



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

Conservation Commission / Inland Wetlands Agency

REGULAR MEETING MINUTES

Tuesday, December 13, 2022

The **Regular Meeting** of the Oxford Conservation Commission/Inland Wetlands Agency was held **Tuesday, December 13, 2022** Regular Meeting Members of the public can meet at at the S.B. Church Memorial Town Hall, 486 Oxford Rd, Oxford, Connecticut 06478 and held in Room B.

Meeting was called to order at 7:30 P.M. by Chairman Susan Purcella Gibbons

PLEDGE OF ALLEGIANCE:

ATTENDANCE ROLL CALL:

COMMISSIONERS PRESENT: Chairman Sue Purcella Gibbons and Commission Members Brian Smith, Ethan Stewart and Commissioner Joe Lanier

STAFF: Administrative Secretary Denise Randall, Enf. Officer Mike Herde

ABSENT: Commissioner Andrew Ferrillo Jr.

AUDIENCE OF CITIZENS (NOT FOR PENDING APPLICATIONS):

AMENDMENT TO AGENDA:

MOTION made by Commissioner Brian Smith and seconded by Commissioner Ethan Stewart to accept application (IW 22-131) **First Oxford House, LLC, 441 Oxford Road, (Map 28, Block 59, Lot 10)** (Total size of site = 7.4 acres) (Proposed Use = Replacement of Bridge) (total acres of wetlands = .53 acres) (Wetlands impacted = 100 sf) (Upland Review Area impacted = 700 sf) (amount of material to be removed = 10cy) (amount of material deposited = 10 cy)

EXECUTIVE SESSION:

NEW BUSINESS:

(IW 22-119) Marc Deslauriers, 81 Newgate Road (Map 10, Block 47, Lot 38) Proposed Farm and event use, (total size of acres 35 acres) (Total size of wetlands = 425,984 sq. ft) (Upland review area impact = farm (37,165) non-farm (61,635) sq. ft) (Wetlands impact = 0)
\$130 fee paid on 11/1/22

A discussion ensued on hiring a professional soil scientist and looking at the historical pictures from the google earth to show the upland impact.

MOTION made by **Commissioner Joe Lanier** and seconded by **Commissioner Brian Smith** to hire a professional soil scientist for the delineation

(IW 22-121)- 589 Investments, LLC, 21 E. Commerce Drive, (Map 24, Block 22, Lot 10-A-17) proposed use= Earth Excavation for future Industrial Use, (Total size of acres= 8.35 acres) (Total acres of wetlands = 1.09 acres) (Upland Review Area impact= .98 acres) (Wetlands impact = 0) (Amount of material to be removed = 8,200 C.Y.) (Amount Deposited = 0 C.Y.)
\$6,580 fee paid

Curt Jones stated: These are the same plans, same footprint and we are only asking for an excavation permit. We will be submitting a final plan after Mark Ozckowski has prep the site.

The Chairman expressed concerns about approving this application before the town engineer comments.

Mr. Jones stated: I would ask if possible and due to the fact this is the last wetlands regular meeting for this year if we can maybe get an approval pending the town engineer's comments as this is extenuating circumstances. There will also be final plans with his comments.

The Commission had a small discussion.

MOTION made by **Commissioner Joe Lanier** and seconded by **Commissioner Brian Smith** to approve **(IW 22-121)- 589 Investments, LLC, 21 E. Commerce Drive, (Map 24, Block 22, Lot 10-A-17)** proposed use= Earth Excavation for future Industrial Use with the following conditions: This is an for an excavation permit only and any recommendations from Nafis and Young town engineer would be implemented per approval. Any additional work will require new permit. This approval is for a temporary storm water management system that works with the excavation. All in favor 4-0.

OLD BUSINESS:

None

RE-APPLICATION:

NEW APPLICATIONS REQUIRING OCCIWA APPROVAL (ACCEPTANCE):

CORRESPONDENCE:

ACCEPTANCE OF MINUTES & AMMENDMENTS/CORRECTIONS TO MINUTES (IF ANY)

MOTION made by **Commissioner Joe Lanier** and seconded by **Commissioner Ethan Stewart** to approve the 11/22/22 minutes with a few minor corrections on page 4 and page 5. All in favor voted **4-0**.

OTHER BUSINESS:

ENFORCEMENT OFFICER:

Chairman Sue P. Gibbons asked the Enforcement Officer Herde to give us a briefing on the bridge located at 441 Oxford Road.

