



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

Oxford Conservation Commission Inland Wetlands Agency

REGULAR MEETING MINUTES

Tuesday, June 23, 2015

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, June 23, 2015.

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

ATTENDANCE ROLL CALL: Chairman M. Herde

COMMISSIONERS PRESENT: Tom Adamski, Ethan Stewart, Sue Purcella Gibbons and William Richter

STAFF: Also present: I/W Enforcement Officer Andy Ferrillo Jr. and Denise Randall Administrative Secretary

ABSENT:

None

AUDIENCE OF CITIZENS (NOT FOR PENDING APPLICATIONS)

None

AMENDEMENT TO AGENDA:

1. 38 Jenny Lane Two (Mr. & Mrs. Wilcox) (Cease & Desist Zoning) serious erosion into the Town of Beacon Falls Wetlands Officer and Chairman notified by Letter on 6/15/15.

MOTION made by **Commissioner S. Purcella Gibbons** to add the amendment to agenda for 38 Jenny Lane Two (Mr. & Mrs. Wilcox) serious erosion into the Town of Beacon Falls. **Seconded by Commissioner T. Adamski.** All in favor **5-0.**

NEW BUSINESS:

OLD BUSINESS:

1) **ONYX France –(IW 14-92)** 16 N. Larkey Road

I.W.E. Officer A. Ferrillo stated: We have not yet had a response from the applicants engineer. We have informed Jim Galligan (Town Engineer) not to proceed with anymore engineering review until payment for review already performed is paid in full. We can place a caveat on the property if the Commission wishes.

The Commission agreed.

2) **(IW 15-30)** Ready Imaging, Inc., 357 Oxford Road, (Alliance Energy)- Gas station/convenience store/ proposed sign change.

Mr. Kevin Doyle (Construction/Maintenance Project Manager of Global Gas) stated: I have here a site plan and I would like to point out a few things. Basically I'm following up on a meeting that was held a few weeks ago with Jenna White about re-imaging the Global site with a Sunaco because of the rewards program that is done with the Price Chopper that will be going down the street. My understanding the Commission had some concerns about the run off of the site and the conditions of the site. We have a contractor come down and I'm not sure if you were questioning all the catch basins or just the one in front of the dumpster.

Chairman M. Herde stated: The question was all they all connected and where do they exit.

Mr. Kevin Doyle stated: I do not believe that they are all connected. The main one in front of the dumpster does have a hood on it and it does go into an oil water separator and it does discharge.

I.W.E. Officer A. Ferrillo asked: Can you see it through the sand?

Mr. Kevin Doyle replied: No, you have to go thru the jungle to see it. Its on the back right hand side of the building and this plot plan here shows it.

Chairman M. Herde asked: Did you lift the hood off?

Mr. Kevin Doyle replied: Yes.

Chairman M. Herde stated: First time in 20 years.

Mr. Kevin Doyle pointed to the oil water separators are on the site plan.

Mr. Kevin Doyle stated: In this parking lot, there is a small manhole here, its extremely large with a separator in the middle. I'm not sure who put it there but it does appear to be some type of either 8 x 8 or 10 x 10 separator.

I.W.E. Officer A. Ferrillo stated: My understanding is that D.E.E.P. required that when they pulled the last tanks out maybe about 10 years ago. They had a second monitoring well and monitored it for 20 years.

Mr. Kevin Doyle replied: It's not a monitoring well, it's a very large concrete pre- cast structure. I saw one pipe coming in off the road on the north side and that had some type of hood on it also.

Chairman M. Herde stated: ok.

Commissioner T. Adamski asked: Has it been serviced in any recent history?

Mr. Kevin Doyle replied: As far as I know, we have no record of it being serviced. Probably wouldn't be serviced unless there were some type of issue. It's not getting any type of flow into it that is going to maximize the use that it would need to maintain. There is probably 4 inches of water on the bottom and that's it.

Commissioner T. Adamski asked: Including the one over by the dumpster?

Chairman M. Herde asked: So there was water in it?

Mr. Kevin Doyle replied: Yes. We took the covers right off and actually in the pictures, you can see the separator has nothing in it and appears to be working they way it's supposed to. (Pointing) Here is the discharge pipe, you can't pump it out completely because then it won't work correctly.

