

April 23, 2013



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, April 23, 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, April 23, 2013.

**Meeting was called to order at 7:35 P.M. by Chairman M. Herde**

**ATTENDANCE ROLL CALL:** Chairman Michael Herde

**COMMISSIONERS PRESENT:** Tom Adamski, Ethan Stewart, S. Purcella Gibbons  
Also present: I/W Enforcement Officer A. Ferrillo Jr., and Denise Randall Administrative Secretary.

**ABSENT:**  
Commissioner B. Richter

**AUDIENCE OF CITIZENS (NOT FOR PENDING APPLICATIONS)**  
None

**AMENDMENTS TO AGENDA:**  
None

**OLD BUSINESS:**

1. **Executive Session** –Pending litigation with Land Use Counsel-  
Land Use Counsel is not present. Executive Session re-scheduled for next regular meeting on May 14, 2013.

**2. (IW 13-7) Glendale at Oxford, LLC- Christian St.**

I.W.E. Officer stated: We received a 3 page report and invoice from our Town Engineer reviewing the proposed Glendale at Oxford project on 4/15/13 which was emailed to their Attorney and Engineer. At this time, we are awaiting response from the applicant.

Chairman M. Herde asked: When a client pays those bills, is there a set procedure in place, a measure of checks and balances to make sure that they do get paid and also do we have a system that's the same for everyone?

I.W.E. Officer A. Ferrillo replied: The way it's usually done is the client would pay us and then we would pay the Town Engineer. This way was my intention but Glendale never returned my call from 2 weeks ago. I emailed the report and invoice and asked them to call me back to discuss the invoice and still have not heard from applicant.

Chairman M. Herde then stated: Ok, then before the next meeting on May 14, if this issue does not come up on it's own. I would suggest that correspondence would be in order, prior to the meeting asking what the status is, so that we could hear the next presentation from them and also keep them on the agenda. I believe that bill needs to remain with the property.

I.W.E. Officer A. Ferrillo added: Yes, we should also maybe inform Town Counsel and get his opinion on whether or not an extension of a 2003 approval fits within the parameters of the law. It does say any approvals issued between 2005- 2009 have to be extended. I'm not sure an extension qualifies.

Chairman M. Herde agreed

**3. (Coacchiola Paving -IW 13 6 ) -Riverview Subdivision -(Public Hearing, May 6, 2013)**

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

None

**NEW BUSINESS:**

None

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

None

**OTHER BUSINESS:**

None

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

**MOTION** made by Commissioner T. Adamski to approve the regular meeting minutes for April 9, 2013 with the following corrections: Page 2- third paragraph down- the word "submit" should read "submitted". Page 2- 4<sup>th</sup> paragraph Chairman M. Herde stated: "We do automatically check between them" should read: "The agencies do automatically check with each other". Page 3- Mr. Horbal stated: "We have previously submitted" should read: "We have submitted". Page 3- third paragraph- Mr. Horbal reply should read: start to repair on the wash outs and erosions located there. Page 4, fourth paragraph the word "detailed" should be "details" and the word "course" should be "watercourse" Delete the last sentence in that same paragraph. Sixth paragraph the word "right away" should read "right of way" Seventh paragraph should delete "and is poorly paved." Page 5- motion for public hearing is based on potential significant wetland impact and significant public interest. Page 6- the word "what" should read "that" and the 2 words "thing modified" should read "modification" and delete "the proper water which is". Page 7 – first paragraph the word "condition" should read "improvements" and paragraph 7 Chairman M. Herde's last questions should read: Is it a major increase overall? Page 8- delete the following: "and couldn't be right now" and "it's also so they don't have to come in one at a time with shed permits." Also add to second to last paragraph I.W.E. Officer A. Ferrillo – "No request for information regarding this project."

**Seconded** by Commissioner S. Purcella Gibbons

All in Favor 4-0

**ENFORCEMENT OFFICER:**

I.W.E. Officer A. Ferrillo stated: Here is a copy of the latest invoice from Attorney Olson regarding Garden Homes. This has been referred to the Selectman's legal line item to be paid.

I.W.E. Officer A. Ferrillo stated: We are still waiting for the revised maps from Mr. D'Amico for 10 Park Rd.

I.W.E. Officer A. Ferrillo stated: I received a call from a gentleman (Mr. Fernando Lage) who lives on Frances Drive in Seymour that Haynes Construction (Meadowbrook) were cutting down trees near his property line. (map shown to the Commission) They are starting the next phase and Tom Adamski and I went out there to see it and they definitely cut a few too many trees. They agreed and they are going to pull the limit of activity back and re-plant some trees. They didn't go into the wetlands but they did cut in the upland review area.

