



S.B. Church Memorial Town Hall  
486 Oxford Road, Oxford, Connecticut 06478-1298  
[www.Oxford-CT.gov](http://www.Oxford-CT.gov)

**Oxford Conservation Commission Inland Wetlands Agency**

**REGULAR MEETING MINUTES**

Tuesday, July 12, 2016

The **Regular Meeting** of the Oxford Conservation Commission/Inland Wetlands Agency was held in the Main Meeting Room of the S.B. Church Memorial Town Hall on Tuesday, July 12, 2016.

**Meeting was called to order at 7:36 P.M. by Chairman Michael G. Herde**

**ATTENDANCE ROLL CALL: Chairman M. Herde**

Chairman M. Herde stated: Enforcement Officer Andy Ferrillo is out on medical leave and myself and former I/W Commission Member Tom Adamski will be Acting Enforcement Officers for the next several weeks.

**COMMISSIONERS PRESENT:** William Richter, Ethan Stewart, Joe Lanier,

**STAFF:** Also present: Denise Randall Administrative Secretary

**ABSENT:** I.W. Enforcement Officer Andy Ferrillo

**AUDIENCE OF CITIZENS (NOT FOR PENDING APPLICATIONS)**

**AMENDEMENT TO AGENDA:**

**MOTION** made by **Commissioner S. Purcella Gibbons** to accept the amendments to the agenda to include the following:

**NEW APPLICATIONS REQUIRING OCCIWA (ACCEPTANCE)**

(IW 16-75) BMC Property Rentals, LLC, 365 Christian Street, map 17, Block 34, Lot 1C, proposed activity –Contractors Yard (5.54 acres) wetland impact 1,250 sq. ft.

**VIOLATION Cease & Desist (IW-14-79)** Tetlak Park, Bowers Hill Road (Athletic Field), Map 14, Block 55, Lot 122 **Seconded by Commissioner B. Richter.** All in favor **5-0.**

**NEW BUSINESS:**

1. **(IW 16-29) Elizabeth Duncan – (106 Great Hill Road)** Discussion on planting plan on Pond and Pond cleanout.

Chairman M. Herde asked Ms. Duncan why the amount of yards of material being removed keeps changing. Your only permitted for 200 yards.

Bo Duncan explained what the material will be used for.

Bo Duncan stated: I will put the stakes in. I know where the material will be placed and my hope is that the contractor will take the material.

Chairman M. Herde asked if Ms. Duncan to call before she proceeds.

Bo Duncan stated: She was hoping that she didn't have to come back in to a meeting but maybe some commission members can come out to the property again. We are going to spread as much as we can, we will have it staked and we will figure it all out.

Chairman M. Herde stated: If it starts getting into a lot of grade changes it will be a problem.

The Commission discussed that they will be out spot checking on the progress.

2. **(IW 16-52) Oxford Towne Center, LLC (Quarry Walk- retail store & donation center)** 304,308, 312-320 Oxford Road, 4.1 acres Residential Access Road for Quarry walk and portion to be included into Quarry Walk, 600 sq ft of wetlands impact, 58,675 of upland review area impact ( Map 34, Block 9, Lot 26)

The Commission is still waiting on the owner of 308 Oxford Road signature.

**OLD BUSINESS:**

1. **(IW 14-54) Oxford Towne Center, LLC, 274-300 Oxford Road, (map 34, Block 9, Lot, EV6, 31B, 31A, 25, Mixed use development (approved at Special Meeting on Aug 19, 2014)**
2. **(IW 13-93) Cocchiola (Riverview Subdivision) Bond reduction/removal.**

The Administrative Secretary informed the Commission that Soil Scientist Tom Pietras would be going out to the property for soil testing in a week or so.

**EXECUTIVE SESSION:**

**NEW APPLICATIONS REQUIRING OCCIWA APPROVAL (ACCEPTANCE)**

**MOTION** made by Commissioner J. Lanier to accept application (IW 16-75) BMC Property Rentals, LLC, 365 Christian Street, **map 17, Block 34, Lot 1C**, proposed activity –Contractors Yard (5.54 acres) wetland impact 1,250 sq. ft.

**CORRESPONDENCE:**

**OTHER BUSINESS:**

**ACCEPTANCE OF APPROVAL MINUTES & CORRECTIONS TO MINUTES (IF ANY):**

**ENFORCEMENT OFFICER:**

Acting Enforcement Officer Tom Adamski is not present but provided the following information by email.

Cease & Desist Tetlak Park: A cease & desist letter was sent to the construction company performing the excavation work for the proposed athletic fields (Aggie Park) The pictures shown in the email begin just below the berm, and end in Eight Mile Brook, Sediment was deposited at every low energy section of the watercourse, and spread out in several wetland areas along the watercourse. There is sediment deposited in Eight Mile Brook and along its banks.

