



January 8, 2013

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, January 8, 2013

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, January 8, 2013

Meeting was called to order at 7:31 P.M. by Chairman M. Herde

ATTENDANCE ROLL CALL: Acting Chairman S. Purcella Gibbons

COMMISSIONERS PRESENT: Tom Adamski, Ethan Stewart & I/W Enforcement Officer A. Ferrillo Jr., and Denise Randall Secretary.

ABSENT:

Chairman M. Herde and Commission B. Richter

AMENDMENTS TO AGENDA:

Motion made by Commissioner T. Adamski to move to discuss amendment to agenda (annual budget discussion at the end).

Seconded by Commissioner E. Stewart. All in favor 3-0

OLD BUSINESS:

IW 12-115 (Belmar Farms) 108-120 Oxford Road. (3 Commercial Buildings)

Keith Buda –Licensed Professional Engineering (Pereira Engineering) stated his name and let the Commission know he wanted to briefly discussing an alternate site plan that was prepared for the last meeting back in September of 2012. The difference is on this plan is a slightly larger medical building. Therefore increasing the size of the building shifted closer to the wetlands. To be consistent with the application that was approved in 2008, we are maintaining that 50 foot buffer. Mr. Buda then pointed out the areas and footprints of the 3 commercial buildings on the revised site plan.

January 8, 2013

Mr. Buda explained since the last meeting in November, the Town Engineer has completed his review and offered a number of comments. Since then we have addressed all of these comments. They submitted a letter indicating that all of their previous comments have been addressed and did not have any additional concerns. Two additional concerns that were brought up by the Commission at the last meeting are to have us provide a notation on the site plan regarding the storage of hazardous materials. We did add an additional note to our site plans regarding the hazardous materials on site. The second additional comment is the possibility of incorporating ultra –urban filters (smart sponge) in the catch basins. We discussed this option with Alan Young (Town Engineer) who was not a real fan of this and had concerns with the maintenance of filters, as they can clog very easily, when they do get maintained, how would they get washed out? In other words, where would this occur, on site? Mr. Alan Young suggested that the treatment plan we had in place, which is the use of 2 hydro-dynamic separators before each detention system. He feels as though they have proven results and are designed to remove the total suspended solids and these particular units can remove over 80% T.S.S. and also rated to remove over 95% of oil and hydro carbons.

Mr. Young and I discussed the filters and Mr. Young did not like the idea of the filters and he felt as though the hydro-dynamic separators in conjunction with the deep catch basin sumps and the hooded outlets were an adequate treatment plan with regards to treating the storm water run-off.

Mr. Buda then stated: at this time I would like to take any questions the Commission might have. Otherwise I will turn it over to Megan Raymond.

Megan Raymond (Senior Ecologist with William-Kenney Assoc) stated: The mitigation planting plan we reviewed from the last meeting has had one revision which is instead of are primary wetland corner on the side the pond and adjoining outlet watercourse (pointed out on map) and previously it was to be mowed lawns down to the ponds edge and to keep it maintained as a meadow with a few flowers and shrubs. In response to some comments we received from the Commission, instead of a meadow within the 25 foot to the ponds edge we are proposing to create a woodland habitat in this location. What we have done is augmented the planting plans including a number of Saplings, Sugar Maples, American Elm and so forth in order to create a woodland habitat within a 25 foot area. And in addition to that the demarcation wall will offset just east of the medical building and these features will prevent a barrier to intrusion into the pond. There will be no mowing proposed within a 25 feet of the ponds edge and this area will be allowed to naturalize. The only maintenance will be removal of invasives until the area can be established. I will be happy to answer any questions.

Commissioner T. Adamski asked: The mowing has been eliminated entirely?

Megan Raymond replied: There will be no mowing within the 25 feet of the ponds edge. The meadow beyond the 25 feet, we are proposing to mow once annually. The natural area adjacent to the pond (25 foot zone) will discourage geese and avoid the use of chemical fertilizers close to the pond.

Commissioner T. Adamski stated: The only other thing I have a concern with is the recommendation from Alan Young to eliminate any absorbents of hydro-carbons and we have not had a chance to discuss that.

Mr. Keith Buda replied: Well it is not eliminated entirely. What we had discussed is including the filters in the catch basins. We are utilizing hydro-dynamic separators treatment chambers that are designed to remove those free oils, hydro-carbons, sediments. The town engineer had a concern that the only time those filters are cleaned is when they are clogged and not functioning. You can have a maintenance schedule in place that

January 8, 2013

says every so often. With regard to those chambers, it's easy, you have a manhole cover, a truck pulls up, pumps everything out, hauls it away and its gone. The concern would then be, how do these outlets get cleaned, is someone washing them out on the site? What he is saying is, this is all self-contained within these units. There designed to remove the oil but to trap it and keep it there, so it is all contained and the truck come out, pumps it all and its done.

