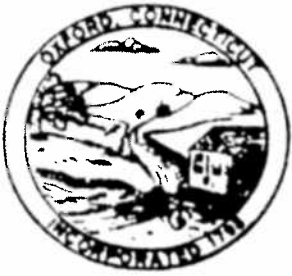


October 28, 2014



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, October 28, 2014

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, October 28, 2014.

Meeting was called to order at 7:37 P.M. by Chairman Michael G. Herde

ATTENDANCE ROLL CALL: Chairman M. Herde

COMMISSIONERS PRESENT: Sue Purcella Gibbons, Tom Adamski

STAFF: Also present: Denise Randall Administrative Secretary and I/W Enforcement Officer Andy Ferrillo Jr.

ABSENT:

Commissioners Bill Richter and Ethan Stewart

AUDIENCE OF CITIZENS (NOT FOR PENDING APPLICATIONS)

None

AMENDEMENT TO AGENDA:

MOTION made by **Commissioner T. Adamski** and seconded by **Commissioner S. Purcella Gibbons** to accept (IW 13-93) Cocchiola (Riverview Subdivision) Bond reduction/removal as an amendment to the agenda. All in favor **3-0**.

(PRE-APPLICATION)

NEW BUSINESS:

8 Bice Drive (IW 14-85)

I.W. Officer A. Ferrillo Jr. stated: We are waiting for a response from the applicant's engineer.

ONYX France –(IW 14-92) 16 N. Larkey Road

I.W. Officer A. Ferrillo Jr. stated: This application is tabled as we are waiting for a response from the applicant's engineer.

OLD BUSINESS:

I.W.E. Officer A. Ferrillo stated: Riverview Subdivision (Cocchiola Paving, bond release/reduction) Mr. Horbal (applicant's engineer) is present tonight.

Mr. Horbal stated: I am present tonight to represent Mr. Tony Cocchiola and would like to ask to reduce the bond to zero. I know you have probably had the chance as well as myself to read Roman's report that was submitted a couple of weeks ago.

Chairman M. Herde asked for the Roman report and stated: Was there anything positive in Roman's report?

I.W.E. Officer A. Ferrillo replied: Basically it said the soil is not good and you really can't grow a whole lot on it.

Mr. Horbal stated: I agree. As you are all aware of the road we would like to build. With the bond aside, we really haven't had a real lot of erosion.

Chairman M. Herde replied: Correct, there really hasn't been a whole lot of erosion but I do have some concerns with potential storm event type that we haven't had and everything is not going to come in as long term vegetation.

Commissioner T. Adamski stated: We really haven't had any substantial, large rain events since.

I.W.E. Officer A. Ferrillo asked: If they were in the process of filling in the large detention pond in the front.

Mr. Horbal replied: That was oversized and I looked at that today. They are putting in the drainage system right now I think its part of the finish. Planning and Zoning has over

\$300,000 bond of which \$65,000 is to cover soil erosion and performance and restoration in place and your Commission has a \$100,000 bond.

I.W.E. Officer A. Ferrillo asked: And our bond was specifically for that wetland and brook?

Chairman M. Herde stated: Was there specific wetland wording in the conditions?

Mr. Horbal replied: I have the complete wording from 2006 back at my office. Last year there was a motion to reduce the bond by \$40,000.

Chairman M. Herde read the motion from 2006 regarding the bond.

Mr. Horbal stated: Mr. Cocchiola chose not to go further with the reduction of the bond.

Chairman M. Herde stated: I walked it and it seems there were some Spruce trees and now it seems there is nothing and it almost seems like it went backwards. If you let it go over a period of years it will finally take care and naturally seed.

Commissioner T. Adamski added: Yes and if you read Roman's report it seems that way and I think it looks worse than it did last year. At least we had the legumes last year which are now gone.

Commissioner S. Purcella Gibbons stated: Was there a specific planting schedule?

Chairman M. Herde replied: I believe maybe on the original plan, but once that was approved it wasn't a full planting schedule.

Mr. Horbal added: Not that I recall. There were requirements certainly for the number of trees that were to be planted.

Commissioner S. Purcella Gibbons asked: Ok, and that was followed?

Mr. Horbal replied: They planted them along the bottom.

Chairman M. Herde stated: They were probably, what they call, Three O Seedlings.

Mr. Horbal replied: He planted 100's of them.

Chairman M. Herde stated: The problem is now one looked into how to plant in a gravel bank.

Commissioner T. Adamski added: The previous recommendation was the planting of the legumes and what was planted was contractors mix.

Chairman M. Herde agreed

Mr. Horbal stated: He hired landscape contractors and spent a lot of money. I'm not a landscaper and I don't know what else to say except he spent a lot of money.

Chairman M. Herde stated: I don't believe anyone did anything in the spring either.

Commissioner S. Purcella Gibbons stated: He did not to use the contractors mix.

I.W.E. Officer A. Ferrillo stated: And the other problem is the lack of rain we've had and there is not provision for water.

Chairman M. Herde stated: Right, everything has to be done real early in the spring, right after the last frost to get something in. I thought we were pretty specific about that last year and told him to contact the conservation service ahead of time.

Mr. Horbal replied: I can't say that the conservation service ever came out, I don't know if that happened.

I.W.E. Officer A. Ferrillo stated: The general terminology in that bond, it says the site completed. The site is not complete and the bank is still being worked.

Chairman M. Herde stated: Yes and there is activity going on.

Mr. Horbal stated: There is already a motion to return \$40,000 of the bond and it seems like the direction of the conversation is not to approve the request of a total return and rather than get into bigger problems maybe an additional bond reduction may be in order.

