

March 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

Tuesday, March 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 Tuesday, March 25, 2014.

Meeting was called to order at 7:32 P.M. by Chairman Michael Herde

ATTENDANCE ROLL CALL: Chairman Michael Herde

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

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

ABSENT:

None

AUDIENCE OF CITIZENS (NOT FOR PENDING APPLICATIONS)

None

AMENDEMENTS TO AGENDA:

MOTION made by **Commissioner Bill Richter** to include 2 amendments to the agenda and **seconded** by **Commissioner T. Adamski**. All in favor **5-0**.

1. (IW 14-14) The Hurley Group (lots 5R & 8R Morse Road, 2 buildings)

2. Keystone Aviation –BL Companies –Present approved plan, construction to start in spring (already approved plan)

NEW BUSINESS:

OLD BUSINESS:

(IW 14-14) The Hurley Group (lots 5R & 8R Morse Road, 2 buildings)
Brian Baker – (Civil One Engineer) and introduced Mr. Tom Picagli (General Manager of Hurley Group) What you now have in front of you is the existing conditions map for Hurley Road and Morse Road which is a little over 10 acres, a wetland system is down in the Northwest corner and the property slopes from elevation 614 (Pointing toward to map) and the eastern property line in the lowest area is 570. There is a watercourse that runs the wetland area. Wetlands were flagged by David Lord. Field survey by Mike Reardon who did all the work. You may recall back in 2009 lot 5, lot 8, this lot came before you and was approved in 2009. They had a larger and little more impervious surface and a larger parking area to store trucks. They had a 10,000 gallon diesel fuel tank. We are a little smaller on the footprint. There are 2 separate buildings, one is 42,000 sq. ft and the other is 31,000 square feet. The truck traffic would come into Morse Road. There are no wetlands impact but activity in the buffer area. We did a drainage expansion with an impermeable berm and catch basins. Building B and Building A- have a rain garden treatment area and the water sewer coming off is a 2 year to 200 year storm. Overall lot coverage 37% and the parking area is 102,205 with a 17% decrease. There are less pollutants coming off roof areas. (Pointing to the map)

Commissioner T. Adamski asked: Where does the wetland drain too?

I.W.E. Officer A. Ferrillo replied: It drains to 8 mile Brook.

Mr. Baker stated that the \$90.00 check will be sent.

Chairman M. Herde asked if anyone had any other questions.

Commission T. Adamski suggested: I think we should have a biologist review.

The Commission agreed they would like to know the ecology of the property and the effects of the discharge.

Mr. Baker and Mr. Picagli exited the meeting and thanked the Commission.

Keystone Aviation –BL Companies –Present approved plan, construction to start in spring (already approved plan)

Ms. Kim Lesay stated: (Senior Project Manager for BL Company) I'm representing Keystone Aviation was present with Buddy Blackburn (Keystone Airport) I wanted to thank you for having us and I wanted to give you an update, this was a permit from 2007 that was previously approved with conditions and I have a copy of the conditions which I believe are in front of you and will do a quick run down of them. There were some concerns regarding the location of the dumpsters shown on the plan. There was a comment made about mitigation, mainly that there at least 3 to 1 mitigation and that there be lack of monitoring and oversight with the condition of them and reports coming to the Commission for 5 years on a regular basis. Concerns about storm water to have basically some inserts on the manholes right before the storm water basins and storage of flammables except what is exactly needed for the operations on site. There was a follow up meeting to present those plans and show those things were included. That was quite a while ago and we realize that things of have changed and we certainly didn't want to start construction and you would wonder what has happened so we do have some updates for you. Since 2007 when the permit was approved for State and Federal permits were sought, even the impact was below 5000 square feet. We have gone back and forth with the State with their concerns over secondary impacts. As a result there was a couple of extra special conditions put on at that level. Actually they are both associated species that are not known to the on site but are within about a half a mile away so there was some concerns and one is the American Kestrel and the Eastern Box Turtles in that area. As part of the effort we have actually done American Kestrel checks to make sure that none take up of residence within that construction area. As far as the Eastern Box Turtles, we will be working with Buddy and with the Contractor, whomever that may be, to make sure that the we inform the contractors to keep a look out for these turtles and the State requested that work not begin until April 1st to give them a chance to get out of hibernation and get out of that area.

Chairman M. Herde stated: Typically May around here is when you will start to see them come out.

