



**TOWN OF OXFORD**  
S.B. Church Memorial Town Hall  
486 Oxford Road, Oxford, Connecticut 06478-1298  
[www.Oxford-CT.gov](http://www.Oxford-CT.gov)

**Conservation Commission / Inland Wetlands Agency**

**REGULAR MEETING MINUTES**

Tuesday, August 9, 2022

The **Regular Meeting** of the Oxford Conservation Commission/Inland Wetlands Agency was held **Tuesday, August 9, 2022**. Regular Meeting Members of the public can meet at the S.B. Church Memorial Town Hall, 486 Oxford Rd, Oxford, Connecticut 06478 and held in Room B.

**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 Andrew Ferrillo Jr, Brian Smith and Joe Lanier

**STAFF:** Administrative Secretary Denise Randall & Enf. Officer Mike Herde

**ABSENT:** Commissioner Ethan Stewart

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

**AMENDMENT TO AGENDA:**

**EXECUTIVE SESSION:**

**NEW BUSINESS:**

**(IW 22-86) DeFeo Materials, LLC, 79 Prokup Road** (Map 25, Block 19, Lot 4-C) Proposed Use = Wholesale & Distribution business with building, outside storage & parking. (Total areas on site= 210,596') (Total wetland impact= 0) (Upland Review area impact= 20,000) (amount of material to be removed = 40,000) (amount deposited =0)

Mr. Fred D'Amico is present (applicant's engineering) and the applicant Mr. Defeo

Attorney Domenic Thomas (representing the applicant) Stated: I just want to give a little background to this and let you know that this was approved in 2004 and we began the process with the Zoning department for a special exception for a landscape rock contractor. There were 2 meetings held in March/April of 2004 I read the minutes from these meetings for an application on this property and back then, with no wetlands on this property, the upland review area was 50 feet. As a result, the property next door has wetlands and so there was a still a cross over parking, with as you know, the URA being 100 feet. No one can find any maps on anything from back then. We did have a plan with wetland markings and Mr. D'Amico then prepared a map with the wetland boundaries and flagging. The markings down there were from (on map) 2004. The business consists of landscaping stone which is imported and delivered for the wholesale and distribution. Then it goes into a hopper, next to the building and then goes into a wider cage where it is then picked up and 90 percent of it is delivered to Agway and other large landscape businesses.

Mr. Fred D'Amico stated: The wetlands are off of the property but most of the disturbance that will be needed is for the detention ponds.

Enf. Officer Herde asked about the piles.

Mr. D'amico replied: Most of the piles are off and one is actually in this area (pointing to map)

Attorney Thomas spoke about the encroachments on both sides of the property, we will need these verified.

Mr. D'Amico stated: We can make sure these get cleaned up.

Attorney Thomas stated: We just received Jim Galligan (town engineer) comments today.

Commissioner Joe Lanier asked about equipment storage.

Attorney Thomas stated: I believe most of the equipment is stored inside.

Mr. Defeo stated: Yes, they will be parked inside.

Commissioner Andy Ferrillo asked about fuel storage.

Mr. Defeo replied: Fuel storage will either be inside or under a concrete shed.

Enf. Officer explained: It has to be 100% closure or protected enough. There is also a limit as to how much can be stored which is generally a 500 gallon maximum.

Chairman Sue Gibbons asked about an oil /grit separator.

Mr. D'Amico replied: Yes, on the revised plans we will add that at the last catch basin before it goes into the detention pond.

Enf. Officer asked about the forebays.

Mr. D'Amico stated: I will put them in.

The Chairman stated: I know you said you have the town engineer comments so most likely we can vote this at our next meeting on Aug. 23<sup>rd</sup>.

The Commission had a small discussion on URA fees.

**(IW 22-84) Fred D'Amico, 469 Roosevelt Drive, Oxford (Map 16, Block 52, Lot 31) Proposed 700' addition. (Total acres = 32,719 sq ft) (Wetlands Impact = 0) (Upland Review area impact = 230')**

Mr. Fred D'Amico is present to discuss the proposed addition along with Mr. Diversa (Applicant/owner)

Chairman Sue Gibbons stated: It seems all comments from our town engineer have been addressed.

Mr. D'Amico stated: I'm going to over a few comments. There is no fill being brought in, we are not increasing the flood height. There is no extra bedrooms or bathrooms. I wanted to also give you the Health department report to show the reserve system.

Chairman Sue Gibbons asked if anyone had anymore comments on this.

None asked.

