



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, April 26, 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, April 26, 2016.

Meeting was called to order at 7:30 P.M. by Chairman Michael G. Herde

ATTENDANCE ROLL CALL: Chairman M. Herde

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

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

ABSENT: Commissioner Joe Lanier

AUDIENCE OF CITIZENS (NOT FOR PENDING APPLICATIONS)

AMENDEMENT TO AGENDA:

NEW BUSINESS:

(IW 16-2) TPA Design Group- Timberlake Development, Championship Drive Phase 4 East,
No impact to wetlands, Upland Review area impact 15,952 sq. ft. (39 units detached
residential dwellings)

Attorney Chris Smith (Land Use Attorney from Shipman & Goodwin) introduced himself and stated that he was here on behalf of the owner/applicant Timberlake Investment Partners, LLC Phase 4E concerning a small portion of section 6. We are looking for approval from this Commission on the final detailed plans and with me tonight is David Golebiewski (TPA) as well as David Sacco (Landscape Architect & Engineer). I would like to start with a little housekeeping matter that Andy Ferrillo (Wetlands Enforcement Officer) thought I should address. (Pointing to the map) this section of Oxford Greens, 39 dwellings and currently with Planning and Zoning it is part of section 6. We are filing 2 applications tomorrow with P & Z and one is to modify the facing sequence so that this section, what is currently section 6, is going to be re-designated as Phase 4 East. This is the designation that your town planner (Brian Miller) came up with. We will also be filing an application with P & Z tomorrow with final detailed development plans concerning this new section Phase 4 East. We are before you this evening and this was reviewed before by you with conceptual approval and this is the final approval so to speak and there are some modifications and I will let Mr. Golebiewski and Mr. David Sacco explain this to you that actually results in less regulated activity then what you saw before when you made the conceptual approvals.

David Golebiewski (TPA Design Group) stated: David Sacco and myself have been with this project for a total of 16 years. It has been sometime since we were up in this area and what we are talking about are the 39 homes being changed to Phase 4 East. That site plan was previously approved by Inland Wetlands 40 scale conceptual approval but this was back in 2004. Since that time we have reduced this to 39 homes and moved one house away from the wetlands set back area. I have with me a little cheat sheet for each of you to look at to make it easier to kind of show the spirit of what it is we are talking about. This area (Pointing to the hand out) the original approval of the 40-scale level and behind it we took the detention pond and shifted away as much as we could with going downhill. We also did some modifications to the grading and at the time there was no requirement for a back bench so we made work with the current standards. Long story short we changed the orientation on one house because we thought it made it a little bit better. Long story short, in the spirit of what we are doing, the road layout, the storm drainage are all the same as it was previously and all are detailed in 40 scale plans. We took the opportunity, as we have always tried to do before we come to this Commission, can we do better than we did before when we move from conceptual to 40 scale.

Chairman M. Herde agreed

David Golebiewski (TPA Design Group) stated: Can we do better, can we pull further away from the upland review area and the wetlands. We were able to do that to the tune of about 1300 square foot less to upland review impact. That's the spirit of what we are here for. We can go through the road grading and drainage if that is of interest to the Commission but I think it was summed up nicely in your agenda item, we didn't have any wetland impact and we have even less of an impact in the upland review area. This is kind of the summary.

David Golebiewski asked David Sacco if there was anything else to highlight.

Chairman M. Herde asked: Has our Town Engineer seen this yet?

I.W.E. Officer A. Ferrillo replied: He has received the information and I imagine by the next meeting we will have his comments. If I do get something in the meantime, I will email it to you.

Chairman M. Herde asked about the fees already paid.

I.W.E. Officer A. Ferrillo stated: It looks like we approved Phase 1-5 which were 571 units and we did it all on one application and I'm assuming that the wetland and upland review fees were all combined. They paid a fee of \$23,510 and \$20.00 to the State. So that covered the 571 units for the 5 Phases.

Chairman M. Herde stated: Ok, so we just need to cover for Engineering Review fees as long as the applicant acknowledges this.

David Golebiewski stated: We are good with that.

I.W.E. Officer A. Ferrillo Jr. stated: Yes, I don't think any additional fees will be in order on this as there is less impact.

David Golebiewski asked: Does this mean we get a credit?

I.W.E. Officer A. Ferrillo Jr. replied: Actually you owe us another \$40 as the State fee is now \$60.

