

November 25, 2014



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

Wednesday, November 25, 2014

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 Wednesday, November 25, 2014.

Meeting was called to order at 7:34 P.M. by Chairman Michael G. Herde

ATTENDANCE ROLL CALL: Chairman M. Herde

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

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

ABSENT:

None

AUDIENCE OF CITIZENS (NOT FOR PENDING APPLICATIONS)

None

AMENDEMENT TO AGENDA:

(PRE-APPLICATION)

NEW BUSINESS:

1) 8 Bice Drive (IW 14-85) Pure Platinum proposed addition

I.W. Officer A. Ferrillo Jr. stated: Attorney Dominick Thomas and the applicant Ms. Vicki Frenzel are present.

Attorney Dominick Thomas stated: I'm here representing Ms. Frenzel who is also present and is the property owner of 8 Bice Drive. This has been going back and forth but I do have with me 11" X 17" maps for you to review. This is under the towns flood ordinance and technically on the site plan it appears from the review of the regulations and by regulations I mean your code of ordinances that this is within the special flood elevations. So the proposed addition is within the special flood elevation. We were back and forth with Mr. Jim Galligan (Town Engineer) whom I spoke twice with today and earlier on numerous times because we have submitted a soil scientist report because it is all regulated activity but it's regulated by your flood ordinance, by FEMA. I made some extra copies of the report done by soil scientist Megan Raymond. The engineer has been providing certain drainage calculations and everything. I'm trying to come to grips with the fact that do you issue a permit in this situation? This is under the flood plain ordinance and places a lot of jurisdiction within the Planning and Zoning Commission through the flood plain administrator who is Jim Galligan the town engineer. So I spoke with Mr. Galligan today and we had a conversation about mitigation and test pits for ground water. In my mind, I was thinking wetlands mitigation, but he said no, no I need floodplain mitigation. He said you have to remove a quantity of material similar to what you're displacing in cubic yards. I'm not sure if the 2 engineers spoke afterwards but I gave them the phone numbers. What his suggestion was and again this is a matter for Planning and Zoning is to create a rain garden to get rid of the underground detention and digging it down to the same quantity of cubic yards your displacing and then that rain garden would serve as the appropriate detention emptying into the Little River. At that point it became beyond me and it's up to the engineer. Once we were on the same page regarding the wetlands mitigation versus floodplain mitigation then we discussed the ordinance and if this application is under the ordinance, literally I couldn't find the words or anything related to that. Even if you have a site plan by right in a flood zone, you are covered under the flood plain regulations not by Planning and Zoning and in other words you have to comply with the base flood elevation and you have to do all this other stuff that is not normally what you would do with a site plan. So were going to P & Z next Tuesday and he indicated that he would be at the meeting. Have you ever dealt a floodplain application before?

I.W.E. Officer A. Ferrillo replied: Well, we have dealt with filling in a flood plain. But we were always under the impression under the wetlands statute that all flood plain is regulated soils regardless of what kind of soil it is.

Attorney D. Thomas stated: What seems to be fascinating here is, in reading this you can give a permit for a regulated activity and it can be turned down by Zoning, which is not normally what happens.

Chairman M. Herde agreed: Right.

Attorney D. Thomas stated: I'm not talking about the building here; I'm talking about the activity within the flood plain. I had to restructure myself. I certainly would like to see reports from both.

Chairman M. Herde stated: Lets have this commission look at it purely from our wetlands point of view right now just because it is wetland soils under statute and it is flood plain. What our usual course is on commercial is look at where you're creating runoff and are you cleaning it and where is it going? Let's start right there and just get through it.

Attorney D. Thomas asked: Have you seen the soil report?

I.W.E. Officer A. Ferrillo replied: Yes, we did.