Commissioner E. Stewart asked: Is there a set maintenance schedule for those?

Mr. Keith Buda replied: Yes, there is.

Commissioner T. Adamski stated: Sounds like we need to do more of a study on this.

Acting Chairman S. Purcella Gibbons asked Commissioner T. Adamski: What is it that your concerned about?

Commissioner T. Adamski replied: I'm just concerned about the actual removal of petroleum products. I have seen a lot of question as to how much it actually does remove. I believe that this was Commissioner M. Herde's concern as well.

Mr. Keith Buda replied: This particular unit we are looking to utilize, the storm sepor, they have data that indicates over 80% TSS removal and over 95% oil removal rates.

Commissioner T. Adamski asked: What about emulsified oils?

Mr. Keith Buda replied to Commissioner T. Adamski and asked: Emulsified? What does that indicate on there?

Commissioner T. Adamski replied: It really doesn't show that type.

Mr. Keith Buda replied: So free floating oils or oils that have attached itself to sediment, right, sand particles and such will settle out. The free floating is going to separate itself from the water column and rise to the top and get trapped into the chamber. There is detailed information about this on the second page of the report.

Commissioner T. Adamski stated: I know that Mike H. was also concerned about this.

I.W.E. Officer A. Ferrillo asked: Would it be an issue if the project was approved with the condition that after a discussion with the Town Engineer, the Commission may require you to put these ultra-urban catch basin inserts on? Do you have a problem with that? This is the first I have heard this from Nafis and Young and we weren't aware that they had opposed use of these filters.

Mr. Keith Buda replied: I understand Mr. Young (Town Engineer) is out of town and we did tried to reach him today actually. We would have like to have come to the meeting with something in writing that says it's a conversation that one of our staff engineers had when we were going through the comments that he had produced and indicated to him we were going to be adding the ultra-urban catch basin inserts and that is when he indicated he was not in favor of this for the reasons I mentioned earlier.

January 8, 2013

I.W.E. Officer A. Ferrillo stated and asked: If we want them, we can make them a condition of approval that they will be inserted, would you have an issue with that?

Mr. Keith Buda replied: No, I do not, again we were going to add them and Mr. Young said he did not want them.

Commissioner T. Adamski stated: I would just like to hear his particular reasoning as to why and is it the ultra-urban system opposed to smart sponge system? Is it this particular manufacturer he has issues with? It would be nice to have the option on approving it.

I.W.E. Officer A. Ferrillo stated: We can put into the approval that smart sponges may be required after further discussion with the Town Engineer.

Commissioner T. Adamski replied: This would be fine with me.

Mr. Keith Buda asked: A catch basin insert?

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

Motion made by **Commissioner Tom Adamski** to approve IW-12-115 (Belmar Farms) 108-120 Oxford Rd with conditions. Conditions are as follows: to have a maintenance schedule in place to remove invasive species in the upland review area and also a maintenance schedule to clean catch basins/ vortechnic units, and the inclusion of smart sponge technology if required by the Commission.

Seconded by Commissioner Ethan Stewart. Commission voted all in favor 3-0.

NEW BUSINESS:

I.W.E. Officer A. Ferrillo stated: Mr. Sciuto and his contractor Marcel Breton (Excavator) is here under audience of citizens so the Commission review proposed work being performed at 142 Great Hill Rd. for a minor re-grade.

Mr. Sciuto (property owner of 142 Great Hill Rd.) and Mr. Breton (Contractor) came in with a survey and photos of Mr. Sciuto's property and the grading of the back side of the land. The 100' foot setback takes us right to the house. The area on the property goes straight up and we are looking to fill in. Fox Drive is the main road on the Seymour side (pointing out on the map). The home has a bilco door which is far out of the ground and this is an area we want to grade up.

The Z.E.O. briefly commented on Zoning requirements that would be needed.

I.W.E. Officer A. Ferrillo stated: The one thing with the grading, you would have to stay below the road elevations.

