



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

Planning & Zoning Commission

Regular Meeting Minutes
Tuesday, November 18, 2014
7:30 PM
Oxford Town Hall
Main Meeting Room

CALL TO ORDER

Chairman Carver called the Regular Meeting of November 18, 2014 to order at 7:30 PM.

PLEDGE OF ALLEGIANCE

ROLL CALL

Present: Pete Zbras, Harold Cosgrove, Glen Persson, Arnie Jensen, Jeff Luff, Tanya Carver, Pat Cocchiarella and Todd Romagna.

Staff Present: Jessica Pennell, Administrative Secretary, Steve Macary, ZEO and Brian Miller, Town Planner.

Absent: John Kerwin and Ed Rowland.

CHAIRMAN'S REPORT

SEATING OF ALTERNATES

AUDIENCE OF CITIZENS (Not for Pending Applications)

AMENDMENTS TO AGENDA

CORRESPONDENCE

Commission Secretary Cocchiarella read the following correspondence into the record.

- a.) Letter dated 11/6/2014 from First Selectman Temple to Tony Schumann – Pulte Bond.

OLD BUSINESS

- 1.) **Z-14-091 [COMM] – Owner: Vicki Frenzel, Applicant: G. Nevers Carpentry, LLC 8 Bice Drive** (Site Plan Modification – Addition, Breezeway and Relocation of Existing Garage) (*AWAITING RESPONSE FROM TOWN FEMA COORDINATOR*)

MOTION BY Commissioner Romagna to DENY this application **UNLESS** the Planning & Zoning Department receives a signed extension letter by 5 P.M. on Wednesday, November 19, 2014.

Second by Vice Chairman Luff.

VOTE: All Ayes.

NEW BUSINESS

- 1.) **Z-14-099 [COMM] – Owner: Thomas Hylwa, Applicant: Little River Power Equipment, Inc. – 117 Oxford Road** (Special Exception Article 7, Sections 7.3.9 & 7.3.10) (Outside Trailer Sales)

Commission Secretary Cocchiarella read the following correspondence into the record.

- a.) Letter dated 11/11/2014 from James Galligan, P.E.

MOTION by Commission Secretary Cocchiarella to APPROVE application Z-14-099:

WHEREAS, The Oxford Planning & Zoning Commission has received the application Z-14-099 for a Special Exception;

WHEREAS, The Oxford Planning & Zoning Commission reviewed the following documents presented as part of the application;

1. Application materials dated September 30, 2014.
2. Statement of Use dated September 30, 2014.
3. Little River Power Equipment, “As Built” drawn by D’Amico Associates, dated 8/5/2013; hand drawn dated 9/29/2014.

BE IT RESOLVED, that based upon the application and testimony, this application is approved for the following reasons:

- 1) The application is consistent with the Comprehensive Plan and the Plan of Conservation and Development.
- 2) The application is consistent with the Oxford Zoning Regulations.
- 3) The Commission has made the findings of Article 10, Section 10.3 as required for the granting of all Special Exceptions.

SUBJECT TO THE FOLLOWING CONDITIONS;

- 1) Compliance with the Oxford Zoning Regulations in place as of this date.
- 2) Applicant and their assigns must comply with all representations made at the Planning & Zoning Commission meetings and/or the public hearings regarding this application.
- 3) Prior to installation, lighting must be approved by the ZEO.
- 4) No work to begin until security is set by the Planning & Zoning Engineer in a form acceptable to the Planning & Zoning Counsel.
- 5) No material will be substituted without approval from the Planning & Zoning Commission and the Planning & Zoning Engineer.
- 6) Per Article 3, Section 3.19.1 of the Zoning Regulations, the applicant shall be responsible for rendering payment for any outside experts the Commission assigns to review this application.
- 7) Site Plan approval expires if the work is not completed within five years from the date of approval.

- 8) The setback lines for the proposed trailer storage area should be provided from the front, side and rear property lines on the plan.
- 9) A landscaping plan which provides vegetative screening between storage areas.
- 10) A plan for additional landscaping within and/or adjacent to the public right-of-way in the vicinity of the trailer sales area shall be included subject to review by the ZEO.
- 11) The sales area shall be limited to as shown on the approved site plan.
- 12) The surface of the area used for the storage and sale of trailers shall be grass or gravel, as approved by the ZEO.
- 13) Signage shall be in accordance with the Oxford Zoning Regulations, as approved by the ZEO.
- 14) The applicant should submit a revised plan stamped by a Professional Engineer which shows the changes proposed within the site.
- 15) The applicant shall submit three complete copies of the set of plans which reflect these conditions of approval.
- 16) The hours of operation shall be the normal business hours as posted.

Second by Commissioner Cosgrove.

DISCUSSION:

Commissioner Cosgrove asked that the Town Engineers comments be addressed in the approval.

Chairman Carver noted that the Town Engineers comments are addressed in the conditions of approval.

The Commission **AMENDED** the motion as follows:

Condition # 9: Delete “Route 67”; Replace “by the Planning and Zoning Commission and State Department of Transportation” with “ZEO”.

Condition # 11: Deleted.