Attorney D. Thomas stated: The FEMA regulations we have resolve the issue of substantial improvement and this has been provided to the town engineer. There is a drainage report that was submitted in the file to address the issues and again there was a proposal for underground protection. However, you don't have much run off because it's a flat piece of property. From a historical prospective and as you know, I have been in this town for 27 years and I was here during the 1982 stream floods. It was the worst flooding we have had in Oxford and in a lot of the communities. I remember going down near Route 34 and watching his picnic table zip down into the Housatonic River. I remember going to Bill Emerson's House (The Old Mill) and on that side of Park Road it flooded but did not flood on the other side. I called Mr. D'Amico, he has never flooded on that side of Park Road and he has been there a long time. I know it doesn't have anything to do with that regulation but the last conversation which would be more towards P & Z is to get rid of the underground detention and go with the rain garden which even in my conversations with Jim Galligan is not very susceptible in this case as its not one of those rain gardens in a location which would be susceptible to fill with sediment, your not getting road sediment or anything. Its basically taking the lawn that is there and lowering it a couple of feet, I'm going to guess probably by 60' X 30' or something and I'm going to assume that an engineer would design it so that it goes in and then perks out and if does ever fill up, it goes into Little River. I think on the other side of Oxford Hardware, someone cut a big ditch and when there is heavy rain that fills up, like an over flow channel. Anyway, that's where we are at, we have a successful small business person that wants to expand but we are trying to comply with everything.

Chairman M. Herde stated: Ok, we will look at it from a wetlands point of view, where is it coming from, where is it going and is it clean. If you're going to do a rain garden, make sure this whole parking lot goes into it because that is what we are going to be looking at, that everything does drain into it.

Attorney D. Thomas replied: Yes. Remember they are not adding, there is no pavement being added.

Chairman M. Herde stated: Ok. Still when we are looking at the whole plan, we are going to look at the entire site and this is the opportunity to make it right and I realize the rain garden is not going to be all that elaborate but just make sure that it is covering for that whole parking lot because we are trying to catch all the oils and whatever that comes from the cars in the parking lot. Right from there, you drain right into the river.

Attorney Thomas asked the applicant Ms. Frenzel if the parking lot was gravel and paved.

Ms. Frenzel replied: It's mostly paved.

Chairman M. Herde added: An approval would have on it a limitation that if you go to pave, you have to re-apply. I think the drainage system is going to get pretty elaborate.

Attorney D. Thomas stated: I think actually clearly, without a doubt if you're going to pay, you would have to go back to everybody. Ok, I think we will go back to Jim Galligan (Town Engineer) and have some coordination of how the procedure flows here. It appears to me that the simple way would for whatever the flood plain approval is to have both Wetlands input and Zoning input on one approval.

Chairman M. Herde replied: Of course, we can work together, that will not be a problem.

Attorney D. Thomas stated: Obviously the issues brought up tonight may very well change going from a detention to a rain garden.

Chairman M. Herde replied: Well, yes, it looks like that is the direction its going but it will probably be less expensive for you.

Attorney D. Thomas thanked the Commission and exited the meeting.

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

I.W. Officer A. Ferrillo Jr. stated: This application is tabled as we are waiting for a response from the applicant's engineer.

3) (IW 14-104) Corbo Associations, Inc., 31 Fiddlehead, Dock, swimming pool, Firepit, walkway
Mr. Ralph Corbo (Corbo Associates) is present with an application for 31 Fiddlehead for a Dock, Swimming, walkway and I have been in business for over 30 years. We are building a really nice home on Fiddlehead and our client has asked us to work on a plan for providing a walkway, dock, swimming pool and firepit and what we did was put together, what I thought was a very complete plan and we also have information that we gave to First Light. First Light thought that we gave a good presentation and we have the approval paperwork they gave to us. There is also a report by an arborist so we can deal with the falling trees that are there and some erosion, which also includes a re-planting schedule as well and most importantly we are proposing a retain wall at the foot of the river. Right now the walkway going down is fine but at the end it kind of falls apart with a lot of erosion and trees all over so we are proposing about 20' of wall which goes into the water which has been approved by First Light. I'm prepared to go over that plan with you all.

Chairman M. Herde asked: One thing, do you have the letter of consent from the owner of the property? The property owner section of the application is blank, so either Corbo Associates is the owner or someone else.

Mr. Corbo stated: We do not have this in the file. I will certainly have it for you right away. I have a letter from First Light from the owner for authorization but I will have this first thing in the morning.

Chairman M. Herde stated: Ok. So let's see the maps.

Mr. Corbo spread the plan and photos out for the Commission and pointed out the elevations and the proposed areas for improvement.