Mr. Breton replied: Yes, we want to raise it up and make it usable. This is where the watercourse is that comes down from the mountain which is behind is berm, (pointing to the area on the map). The berm will not be touched, where it drops down, so when we bring the grade up, we want to grade the

January 8, 2013

other area to blend it in. We understand that, years ago, the home next door owned this area with a restaurant and used the area for parking, so it was dug all out and pushed it all back and there was stairs used for to get from the parking area to the restaurant. We are looking to go into the setback 50 feet instead of 100 feet from the wetlands.

The Commission reviewed the photos and the survey map.

Commissioner T. Adamski asked: The limit of activity would be 50 feet?

I.W.E. Officer A. Ferrillo stated: Your siltation control would go at the 50 foot line and you would not do any grading beyond that.

Mr. Sciuto and Mr. Breton replied: Yes, that is correct. I was curious to see is with the way this mound is, can we go 40 feet off of the mound as the wetlands is behind the mound.

Commissioner T. Adamski asked: With fill or excavation?

Mr. Breton replied: Excavation, and just trying to level things out. Even at 40 feet we will never get to the crest of this slope, we still are a good distance away from it.

Commissioner T. Adamski asked: I wonder if there is any danger of impacting the wetland by increasing the flow out of it, by excavating on that side of the berm?

I.W.E. Officer replied: It flows away from the house. It comes off the hill back here (pointing out on the survey). You're not cutting into the flow, just raising the dirt up to that.

Mr. Breton replied: Exactly, we just want to go 40 feet instead of 50 feet.

Commissioner T. Adamski asked: We don't yet have an application right?

I.W.E. Officer A. Ferrillo replied: We have an application but it won't be finalized until the Commission approves it or it's referred back to me. What the Commission is saying these drawings are fine and explained but you will have to come back with a final plan showing your soil and erosion controls at the limit of activity.

Mr. Breton asked: What we would like to know is do we show it at 40 feet?

Commissioner T. Adamski replied: I don't see any issue with the 40 feet. I would be more concerned if you were excavating.

I.W.E. Officer A. Ferrillo stated: The access way for equipment should be shown on the survey as well and should not be near the wetland.

Mr. Breton replied: Oh, no no.

January 8, 2013

Mr. Breton replied: We are going bring in top soil and stock pile it.

I.W.E. Officer A. Ferrillo also stated: The silt fence has to go in before you do anything.

Mr. Breton asked: Do we put the silt fence at 50 feet on the easterly line and 40 foot line?

I.W.E. Officer A. Ferrillo replied: The limit of activity (and pointed out on the survey where to put the silt fence) should be at the 50 foot on the Easterly side and 40 foot below the mound.

Commission members can then go out and see the limit of activity. You can you have them prepare a final map and come in at the next meeting and put your silt fence in and mark it, siltation and erosion and limit of activity. The next meeting is on 1/22/2013 and you can get the maps in before the next meeting. You will need 2 signed and sealed maps and also indicate where your driveway is and access way.

NEW APPLICATIONS REQUIRING OCCIWA APPROVAL (ACCEPTANCE)

None

OTHER BUSINESS:

None

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

Motion made by **Commissioner Tom Adamski** to approve the regular meeting minutes for December 11, 2012 with the following corrections: page 4 the name of Mr. Chris Martin should replace Mr. Christ Martin.

Seconded by Commissioner Ethan Stewart. All in Favor 3-0

ENFORCEMENT OFFICER:

Acting Chairman S. Purcella Gibbons asked about the Rockhouse Hill letter to the Selectman regarding the harvesting of the wood there and the Commission agreed to wait until Chairman M. Herde will be able to review it.

It was agreed by the Commission to table this and further discuss at the next meeting.

Acting Chairman S. Purcella Gibbons asked about the Coachiola (Route 34) progress with regard to the fax just received about the undermining of the brook.

January 8, 2013

I.W.E. Officer A. Ferrillo replied: Yes, the fax was received yesterday from Mr. Mike Horbal Land Surveyor. I did review with Mr. Horbal at the site and his plan is to fix A.S.A.P. A safety fence is up at the top of the bank to keep people away from the edge of the bank. The fax states that the contractor has shut down work on the site until Spring. Corrective measures would be to stabilize the bank with large stone and rip rap and possibly plant trees at the top of the slope. Also to remove any trees which have become de-stabilized.

Acting Chairman S. Purcella Gibbons states: The only other thing that I think could work are those coconut logs/rolls which are laid down and the sediment gets caught in them and once the sediment starts getting caught then you can plant things in them and then back fill.

Both I.W.E. Officer A. Ferrillo and Commissioner T. Adamski agreed the problem is that there is a lot of water and the brook can rage through that area.