Commission Secretary Cocchiarella **ACCEPTED THE AMENDMENTS** to the original motion.
Commissioner Cosgrove **seconded the amendments.**

VOTE: All Ayes.

The above typed motion reflects the changes that were presented during the meeting.

- 2.) **Z-14-100 [IND] – Owner: Ed Godin, 207 Christian Street, LLC, Applicant: Tim Spahn, Colonial Pet Cremation Services, LLC – 207 Christian Street** (Special Exception: Article 9, Section 9.3.10)

MOTION BY Commission Secretary Cocchiarella to **APPROVE** application **Z-14-100:**

WHEREAS, The Oxford Planning & Zoning Commission has received application Z-14-100 for a Special Exception;

WHEREAS, The Oxford Planning & Zoning Commission reviewed the following documents presented as part of the application:

1. Application materials dated October 1, 2014.
2. Site Plan, Grading Plan, Sedimentation Erosion Plan prepared by Civil 1, dated June 24, 2013.

WHEREAS, the Public Hearing for this application was legally noticed, in conformance with Connecticut State Statutes and the Zoning Regulations of the Town of Oxford.

WHEREAS, the Oxford Planning & Zoning Commission has considered the testimony presented at the public hearing, held on November 4, 2014, and members of the public.

WHEREAS, information on the application was submitted, along with supporting information on file in the Planning Office of the Town of Oxford:

BE IT RESOLVED, that based upon the application and testimony, this application is approved for the following reasons:

- 1) The application is consistent with the Oxford Zoning Regulations.
- 2) The application is consistent with the Comprehensive Plan and the Plan of Conservation and Development.
- 3) The proposal is consistent with the overall industrial character of the area.
- 4) The Commission finds that the proposed use is permitted within the Industrial Zone and that this application is in conformance with Article 9, Section 9.3.11 of the Zoning Regulations.
- 5) The application is consistent with the required findings of Article 10, Section 10.3.1 of the Zoning Regulations, in that the proposed uses will not be detrimental to the health, safety, welfare and property values of the neighborhood.
- 6) The application is consistent with the required findings of Article 10, Section 10.3.2 of the Zoning Regulations, in that the proposed use would not create traffic which cannot be adequately accommodated on the existing roadway system.
- 7) The application is consistent with the required findings of Article 10, Section 10.3.3 of the Zoning Regulations, since no new building is proposed and therefore, the design of the proposed building is adequate to preserve the appearance and character of the neighborhood.
- 8) The application is consistent with the required findings of Article 10, Section 10.3.4 of the Zoning Regulations, is that the lot which the building is proposed for construction is adequate for the conduct of the in such a manner that it will not be detrimental to the adjoining property and the neighborhood.

SUBJECT TO THE FOLLOWING CONDITIONS:

- 1) Compliance with the Oxford Zoning Regulations in place as of this date.
- 2) Applicant and their assigns must comply with all representations made at the Planning & Zoning Commission meetings and/or public hearings regarding this application.
- 3) Prior to installation, lighting must be approved by the ZEO.
- 4) No work to begin until security is set by the Planning & Zoning Engineer in a form acceptable to the Planning & Zoning Counsel.
- 5) No material will be substituted without prior approval from the Planning & Zoning Commission and the Planning & Zoning Engineer.
- 6) The applicant agrees that approval of the Crematorium Use at 315 Riggs Street shall expire upon approval of this application.
- 7) Per Article 3, Section 3.19.1 of the Zoning Regulations, the applicant shall be responsible for rendering payment for any outside experts the Commission assigns to review this application.
- 8) All operations shall be conducted inside the building.
- 9) Any change in use or size, as determined by the ZEO shall require approval by the Commission.
- 10) No exterior alternations to the building or site without approval of the Planning & Zoning Commission.

- 11) Cremation activities will be limited to small domestic companion animals, and not include any animals with hooves.
- 12) No animal remains, including the residue from cremation operations shall be disposed of on site.
- 13) Conformance with all health codes, local and state regulations.
- 14) The hours of operation shall be 9 AM to 5 PM, Monday through Friday.
- 15) There shall be no exterior sign.

The effective date of this approval is December 1, 2014.

Second by Commissioner Cosgrove.

VOTE: All Ayes.

- 3.) **Z-14-127 [IND] – C.E.D. Properties, LLC, 3 Fox Hollow Road (Lot #2)** (Lot Line Revision)
(*Authorize Chairman & Secretary to sign Mylar for filing*)

Siyuan Cao, Civil 1, Engineer for the applicant, was present to briefly explain this lot line revision to the Commission. He depicted on a map revised on November 12, 2014 the lots that would be affected.

Steve S. Macary, ZEO informed the Commission that he reviewed the lot line revision and it is all set.

MOTION BY Commission Secretary Cocchiarella to **AUTHORIZE** the Chairman and Secretary to sign the mylar for filing.

Second by Vice Chairman Luff.

VOTE: All Ayes.

BOND RELEASES

- 1.) **Oxford Greens [RGCD] – Pulte Homes Phase III – Surety Bond # 8195-39-38 – Performance Bond** (Request for Bond Release) (*AWAITING INFORMATION FROM TOWN COUNSEL*) (*TABLED*)

Chairman Carver stated that she has spoken to Town Counsel, Kevin Condon and that work is being done by Pulte to remedy the items that are concerning the Homeowner's Association.