Mr. Corbo stated: What we are proposing is to go from the house to the pool, down the path and stairs to a patio which is going to be at an elevation of 110' and then stairs down to a boat dock to where First Light requires a masonry structure and anchor the dock and that is proposed at elevation 100. Most of this is pretty descent; it's a landscape issue and what you're seeing here (pointing) is like a seawall. We are going to build a large boulder wall on a brick rap base and its going to taper with the elevation down to the elevation of the water.

Chairman M. Herde asked: Ok, so you're going how many feet below the water elevation?

Mr. Corbo replied: I'm not sure what the water elevation is but we are going to meet ground right at the base, probably about 3 or 4 feet right now.

Chairman M. Herde stated: On the map, it looks to be about 5 feet or so.

Chairman M. Herde asked: How much of shallow water area or exposed beach between the wall and the regular water pike?

Mr. Corbo replied: There won't be anything, it's a wall. There is no beach area. We are just going down to the steps.

Commissioner T. Adamski added: Yes, because there is nothing to dissipate.

Chairman M. Herde stated: Even First Light usually recommends that there be an area of a rocky slope going out away from your retaining wall.

Mr. Corbo stated: I believe that is what we are describing here (pointing to map)

Chairman M. Herde replied: No, actually on river bottom.

Commissioner T. Adamski asked: What is the slope on the bottom away from that wall?

Mr. Corbo replied: We are putting rip rap right in the lake.

Chairman M. Herde asked: Is the tow of the wall in the lake or back from the lake?

Mr. Corbo replied: It starts in the lake and then comes back to the point where it comes out of the water.

Chairman M. Herde stated: Usually the recommendation is for the tow of the wall to be back from the lake and this is something we have to look at.

Mr. Corbo replied: It is.

Chairman M. Herde stated: I'm saying the tow of the wall is normally not in the water. We just approved one on Coppermine and he had gotten close to 5 feet of exposed shoreline before his sea wall. It's not always possible on every lot and there is a little bit there but not much.

Mr. Corbo drew a picture of it to show the Commission

Chairman M. Herde stated: Well that is what we are really going to have to look at. This is just direct filling in the lake.

Mr. Corbo replied: Well it's not fill, its rock.

I.W.E. Officer A. Ferrillo replied: Rock is fill.

Chairman M. Herde stated: Your basically making your lot bigger is what's happening, you're getting more surface area of your lot and there is less wetlands so that is direct filling in a wetland.

Chairman M. Herde asked: I would like to also ask is how wide is your impervious surface? What is the walkway made out of?

Mr. Corbo replied: The walkway is out of natural stone.

Chairman M. Herde asked: What's it set in?

Mr. Corbo replied: Process.

Chairman M. Herde asked: Is there anything to control the water?

Mr. Corbo replied: There is a retaining wall above it right here (Pointing to map)

Chairman M. Herde asked: Ok, so the water that collects on here (pointing) this is the size of a driveway and you have 100's of square feet of surface here that is going to collect water and its going down at a 10 to 15% grade and then it sheds off of this and the bank run gravel on the side of the river bank, are we going to have an application to fix the erosion that it caused? This is the old roadway that comes down here (pointing to the map).

Mr. Corbo stated: It does that after the roadway as well.

Chairman M. Herde stated: I just want to make sure that you're taking into account that you are going to be collecting a lot of water and basically you're making a sluiceway.

Commissioner T. Adamski stated: For all practical purposes, that is impervious surface. The rock and the process.

Mr. Corbo stated: I think part of the discussion for the plan with the engineer and First Light was to improve all of that to place in the wall and this is where most of the issues are happening. You can see there is a 12" Ash tree and a dead cedar. Right now this doesn't even tip toward the water (showing in the photo)

Chairman M. Herde asked: What is your elevation?

Mr. Corbo replied: Top of wall is matching the grade all the way down so it starts out at 110 and goes down to 102' above the water height.

Chairman M. Herde asked: Yes, the water height should be at about 101 or 102, right?

Mr. Corbo replied: 101 and can vary a foot or 2. All that is happening here is your following the tow of the slope right now with this wall that will allow this to stop eroding.

Chairman M. Herde stated: In any event, we are going to really need to narrow down where that wall is.

Mr. Corbo stated: How do you want me to do this. Should I have a surveyor come out?

