



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, February 8, 2022

The **Regular Meeting** of the Oxford Conservation Commission/Inland Wetlands Agency was held virtually online with Google meets video on **Tuesday, February 8, 2022**. Regular Meeting Members of the Public that would like to join us online only can access the meeting using the following information and also meeting in person in Room B at the S.B. Church Memorial Town Hall, 486 Oxford Rd, Oxford, Connecticut 06478.

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 Ethan Stewart, Andy Ferrillo and Brian Smith,

STAFF: Administrative Secretary Denise Randall & Enforcement Off. Mike Herde

ABSENT: Commissioner Joe Lanier

AUDIENCE OF CITIZENS (NOT FOR PENDING APPLICATIONS):

None

AMENDMENT TO AGENDA:

EXECUTIVE SESSION:

NEW BUSINESS:

Enf. Officer Herde stated: We have on the agenda a property on the corner of Still Road and Park Road which used to be called Bawlik Farms for years and the owner (Mr. Bawlik) called to re-affirm his agricultural exemption and I have a letter here from the owner for you to read.

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The letter states that this is a horse farm and the fields are hayed. Years ago it was a mink farm.

The Commission all read the letter.

MOTION was made by **Commissioner Andy Ferrillo Jr.** and seconded by **Commissioner Ethan Stewart** to acknowledge this Still Road property Map 29/ Block 65/ Lot 42 on the corner of Park Road and Moosehill Road that this will be recognized as an agricultural exemption for the purpose of horse and hay. **Voted 4-0.**

OLD BUSINESS:

RE-APPLICATION:

NEW APPLICATIONS REQUIRING OCCIWA APPROVAL (ACCEPTANCE):

CORRESPONDENCE:

OTHER BUSINESS:

Enforcement Officer Herde stated:

Informal discussion on Girl Scout parking lot. I walked with them originally and they discussed putting in a gravel parking area and they cleared for a 1 acre parking lot and then talked about paving it if they had gotten a grant. So, in my discussion with Don Smith, I let them know that if they were to pave it, they would now need a retention system. So Don Smith is going to go back to them and talk about it.

The Chairman stated: OK, so no action tonight on this. We will wait.

Informal discussion (no application) regarding 10 acre parcel of vacant land property for sale on Shelton Road.

Mr. Jesse Judson stated: I have a report to verify wetlands. Potential buyer would like to develop the property for his own single family road. Wetlands were re-flagged with a partial survey. There is an AT&T easement on that property. The plans show a house, pool & barn in this conceptual plan. It is only about 25 feet from the wetland boundary. Fair amount of upland disturbance. We just wanted to get the commission's opinion before he moved forward this.

The commission discussed placing a conservation easement on the property.

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

MOTION made to approve both 1/11/22 and 1/25/22 regular meeting minutes by **Commissioner Andy Ferrillo** and seconded by **Commissioner Ethan Stewart**. Voted 4-0.

ENFORCEMENT OFFICER:

Enforcement Officer report:

85 Newgate Rd- waiting on planning and zoning meeting regarding text amendment.

Discussion on McNamee

Enf. Officer stated: McNamee asked for a CO and I have declined at this time due to Violations. They have been in the building for 8 months. I sent an email to the building dept and to zoning to let them know about the wetland violations still pending. No one has been reading the plan. I am going to hold off on the CO.

Peach Farm Road: small discussion

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:

MOTION made by **Commissioner Andy Ferrillo** and seconded by **Commissioner Brian Smith** to cancel the next regular meeting for February 22, 2022 due to lack of Quorum. Voted 4-0.