Commissioner T. Adamski stated: We have to really watch them on this because I have a feeling that they are going to try and landscape and I know I specifically said no landscape.

Chairman M. Herde stated: Ask for surveyor stakes where the original limit of activity was.

I.W.E. Officer replied: Unfortunately, it was approved awfully close.

Commissioner T. Adamski replied: To make matters worse, the limit of activity is a curly cue line.

I.W.E. Officer A. Ferrillo showed the new phase on the map to the Commission.

I.W.E. Officer A. Ferrillo explained that the Seymour property owners, located behind the hill where they are cutting trees, are upset as they were told nothing was going to be built on the hill.

Chairman M. Herde stated & asked: But it's within our new 100 foot setback and it's a variation from the original plan and we are already down to a 50 foot or less. Is this something we want to do?

Commissioner T. Adamski and I.W.E. Officer both agreed that it was a good point and said when it was approved it was 50 foot but the change is coming under the 100 foot.

I.W.E. Officer A. Ferrillo stated: I explained the Kathy Eckstrom that she has to submit an application and it will be up to the Commission whether or not they allow me to approve it or they want you to come in to explain. It's a minimal fee as there is no wetland impact.

Chairman M. Herde stated: Yes, relay the message that in general, even with all our setbacks that the Commission is going to hold them to the original maps and we will be inspecting the property.

**COMPLAINT/CONCERN:**

None

**APPLICATIONS NOT REQUIRING OCCIWA APPROVAL:**

4/1/2013	John Declaze	13 Rolling Hill Dr. 135 Meadowbrook Rd.	Bsmt Rec Room
4/1/2013	Mt. Road Estates	Rd.	C.O.-Res-A
4/3/2013	Charles Famularo	130 Chestnut Treet Hill Rd. 137 Coppermine Rd.	C.O.- Ext/Int Alteration
4/4/2013	Pietro Guerrera	Rd.	Enclosing a porch
4/4/2013	Sylvia Hynos Oxford	66 Old Country Rd.	Cottage Biz
4/4/2013	Oaks/D'Amico Woodbury Supply	360 Oxford Road	Fixing up Bldg and adding second floor
4/8/2013	Co	103 Willenbrock Rd.	Extend Showroom- No ext of foot.
4/11/2013	Lou Coppola WFS Properties, LLC	44 Pisgah Rd.	Remodel Bsmt.
4/18/2013	Pyramid Asset	91 Willenbrock Rd.	New Biz- Willa Radiology Systems
4/22/2013		297 Oxford Rd.	Use Permit -No change of use

April 23, 2013

Mgt.  
Donald & Beth  
4/23/2013 Hunt

1 Deanna Dr.

2 Decks- No Extension

### **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 structure and retaining berm. Wetland work to be completed at low flow periods in June/July of 2013.
3. Notice of Violation Cease & Desist--- 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.  
Engineer F. D'Amico engaged by owner to prepare site plan. Site plan received and sent to town engineer for review. Awaiting revised map from Mr. D'Amico.
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:**

Commissioner S. Purcella Gibbons started a discussion regarding the Town Wide Clean-up and stated that various students have begun performing clean-up around the Town. Looks like we will continue to collect the pledge forms at the Town Hall and Library until about May 1<sup>st</sup> and then a drawing for the prizes can be done.

Commissioner S. Purcella Gibbons stated that she received a call from Mr. Lustig regarding the Americorp Grant letter sent to him. Mr. Lustig and Commissioner S. Purcella Gibbons discussed dates and trail areas in need.

Commissioner T. Adamski said he would be around the first week in August they were discussing and he would guide the volunteers to the needed areas.

Commissioner S. Purcella Gibbons stated that she would speak again with Mr. Lustig in the near future and let the Commission know she would help out any way she can and also suggested that we inform the First Selectman on this.

April 23, 2013

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 S. Purcella Gibbons asked if a letter was sent to the Director at Pomperaug Health District for the upcoming Grant

I.W.E. Officer A. Ferrillo responded: Yes, it was sent last week.

**ADJOURNMENT:**

**MOTION** to adjourn by Commissioner T. Adamski and **seconded** by Commissioner B. Richter at 8:20 p.m. Voted **4-0**

Respectfully Submitted,

Denise Randall  
Administrative OCCIWA Secretary

13 MAY -1 PM 4:38  
TOWN OF OXFORD, CT  
*Margaret A. West*  
TOWN CLERK