Acting Chairman S. Purcella Gibbons replied: Towards the end is a very quiet area as it trickles down.

Commissioner T. Adamski stated: Near the bridge, it can get pretty violent.

Acting Chairman S. Purcella Gibbons suggested: I honestly think these coconut log/rolls; you put stakes in them to hold them in place until they can start growing. You put them right next to the brook and then you back fill and growth will then start to happen when things get caught in them and it will then grow naturally. It almost creates sort of a new boundary.

I.W.E. Officer A. Ferrillo replied: I don't know that it would work considering the high velocity of water at that point.

Acting Chairman S. Purcella Gibbons explained: I have seen them used on brooks with a curve to prevent erosion. I understand this is already eroding.

Commissioner T. Adamski added: And it is really steep too.

I.W.E. Officer A. Ferrillo replied: It's a problem and eventually the water will be up to the house.

Acting Chairman S. Purcella Gibbons stated: Yes.

I.W.E. Officer A. Ferrillo stated: There was a little bit of erosion up at the Oxford High School. They are already working on it and come Spring time it will be filled in and seeded.

Commissioner T. Adamski: Now did Nafis and Young (Town Engineer) have Crown Vetch planted on the slope around the pond. All I saw was grass.

I.W.E. Officer A. Ferrillo asked Commissioner Adamski: Would planting Crown Vetch be helpful?

Commissioner T. Adamski replied and asked: Well it does hold soil well and has extremely deep roots but I'm concerned that it could be invasive because it does seem to travel. Can you ask the Town Engineer?

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

Acting Chairman S. Purcella Gibbons asked: Has there been an update on the Crozier property.

I.W.E. Officer A. Ferrillo replied: I spoke with Mr. D'Amico and he is still working on the survey and I have not heard from either of them on this. We can put pressure on him by having Donna Seresin from D.E.E.P. send a letter or even come down here.

Acting Chairman S. Purcella Gibbons agreed and said: I think we need to put pressure on him. What is new with Samuelson?

I.W.E. Officer A. Ferrillo replied: Mr. D'Amico is working on a map for him and as soon as we receive them, we can send them to the Town Engineer for review on the elevation change.

Acting Chairman S. Purcella Gibbons asked about the 2012-2013 budget.

I.W.E. Officer A. Ferrillo replied: I spoke with Commissioner T. Adamski and it will stay pretty much the same but the trail maintenance will probably be raised.

Acting Chairman S. Purcella Gibbons asked about the mapping and office supplies.

I.W.E. Officer A. Ferrillo asked the Commission if they saw a need to go up on mapping line item?

The Commission agreed on it being ok as the new maps were just done and received. A continued brief discussion on the rest of the budget and all agreed no other changes.

COMPLAINT/CONCERN:

APPLICATIONS NOT REQUIRING OCCIWA APPROVAL:

MATTERS OF VIOLATIONS/LITIGATIONS:

1. Michael Ligi -501 Roosevelt (Town Engineered report dated 9-12-2011
Commission requested the Enforcement Officer to contact Mr. Ligi regarding the current status of the wall constructed without a permit.
2. Notice of Violation Cease and Restore Order – Susan Kupec-Jutcawitz Randall
Drive Detention Pond Collapsed (Pending repair) Wetlands and zoning both approved removal of outlet construction and retaining wall. Not yet completed.
3. Notice of Violation Cease & Desist--- Mr. Ralph Crozier & Ms. V. Tkacz-(10 Park Rd.)
Certified Letter sent on 7/5/12 by I/W and Letter sent by P&Z on 10/1/12. Letter received.

January 8, 2013

4. Notice of Violation Cease & Desist ---Mr. Frank H. & Robert Samuelson (Under the Rock Park) on Roosevelt Drive

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 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).
- 4) Town of Oxford Catch Basins (Silt Removal).
- 5) Storm Drain Marker Program (Phase II).
- 6) Meadowbrook Estates Detention Pond/Harrison-Byk
Area to be monitored by Nafis and Young staff for period of 1 year to determine if pond
constructed is sufficient.

MATTERS OF CONSERVATION:
None

ADJOURNMENT :

MOTION to adjourn by **Commissioner T. Adamski** and seconded by **Commissioner E. Stewart**
to adjourn the meeting at 8:39 pm. Voted 3-0

Respectfully Submitted,

Denise Randall
OCCIWA- Secretary

13 JAN 18 PM 4:15
TOWN OF OXFORD, CT
Margaret A. West
TOWN CLERK