Chairman M. Herde state: Right, that is why I was asking.

Mr. Kevin Doyle stated: Basically they set up a "T" with a stub probably 8 inches off the bottom and anything floating on top, high static pressure pushes the water up and then into the Little River. If you like, in this upper one (pointing to map) we can place a smart sponge in. Again, you can see the bottom and it had more or less sand probably from the winter time.

Commissioner T. Adamski stated: I mean really the catch basin that takes almost everything is the one catch basin down by the dumpster because everything is pitched that way.

Everyone agreed.

Chairman M. Herde stated: I wouldn't mind seeing a smart sponge in that one.

Mr. Kevin Doyle asked: Even with the hood?

Chairman M. Herde replied: Yes, because we don't believe its working all that great and just because of the old format of it too. It's in small amounts that are going in there and not any real large amounts and now it is designed to catch a large amount. The small amounts get multiplied during a storm and still go right out the exit and that's why its not accumulating. If it was like 5 gallons more and all went in at once and then you would see it on top but otherwise I think what its doing is still going out. Just like when you shake up a bottle of salad oil.

Commissioner T. Adamski stated: Several years ago for the Housatonic Valley Association I did testing upstream and down stream from the Global station and the difference between the invertebrates under the rocks and they were really pronounced so there is definitely effluent coming out.

Mr. Kevin Doyle stated: I mean I can go into any large parking such as a golf course and find the same thing.

Chairman M. Herde stated: Yes. But you can see the oils on a rainy day watch it go right down.

I.W.E. Officer A. Ferrillo stated: Well they need to keep a closer monitoring on the trash as the dumpster and the gate are always open.

Mr. Kevin Doyle stated: I asked the girl working there if the gates are working properly, they need to be kept closed when not being used. She said it was full.

Chairman M. Herde added: Oh, I know the customers are the worst but there are times when you do down and see all the garbage from the facility itself on top of the stuff from the other people but you wouldn't believe how much there was this spring. The whole river bank was with Pepsi and Gatorade boxes that were obviously from the store.

Mr. Kevin Doyle stated: I know it is hard to monitor the general public.

Chairman M. Herde agreed and stated: Right. But what was there was a huge amount of garbage that was obvious it came from the store and not customers. It took like 4 requests to ask them to clean it up and you go down and look and it was still not good at all and we would tell them to go back and do it again and we are just tired of it.

Mr. Kevin Doyle stated: There was some thought of getting a larger dumpster but not sure if we should move it anywhere else.

Chairman M. Herde replied: Yea, but that makes for more dumping.

Commissioner T. Adamski agreed and stated: Yes, it's unfortunate that some customers are just pigs and you have to clean up after them.

Chairman M. Herde asked: Your proposed plan was to put the litter standard controls on the plan? Has that been addressed?

Secretary D. Randall replied: Yes, that was emailed to Alliance Energy Corp.

Mr. Kevin Doyle added: That we can do and if you want we can put a box on the plan to address the smart sponges and where they will be. What I'm going to try to do is we have a company that does the maintenance get on a schedule. I will try and see if they can do the landscape and spring clean up.

Chairman M. Herde stated: Ok. As long as we get in line with all those things then we can have the Enforcement Officer sign off on it. But we need this on a plan.

MOTION made the **Commissioner T. Adamski** and **seconded** by **Commissioner B. Richter** to authorize the Enforcement Officer sign off but only when the final plans are received. All in favor **5-0**.

Chairman M. Herde stated: After the final plans are received, I would like the Town Engineer to come and look with you and inspect the smart sponge to make sure its not missing anything.

EXECUTIVE SESSION:

NEW APPLICATIONS REQUIRING OCCIWA APPROVAL (ACCEPTANCE)

MOTION made by **Commissioner S. Purcella Gibbons** to accept application (IW 15-44) Northeast Stihl, Inc., Lots 12 & 15B Patriot Way, Oxford. Construction of 300,800 square foot building –office and distribution facility in 3 phases. **Seconded** by **Commissioner T. Adamski**. All in favor **5-0**.

CORRESPONDENCE:

OTHER BUSINESS:

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

MOTION made by **Commissioner S. Purcella Gibbons** to approve the minutes from 6/23/15. **Seconded** by **Commissioner T. Adamski**. All in favor **5-0**.

