
- 5) A minimum of one (1) parking space for the accessory dwelling unit shall be provided.
- 6) The owner of the property shall reside on the premises.
- 7) The accessory dwelling unit shall have a maximum floor area of five hundred (500) square feet unless the accessory dwelling unit meets all standards for ADA compliance as per ????? in which case maximum floor area is 800 square feet.
- 8) All accessory dwelling units shall have a maximum of 1 bedroom
- 9) All accessory dwelling units must be located on and affixed to a permanent foundation.

*Attachment A*

- 10) Nonconforming Structures. Accessory dwelling units may be located in existing principal or accessory structures that are nonconforming provided the accessory dwelling unit does not extend or increase the footprint of the primary nonconforming dwelling.
- 11) Accessory dwelling unit may be located on nonconforming lots provided the unit does not increase the degree of nonconformity or setback requirements.
- 12) These restrictions shall run with the land and are binding upon any successor owner of the property.

#### **ADDITIONAL REQUIREMENTS FOR ATTACHED ACCESSORY DWELLING UNITS**

- 1) The attached accessory dwelling unit shall not be connected to the primary dwelling by a breezeway but must share a common wall with the primary dwelling unit.
- 2) The property may not be listed for rent or sale as a two-family unit.

#### **ADDITIONAL REQUIREMENTS FOR DETACHED ACCESSORY DWELLING UNITS**

- 1) Any request for a detached accessory dwelling unit under these regulations shall be accompanied by the listed requirements for accessory dwelling units and by:
  - a. An A-2 survey
- 2) The maximum height for a detached accessory dwelling unit is 25 ft.
- 3) Mobile homes, recreational vehicles, travel trailers, shipping containers, storage containers and any other wheeled or transportable structures shall not be used as an accessory dwelling unit.
- 4) The accessory dwelling unit shall not be sold separately from the principal dwelling unit, nor shall the lot be subdivided to provide a separate lot for the accessory dwelling unit unless each subsequent dwelling unit and lot complies with the height, square, area, frontage, and yard requirements listed in Section ???
- 5) The accessory dwelling unit shall not contribute to total square feet total limits found in Section 5.2.5 and 2.32

## **SOME POSSIBLE INCENTIVES TO MAKE ADU's PROTECTED AFFORDABLE HOUSING**

If applicant provides a minimum of 10-year covenant to rent the accessory dwelling unit as affordable for tenants making 80% or less of the Area Median Income

Fees waived in whole

## **SOME POSSIBLE INCENTIVES TO MAKE ADU's ADA COMPLIANT**

Allow additional driveway access to road, provided it meets driveway regulation requirements

Additional square footage may be allowed to meet needs of ADA requirements

## **DEFINITIONS**

- (1) **Accessory Dwelling Unit** means a separate dwelling unit that (A) is located on the same lot as a principal dwelling unit, (B) has cooking facilities, and (C) complies with or is otherwise exempt from any applicable building code, fire code and health and safety regulations
- (2) **Protected Affordable Accessory Dwelling Unit** means an accessory dwelling unit that is subject to binding recorded deeds which contain covenants or restrictions that require such accessory dwelling unit be sold or rented at, or below, prices that will preserve the unit as housing for which, for a period of not less than ten years, persons and families pay thirty per cent or less of income, where such income is less than or equal to eighty per cent of the median income;
- (3) **Detached Accessory Dwelling Unit** - a dwelling surrounded by yards.
- (4) **Addition Accessory Dwelling Unit** – an accessory dwelling unit created by adding to the footprint of the primary dwelling.
- (5) **Internal Accessory Dwelling Unit** – an accessory dwelling unit contained completely within the footprint of the primary dwelling that does not alter or increase the footprint of the primary dwelling.

- (6) **Dwelling Unit** - An area within a building capable of providing separate living quarters including food preparation and bathroom facilities.
- (7) **Parking area** – An authorized off-street area not within a building where motor vehicles are stored for the purpose of temporary, daily or overnight off-street parking.
- (8) **Parking Space** any area used or designated for the parking of a motor vehicle.
- (9) **Setback** – The horizontal distance from any street line or lot line to any building, structure, or use, measured in a straight line from and perpendicular to such street or lot line.
- (10) **Accessory** - term applied to a building or use, which is clearly incidental or subordinate to, and customarily in connection with, the principal building or use and located on the same lot with such principal building or use. Any accessory building attached to a principal building is deemed to be part of such building in applying the Area Regulations to such building.

## DRAFT REGULATIONS 4/13/2023 FARM EVENT SUBCOMMITTEE

.2.23 B **FARM EVENTS** - Accessory Farm Activities, Agritourism/Agri activities, Farm Events shall be defined as **outside** events such as wedding and family events, holiday themed events and fairs related to farming activity.

### 10.12.5 **FARM EVENTS** - Accessory Farm Activities, Agritourism/Agri activities, Farm Events

The Commission may issue a special exception for Accessory Farm Activities, Agritourism/Agri activities, Farm Events as defined in section 5.3.8 only if the following criteria are satisfied.

