



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, May 24, 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, May 24, 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, Ethan Stewart, Joe Lanier

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

**ABSENT:** Commissioner William Richter

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

**AMENDEMENT TO AGENDA:**

**MOTION** made by **Commissioner S. Purcella Gibbons** and seconded by **Commissioner E. Stewart** to accept two amendments to the agenda to include

- 1) (IW 14-104) Corbo Associates, Inc., 31 Fiddlehead, Lot 18, (Lakeside Estates) full performance/maintenance bond release for \$19,745. 2) Oxford Greens 3 Detention Ponds maintenance **All in favor 4-0.**

- 2) (IW 14-104) Corbo Associates, Inc., 31 Fiddlehead, Lot 18, (Lakeside Estates) full performance/maintenance bond release for \$19,745.

Chairman M. Herde stated: Mr. Ralph Corbo who represents the applicants of 31 Fiddlehead is asking for a release the rest of the bond which amounts to \$10,000 that was

kept in place for performance/maintenance as well as plantings. The work is now complete and per the Enforcement Officer Andy Ferrillo, and the purpose of the bond has been satisfied.

Chairman M. Herde asked the Commission if anyone disagreed.

**MOTION made by Commissioner E. Stewart and Seconded by Commissioner S. Purcella Gibbons to release the \$10,000 bond as the work has been completed and Inland Wetlands Enforcement Officer has confirmed the purpose of this bond have been satisfied. All in favor 4-0.**

**NEW BUSINESS:**

(IW 16-43, IW 16-44, IW 16-45) Oxford Greens Detention Pond Maintenance (3)

I.W.E. Officer A. Ferrillo introduced Mr. William Krisna who lives in the Oxford Greens and is Vice President of the Homeowners Association and we met up at the Oxford Greens last week to discuss the maintenance on the ponds. I met the contractor that will perform the work and they understand what needs to be done. They want to maintain them and they want to take care of them and they do not want a mess when they are done. I looked at the last pond that this contractor did and they did a very good job.

Chairman M. Herde asked: Ok, as a whole are you guys are developing a plan to come around all of these basins on a regular basis? Do you have them all on a list as the new ones come in line?

Mr. Krisna replied: I am the Board of directors for the Oxford Greens for Phases 1, 2 and 3. As you know there is going to be another Phase 4 East and so forth but I am only representing Phases 1, 2 and 3. From what I understand, this permit will be for 5 years. What we would like to do is clean out the worst of the 2 and 3 ponds this year and then recycle them every 2 or 3 years to have a scheduled cleaning. These are the only 3 we have.

Chairman M. Herde added: Or clean out them depending on how bad they get. That is what we hope in the long term that once you get a feel for it and then develop a plan where maybe it's every years or even every 6 years.

I.W.E. Officer A. Ferrillo stated: I think you understand and some of the residents up there understand that they seem to hate Cattails in the pond. If we pull everything out of there, you're not going to like the results.

Chairman M. Herde asked: I believe they are all wet bottoms up there?

I.W.E. Officer A. Ferrillo replied: Yes.

Chairman M. Herde added: Part of the plan of the wet bottoms is if there is an active eco system in there that's trapping some toxins off the road and that has to be understood and maybe you can put that in a newsletter or something.

Mr. Krisna stated: They are detention ponds although I have never seen enough water in any of the 3 ponds to really cause them to flow out, but they are detention ponds.

Chairman M. Herde stated: Yes, you might just have really good percolation and the key is to not over dig them to try and make them better. You really just have to stick with what the elevations are.

Mr. Krisna replied: Basically what we want to do is clean out the silt from the in-flow in the area around the outflow and clean out about 10 feet from the bank.

I.W.E. Officer A. Ferrillo added: And any woody structure on the slope.

Mr. Krisna stated: We are going to leave the vegetation because we don't want to disturb the integrity of the bank.