Ms. Lesay replied: It's been a cold one. I don't disagree with you at all. So we will be working with Buddy on this and the contractors to keep the site in compliance. There is 2,553 sq. ft. of wetland impact proposed on this larger wetland system here (pointing to the map). The enhancements that were proposed included at first ripping up this old road bed and doing some planting in this area and restoring the area of wetland. That was a little bit over 3000 square feet and then as a result of additional mitigation, these are actually creation areas and these over here (pointing to map) total over 8000 square feet and we actually have a total of over 11,500 plus sq. ft. of either creation or enhancements going on as well as all the storm water measures that have been put in place. The 2 water quality basins that are in component with the 2004 storm water quality manual with an infiltration system in the parking lot and actually as a result of the Corp permit that are additional plantings now that are being proposed around the detention basin that was built as part of hanger G. I did bring a hand out for that, if your interested, showing the native species added to kind of give a little bit of natural habitat. Because of the issuance of the new general permit for storm water construction activities at D.E.E.P. and in February we have re-registered to keep in compliance with the monitoring with the done by the State. When you first saw this application the hangers looked like 2 big rectangles, I believe and has since been refigured but is still within the same footprint but with less impervious surface. So overall, we hope this is good news for everyone and I will no let Buddy take over.

Mr. Buddy Blackburn stated: I you know we have been trying to build this facility since 2007 and we have been in negotiations with the State of Connecticut for most of those 7 years and then recently changed the state airports to be a part of the CAA. We finish negotiations which gave us the rights for this property to rent the land from the CAA and only just signed our agreement in September of last year. We are trying to get construction underway and make sure we have all these things covered. We do not have a general contractor yet, we think we know who it will be. Our intent is to start as soon as possible, hopefully this year and have to go thru a bidding process. The demand, believe it or not, for corporate jets are very high.

Chairman M. Herde asked: Is there any specific timeframe for working in the wetlands? Do you have a herpetologist that is going to check with regards to breeding, especially the amphibians?

Ms. Lesay replied: Buddy and I have not have that conversation yet. We did have a little bit of a preliminary conversation tonight and I made some recommendations based on my experience as far as wetland mitigation site as far is making sure that is successful. I found that if we did a grading summer and early fall that would be an approach.

Chairman M. Herde added: Ok. So you're thinking of breaking ground past the spring time which is prime right now for breeding.

Ms. Lesay stated: Yes. As far as the turtles, we will be on board with the contractor to educate the contractor on what the Eastern Box Turtle looks like by placing pictures around the site and in the trailer and we will be working with them to make sure that these turtles are safe. As you well know they will utilize the wetland area but they are more of a terrestrial species so they could be kind of anywhere and we will be making sure they are out of harms way. I didn't know if you had any concerns about the impact area, this is a coarse wetland area and I don't foresee that this being a heavy utilized area but we will be working with them to guide them along the way.

Chairman M. Herde asked: You did bring up that there were some changes in the plan, is it the same plan that was approved already?

Ms. Lesay replied: I would actually have to check again. The footprint, if anything, is smaller and the impervious influx, I can give you numbers if that's what you want.

Chairman M. Herde replied: I'm not so worried about the numbers; I'm just worried that the town engineer is going to review a different plan. A different plan is a different plan.

Ms. Lesay asked: As far as the building review?

Chairman M. Herde replied: The drainage and everything.

Ms. Lesay stated: The drainage for the storm water systems have not changed. This engineer layout was done by a professional engineer, if there are any concerns about that, we could check on this.

Chairman M. Herde stated: I think it should touch base with the town engineer just to double check and make sure it's as close as possible.

I.W.E. Andy Ferrillo Jr. asked: Do we have your latest plans?

Mr. Blackburn added: I doubt that you have them.

Secretary Denise Randall asked if we can get copies.

Ms. Lesay replied: Of course.

I.W.E. Andy Ferrillo Jr. asked: Was there questions with regard to the overflow capacity should there be a spill or something there?

Chairman M. Herde added: I think on the original approval there was about containment systems and it had to do with the pitch of the pipes itself or the capacity which was a concern by the Commission I believe.

Commissioner S. Purcella Gibbons asked: Is that when they talked about a skimmer?

Chairman M. Herde replied: Yes, it was that, I believe.

Commissioner T. Adamski stated: It was underground containment.

Chairman M. Herde stated: Yes. Run that by the Town Engineer.

I.W.E. A. Ferrillo Jr. stated: Anything new, we will need a copy of that.

Ms. Lesay replied: Certainly

Chairman M. Herde stated: Ok. I don't have any other questions. We will wait for your plans.

Chairman M. Herde asked if anyone else had any other questions.

Commissioner T. Adamski asked Secretary Randall to pull all the previous minutes and conditions from 2007.

Secretary D. Randall replied: Sure.