Chairman M. Herde stated: I think in the least, it should be staked. We have to know that wall is back from the lake. We have been holding everyone else to that standing and I don't want to vary.

Mr. Corbo stated: In order for me to do that, I would have to cut into the bank.

Chairman M. Herde stated: Some projects can't be done, there is always an alternative. But to go into the lake and make it smaller.

Mr. Corbo stated: See, I don't, I see this as just simply skinning the area that is eroding right now. That's all we are doing. I was looking at what they did next door.

Chairman M. Herde asked the Commission if everyone felt the same way.

Commissioner S. Purcella Gibbons stated: Well, that is generally the rule regarding displacement. Anytime you put something in the water, the water then goes somewhere else. Even if its 50 or 100 square feet, we do pretty much hold you accountable for that on the lower river.

Chairman M. Herde stated: On the lower lake as well, all retaining walls have to be back into the property not into the lake. So that nobody is expanding their property because we had a real problem with everybody going 6" at a time and every time a retaining wall falls down, you put a new one in front of it, overtime the lake is smaller and everybody's yard is bigger.

Commissioner S. Purcella Gibbons stated: And the water is still there and going someplace else.

Chairman M. Herde stated: You're basically filling in a flood zone.

I.W.E. Officer A. Ferrillo stated: The other thing is, how much will you dig out on the conservation easement.

Chairman M. Herde stated: That is why we are here to follow the regulations and look at it from that point of view. As soon as that wall goes in a couple of inches, the next 6 properties will be in here with application to go 6 inches more.

Commissioner T. Adamski stated: The only other problem is that digging this out will go higher into the bank as well.

I.W.E. Officer A. Ferrillo added: Yes and into the conservation easement.

Chairman M. Herde stated: Engineering wise it might not work there and that is what the lot is, that side of the lake. I'm just saying might, not sure if it will work but I don't agree with going into the lake. We understand it's a recreational lake and people want to use.

Commissioner B. Richter asked: How bad does that erode every year?

Chairman M. Herde stated: It's going at a slow pace, but it's definitely moving and part is from the boats. There is more water skiing now and the waves are twice of what they were 30 years ago.

Mr. Corbo stated: Their idea was to have the boulders with rip rap so that it would be strong enough.

Chairman M. Herde stated: I like the idea of the wall; it's just about the location of it.

Mr. Corbo stated: I don't know where else we can locate it. That is where the erosion is and that's where it's needed.

Chairman M. Herde stated: I just don't want it going into the lake because we have a lot of water frontage between Lake Housatonic and Lake Zoar and everybody wants to put a retaining wall and go a little bit more. There was one wall on Lake Housatonic that was 4 inches to far and it got moved. I want to be consistent.

Mr. Corbo stated: I'm obviously not 100 percent on the same page as you but you have been doing this for a long time.

Chairman M. Herde stated: I don't want to close any doors here, I'm open for discussion.

Mr. Corbo stated: My thought was by going to First Light, they were very helpful. As a matter of fact, this wall detail comes from their standard detail of how to interact in that area, from their manual.

Chairman M. Herde stated: Well maybe see if you can get a little more information from your engineer and maybe stake it out so the Commission can see it.

Mr. Corbo stated: I would like to know where you want it staked.

Chairman M. Herde stated: Where the wall meets the grade on the tow wall.

Mr. Corbo asked: Ok. Can I illustrate this to you and show you? I just want to make sure I know what you mean by the tow of the slope.

Mr. Corbo drew an illustration of the area and explained the proposed wall.

Chairman M. Herde explained in detail and asked when the plan is to start to work, during the drawdown.

Mr. Corbo stated: I would like to get this piece of wall in ideally now, (pointing to the map).

Chairman M. Herde asked: So you wouldn't work during the draw down, you would work now, while the water is high?

Commissioner S. Purcella Gibbons stated: They just had a draw down.

Chairman M. Herde stated: That's the next thing; usually we work on the lake during the draw down because you have to bring an excavator in to drop in the rock.

Mr. Corbo stated: It's a mini excavator and we would come down with rip rap and with one boulder at a time. We didn't want to disturb any soils. The contractor doing this has a lot of experience working down in Norwalk.

