



**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, September 13, 2022

The **Regular Meeting** of the Oxford Conservation Commission/Inland Wetlands Agency was held **Tuesday, September 13, 2022** Regular Meeting Members of the public can meet at 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 Ferillo Jr, Brian Smith, Joe Lanier and Ethan Stewart

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

**ABSENT:** None

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

**AMENDMENT TO AGENDA:**

**MOTION** made by **Commissioner Joe Lanier** and seconded by **Commissioner Andy Ferrillo** to add the following amendments to the agenda: New business to accept is (IW 22-103) John Fitzgerald, 234 Quaker Farms Road, new residential with installation of pipe crossing. Add 2 discussions on 441 Oxford Road (septic repair) and discussion of release on Meadowbrook site plan bond. **All in favor 5-0.**

**EXECUTIVE SESSION:**

**NEW BUSINESS:**

The Chairman asked about the **(IW 22-103) John Fitzgerald, 234 Quaker Farms Rd** (residential build with pipe crossing)

Enforcement Officer Herde stated: This was a previously approved plan that went part way of a foundation installed and partial driveway installed. They is a driveway that is roughed out that comes out on Wychwood and there is a little bit of a wetland crossing and there is a need for a pipe which is not yet in but as a courtesy to the commission, I wanted to bring this to your attention. My recommendation is to refer this back to me for processing because the house didn't move.

**MOTION** made by **Commissioner Andy Ferrillo** and seconded by **Commissioner Brian Smith** to refer (IW 22-103) John Fitzgerald, 234 Quaker Farms Rd (residential build with pipe crossing) back to the Enforcement Officer for processing. All in favor 5-0.

**(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

Enf. Officer stated: We wanted the vegetative buffer on the plan.

Mr. D'Amico stated: It is on the revised plan and should be all set.

The Chairman stated we will wait for the invoice and final letter

**(IW 22-89) Rhode Island Lights, Inc, 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. D'Amico stated: We placed wetlands markers 75' intervals on the site plan and this piece (pointing To the map has been donated to the Land Trust and will be placed on the deed.

A discussion on showing the driveway crossing on the plan ensued.

Chairman stated: We will wait on our final letter from Galligan.

**OLD BUSINESS:**

**RE-APPLICATION:**

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

**MOTION** made by **Commissioner Joe Lanier** and seconded by **Commissioner Brian Smith**

to accept the following 3 applications and completed: **(IW 22-105) Town of Oxford**, 462 Oxford Road, (Map 27, Block 15, Lot 7A & 3) Proposed Activity= Stormwater & Grading Improvement for Town Park. (Total size of site= 31.78 acres) (Total wetlands on site = 2.85 acres) (Wetlands Impact = 0) (Upland Review area impact = 44,840 sq. ft) (Amount of material to be removed= 9,500 CY) (Amount deposited = 0)

**(IW 22-106) Airamid, LLC, 13E Commerce Drive, (Lot 14 WHIP)** (Subdivision name is Woodruff Hill) (Map 25, Block 22, Lot 13-14) (Proposed use=5,330 Sq ft. Ind. Building for Crematorium, Parking, Storm Drainage, Connection to public Utilities) (Wetlands impact =0) (Upland Review Area Impact = 10,684 sq. ft) (Amount of material removed = 105 c.y) (Amount deposited = 0 c.y.)

**(IW 22-107) Vesta Modular, 8 Pheasant Run, Lot 3R,** (Map 3, Block 29, Lot 163R) Proposed use = Construction of stormwater basin in support of development of site for Commercial/industrial modular storage & repair facility. (Total size of lot = 14.75 ac) (Total acres of wetlands = 1.88 acres) (Upland Review area impact = 9.959 sq ft) (amount of material to remove = 1,922 c.y.) (Amount of material to be deposited = 598 c.y.) **Voted 5-0.**

#### **CORRESPONDENCE:**

#### **OTHER BUSINESS:**

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

**MOTION** made by **Commissioner Brian Smith** and seconded by **Commissioner Andy Ferrillo** to approve the 8/9/22 regular meeting minutes. **Voted 4 yay, 1 abstained (Absent from meeting)**

#### **ENFORCEMENT OFFICER:**

**(Notice of violation- verbal) Mr. Brown, 35 Fiddlehead Rd,** clearcutting in a regulated area.

Dr. Brown introduced himself and stated: About 3 years ago, when the tornado occurred, I bought a chain saw and didn't think much of it and cleared out trees. I did notice there were some invasive vines and cleared much of it. At one point, a friend of mine brought in a machine and we did notice there were more and more invasives vines and cleared trees that were already dead. The intention was not to clear cut at all, it was really about safety and we intended to re-populate. After the violation, I reached out to Kate from Environmental Land Solutions and she is going to come and assess the area next week and we are going to re-plant. My intention was not to violate or clear cut, it really was about cleaning it up. I am here to say I am sorry and I will get Kate here to let me know what the right thing to do is.

Enf. Officer stated: I wanted to give you a little background and let you know that I did receive a call from First Light who manages the lake and from the neighbors across the Lake. I talk to Dr. Brown on the phone and in all honesty, those trees should have been taken out with a crane. A couple of items, there is a conservation easement which was already trimmed by the people that owned the property before Dr. Brown. The previous owner was given permission to do a trim and it was supposed to stop at that point but some people go further than they should.

I think a plan with some native species in there would be good. Needs to be stabilized as that hill is very steep.

Dr. Brown stated: I fully intend to do this the correct way. We will get this plan to you asap.

**MOTION** made by **Commissioner Andy Ferrillo** and seconded by **Commissioner Ethan Stewart** for a restore order for property address 35 Fiddlehead Rd to replant the clear cut area per the Environmental Land Solutions report. All in favor **5-0**.

A small discussion on 138 Coppermine Road (under enforcement) planning & zoning has a cease & Desist order and they are going to need a landscape architect.

**Hunters Mt. violation**

Commission discussion on showing progress by September and Commission agreed to send a notice to our attorney.

**MOTION** made by **Commissioner Brian Smith** and seconded by **Commissioner Joe Lanier** to proceed with the procedures for 40 Hunters Mt. violation on legal assistance from town attorney. **Voted 5-0**.

**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:**

**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)

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Enf. Officer Herde stated: We are still waiting for a revised plan on this.

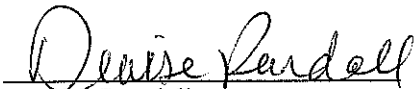
**NOTICE of Cease & Restore – 40 Hunters Mountain Rd**, Clear cutting in a regulated area. (Show cause hearing on Nov. 9, 2021) Updated map received and dated December 16<sup>th</sup>, 2021.

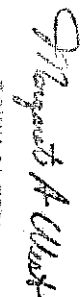
**MATTERS OF CONSERVATION:**

**ADJOURNMENT:**

**MOTION** made by **Commissioner Joe Lanier** to adjourn at 9:10 p.m.  
**Seconded** by **Commissioner Andy Ferrillo**. All in favor, voted **5-0**.

Respectfully Submitted,

  
Denise Randall  
I/W Administrative Secretary

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