I.W.E. Officer A. Ferrillo Jr. asked: You already gave us a \$130.00 basic fee correct?

David Golebiewski replied: Yes, that's correct.

David Sacco stated: I just wanted the Commission to know that we are following the present standard and current storm water controls and so forth. When this was done in 2004, even though it was conceptual, it had to go to D.E.E.P. and so it was very well thought out and it is the same storm water management system. We are trying to minimize the impact and at the same time make it current.

Chairman M. Herde stated: Ok. If anyone has anymore questions then I think we will wait to see the Town Engineers review.

They then thanked the Commission and exited the meeting.

1. **(IW 16-18)** Goodwill of Western and Northern Ct. (Quarry Walk- retail store & donation center) (Langan Engineering. 1.44490 acres/62,940 sq. ft.) 300 Oxford Road, Map 34, Block 9, Lot 26

The Commission discussed the owner (Haynes Construction/Quarry Walk) being listed as the applicant. An authorization letter dated 4/13/16 was received from Mr. Tom Haynes for Goodwill of Western and Northern CT.

I.W.E. Officer A. Ferrillo stated: The owner of the Goodwill store will be the ones to pay the fees. Each pad/building that will be coming in for a permit will be paying their own basic fees.

The Commission then looked over the plans. A copy of Nafis & Youngs review letter is scanned below:

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NAFIS & YOUNG

Civil/Environmental Engineering & Surveying

Allan S. Young, P.E.
James H. Galligan, P.E.
David L. Nafis, P.E., L.S.
Lawrence K. Secor, CEMM



April 25, 2016

Michael Herde, Chairman
Oxford Inland Wetland Watercourses Commission
486 Oxford Road
Oxford, CT. 06478

Re: Goodwill Industries, Quarry Walk

Dear Mr. Herde,

Nafis and Young Engineers, Inc. has reviewed the revised Site Plan for the referenced project. The Major revisions include; relocation of the entrance, addition of sections of wall at the South end of the site and revised parking layout. These changes do not have significant impact on the impervious surface coverage nor detention analysis/results.

Therefore, NYE does not identify any negative impact on the Inland Wetland and Watercourses permit previously granted on this site.

Please feel free to contact me with any questions.

Sincerely,

James H. Galligan, P.E.
Nafis and Young Engineers, Inc.

Main Office: 1355 Middletown Avenue, Northford, CT 06472 • Tel: (203) 484-2793 • Fax: (203) 484-7343 • e-mail: nyeng@nafisandyoung.com

Commissioner E. Stewart expressed some concerns regarding the sand from the Oxford Towne Center project that is seen sometimes on Rte 67.

I.W.E. Officer A. Ferrillo replied: Haynes will hire a sweeper to sweep that area of Rte 67. The State of Ct. will not sweep their own road.

I.W.E. Officer A. Ferrillo stated: All the drainage was previously approved with the subdivision approval.

The Commission continued a discussion while looking at the plans.

Chairman M. Herde stated: I would like a hazardous materials statement and the litter control ordinance are on the original plans but I will speak to applicant and owner as both responsible for hazardous materials and litter controls.

Chairman M. Herde asked if there were anymore concerns.

None stated.

MOTION made by **Commissioner S. Purcella Gibbons** to approve with conditions **(IW 16-18)** Goodwill of Western and Northern CT. (Quarry Walk- retail store & donation center) (Langan Engineering) 1.44490 acres/62,940 sq. ft.) 300 Oxford Road, Map 34, Block 9, Lot 26. Hazardous materials statement should be added to the final plan. Engineering review paid in full by applicant. Owner of property (Haynes/Quarry Walk) will be responsible for water quality during construction as well as after. Oxford Conservation/Inland Wetlands litter control applies per map plan dated 3/28/16. No direct wetland impacts. **Seconded** by **Commissioner E. Stewart**. All in favor **4-0**.

Permit expires 04/26/2021

-(IW 16-29) Elizabeth Duncan – (106 Great Hill Road) Discussion on Planting plan on Pond

Ms. Duncan introduced herself to the Commission and passed out a map plan and photos of her pond property and explained to the Commission what her plan was for planting and cleaning out the muck in her pond.

Chairman M. Herde stated: Are you looking at placing the material away from the wetland?