I.W.E. Officer A. Ferrillo agreed and stated: Yes, that you want to leave but when you gets a woody structure, its gets big and it's growing on the slope and you see the root ball then you have a bigger mess.

Chairman M. Herde agreed & stated: Yes, eventually you might have to do some brush cutting of all the larger material that comes around sooner or later.

I.W.E. Officer A. Ferrillo stated: If you're concerned about mosquitoes.

Mr. Krisna replied: We have mosquito dunks to be placed around.

Chairman M. Herde asked if the Commission is all set with this we can refer this back to the Enforcement Officer to handle.

**MOTION** made by **Commissioner S. Purcella Gibbons** to refer IW 16-43, IW 16-44 and IW 16-45 Oxford Greens Detention Pond Maintenance (3) back to the Inland Wetlands Enforcement Officer Andy Ferrillo to handle administratively. **Seconded by Commissioner E. Stewart.** All in favor **4-0.**

I.W.E. Officer A. Ferrillo stated: Please give me a call when you start which probably won't be in until the middle of June. Give me a call and I will meet him up there.

**(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)

Chairman M. Herde asked if the fee is paid for the engineering review.

I.W.E. Officer A. Ferrillo replied: The fee was paid but the applicant sent the check directly to our town engineer. I let Attorney Chris Smith (applicants Attorney) and Jim Galligan (Town Engineer) that that from now on, we would rather have the check written out to the "Town of Oxford" from the applicant and then the town of Oxford will write a check to the town engineer.

Chairman M. Herde agreed.

**Motion** made by Commissioner E. Stewart to approve (IW-16-27) TPA Design Group, Championship Drive, Oxford Greens, Phase 4 East. No direct impact on the wetlands. **Seconded** by Commissioner S. Purcella Gibbons. Commission voted all in favor **4-0**.

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

Ms. Duncan passed out a map with a planting plan and explained what she would be doing.

Ms. Duncan stated: I can't yet put in the stakes because it's like quick sand. We will close the valve and the water will go down and settle.

Chairman M. Herde asked: So what your saying is during the excavation you will be closing the valve for a period of time?

Ms. Duncan replied: Yes and pointed out the area on the map.

Commissioner E. Stewart asked: So now you're going on the other side of the stream now?

Ms. Duncan replied: Yes, we have to in order to get the weed out otherwise its pointless.

I.W.E. Officer A. Ferrillo asked: He can get his machine down into that pond far enough to get the reach?

Ms. Duncan replied: He says he has mats and some kind of a dozer.

Chairman M. Herde asked: Ok. Time frame? Are we waiting for dry time?

Ms. Duncan stated: I'm going back to Minnesota in 2 weeks and my contractor said either June or July he would start?

Chairman M. Herde asked the Commission if everyone was ok with her going beyond the brook.

Commissioner E. Stewart asked: Are we increasing the amount of yardage now?

Ms. Duncan replied: No, that was the original amount.

Chairman M. Herde asked: Where is the yardage going?

Ms. Duncan replied: The same place (pointing out the area on the map) you said it would be alright.

Chairman M. Herde stated: As long as its not big stock piles.

Ms. Duncan replied: Ok. I would like a small stock pile for me to use.

Chairman M. Herde stated: I'm worried that you have a 1000 yards here with no place to put it.

Ms. Duncan replied: The contractor is going to take some.

Commissioner J. Lanier added: If it's dry. If it's wet, he can't travel with it. And if it's no wet to stake and you're sinking when you're walking then it's not going to be any dryer when he goes up there to dig.

Ms. Duncan replied: No, that's going up here (pointing to the map area).

Commissioner J. Lanier stated: But we want you to put stakes here so that we know that you don't go on certain points and you say you can't even walk on it.

Ms. Duncan explained the areas on the map.

Commissioner J. Lanier stated: The new area that you just pointed out is really wet so you're increasing the amount of material from what we had before. It seems to be about 30% more just based on your quick sketch here.