Town Engineer (Bryan Nesteriak) was contacted immediately and his response is below:

See the attached sketch of the soil erosion measures, both existing and proposed at Aggie Park. I believe that if these measures are maintained, then the impact to the adjacent wetlands will be eliminated during future rain events. It will be the responsibility of Vaz to make sure that all basins and trenches are inspected daily and cleaned out regularly to allow for the volume to be available for any runoff. It needs to be the goal of Vaz to ensure that any runoff that is in contact with the disturbed areas be detained onsite and allowed to infiltrate to the ground. If the lower basin fills with runoff, an automatic pump should be activated to re-circulate the water up to available volume in the upper structures. In addition, any areas that can be stabilized, whether permanently or temporarily, should be implemented to reduce the overall disturbed area.

Show Cause Hearing for (IW 14-79) Tetlak Park the Cease & Desist was placed on the property.

**Tetlak Park aka Aggie Park, Bowers Hill Road, Oxford, CT  
Athletic Field Project**

**NOTICE OF CEASE AND DESIST**

July 8, 2016

The Oxford Conservation Commission Inland Wetlands Agency hereby gives notice of violation and cease and desist due to the contractor's failure to maintain earth materials therefore causing erosion and siltation which polluted the Eight-Mile Brook and the Housatonic River. All earth excavations are to cease; contractor shall install adequate erosion controls for the entire site and to keep them maintained. Excavation shall not resume until there is authorization from the Inland Wetlands Enforcement Officer and/or the OCCIWA.

Tom Adamski



Acting Wetlands Enforcement Officer

Mr. Joe Vaz, Luis Vaz and David Greenfield are present representing Vaz Construction who is performing the excavation work for Tetlak Park.

Mr. Vaz stated: I started originally with a silt fence and came up with a problem when it rained heavy and then placed in double silt fence and thought that would fix it and now it's a triple silt fence.

Chairman M. Herde stated: The Commission has strong concerns regarding this project because it seems that you went around a lot of what was already in the plans already. There was a much bigger pond. I know it wasn't a super detailed plan but it did show E & S controls. I spoke with the town engineer today and he said it was only verbal but he explained that he was there several days prior ahead and told you to back off on opening new ground and that you were not going to have enough erosion controls for what was open and that it was ignored.

Mr. Greenfield stated: We were told about that on the day before the storm and unfortunately we had about 2 and half inches of rain in an hour and a half. We now think we have enough cubic yards of silt fence.

Chairman M. Herde stated: I see now that you have it in a linear form. You have 2 big trenches. I'm not sure that will work.

Mr. Greenfield stated: There are check dams also.

Chairman M. Herde replied: Well the check dams are in the lower one. There are a couple of things that bother me about the site and I'm not going to profess that I'm an engineer. Your controls are all linear one after another. When one fails, they are all the same size so if one fails they will all fail, that's my point of view. The trenches that you just dug were in compacted fill and if you go up there right now, I was there 2 hours ago and it rained 2 days ago, it's only perked down 4 inches. So if you have repeated rains, like you stated you have a lot of cubic yards and you might be right on the money about it but what I looked at is if that thing fills up a little every day with maybe a week of rain or whatever. I don't know how long this project needs to go before you're into the days that it gets removed but if it doesn't go down, there is no where for the water to go. There is no exit and right now you have trapped all of the water. The only exit is to go into the next one if there is a breach. You have about 3 or 4 foot trench and you then have dam on the low side with a silted clay fill, if that absorbs the water, you're still pointing all to the middle again in a horseshoe shape.

Mr. Greenfield replied: I think with the trap rock and the silt fabric which will flow to clean water.

Chairman M. Herde stated: The trap rock in the bottom to me was a total waste of stone. It's at the very bottom and only at the shallowest point so that the silt is going to sit there whether the rock is there or not. The check dams that you place in the other are good but you really

Mr. Greenfield replied: Yes.

Commissioner J. Lanier stated: We appreciate what you're trying to do but from our prospective we need to make sure what your doing sounds correct and I think we need this in writing so that everyone is in agreement.

Chairman M. Herde stated: I think we can make a collaborative effort between you guys and the town engineer to write an erosion control plan that matches what is going on at the site right now. With a "what if" back up and everybody to sign it and bring it back here as soon as you can with the Cease and Desist order. After discussing with the members individually, everyone is looking for something in writing. There was no way this should have happened as that was an average summer rain storm. I think we can all work together and we can resolve this but we do want it in writing and before you leave, leave your names with the Secretary.