APPLICATIONS NOT REQUIRING OCCIWA APPROVAL & PERMIT APPROVALS:

MATTERS OF VIOLATIONS/LITIGATIONS:

Notice of Cease & Restore -10 Park Road violation (Ms. Tkacz) (Pending Litigation) 7/26/16 awaiting notice from Attorney. (Update on litigation on 3/28/2017 application denied at 6/27/17 regular meeting) (Return of record received by judge on 7/7/2017)

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

Notice of Cease & Desist- 5 Crozier Court (Mr. Antunes) Filling in a vernal pool,
Letter sent 11/13/20. Hearing scheduled for 11/24/20 at 7pm

(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

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.

Mr. Seth Kimmer stated: For the record, I am Seth Kimmer here on behalf of Scott Kimmer and we have a completed restoration plan. Myself and Cole put this together and are here if you have any questions and we can go into further detail.

Ian Cole (Professional Wetland Soil Scientist from Middletown Ct) following up on a call from Eric Davidson and Eric had other work and he asked if I can take a look at this. I have not had a chance to discuss this with David Lord but I planned to in the next couple of weeks.

Essentially, I was able to walk out there on January 26th and this was before the big storm and there was about 1 inch of snow but all of the ground was still available to see. The old cart road here (pointing to the map) and I saw all of the flags. In looking at the area, my first concern was the forest and we should restore the forest floor back to its original elevation. Take out all of these micro pools, all of these little decoy puddles and I would like to get those graded out no later than April 15th. The thing we are proposing on the forest floor canopy there is this conservation seed mix and we can oversee this now, kind of a cold germination seed and rough grade so that it would pop up in the spring time. We would monitor until the end of May and come back and report to you to demonstrate that the ground cover has stabilized that soil and would no longer be an erosion control issue. The main point is to break down at the town of the slope here (pointing to map) there is some bales of hay and a silt fence which should be maintained. The intent is to come back to the next meeting and work with the staff to put in a formal application for the development of the lots that you see here with the conceptual lay out. We are going to plant 20 shrubs with 10 on each side. We want to plant some witch hazel, some high bush blueberry and sweet pepper bush that is out there. That is kind of the restoration area that will dovetail in as part of the application.

Enforcement Off. Herde asked to call out the wetland flag numbers so that it is part of the record.

Mr. Cole replied: Yes. This is the re-flagging of done by David Lord in late September and they are 114X, up to wetland flag 104, 105 and 106.

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Enf. Officer asked: Did you propose any plantings on the other side of the wetland where the canopy was.

Mr. Cole asked for a highlighter to highlight the area in the remaining existing tree line which should be maintained.

Mr. Cole stated: for the next meeting we can show a re-forest area on this map.

Enf Officer Herde had concerns about the Knotweed near the street.

Mr. Cole stated: We can do the seed mix with concentrate to establish ground mix.

Enf. Officer suggested planting hardwoods back in there for canopy to shade out the knotwood in the long run..

Mr. Cole stated: That is a hard one as we are talking about a 40 to 50 year old forest. There is poorly drained soils here (pointing to the map) it is something we can look at for the next meeting. Maybe had additional seed mix.

Mr. Cole asked if anyone else had concerns.

Enf. Officer Herde stated: My only concern is that buffer area.

Chairman Gibbons asked for the commission to receive this restoration plan and the plan can then be sent out to our own consultants.

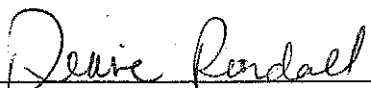
MOTION made by **Commissioner Ethan Stewart** and seconded by **Commissioner Andrew Ferrillo** to acknowledge that a restoration plan was received for 40 Hunters Mountain Road. Plan date is **2/7/2022**. Voted **4-0**.


MATTERS OF CONSERVATION:

ADJOURNMENT:

MOTION made by **Commissioner Andy Ferrillo Jr.** to adjourn at 8:23 p.m.
Seconded by **Commissioner Ethan Stewart**. All in favor, voted **4-0**.

Respectfully Submitted,


Denise Randall
I/W Administrative Secretary

22 MAR 14 PM 12:11
TOWN OF OXFORD, CT

TOWN CLERK