Chairman M. Herde stated: But your plan shows that your 5 feet into the ground, if I'm reading it correct. We started off talking about that, we have base board of 5 foot in. If the water elevation is here at 100 and your 5 feet below it with this?

Mr. Corbo replied: Well, we made the assumption that in that area, I didn't literally stick the water there. Would you like us to do that as well?

Chairman M. Herde stated: I just want to know if your putting in a footing for this thing, because again, most of walls without footings fall down and especially if your right on edge of the water.

Mr. Corbo stated: Maybe I'm not seeing it. There is a hole where it eroded (showing the photo) and what the idea was to where the dirt was, that eroded, we were going to put that rip rap where it was and when we are done we would have established the same ridge line.

Chairman M. Herde stated: Ok, I'm going to take a look to see where that hole is but your elevation on the plan shows the wall 5' below the water table. I don't think there is a hole 5 foot deep because the waves would fill it in. I think your going to need to excavate. You need the floor of the lake to be higher than the base of the wall because the ice banks into it and takes the wall down.

Commissioner T. Adamski stated: It's hard to see where there would be a hole on the edge of the shoreline.

I.W.E. Officer A. Ferillo stated: I think we will have to go out to the site and talk about this there.

Chairman M. Herde asked about the landscape plan.

Mr. Corbo stated: The landscape plan is in the file and explained a little bit of what the proposed plan is.

I.W.E. Officer A. Ferillo stated: Leave ribbons on the dead trees that you want to cut and always leave the stumps.

Mr. Corbo thanked the Commission and exited the meeting.

OLD BUSINESS:

1) (IW 13-93)_Cocchiola (Riverview Subdivision) Bond reduction/removal.

I.W.E. Officer A. Ferrillo stated: Mr. George Logan is still working on the environmental review for this property and we hope to have a report on for the next regular meeting.

EXECUTIVE SESSION:

NEW APPLICATIONS REQUIRING OCCIWA APPROVAL (ACCEPTANCE)

MOTION made by **Commissioner S. Purcella Gibbons** and **seconded** by **Commissioner T. Adamski** to accept application -(IW 14- 107) Earthworks Excavating, Lot 7, Fox Hollow Road -(IW 14-112) Oxford Town Center, Waterline from Dutton Road to 300 Oxford Rd, Map 34, Block 9, Lot 26
-(IW 14-113) Oxford Town Center, Sewer Line from West Street to 300 Oxford Rd., Map 34, Block 9, lot 26
All in favor **5-0**.

CORRESPONDENCE:

OTHER BUSINESS:

MOTION made by **Commissioner S. Purcella Gibbons** and seconded by **Commissioner T. Adamski** to cancel the last regular meeting on December 23, 2014 due to lack of quorum. All in Favor **5-0**.

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

MOTION made by **Commissioner T. Adamski** and **seconded** by **Commissioner S. Purcella Gibbons** to accept the Regular meeting minutes from the 10/28/14 with the following corrections 2 corrections on page 3 and page 6. All in favor **4-0**.

ENFORCEMENT OFFICER:

I.W.E. Officer A. Ferrillo stated: I placed a cease and desist on property owned by a Mr. Bruce Mondo. Certified notice was sent to Mr. Mondo regarding the cease and desist and to appear at the next regular meeting to explain the violation.

Mr. Bruce Mondo (owner of property on Riggs Street Violation)

Mr. Mondo stated: I decided to go over to my property and gather some firewood for my nephew and went in with a truck, where the right of way is, and there was a pipe here that broke and I replaced it with the same length, same size and same elevation. I put some gravel up front and all is this is for, is to cut wood for my niece and nephew and I thought I can get threw but the pipe collapsed. I'm not looking to build a road or do anything. I have a chain across it now so no one will go down and get stuck.

Commissioner T. Adamski asked: What was the elevation before and after?

I.W.E. Officer A. Ferrillo stated: I have no way of knowing but it appears to be anywhere between 6 to 12 inches of fill below the gravel, so the rest of fill put in was to raise it up in the driveway area.

Mr. Mondo stated: I would like to see it deeper naturally but I know you can't fool with that.

Chairman M. Herde stated: In all your years of experience as an excavator didn't cross your mind to call the Town Hall?