Ms. Duncan replied: Yes that is correct. No material will be transferred off the site. I'm putting it in the upper area and into a swale in my driveway and I want to put a wetlands garden in that area. I would also like to place a wall in that area.

Chairman M. Herde stated: I think our biggest concern is that once there is 100 yards coming out of there and then it can go down the stream on the other side and land to the next property over. We have a lot of people who will say they will do a good job and it won't go anywhere.

I.W.E. Officer A. Ferrillo stated: Have you thought about a contractor that you would like to hire to do this?

Ms. Duncan stated: I spoke with Stone Construction and they have given me an estimate. My neighbor has a backhoe and so maybe he can get around the edges but it's the center that will be difficult. Do you have any suggestions?

I.W.E. Officer A. Ferrillo added: You're going to need a big machine to get to the center part of the pond.

Chairman M. Herde replied: Generally the depth of the pond is what is going to control that weed. Just taken some of those weeds out or skimming it isn't going to do anything.

I.W.E. Officer A. Ferrillo stated: It needs to come out of the middle.

Ms. Duncan stated: OK. I may need to have somebody that has pallets so they can drive a machine on it.

Chairman M. Herde agreed and stated: Yes, you don't want a machine with rubber tires going in there.

Ms. Duncan stated: I know Mr. Stone knows how to do that. If I can clean around the side's maybe he can give a lower price.

I.W.E. Officer A. Ferrillo stated: Here's the thing, you don't want to do all the sides, get it all nice and then decide 2 years from now that you really want to get at the middle and then it will make a mess of the sides again. You might want to have him do this all at once.

Chairman M. Herde stated: When you were here last time, you were talking about 500 yards being taken out. Now we are down to about 250 yards.

Ms. Duncan agreed.

Chairman M. Herde stated: You're probably talking about 1 week with a machine. It's either a rock truck or a loader and they are each about \$1,000 dollars a day.

Ms. Duncan agreed and stated: It really needs to be cleaned out.

The Commission looked over the plans.

Chairman M. Herde replied: Yes. I'm just a little bit concerned that there is not a real certain idea of where it's going all going and how it's coming out.

Ms. Duncan replied: Well I know where it's going.

I.W.E. Officer A. Ferrillo added: There is a fairly flat area to the right of the driveway which can probably hold most of the material.

Ms. Duncan pointed to the area on the map.

Ms. Duncan stated: I have been digging and planting a lot of stuff already.

Chairman M. Herde stated: The only way to go into that pond is with a shovel and big machine, something with a 30 foot reach.

Ms. Duncan stated: Who has a big machine like that.

Chairman M. Herde replied: There are many contractors right in this area.

Ms. Duncan stated: I can do this area (pointing to the map) with a small machine.

Chairman M. Herde stated: It will cost you more with a small machine then with a big machine.

I.W.E. Officer A. Ferrillo agreed.

Chairman M. Herde suggested that maybe the Commission can give approval for some of the work.

Chairman M. Herde then stated: I'm still a little concerned because we usually have a real lot of detail on these drawings on how things are going. I don't want you to have to spend a lot of money.

Ms. Duncan stated: In 2 weeks maybe I will have more details but I wanted to know which way we were going.

I.W.E. Officer A. Ferrillo stated: Maybe we can approve the entire project with one condition that the contractor that you decide on, comes in to our meeting and gives us detail on what he wants to do so we know what kind of equipment he has and what his timeline is. We wouldn't want this any other time but July.

Chairman M. Herde agreed and stated: There are a lot of people downstream and there is a trout brook downstream. It's a sensitive area so you want to have this done with good intentions.

I.W.E. Officer A. Ferrillo agreed: Someone that doesn't really know what they are doing in this situation can put a lot of mud downstream.

Commissioner B. Richter added: You're going to be close to the dam.

Chairman M. Herde stated: Maybe you can give us some more detail and some sort of a site plan. There is a lot of verbiage here.

I.W.E. Officer A. Ferrillo suggested a site walk by the Commission.

The Commission all agreed on a site walk on Saturday, April 30, 2016 at 4pm.

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. Violation- 38 Jenny Lane Two (Mr. & Mrs. Wilcox) (Cease & Desist Zoning)

I.W.E. Officer A. Ferrillo stated: Southwest Conservation is not yet finished with the report yet and informed us that the report should be finished by the beginning or middle of April.