I.W.E. Officer A. Ferrillo stated: If you just want to get the plant material than you don't have dig so deep, maybe 8 to 10 inches.

Chairman M. Herde added: Well you want to get deep enough so that it doesn't grow back because it's going to depth the water over it later, I definitely see the point.

I.W.E. Officer A. Ferrillo asked: If they are going to put stock piles up there do you think they can get piles in that without exceeding 20 feet in height?

Chairman M. Herde stated: My whole issue is where are they going and when because I just don't want them there for 5 years and then dribbling down back into the brook. Going down the driveway, trickling down around the corner, I just don't see the material going out.

Ms. Duncan stated: He said he would take the material when it dries.

Commissioner S. Purcella Gibbons asked: So is it going to be done in 2 stages? Stock pile it and let it drip dry?

Ms. Duncan stated: I want a pile of stuff for myself.

Chairman M. Herde replied: Well you're talking about a couple hundred yards. We are looking at your going to have well over 1,000 yards going out 16 yards in a truck takes a long time.

I.W.E. Officer A. Ferrillo stated: This raises another issue related to Zoning because if your going to put a large number of trucks on that road carrying stuff your going to have to get their approval too.

Ms. Duncan replied: right.

Ms. Duncan stated: Why don't we just like it was in the beginning when we said use your brain on what the site will hold.

Chairman M. Herde replied: Right but my gut feeling is that the site is only going to hold a few hundred yards and after that you're really starting to stock pile it high. My only worry is if they don't go away how do we get them to go away and with long term stabilization. We can't take a shot it here and hope it goes away.

Commissioner J. Lanier asked: I thought if it was over 5000 sq. ft. then it couldn't be done?

Chairman M. Herde replied: That's up to her.

I.W.E. A. Ferrillo added: We can't contingent our permit on that. If someone shows up from the Army Corp of Engineers or D.E.E.P. then she is going to have to deal with that.

Ms. Duncan stated: I'm happy to say this that the cement, the dam came out spectacular. It's a solid dam and everything was re-barred and structured really well. I was pleased.

Chairman M. Herde stated: That had to cost a lot.

Ms. Duncan stated: It did. What happened are you guys told me I couldn't do this so I went back and changed my plan and went ahead and did the dam work. Then you told me I couldn't use a machine to get the stuff out from here (pointing). Now all of the sudden I have to use the big guy. You guys are whacking my pocket book huge, huge. I can go back and get my friend with the backhoe, the little bobcat and get out, what I can get out.

Commissioner E. Stewart stated: We don't want you doing that and then trying to get in further.

I.W.E. Officer A. Ferrillo added: No let the big guy do it.

**MOTION** made by **Commissioner S. Purcella Gibbons** and seconded by **Commissioner J. Lanier** to approve (IW 16-29) (106 Great Hill Road) Discussion on planting plan on Pond and pond clean out with the following conditions: 1) Stake area before starting and start date should be after June 15, 2016. 2) Call the Wetlands Enforcement Officer 5 days before starting. 3) If any material is stock piled on the site, it is to have absolute stabilization and leave the site as soon as possible. 4) Material should be dry before leaving the site and not to be long term. 5) Applicant can safely store two hundred yards for own use. 6) Commission prefers material to leave the site before the winter and if for some reason it is not gone, there should be stabilization as well as consultation from the Enforcement Officer at least by the fall. 7) No later than September 15<sup>th</sup> a meeting should be set with the Enforcement Officer to re-visit the site for inspection. All in favor 4-0.

#### **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)** serious erosion into the Town of Beacon Falls Wetlands Officer and First Selectman notified by letter on 6/15/15.

I.W.E. Officer A. Ferrillo stated: I met with Mr. Wilcos and Mr. Teodosio (Applicants Father) 2 weeks ago and gave them the reports from the town engineer and

the Southwest Conservation report on what suggestions these professionals had and made sure we are all on the same page on what has to be accomplished. Zoning is also aware of the reports and are also in agreement.