Mr. Mondo replied: Well, I didn't consider this to be wrong; I was just replacing the pipe that was there.

Chairman M. Herde asked: Yes, but working in a river without a wetlands permit?

Mr. Mondo asked: What do you mean, in a river?

I.W.E. Officer A. Ferrillo replied: Riggs Street Brook, that's a flowing watercourse.

Chairman M. Herde asked: No erosion controls, no witnessing by the town, nothing?

Mr. Mondo replied: It was just that day, I got a machine to get it out and I through it in there. I didn't think I was doing anything wrong there; I was just replacing the pipe that was broken. That is why I got it the right size, the same pipe. It's not like I put a bigger size.

Chairman M. Herde stated: Typically, and I think your past experience would tell you too, even when we have a homeowner now replace a pipe, we have them re-size it to make sure the original one is the right size. We get an engineers blessing on any pipe especially in a watercourse.

Mr. Mondo replied: I understand that, I do septic systems and get engineers drawings, we do all that. I just replaced the one that was there. I definitely didn't even think about it. I'm not going back there and placing a building in there or anything and I'm not even cutting trees, I'm just getting the trees that are already down.

I.W. E. Officer A. Ferrillo stated: You know, or you should know, or you will now know if you do any work in that area like that, the State Law requires a permit for all the work you did there.

Mr. Mondo asked: Do you want me to do it now then?

Chairman M. Herde replied: I think that is what we have to start off at this point and I believe the Commission would at least entertain an application on this and start going retro and then go from there. There are not any great locations to cross there, that whole frontage is a wetland area.

Mr. Mondo agreed.

Chairman M. Herde stated: I know the Commission would be a little cautious about setting precedent that it not be a long term permanent location because in the event that the property could get developed in the future, which every piece sooner or later does, what if that is not the right location and now you have a driveway in there and a better location was 50' downstream for the long term.

Mr. Mondo stated: This driveway is not even 10 feet wide. The pipe is 12' feet itself. Anybody that does a project and definitely will have to go through there (pointing to the map).

Chairman M. Herde stated: Right, but they are going to say there is a crossing already, which is now here (pointing to the map) an improved crossing and a modern crossing as well as the driveway that goes up the hill is more or less an intermittent watercourse at this point.

Mr. Mondo stated: But this is the access to get in.

I.W. E. Officer A. Ferrillo replied: This is not considered a legal access, it was a woods road but that has no legal bearing as far as legal access to your property.

Chairman M. Herde stated: We don't mind getting some access into the property.

Mr. Mondo stated: Oh, I didn't know this wasn't legal. I had to get a sign off from Timberlake here (pointing to map) because I had the right to go further.

I.W.E. Officer A. Ferrillo replied: This is not considered a legal access, it was originally but it has not legal bearing in the law, that's your access point.

Chairman M. Herde stated: Its pretty rear that the Commission will tell someone no, you don't have a good location and it's typical that we say, keep looking until you find one. I have been here since 1996 and probably have seen 3 or 4 lots come through we just looked at and the Commission said, we are not telling you that you can't work on this but we will deny the application in front of you and try again or whatever. I have seen at least 3 lots not get built on because the way they were cut, it was only water access and a ridiculous access.

I.W.E. Officer A. Ferrillo stated: This may be a good access point but until an engineer looks at the property we don't know.

Chairman M. Herde asked: In the long run here, what do you think you will do with this property, maybe put a residence on it or something?

Mr. Mondo replied: I'm seriously thinking of putting my own house there. Just keep it for myself. I got pushed around for 10 years on this development, they came in and bought it and they sewed it up and I couldn't do anything and then it took me a year and half to get it back.

I.W.E. Officer A. Ferrillo stated: I don't know why they didn't want it because is connected to the developed area.

Mr. Mondo stated: I don't know either.

Mr. Mondo asked: Is this back to residential or is it still golf community?

I.W.E. Officer A. Ferrillo stated: What I understand is, and I don't have anything in writing is that Zoning approved it as a conceptual approval as part of the golf course. Zoning changed it and included it in the residential golf community and for some reason it was never transcribed onto the maps, making it residential golf community along with Kerski's property. As far as I know,

and again there is nothing in writing, you would have to apply to zoning to remove it from the residential zone, that is my understanding.