ENFORCEMENT OFFICER:

I.W.E. Officer A. Ferrillo discussed with the Commission regarding a cease and desist on 40 Little Punkup –digging and grading in a wetland without a permit. There are 6.5 acres in total.

Chairman M. Herde stated: I would like correspondence with Town Counsel.

Commissioner S. Purcella Gibbons stated: I believe there is a cold spring in that area as my father used to raise trout.

The Commission agreed to send a cease & desist letter to the owner of the property and to the town attorney.

COMPLAINT/CONCERN:

Violation-(activity in the upland review area) Robert Pettinella – 4 Anthony Pond Road

Mr. Pettinella stated his name and address for the record. I have the application completed here. Here are some pictures and a map. (Pointing out the areas for fishing, silt fence to part of the 50 foot set back. Mr. Pettinella discussed the encroachment and the buffer.

Chairman M. Herde stated: In order to do the subdivision the Commission did allow that area to be encroached on specifically.

Mr. Pettinella stated that he understood the reason now.

Chairman M. Herde added: Yes, the Commission takes into consideration with the water front lots that there would not be development on the water front lots in lieu of the development of the driveway going in creating lots in the first place. We do this quite a lot actually.

Mr. Pettinella stated: Ok, it makes sense. I don't want to change anything.

Chairman M. Herde asked the distance between the wetland and the walking path.

Mr. Pettinella replied: I'm going to see about 25 to 30 feet down to the dock. If you go down to the other area, you easily have about 60 feet.

Chairman M. Herde asked: Ok, so your saying that you pretty much have roughly 45 to 50 feet of natural area along the pond?

Mr. Pettinella replied: I'm going to say about 25-30 feet between the water and the pathway. I have photos of it.

The Commission looked over the photos.

I.W.E. Officer A. Ferrillo added: The soil seems to be stable too.

Mr. Pettinella stated: Yes with all that rain we have had, nothing as moved.

Commissioner T. Adamski stated: The only thing I would like to say that the multi-floral rose and Autumn Olives that become overbearing, you can remove those invasives.

Mr. Pettinella replied: Ok.

MOTION made by **Commissioner S. Purcella Gibbons** to approve (IW 15-46) and (IW 15-47) Robert Pettinella – 4 Anthony Pond Road, 2 lots with additional natural cover on 30 to 50 feet and the applicants will contact the I/W Enforcement Officer A. Ferrillo with any maintenance in this area. **Seconded by Commissioner T. Adasmki.** All in favor **5-0.**

Commissioner T. Adamski stated: I discovered ATV tracks on open space located near 60 Quaker Farms Road which originate out of 2 stone walls there. There is also dumping going on of materials. I also was chased by someone's dog of which I did inform the police.

I.W.E. Officer asked about placing some type of fence.

Commissioner T. Adamski replied: The stone wall that is present has 2 openings. This has been going on for some time and the 2 openings need to be closed.

I.W.E. Officer A. Ferrillo asked: Is there money in the trails account to do that?

Commissioner T. Adamski replied: I will check. The other thing is they should have to remove the waste.

I.W.E. Officer A. Ferrillo stated: I will contact Town Counsel as it is a trespassing issue which is not Zoning or a wetlands issue and a board of selectman issue.

MATTERS OF VIOLATIONS/LITIGATIONS:

June 23, 2015

1. (IW 13-93) Cocchiola Paving - Riverview Subdivision, (Permit denied, pending litigation) (return of record was completed and presented in court on April 2, 2014)
2. Cocchiola Riverview Subdivision review of bond reduction.
3. Notice of Cease & Restore -10 Park Road violation (Ms. Tkacz) (Pending Litigation)
4. Violations/restorations/litigations for 138 Coppermine Road (Jason Scheurick)

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

OTHER ITEMS OF CONCERN:

**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 Geosystems
- 3) Town of Oxford Catch Basins (Silt Removal).
- 4) Storm Drain Marker Program (Phase II).