### 10.12.6 **Accessory Farm Activities, Agritourism/Agri activities, Farm Events**

#### **Bulk standards and Ownership:**

- a.) **Parcel size.** 30 acres of contiguous land under a single ownership:
- b.) **Ownership.** Parcel must be owned by the same owner for three consecutive years:
- c.) **Residents.** The owner must reside on the farm.
- d.) **Verifiable Source of Income.** Farming is the verifiable source of income, and any event income is a secondary source of income.
- e.) **Minimum Frontage.** The minimum frontage on a town or state road required is 200 feet.
- f.) **Setbacks to designated event area:**
  - 1.) 250 feet from the roadway
  - 2.) 250 feet from the property line of any residential use,
  - 3.) Existing farm buildings or farming/equestrian activity are allowed within the setback.
- g. **Off street Parking**
  - 1.) No parking on the street, roadway or highway.
  - 2.) Designated parking shall be provided for employees/ caterers/ invited guests.
  - 3.) In Addition, 1.5 parking spaces per guest shall be provided.
  - 4.) If the number of invited guests is over 75, a police officer shall be required for safety/ traffic.
  - 5.) No parking is to be allowed within the setbacks unless approved by the Commission.
  - 6.) Parking for all permitted Farm accessory uses shall, to the maximum extent possible, shall be located in an area on the site where vehicles will be the least visible from access roads and adjoining properties but must allow for adequate sight lines for drivers traveling on the adjacent road, entering and exiting the parking area to and from such road. Setback requirements apply to all parking areas. Due consideration shall be given to the posted speed limit and other

Attachment B



## DRAFT REGULATIONS 4/13/2023 FARM EVENT SUBCOMMITTEE

pertinent factors. The Commission may require additional buffering to meet the intent of the parking and landscaping regulations.

### **h. Events, numbers, duration, restrooms and prohibited activities.**

- 1.) No mechanical amusement rides or fireworks.
- 2.) No music concerts.
- 3.) Lighting shall be restricted to the event area with full cut off lights and no trespass of light onto abutting properties.
- 4.) Adequate restrooms facilities including portlets shall be provided as ordered by the Health District must adhere to the setback requirements in f 2.).
- 5.) Events shall be limited to 12 per year with the maximum number of 300 attendees provided there is sufficient parking and adequate buffers as determined by the Commission.
- 6.) Events can occur from May 1 to October 31.
- 7.) Events cannot occur on successive weekends.

**j.) Access and Exit.** A separate access and an exit shall be provided in for safety of the attendees, employees, residents and owners. Access and exit shall be 24 feet wide and have to accommodate all emergency vehicles. The applicant shall provide a letter from the Fire Marshall approving the access and exit.

**k.) Amplified music/Noise.** Large scale events or any events in which the use of amplified music planned or anticipated, require a Special exception. In order to satisfy the conditions Special Exception respect to noise, the Commission may limit the number of events per year or prohibit the use of amplitude music outdoors. The Commission may impose additional restrictions on the noise levels and the use if it determines that the noise levels could cause a nuisance to the nearby properties.

**l.) Location and noise.** The location of outdoor events and activities associated with agritourism and or Agri activities on the farm shall take into consideration the current use of surrounding properties. The Commission may require specific separating distance and or separating buffer strip that screens any such activity from adjacent properties in addition to the minimum requirements set out herein.

**m.) Sound Absorption Plan.** If the proposed activity regularly employs the use of an amplified sound system, there shall be a sound absorption plan in place that confirms compliance with the State of Connecticut DEEP noise standards (22 a 69-1 through 22A69-7-4) as amended. The Commission may impose additional restrictions on the use of an amplified sound system if the Commission determines, after hearing for which the owner of

## DRAFT REGULATIONS 4/13/2023 FARM EVENT SUBCOMMITTEE

the farm is given written notice, if the noise levels are causing a nuisance to nearby properties.

- n.) **Accessory Farm Activities, Agritourism/Agri activities hours of operation.** The Commission shall establish hours of operation for all activities taking place on the Farm premises that relate to Accessory Farm Activities, Agritourism/Agri activities.
- o.) **Violation of Special Exception Permit.** If it is determined that a violation of the Special Exception permit occurs, the Zoning Enforcement shall issue a cease and desist.
- p.) **Event Permit Form.** The property owner shall file an Event Permit Form as prescribed by the Commission with the Zoning Enforcement Officer providing information for each event to be held on the property two weeks prior to each event.
- q.) **Signage. Signs shall comply with Article 16 of the regulations.**

### 10.11.3 Application requirements:

- A.) The application shall comply with all requirements in Article 10, Section 10.1 and Section 10.12.5.
- B.) Renderings of any proposed new construction or renovation of any existing structures require an elevation plan and architectural rendering.
- C.) Site plans filed in accordance with article 11, section 11.2.2., Provided That, the Commission can waive any requirement related to existing site structures or infrastructure. the Commission deems unnecessary for a determination of the application.
- D.) The site plan shall designate the location of the event area.
- E.) Such other information as the Commission deems relevant to the proposed application.

Article 17 amending section to allow sale of alcoholic beverages - Special Farm Events in accordance with Section 5.3.5 and 10.1.2.