Chairman M. Herde stated: I think at this point we have come up with a suggestion from our engineer and now we need you to come up with something in writing stating this is what you're going to do. Whether you put this in your own words or whatever but we definitely need something in writing to remedy this. That's basically where we are at. We just want this fixed.

Mr. Wilcox asked: My question is would be should we do this per our interpretation what has been given to us.

Chairman M. Herde replied: Yes, the Town Engineer has put this in writing.

Mrs. Wilcox added: When we went to Zoning last week, they lifted the Cease & Desist and we are working closely with Mr. Macary (Zoning Enforcement Officer) at this time.

Chairman M. Herde stated: Ok. I think I would like to see a document from you, not with Nafis & Young letter head and then we can vote on it and give you an actual permit. Like I said you can plagiarize what is said here but it has to come from you.

Mr. & Mrs. Wilcox agreed and understood.

Secretary Denise Randall let them know when regular meetings in June are.

Mrs. Wilcox stated: We probably will come back on June 14<sup>th</sup> and handed over a signed permit application.

Chairman M. Herde asked about any expenses so far.

I.W.E. Officer A. Ferrillo Jr. stated: We have know expenses. Zoning will be billing you (the applicant) for any review costs.

Chairman M. Herde added: Ok, and our expenses will be included in that.

I.W.E. Officer A. Ferrillo Jr. stated: We will take the basic fee and I don't anticipate any other fees at this point.

Mrs. Wilcox paid the fee and asked if there was anything else needed at this point.

I.W.E. Officer A. Ferrillo replied: Not right now. We will be in touch.

3. (IW 13-93) Cocchiola (Riverview Subdivision) Bond reduction/removal.

I.W.E. Officer A. Ferrillo stated: It seems that the Cocchiola property is not ready and Joe Lanier walked the property.

Chairman M. Herde stated: It seems that at some point the Russian Olive will take over just like the hillside at Jacksons Cove.

I.W.E. Officer A. Ferrillo stated: If everyone can send an email on what they observe at the property and I will let Mike Horbal know. Mr. Cocchiola still has to grade that bottom half there and hydro-seed it.

Chairman M. Herde stated: I would like to take a look at Roman's report on this again and maybe George Logan's professional report as well. Maybe we can have it tested through our engineer's office.

I.W.E. Officer A. Ferrillo replied: I will talk to Jim Galligan on this.

Chairman M. Herde stated: Yes and maybe we can talk to Roman's (Southwest Conservation District) and ask them what is the quality of the soil there, how would they grade the soil?

Commissioner E. Stewart suggested: The UConn soil laboratory also does testing and they will tell you the USDA and the PH type and it will give you all this information. They can take samples not just from one area, from a bunch of areas.

The Commission agreed.

**EXECUTIVE SESSION:**

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

**CORRESPONDENCE:**

**OTHER BUSINESS:**

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

**ENFORCEMENT OFFICER:**

I.W.E. Officer A. Ferrillo passed out photos for the power plant keeping everyone up to date on the progress.



**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:**

- 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
		39 Jem Woods Road	
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**

Regular Meeting Min.  
May 24, 2016

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 Jern 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	C.O. Addition
3/16/2016	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	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

4/1/2016	Daniel Nemeth	86 Chestnut Tree Hill	Interior Alteration of Existing Garage w above
4/5/2016	Jennifer Artman	7 Jern Woods Rd	App for A/G Pool

Regular Meeting Min.  
May 24, 2016

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
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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:**

Secretary Denise Randall stated: There is a legal and administrative update DEEP class in Derby on June 28<sup>th</sup>, 2016 (Tuesday) which is the same day as our regular meeting.

**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 **4-0**.

Respectfully Submitted,



Denise Randall  
Administrative OCCIWA Secretary

16 JUN 15 AM 10:39  
TOWN OF OXFORD, CT  
*Robert A. West*  
TOWN CLERK