Chairman M. Herde stated: Ok. Keep the cease and desist in place and we should start off with an application for a woods road.

I.W.E. Officer A. Ferrillo stated: The fee is based on about 12000 square feet of direct wetland impact which comes out to about \$3600.00 fee. You also have to understand that this relates to wetlands only, Zoning can say something different as far as access. If we give you approval to use that road for what you want to use it for, Zoning may not want you to go any further.

Mr. Mondo asked: Would if I want to build a house, would this be my driveway? (pointing to map)

I.W.E. Officer A. Ferrillo replied: That would require a complete site plan and that would have to be approved by us. Right now this permit will be for the work you already have done on the woods road. So if you want to build a house in the back there, it would require another whole application.

Chairman M. Herde stated: What you can do is apply for application for this woods road. It can get approved as that and just that. If you come back in with a house plan, then we would say we really want an engineer to look at all your road frontage and find out if you have a better location for a long term permanent roadway in that is going to be improved all the way. So that is what I'm saying, don't miss the location by 30 feet because you went and did it without asking. Then you can come back in 5 years from now and say, Ok I'm ready to put a house in and start doing a full blown site plan and then find out this driveway is not in a good location.

Mr. Mondo asked: When you say not in a good location do you mean by the pipe being in here? (pointing to the map) It looks like the best spot.

Chairman M. Herde replied: We have no evidence telling us that. We are going to make decisions based on an engineer, especially going up to the house.

Commissioner S. Purcella Gibbons asked: How many acres are there?

Mr. Mondo replied: 40 acres.

Mr. Mondo stated: Ok, then I will just pull the application for a woods road. I'm sorry about this and I will come back with an application.

Chairman M. Herde asked: Can we act on this one at the next meeting?

I.W. E. Officer A. Ferrillo replied: No. We can accept the application at our first meeting in January and discuss it at the second January meeting. You are going to need some type of preliminary map showing the woods road that has been constructed with the application.

Chairman M. Herde stated: Yes and we will probably have to have the town engineer look at it so we are careful about the pipe crossing.

Mr. Mondo replied: Ok. Thank you.

COMPLAINT/CONCERN:

APPLICATIONS NOT REQUIRING OCCIWA APPROVAL:

1/27/2014	Crystal Chandler	543 Quaker Farms Rd		finished Basement
1/29/2014	Matthew Zaloumis	315 Riggs Street		CO- Gen Repair, used car permit
2/24/2014	Eri Amyloid Lab	315 Riggs Street		Use Permit Tenant Fit up
2/19/2014	Master Brands CT	325 Riggs Street		Use Permit Tenant Fit up
3/10/2014	Brian Walsh	39 O'Neil Road		Interior work
3/13/2014	1st Oxford House, LLC	441 Oxford Rd.		Tenant separation, Exit stairs accessibility
3/17/2014	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	Green Ln	Bath/shower remodel
6/2/2014	Chris Kelly	In		wharehousing
6/4/2014	Gyre 9, LLC	1 Jack's Hill Road		Interior repairs
6/18/2014	Stacy Hudson	43 Rolling Hills Dr		Complete Kitchen Renovation
6/18/2014	John Lavorgna & Co	31 Charter Oak Dr.		Finish bsmt
6/18/2014	Erin Eglinton	63 Old Church Road		Generator Sales & Service
6/23/2014	Gen Quip, LLC	119 Hawley Road		
	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		

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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
	Bill & Marion		
10/7/2014	Schrade	340 Niblick Lane	Partiall Finished Bsmt

MATTERS OF VIOLATIONS/LITIGATIONS:

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)

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

OTHER ITEMS OF CONCERN:

Secretary Denise Randall stated: I just wanted to remind Commissioner Richter and Commissioner Stewart to get sworn in by the end of the year.

COMMENTS FROM THE CHAIRMAN & OTHER COMMISSION MEMBERS OTHER:

November 25, 2014

- 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 8:32 p.m.
Seconded by Commissioner E. Stewart. All in Favor **4-0**

Respectfully Submitted,



Denise Randall
Administrative OCCIWA Secretary

14 DEC 16 PM 2:13
TOWN OF OXFORD, CT
Spencer H. West
TOWN CLERK