Enf. Officer stated: The Oxford House property is wrapping up their septic system repair and there were a couple of delays along the way and in the process of me doing my inspections on the property I noticed that they have a bridge that is in disrepair. Probably not far from falling in the river. I did ask the owner to come in with an application or some sort of a remedy a couple of months ago and nothing happened. I issued a notice of violation as I found no permits at all for it and therefore, I don't know the history of it is but judging by the materials that are used on the upper part of the bridge it is really not that old. It seems to have been repaired at some point but not maintained at all. It's going to fall in the river and is in a flood area that is really prone for that. It comes under "enforcement notice of violations" but I think that the commission is well aware that there are several bridges on this river and this property has 7 acres on one side and 1 or 2 acres on the other side of the river so access is viable. At this point the commission should be asking for the bridge to be removed, it is not a "grandfather clause." It should be taken care of for safety purposes and then maybe entertain and application to replace the bridge but with meeting all of the new FEMA requirements.

Mr. Alex Margoulis (Solli Engineering) is present and stated that he is representing 441 Oxford Road property stated: That is essentially our plan as Mike just discussed the bridge is pretty much falling over. There are 2 steel I beams holding it up. The property was surveyed but have not actually received it yet. Once we receive that, we will be implementing a plan to replace the bridge and obviously above flood elevation with the same location and generally the same size. We just want to have access to the other side here (pointing the map). There is a couple of buildings here as you can see and they need access for property maintenance and such. I google earthed it but it was hard to see it thru the trees. From what I saw, I think I can make the bridge like it was in 2004. This is from your GIS pointing to his map.

Commissioner Joe Lanier asked how soon will the old bridge be taken down?

Mr. Margoulis replied: As soon as we have approval to replace the bridge, we can get that process started pretty quickly.

Enf. Officer Herde added: You guys are not in danger of losing a grandfather clause, it is just a matter of getting rid of the safety hazard. We have no record of a permit.

Mr. Margoulis stated: If it would make the commission more comfortable, we would like to remove the bridge by hand.

The Chairman asked if Mr. Margoulis was confident the bridge could be brought up to FEMA regulations.

Mr. Margoulis stated: Yes.

Chairman Gibbons asked if we should entertain an application?

The Commission agreed.

Mr. Margoulis stated: I already have one filled out with a check for the minimum \$130.

MOTION made by Commissioner Brian Smith to amend the agenda to accept and application for 441 Oxford Road bridge repair with a paid minimum fee of \$130. Seconded by Ethan Stewart. All in favor, voted 4-0.

Chairman Gibbons stated: Technically this application is now received and at the next regular meeting in January it will be on the agenda as new business.

COMPLAINT/CONCERN:

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:

APPLICATIONS NOT REQUIRING OCCIWA APPROVAL & PERMIT APPROVALS:

MATTERS OF VIOLATIONS/LITIGATIONS:

48 Jacksons Cove Rd- Cease & Restore letter sent in December of 2020.

(IW 21-10) Cornerstone Assembly of God, Inc., 656 Oxford Rd, Oxford (Map 19, block 28, Lot 10,13,22) proposed use = New Church & parking, Total size of site 16 acres (Total acres of wetlands= 3.77 acres) (wetlands impact = 0 acres) (Upland review area impact = 78,780 sq. ft.) (amount of material removed= 2,455 c.y.) (Deposited= 5,055 c.y.) Summons received

December 13, 2022

NOTICE of Cease & Desist – 17 Fiddlehead Rd. (Clear cutting of trees and excavation performed without permits) (Certified letter sent 7/22/21) (Show just cause hearing on July 27th meeting)

Enf. Officer Herde stated: We are still waiting for a revised plan on this.

NOTICE of Cease & Restore – 40 Hunters Mountain Rd, Clear cutting in a regulated area. (Show cause hearing on Nov. 9, 2021) Updated map received and dated December 16th, 2021.

Discussion on timeline for Hunters Mt. Road.
A brief discussion on fines for Mr. Kimmer.

(Notice of violation- verbal) Mr. Brown, 35 Fiddlehead Rd, clearcutting in a regulated area.
A small discussion on proposed landscape plan and a timeline.


MATTERS OF CONSERVATION:

Discussion on Nature Conservancy Economics for open space.

ADJOURNMENT:

MOTION made by **Commissioner Joe Lanier** to adjourn at 8:24 p.m.
Seconded by **Commissioner Brian Smith**. All in favor, voted 4-0.

Respectfully Submitted,


Denise Randall
I/W Administrative Secretary

2022 FEB 23 P 3:45
TOWN OF OXFORD, CT
TOWN CLERK