Commissioner S. Purcella Gibbons showed photos and dates of when she was at the site and that this breach led to the Eight Mile Brook. Unfortunately this is the worst I have ever seen and I live right on the Eight Mile Brook at the bottom. DEEP was also there and this impacted a lot of people and seeing these photos, you can understand why people were upset and we just don't want it to happen again.

Mr. Vaz stated: This is the first time we ever had a problem like this.

Chairman M. Herde stated: You have to take into consideration that site probably had an awful lot of sheet flow from where its not excavated, just historically the nature of that site and the nature of that soil. You have grassy fields all around you and if doesn't perk at a certain point, it has to flow. The site is naturally pitched that way in the first place but once you open it up you give it something to take with the water. The old stone wall in the woods was almost working as a level spreader previous to that. Wetlands are created because of something impervious uphill and its either ledge or clay and all of Connecticut is the same way. You can pretty much go across the board in this area and somewhere between 18 and 40 inches is going to be an impervious layer. There should have been test holes done before because that's what you look for. Put this together so we can get everything going quickly.

Mr. Greenfield asked the conclusion for the plan of action.

Chairman M. Herde replied: I would like a small sketch with an erosion control plan in place and I would like the engineer to sign it. I would like authorization from a professional so it's not the Commission trying to design the project. That's not our job and not our level of expertise.

Mr. Greenfield stated: Fair enough and we will get this done right away.

Chairman M. Herde stated: I will make myself accessible and the secretary will give you my cell phone number.

July 12, 2016

**MOTION** made by **Commissioner B. Richter** and seconded by **Commissioner E. Stewart** giving permission to either Acting Enforcement Officer Tom Adamski or Chairman Michael Herde to lift the Cease & Desist order for (IW 14-79) Tetlak Park (Athletic Field). All favor 4-0.

**COMPLAINT/CONCERN:**

**REPORTS ON SEMINARS, INSPECTIONS, and OTHER MEETINGS SCHEDULED OR ATTENDED NEWSPAPER ITEMS & P & Z MINUTES:**

**OTHER ITEMS OF CONCERN:**

Commissioner J. Lanier suggested that the Acting Enforcement Officer (Tom Adamski) take a drive by a property location on Chestnut Tree Hill Extension as machinery was seen on the property.

The Chairman agreed.

**COMMENTS FROM THE CHAIRMAN & OTHER COMMISSION MEMBERS  
OTHER:**

- 1) **Oxford Oak, LLC 360 Oxford Road** (Lot 39) (Stabilization of site).
- 2) Open Space Inventory Map. Completed by New England Geo systems
- 3) Town of Oxford Catch Basins (Silt Removal).
- 4) Storm Drain Marker Program (Phase II).

**APPLICATIONS NOT REQUIRING OCCIWA APPROVAL & PERMIT  
APPROVALS:**

**Jan-16**

1/5/2016	George Dina	124 Jacks Hill Road	App for Detached Garage
1/13/2016	Corbo Associates	40 Jem Woods Road	C.O. for Residence
1/13/2016	Heritage Builders	6 Butternut Ridge	C.O. for Residence
1/14/2016	Corbo Associates	39 Jem Woods Road	C.O. for Residence
1/16/2016	Veluce Eng. LLC	1 Jacks Hill Road	Internal Build-out
1/20/2016	Helen Bulik	134 Oneill Road	C.O. for Addition

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1/22/2016	Stephen Savarese	Woodruff Hill Road	Copies
1/25/2016	Nil Guillet	207 Riggs Street	App for Residence
1/25/2016	Bade, LLC	523 Chestnut Tree	Acc for removal beaver dam
1/25/2016	Eugene Gosk	523 Chestnut Tree	Acc for removal beaver dam
1/25/2016	Jay Silberkleit	22 Middlefield Rd	App for Residential House
1/26/2016	Brent Thompson	98 Good Hill Road	C.O. for Residence
1/26/2016	Justin Harding	54 Dorman Road	C.O. Barn
1/29/2016	Vase, LLC Greenleaf	119 Hawley Road	Sign off for Tenant Fit-up