EXECUTIVE SESSION:

NEW APPLICATIONS REQUIRING OCCIWA APPROVAL (ACCEPTANCE)

CORRESPONDENCE:

OTHER BUSINESS:

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

MOTION made by **Commissioner E. Stewart** to approve the minutes from 3/22/16 with one spelling correction. **Seconded** by **Commissioner B. Richter**. All in favor **4-0**.

ENFORCEMENT OFFICER:

I.W.E. Officer A. Ferrillo stated: A contractor came in on behalf of the owner to extend a deck on 122 Park Road about 3 feet. Its not going to past the footprint of the house, it's just to place put to 2 chairs to overlook the lake. He gave me an application but I told him I had to run it by the Commission first.

Chairman M. Herde stated: I don't have a problem with this being handled by you.

The Commission agreed.

COMPLAINT/CONCERN:

Violation- 38 Jenny Lane Two (Mr. & Mrs. Wilcox) (Cease & Desist Zoning) some erosion into the Town of Beacon Falls appears to have stopped at this point and there is silt fence and hay bales in place. Wetlands Officer and First Selectman notified notified by Letter on 6/15/15. Town Engineer has reviewed the Conservation District report with Beacon

Falls and we will review this at the next meeting. When the final report is finished I will pass this on to the owner of the property and have them come in to our meeting in June.

Chairman M. Herde stated: Yes, I don't want to keep the owners in the dark either.

**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 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 39 Jem Woods Road | C.O. for Residence |
| 1/14/2016 | Corbo Associates | 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 |
| 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 | Oxford Town Center | 300 Oxford Road | App for Rock Wall |
| 3/15/2016 | Jeffrey Dilulio | 133 Hawley Road | C.O. Addition |
| 3/15/2016 | Jeffrey Dilulio Kevin & Daria | 133 Hawley Road | App for 8' X 12' Shed |
| 3/16/2016 | Gerety | 197 Quaker Farms Rd | 4 Dugouts at Oxford High School |
| 3/21/2016 | John Biondo | 61 Quaker Farms Rd | |
| 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 | Mountain Rd Estates | 802 Sage Hill Road | C.O. for Residence |
| 3/28/2016 | Thomas Koscal | 10 Silva Terrace | C.O. for Deck |
| 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

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|-----------|--------------------------|-----------------------|--|
| 4/1/2016 | Daniel Nemeth | 86 Chestnut Tree Hill | Interior Alteration of Existing Garage w 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 |
| 4/7/2016 | Oxford Towne Ctr. | 144 Main Street | App for Foundation |
| 4/7/2016 | Oxford Towne Ctr. | 144 Main Street | App for Foundation |
| 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

MATTERS OF VIOLATIONS/LITIGATIONS:

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

I.W.E. Officer A. Ferrillo stated: Attorney Micci came in to discuss this litigation and the Ms. Tkacz does not have any money. We are hoping to place a lien on the property so that if it ever sells or refinances, the lien will have to be removed first.

2. **38 Jenny Lane Two (Mr. & Mrs. Wilcox) (Cease & Desist Zoning)** serious erosion into the Town of Beacon Falls Wetlands Officer and First Selectman notified by Letter on 6/15/15.

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

OTHER ITEMS OF CONCERN:

S. Purcella Gibbons discussed the walk taken with the Ct. DEEP Officer and took samples and explained the history. The results will be ready in 2 weeks.

Commissioner S. Purcella Gibbons started a discussion on the Oxford Town Wide Clean up for the month of April.

Commissioner S. Purcella Gibbons stated: The softball team cleaned the areas of Great Oak Road. Many pledge forms are being collected and prizes will be handed out in a few weeks.

Secretary Denise Randall and I.W.E. Officer A. Ferrillo discussed the football team walked and cleaned the entire area of Oxford High School, down to the rotary and onto Great Hill Road ending at the Board of Education building. A group of about 12 employees from CPV people will be cleaning up Riggs Street, Prokup and Juliano Drive this coming week as they did last year.

**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 9:06 p.m.
Seconded by **Commissioner S. Purcella Gibbons**. All in Favor **4-0**.

Respectfully Submitted,

Denise Randall

Denise Randall
Administrative OCCIWA Secretary

16 MAY -4 PM 3:02
TOWN OF OXFORD, CT
Margaret A. West
TOWN CLERK