- 2.) **Randal Drive [RESA] – Susan Kopec Jutcawitz** (Request for release of Maintenance Bond) (*REMOVE FROM TABLE*)

MOTION BY Commissioner Cosgrove to **REMOVE** this item from the table.

Second by Commission Secretary Cocchiarella.

VOTE: All Ayes.

Commission Secretary Cocchiarella read the following correspondence into the record:

- a.) Letter dated 11/12/2014 from James Galligan, P.E.

Commissioner Cosgrove stated that this has been a very difficult situation and his attitude would be not to remove the bond until the side things have been done that have been requested. He stated that no one is telling them how much it will cost to do the edge pavement so he thinks they are safer not releasing the bond at this time. He stated that they don't have drainage, the drainage is supposed to go onto the grass and unless the side of the road has got a layer of gravel to keep down the weeds and the

water will continue to run down the road and run out onto Governor's Hill and he is very much against that happening. He commented that he would wait until everything is done right and then let's give her the bond back.

Commission Secretary Cocchiarella questioned the timeline on the driveway completion.

Chairman Carver questioned if there are still houses that are not complete.

Commission Secretary Cocchiarella stated yes and he is not going to be installing the apron until spring.

Commissioner Cosgrove stated that it should go back on the table until it is done right, it has been a problem.

Steve S. Macary, ZEO questioned the Commission if they would like him to go up there and take some photos and report back to the Commission.

Chairman Carver stated yes.

Commission Secretary Cocchiarella stated that this is a sold lot; there were issues initially, when they cut the road in, there were concerns about its proximity to the higher areas of the cemetery. He stated that the road is designed without drainage.

MOTION BY Commissioner Cosgrove to *TABLE* this item until the next meeting.

Second by Commission Secretary Cocchiarella.

VOTE: All Ayes.

ZONING ENFORCEMENT

Steve S. Macary, ZEO presented the monthly report, the Bond Definitions and Procedures paperwork, and explained how he handled the complaint for 11 Kerski Drive. He stated that he has gotten it cleaned up; it was going on for a long time.

APPROVAL OF MINUTES

MOTION BY Commission Secretary Cocchiarella to APPROVE the following minutes as presented.

- 1.) November 4, 2014 Public Hearing Minutes – 7:05 PM (Little River Power Equipment)
- 2.) November 4, 2014 Public Hearing Minutes – 7:10 PM (Pet Crematorium)
- 3.) November 4, 2014 Regular Meeting Minutes

Second by Commissioner Cosgrove.

VOTE: Ayes (7), Abstention (1) Vice Chairman Luff.

INVOICES

MOTION BY Commission Secretary Cocchiarella to *FORWARD* the following invoice from Micci & Korolyshun, P.C. to the Board of Selectmen for payment.

- 1.) Invoice from Micci & Korolyshun, P.C. – Garden Homes Appeal

Second by Vice Chairman Luff.

VOTE: All Ayes.

MOTION BY Commission Secretary Cocchiarella to APPROVE PAYMENT of the following invoice from Nafis & Young Engineers.

- 2.) Invoice # 322-14 from Nafis & Young Engineers.

Second by Commissioner Cosgrove.

VOTE: All Ayes.

MOTION BY Commissioner Cosgrove to APPROVE PAYMENT of the following invoice from Arrow Printers.

- 3.) Invoice # 1545 from Arrow Printers.

Second by Commission Secretary Cocchiarella.

VOTE: All Ayes.

OTHER BUSINESS

- 1.) Any other Business the Commission deems necessary for discussion.

The Commission discussed the following under Other Business:

- When the 2 acres zoning came into effect (research by staff).
- Zoning Map Update (research the process of updating zoning map).
- Information on the website is not correct, contact the office for an information until the website is update correctly.
- **Commission Secretary Cocchiarella** questioned when Steve would no longer be in his training period. **Chairman Carver** mentioned that by the end of November his training should be complete.

UPCOMING EVENTS/MEETINGS:

PUBLIC HEARING: TUESDAY, DECEMBER 2, 2014 AT 7:00 PM:

Z-14-125 [RESA] – Owner: Joe Rodriguez Applicant: Renovations Unlimited, LLC – Loyd Clark – 6 Blueberry Lane (Map: 2 Block: 38 Lot: 2-7) (Special Exception for a detached Garage/Workshop – 2,798 sq. ft. Article 5, Sections 5.2.5 & 5.2.5.6)

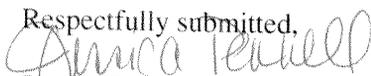
ADJOURNMENT

MOTION BY Vice Chairman Luff to ADJOURN the meeting at 8:16 PM.

Second by Commissioner Cosgrove.

VOTE: All Ayes.

Respectfully submitted,



Jessica Pennell

Administrative Secretary

Planning & Zoning Commission

14 DEC -1 AM 9:56
TOWN OF FORD, CT
Margaret A. West
TOWN CLERK