**Feb-16**

2/1/2016	Cragan	88 Moose Hill Road	Sign off for Bathroom remodel
2/1/2016	Susan Tereskiewicz	36 Cherokee Drive	Sign off for Interior alterations
2/4/2016	Glendale at Oxford	4 Rowland Farm Rd	App for new Residence
2/4/2016	Glendale at Oxford	6 Rowland Farm Rd	App for new Residence
2/4/2016	Patrio Builders, LLC	343 Niblick Lane	Sign Off for Modification to 3-season
2/9/2016	Sandra Halbert	30 Scott Road	C.O. for Addition
2/16/2016	Mehaylo Construction	217 Riggs Street	Sign off for Interior alterations
2/16/2016	Penelope Wagner	5 Pine Street	App for A/G pool
2/16/2016	Penelope Wagner	5 Pine Street	C.O. for A/G pool
2/17/2016	Ben Neidhart	7 Fox Hollow	Deck Extension
2/19/2016	Anne F. Campbell Haynes	Hurley Rd -Garden Homes	Copies
2/22/2016	Development	1007 White Birch Lane	C.O. Residence
2/23/2016	Mark Oczkowski	Lot 10 Woodruff Hill Rd	App for site plan modification
2/24/2016	Corbo Associates	36 Jem Woods	C.O. Residence
2/24/2016	Pulte Homes	693 Championship Dr.	C.O. Residence
2/24/2016	Pulte Homes	695 Championship Dr.	C.O. Residence

**Mar-16**

3/2/2016	Gary Scaife	28 Highland Road	C.O. Shed
3/2/2016	Chris Hofmann	224 Punkup Road	App for addition to deck
3/2/2016	Pat Catale	7 Pine Street	App for expansion to deck
3/9/2016	David DeMezzo	13 Cedar Lane	App for Addition to deck
3/10/2016	Center	300 Oxford Road	App for Rock Wall
3/15/2016	Jeffrey Dilulio	133 Hawley Road	C.O. Addition
3/15/2016	Jeffrey Dilulio	133 Hawley Road	C.O. Addition
3/16/2016	Kevin & Daria Gerety	197 Quaker Farms Rd	App for 8' X 12' Shed
3/21/2016	John Biondo	61 Quaker Farms Rd	4 Dugouts at Oxford High School
3/21/2016	Green Earth Energy	2 Fox Hollow Rd	Solar Array Ground Mount
3/21/2016	Charley Robinson	5 Buckskin Lane	App for Porch
3/22/2016	Estates	802 Sage Hill Road	C.O. for Residence
3/28/2016	Thomas Koscal	10 Silva Terrace	C.O. for Deck



Regular Meeting Min.  
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3/28/2016	John Pavlo	4 Coventry Lane	App for 10X20' Deck
3/28/2016	Chris Oczkowski	581 Chestnut Tree Hill	App for A/G pool
3/29/2016	GoodWill Retail Store	Quarry Walk	Permit for Retail Store

**16-Apr**

4/1/2016	Daniel Nemeth	86 Chestnut Tree Hill	Interior Alteration of Existing Garage above
4/5/2016	Jennifer Artman	7 Jem Woods Rd	App for A/G Pool
4/6/2016	Bart Vanark	16 Mount View Ct	App for Deck & Gazebo
4/6/2016	Lisa Rafferty	53 Pope Road	App for Deck
4/7/2016	Oxford Towne Ctr.	144 Main Street	App for Foundation
4/7/2016	Oxford Towne Ctr.	144 Main Street	App for Foundation
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4/7/2016	Oxford Towne Ctr.	144 Main Street	App for Foundation
4/12/2016	Oxford Greens Jospeph	Championship Drive	Permit for Phase 4 East
4/13/2016	Rosbrough	122 Park Road	App for Deck Ext
4/13/2016	Elizabeth Duncan	106 Great Hill Road	Permit for Pond Clean out & plantings
4/15/2016	Ricardo DaSilva	65 Thomson Road	C.O. for Interior & exterior of home

**16-May**

5/2/2016	Gwen Goumas	15 Autumn Ridge Road	Replace existing Deck- no ext
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**MATTERS OF VIOLATIONS/LITIGATIONS:**

1. Notice of Cease & Restore -**10 Park Road** violation (Ms. Tkacz) (Pending Litigation)

**REPORTS ON SEMINARS, INSPECTIONS, and OTHER MEETINGS SCHEDULED OR ATTENDED NEWSPAPER ITEMS & P & Z MINUTES:**

**OTHER ITEMS OF CONCERN:**

**I.W. COMMENTS FROM THE CHAIRMAN & OTHER COMMISSION MEMBERS  
OTHER:**

- 5) **Oxford Oak, LLC 360 Oxford Road** (Lot 39) (Stabilization of site).
- 6) Open Space Inventory Map. Completed by New England Geosystems
- 7) Town of Oxford Catch Basins (Silt Removal).

8) Storm Drain Marker Program (Phase II).

**MATTERS OF CONSERVATION:**

**ADJOURNMENT:**

**MOTION** made by **Commissioner B. Richter** to adjourn at 8:41 p.m.  
**Seconded** by **Commissioner S. Purcella Gibbons**. All in Favor **5-0**.

Respectfully Submitted,

Denise Randall  
Administrative OCCIWA Secretary

16 AUG 22 AM 10:09  
TOWN OF OXFORD, CT  
*Margaret A. Clark*  
TOWN CLERK