**MOTION made by Commissioner Brian Smith and seconded by Commissioner Andy Ferrillo to approve (IW 22-84) Fred D'Amico, 469 Roosevelt Drive, Oxford (Map 16, Block 52, Lot 31) Proposed 700' addition. (Total acres = 32,719 sq ft) (Wetlands Impact = 0) (Upland Review area impact = 230') to also include conditions the letter from the health department stating no elevation changes and to record the letters and permit on the land record. All in favor voted 4-0.**

**(IW 22-89) Mr. Ben Sharpe, 228 Quaker Farms Rd, (Map 22, Block 69, Lot 34) Proposed use = Residential subdivision, (Total acres of site = 15.18 acres) (Total acres of wetlands = 3.69 acres) (Total wetland impact = 0) (Total Upland Review area impact = 9000 sq. ft.) (Amount deposited = 200 c.y.)**

Mr. Fred D'Amico introduced himself for the record and stated: The project is on Rte 188 and we are proposing a 4 lot subdivision and there is already an existing dwellings on one of the lots. On the second page there is an extensive amount of wetlands. Here is a copy of the wetlands soil scientist report. I discussed this with Mr. Sharpe and we are probably going to either donate to the land trust or place a conservation easement on a section of the property. Two of the lots are oversized and we can probably use the rear lot here (pointing to the map) for the 20% open space required by Planning and Zoning.

Chairman Gibbons asked if the watercourse was intermittent.

Mr. D'Amico stated: It is dry now but it does run for most of the year.

Enf. Officer added that there was a fairly sizable swamp to both sides of it.

Mr. D'Amico stated: (pointing to map) this area here is a well but there is a spring here and the water just keeps coming out. The well will be abandoned per the state health code.

Enf. Officer asked: But what are you going to do once you abandon it. It is probably a spring and you don't want to interrupt what is there for a wetland.

Mr. D'Amico replied: I think you have to get a certified well driller and he has to fill it. It is a dug well.

Enf. Officer stated: I think you might have a problem with this commission regarding that.

Mr. D'Amico replied: Well than you can discuss this with the health department.

Enf. Officer Herde stated: You can't plug a spring.

Mr. D'Amico stated he would speak to the health department. We can take a closer look at it.

A Discussion on the well ensued

Mr. D'Amico stated: As you can see on the map we are not disturbing any wetlands but there is activity in the 100 foot upland review area. There is a gap because there was a driveway and a barn so when we grade we won't be disturbing any wetlands. The total amount of URA being disturbance is calculated on the application.

Enf. Officer Herde asked: I know this is a zoning issue but is there any chance that the property lines will change? There are 2 houses on the property right now.

Mr. D'Amico replied: No. Both houses are on the same lot here. There is a house and an existing barn. There is no way to divide it out to meet the zoning so it will have to be one lot. That lot is 4.3 acres. A section can be cut off because we don't need it that big.

The Chairman suggested a site walk with a couple of commissioners at a time.

#### **OLD BUSINESS:**

#### **RE-APPLICATION:**

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

#### **CORRESPONDENCE:**

#### **OTHER BUSINESS:**

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

**MOTION** made by **Commissioner Brian Smith** and seconded by **Commissioner Joe Lanier** to approve the 7/26/22 regular meeting minutes. **Voted 3 yay, 1 abstained (Absent from meeting)**

#### **ENFORCEMENT OFFICER:**

A discussion on Holbrook Road which is closed due to fixing the road.

Commissioner Lanier stated: Weir Farm (National Park Service) led restoration carpenter reached out about harvesting additional red cedar for continuing their historically accurate split rail fence on the property. I've not set-up a tagging date yet. I've identified an area in RHS East off Holbrook Road. This is not a high visibility area as the red cedar block adjacent to OHS driveway. I may suggest some (4 to 6) being taken from here to space out existing trees and allow seedlings to establish themselves. The benefit for Oxford is that outside of keeping a strong relationship with CT's only fully staffed NPS site, they have offered to perform some needed work. I've identified the completion of our fire / service road in RHS East, which requires machine work. This work primarily focuses on leveling out of gravel. I just wanted to ensure everyone is in the loop.

A small discussion on Hunters Mountain Cease & Restore.

Enf. Officer stated: Planting should be in a few weeks, in the fall. The bond has not been set yet.

The Commission discussed having town council at the next meeting.

Discussion on Oxford House violation septic system repair.

Enf. Officer Herde: Our town engineer was ok with this septic system but wanted the capacity of the building and says we may need the number of seating and flow capacity and this may need to be placed on the land record.

The Commission talked about entertaining and application for our file.

Enf. Officer Herde added: There is also a bridge that is in major need of repair. It might just fall into the river.

Chairman Gibbons asked about the no flow toilets being placed in.

Enf. Officer Herde stated: I will call him tomorrow and discuss these items. I also took pictures and spray painted areas that the septic trucks coming almost daily have ruined including the new sidewalks just placed in.

**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:**

**APPLICATIONS NOT REQUIRING OCCIWA APPROVAL & PERMIT APPROVALS:**

August 9, 2022

**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.

**(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 16<sup>th</sup>, 2021.

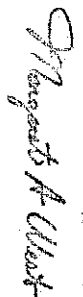
**MATTERS OF CONSERVATION:**

**ADJOURNMENT:**

**MOTION** made by **Commissioner Joe Lanier** to adjourn at 9:10 p.m.  
**Seconded** by **Commissioner Andy Ferrillo**. All in favor, voted 4-0.

Respectfully Submitted,

  
Denise Randall  
I/W Administrative Secretary

22 OCT -5 PM 2:40  
TOWN OF OXFORD, CT  
  
TOWN CLERK