MATTERS OF CONSERVATION:

ADJOURNMENT:

MOTION made by **Commissioner T. Adamski** to adjourn at 8:46 p.m.
Seconded by **Commissioner E. Stewart**. All in Favor **5-0**

Respectfully Submitted,

Denise Randall
Administrative OCCIWA Secretary

June 23, 2015

APPLICATIONS NOT REQUIRING OCCIWA APPROVAL:

1/8/2015	Greenleaf Energy	119 Hawley Road	Tenant Fit-up
	Diamond Rose		
1/14/2015	Construction	8 Skyline Drive	Finished bsmt

June 23, 2015

1/14/2015	St. Thomas the Apostle	733 Oxford Road	Bathroom Remod.
1/21/2015	Christopher Kalakay	5 Middlefield Road	Bathroom Remod.
	Bill & Marylou		
2/10/2015	Verikas	432 Tee Shot Drive	Finished Bsmt
2/18/2015	Daniel Arpie	441 Oxford Rd.	Tenant separation, Exit stairs accessibility
3/17/2015	Crystal Holick	42 Highland Rd.	Finish bsmt
4/7/2014	Jeff Haney	244 Oxford Rd.	Expansion of Liquor Store
	David & Loreen		
4/9/2014	Rado	619 Championship Dr	Finish bsmt
4/22/2014	Hirschbeck	134 Oneil Road	Adding 780 sq. ft.
5/9/2014	441 Oxford Road	441 Oxford Rd.	rebuild barn roof
	John & Cheryl		
5/21/2014	Stephen	35 N. Mark Rd.	Addition over current family room
5/22/2014	Woodwork Design	84 Oxford Road	Tenant fit up
6/2/2014	Gyre 9, LLC	1 Jack's Hill Road	Warehousing, light assembly
		545 Putting Green	Bath/shower
6/2/2014	Chris Kelly	In	remodel
6/4/2014	Gyre 9, LLC	1 Jack's Hill Road	wharehousing
6/18/2014	Stacy Hudson	43 Rolling Hills Dr	Interior repairs
6/18/2014	John Lavorgna & Co	31 Charter Oak Dr.	Complete Kitchen Renovation
6/18/2014	Erin Eglinton	63 Old Church Road	Finish bsmt
6/23/2014	Gen Quip, LLC	119 Hawley Road	Generator Sales & Service
	American		
6/24/2014	Restoration	176 Oxford Road	Replace 3 porches
6/25/2014	A. Smalis-Ct. bsmt	19 Riverbend Dr	Finish bsmt
6/25/2014	Adam Kinkel	17 Douglas Drive	heating system conversion
6/26/2014	CED Services, Inc.	3 Fox Hollow Road	Interior Fit-up offices
6/30/2014	Dunkin Donuts	71 Oxford Rd.	Interior alteration/face lift
7/2/2014	Haynes Materials	297 Oxford Rd.	USPS
7/7/2014	Oxf Hisorical Society	60 Towner Lane	Sign
			Replace roof, sheet rock, kitchen closet and bathroom
7/21/2014	Rachel Falbo	44 Wyant Road	
7/22/2014	Great Oak School	50 Great Oak Road	Walk-in cooler
7/28/2014	Brian Greco	20 Sunrise Drive	Bsmt renovation
7/28/2014	Richard DiMauro	30 Tram Drive	Handicapp above garage
7/31/2014	Ken Hogan Const.	471 Roosevelt Dr.	Screen Porch/mud room
8/14/2014	DiGeorgi Roofing	3 Hilltop Ridge Road	Front Porch
8/25/2014	K. Mullen Construct.	470 Quaker Farms Rd	Partition wall 10' X 10'
8/27/2014	Polebuilt, LLC	520 Traditions Court	screen porch over deck
8/21/2014	John Mele	2 Tetlak Terr	Bsmt finish
	Colonial Pet		
9/2/2014	Cremation	207 Christian Street	Cremation
9/4/2014	Jonathan Benedict	112 Meadowbrook	Basement finish
10/1/2014	Glenn Fritz	72 Oxford Road	Car Show
10/2/2014	Haynes Develop	305 Spruce Hill Road	4 season porch
10/7/2014	Bill & Marion Schrade	340 Niblick Lane	Partiall Finished Bsmt

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Seconded by **Commissioner E. Stewart**. All in Favor **5-0**

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Denise Randall
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15 JUL 15 AM 11:41
TOWN OF OXFORD, CT
Catherine A. West
TOWN CLERK