Ms. Lesay and Mr. Blackburn thanked the Commission for their time and exited the meeting.

NEW APPLICATIONS REQUIRING OCCIWA APPROVAL (ACCEPTANCE)

None

CORRESPONDENCE:

None

OTHER BUSINESS:

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

MOTION made by **Commissioner S. Purcella Gibbons** to approve the regular meeting minutes for March 11, 2014.

Seconded by **Commissioner B. Richter**. **All in Favor 5-0**

ENFORCEMENT OFFICER:

Acting Enforcement Officer M. Herde stated: I took a ride up to Macton Company on Willenbrock Road and spoke with the owner regarding the metal and cutting oils in the in the parking area coming from the open dumpster. Here are some photos. The owner was very cooperative and agreed to clean it up and it didn't appear that any of it leaked into the detention pond but they are going to clean that oil/water separator out. Tom thought some of the oils might have been in the dumpsters when they delivered them.

Chairman M. Herde stated: They have to consider buying their own dumpsters.

Chairman M. Herde stated: I think we should pay a visit to the industrial sites before the big thunderstorms start.

I.W.E. Officer A. Ferrillo stated: We had a little problem up behind the greens but its not as bad as it looks, located down on Chestnut Tree Hill Rd, they cut a new detention pond. You might remember a couple of years ago that there was a detention pond with outflow and so now they cut another one right below it and when they got all that done, there came a substantial amount of water. So what you see down in the woods is not erosion, just a huge flow of water.

Chairman M. Herde added: Its just sheet flow while everything was still frozen.

I.W.E. Officer A. Ferrillo replied: Right. The man below is worried about his pond.

Chairman M. Herde asked: Have you been cruising by these subdivisions now with the snow melt to see the aftermath?

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

Commissioner B. Richter asked: Did you check Meadowbrook yet?

I.W.E. Officer A. Ferrillo Jr. replied: No, were are going up there tomorrow.

Chairman M. Herde stated: I would say to lean on them real heavily and to make sure it gets cleaned up before the first big thunderstorm. That would be for any of the open industrial sites as well as Meadowbrook.

Commissioner T. Adamski stated: You know what else we need to look at is, to clean up the top soil at the high school and if the silt fence held up.

Chairman M. Herde stated: Don't be afraid to spend a lot of time out in the field and go to all the sites, everything that is open.

I.W.E. Officer A. Ferrillo Jr. replied: Ok.

Chairman M. Herde asked: How is the gravel pit and Haynes?

I.W.E. Officer A. Ferrillo Jr. replied: There is a meeting scheduled for next week on the conceptual plan. It will be probably next Monday.

Chairman M. Herde asked: Have they started prepping the pad yet?

I.W.E. Officer A. Ferrillo replied: They haven't done anything yet.

Chairman M. Herde replied: They haven't, ok. I know they moved out the landscaping business. The mason yard is moving out.

I.W.E. Officer A. Ferrillo added: They still don't have a conceptual plan ready yet, so we don't know what is going on yet.

Chairman M. Herde stated: Ok.

I.W.E. Officer A. Ferrillo stated: (Passing out a copy of permits) We have several acquired Aquatic Permits here for Lake Zoar and Volpe's Pond on Scott Road.

Commissioner T. Adamski added: You will also see Nichols Pond soon as I haven't gotten around to it just yet.

Commissioner S. Purcella Gibbons asked: Chemical treatments?

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

I.W.E. Officer A. Ferrillo stated: Dr. D'Souza says he will be getting started with his building on Route 67 project and will start with one building, which he will start with the largest one.

Commissioner T. Adamski asked about 10 Park Road.

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I.W.E. Officer A. Ferrillo stated: Mr. D'Amico and Ms. Tkacz could not attend the meeting tonight but plan on coming to the next regular meeting on April 8.

COMPLAINT/CONCERN:

None

APPLICATIONS NOT REQUIRING OCCIWA APPROVAL:

DATE	NAME	ADDRESS	NON- PERMIT REASON
10/7/2013	Paul Duh Brett	16 Sheldon Drive	roof renovations -partial Basement
10/15/2013	Renee&Jackson Colonial Pet	62 Chestnut Tree Hill Rd.	In-law apartment 1700'
10/17/2013	Cremation 66 Hawley Road,	315 Riggs Street	Pet Crematory
10/21/2013	LLC	66 Hawley Rd.	Demo Satellite Dish
10/24/2013	Lou Coppola	44 Pisgah Rd.	Remodel Bsmt
10/28/2013	Donna Masi	47 Newgate Rd.	Partial Finished Bsmt
10/28/2013	Heather Haney	579 Chestnut Tree Hill Rd.	Cottage Business -Xmas Stuff
11/4/2013	Ordinem Ecentric Cortores	7 Fox Hollow	Brewery
11/4/2013	Champion Windows	42 Bowers Hill Rd.	Enclose existing Screen Room
11/5/2013	Margaret Thomas	571 Inverness Ct.	3-Season Porch
11/18/2013	Mark I. Hinnau	15 Wychwood Lane	Finish Two Attic Spaces and covered porch
11/19/2013	Margaret Thomas	571 Inverness Ct.	Recreation room
12/2/2013	Tyler Tucker	76 Bowers Hill Rd.	Renovations
12/5/2013	Ken Hogan Const. ION	471 Roosevelt Dr.	(Interior)
12/9/2013	Bank	71 Oxford Rd.	Screen Porch/mud room
12/9/2013	John Arnone	42 Highland Rd.	Interior work
12/11/2013	Joe Jackson Brennans Shebeen	108 Country Club	Remodel existing bathroom
12/16/2013	III	441 Oxford Rd.	Kitchen & Bath remodeling
12/18/2013	Margaret Thomas	571 Inverness Ct.	Use Permit Tenant Fit up
1/8/2014	Best Wise Assoc George Transport,	441 Oxford Rd.	Co for rec room
1/9/2014	LLC	766 Oxford Rd.	Professional Office
1/13/2014	Chris Kelly	347 Niblick Lane	Cottage Biz
1/16/2014	Enterprise BUI, LLC	7 Fox Hollow	Finish bsmt
			Mezzanine

MATTERS OF VIOLATIONS/LITIGATIONS:

1. Notice of Cease & Restore – (88 Perkins Rd) Debris and garbage on property.
2. Notice of violation – (543 Roosevelt Drive), wall constructed in a flood zone without a permit.
3. IW 13-47) Garden Homes, Hurley Road (Permit approved, pending litigation)
4. (IW 13-93) Cocchiola Paving - Riverview Subdivision, (Permit denied, pending litigation)
(return of record was completed and presented in court on April 2, 2014)

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

OTHER ITEMS OF CONCERN:

Commissioner S. Purcella Gibbons: The town wide clean up forms have been given to all schools in Oxford. A mass email went out to everyone and this was ok'd by the Board of Education. Publications went on Oxford Patch, The Voices, Facebook and the Wetlands blog.

Secretary Denise Randall added: Also the football team will be doing their major clean up on April 15th and I have received calls from 2 different girl scout troops. I also went around to the local retail places to hang up the pledge form. Pledge forms are available in the library and the Inland Wetlands Department.

Commissioner T. Adamski asked: Can the schools do some sort of announcement?

Commissioner S. Purcella Gibbons stated: That is a good question. Let me see if I can find out about that.

Commissioner T. Adamski asked: If we can possibly get it up on the T.V. display at Oxford High School.

Commissioner S. Purcella Gibbons replied: Yes. Good. Maybe the impact only last one month but it still looks better in April than if we did nothing. I think it impacts the younger kids.

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Commissioner S. Purcella Gibbons stated: We also have to remind Helen at Public works about the last 2 Saturdays in April and contact Joe Raspberry to place a pledge form on the town website.

COMMENTS FROM THE CHAIRMAN & OTHER COMMISSION MEMBERS
OTHER:

- 1) **Oxford Oak, LLC 360 Oxford Road** (Lot 39) (Stabilization of site).
- 2) Open Space Inventory Map. Completed by New England Geosystems
- 3) **NOV WR SW 06 007 (Issued 4/10/06) CT DEP Meadow Brook Estates, Great Hill Road** (Remove Sediment from Pond & Stream) (Letter dated 9/27/06) (Memo dated 8/4/06). Work completed, staff to monitor site for 1 year.
- 4) Town of Oxford Catch Basins (Silt Removal).
- 5) Storm Drain Marker Program (Phase II).

MATTERS OF CONSERVATION:

Commissioner T. Adamski stated: We are trying to use \$9500 go after the Barberry in town which is contusive to Lyme Disease. Jeff Ward who is the Department of Forestry and Horticultural does recommend this.

ADJOURNMENT:

MOTION made by **Commissioner S. Purcella Gibbons** to adjourn at 8:27 p.m.
Seconded by Commissioner B. Richter. All in Favor **5-0.**

Respectfully Submitted,



Denise Randall
Administrative OCCIWA Secretary

14 APR 11 PM 3:51
TOWN OF OXFORD, CT
TOWN CLERK
Cheryl A. West