Mr. Horbal asked: How much do you estimate it will cost? Also the P & Z road construction that P&Z has and the soil & erosion control and performance restoration bond for \$65,000 which is like double coverage.

Commissioner S. Purcella Gibbons asked: So we have \$100,000 bond and how much does P&Z have?

Mr. Horbal replied: P&Z has a \$235,000 road construction bond, a \$30,000 bond for soil and erosion control and \$35,000 for performance and/or restoration.

Commissioner S. Purcella Gibbons replied: So that is on top of what we have. So that is a total of \$405,000.

Commissioner T. Adamski asked: So our bond right now is like \$60,000.

Mr. Horbal stated: No, its \$100,000. You voted to reduce it to by \$40,000 but he has not submitted another bond so he still has \$100,000 in place.

Commissioner S. Purcella Gibbons: I'm not sure I understand.

Chairman M. Herde replied: Basically, it's a lot of paperwork and a lot of hoops to jump through and and figured in a short period of time, he would just then get the entire thing back.

Mr. Horbal added: Yes and it would have also cost him a couple of thousand dollars as well.

Commissioner S. Purcella Gibbons replied: Oh, ok.

Mr. Horbal stated: I can't help but to remember what this site looked like beforehand because it was dug out and left.

Commissioner T. Adamski stated: Well it was all Autumn Olive.

Mr. Horbal stated: Yes, all the vegetation was all Autumn Olive. This has been like this since 2006 and we have never had any huge runoff and the biggest problem was the dust.

Chairman M. Herde stated: Yes, but that dust was pretty thick and cars were covered.

Mr. Horbal stated: Yes, but you can't say it was continues every year.

Chairman M. Herde stated: Right but it was like a whole summer that it happened and I saw it myself.

Commissioner S. Purcella Gibbons stated: I don't think that this bond will be removed tonight and if anything, it will be a reduction but then he is still stuck with having to submit the paperwork and such. I am just speaking for myself.

Chairman M. Herde asked: What steps have been taken to change the erosion control in the last year?

Commissioner S. Purcella Gibbons stated: Usually people will submit some type of evidence and I don't see that here.

I.W.E. Officer A. Ferrillo stated: Nafis did look at it and there should be a report in the file regarding the stabilization of the slope and then there was back and forth and I think he may have withdrawn that and changed it.

Chairman M. Herde stated: Lets just leave this open tonight and for the record, there is no evidence of vegetation coming in and the entire staff of Commissioners are concerned about an outstanding storm coming, this is something that has not happened since its been worked on. It looks like its relatively stable but none of the vegetation has taken hold here.

Mr. Horbal asked: So this is tabled?

Chairman M. Herde stated: Out of courtesy to the applicant, I would like to still keep it open and see if any more evidence is presented.

Mr. Horbal asked: When is your next meeting?

Secretary D. Randall replied: Our next meeting is November 12, a Wednesday due to the Veterans Holiday.

October 28, 2014

I.W.E. Officer A. Ferrillo stated: What we can do is send the minutes where they specifically requested doing more in the spring and if you can get some documentation of plantings in the meantime, that would be great.

Commissioner T. Adamski asked if Nafis and Young can look at it.

I.W.E. Officer A. Ferrillo replied: We could.

Chairman M. Herde stated: I agree that its relatively stable, I just don't know how stable.

I.W.E. Officer A. Ferrillo added: We did get some sediment that came down, not a lot but we haven't had a lot of rain either.

Mr. Horbal thanked the Commission and exited the meeting.

The Commission had a little more discussion and agreed that out of courtesy to the applicant, we would like an environmental review on the Cocchiola site.

I.W.E. Officer A. Ferrillo stated: Mr. Jason Schuerick (138 Coppermine) is present to ask for his bond removal. Here are Commissioner S. Purcella Gibbons photos and because Commissioner E. Stewart is not present, he did submit a report after visiting the site.

Mr. Jason Schuerick stated: I have done everything you have asked and now for the first time I mowed the grass and would like to know if you can remove the bond.

Commissioner S. Purcella Gibbons read Commissioner E. Stewarts report.

For Coppermine:

Sue and I completed a site walk at the Coppermine property on October 17th @ 4:45pm. The site walk was conducted after a total rainfall of 1.06 inches occurred between October 15th & 16th. Sue took a few pictures.

No noticeable erosion had taken place (i.e. sedimentation, rills).

The majority of the lawn area has just recently sprouted grass, due to the late planting, little more growth/stabilization would be achieved this year.

On the northside of the concrete foundation, bare soil is still exposed.

For the slope/cliff closest adjacent to the water, the planting seems to have done well (don't remember if there was a specific planting plan and if it was followed). The area is mulched. There was some mulch movement observed in a few locations, but seemed to pile/dam within a foot of original location.

I don't think much else could be done this year to further stabilize area (except for additional mulch being added to slope). The thing that I would be worried about is how the area handles the winter thaw/spring rains.

Ethan

October 28, 2014

Commissioner S. Purcella Gibbons asked if the bond was for \$10,000.

Mr. Scheurick replied: Yes. I could really use this money as I spent thousands of dollars cutting trees, changing the grade level and using the track machine which is very expensive.

I.W.E. A. Ferrillo added: Right now, there is no evidence of soil erosion

Commissioner T. Adamski added: We really have not seen significant rain since.

Commissioner S. Purcella Gibbons suggested returning a portion of the bond.

Mr. Scheurick stated: I have done everything you asked. The area has already been mowed.

Chairman M. Herde stated: The bond was for stabilization and I think for now, we should table this until the first frost grass coming in and discuss this again.

EXECUTIVE SESSION:

NEW APPLICATIONS REQUIRING OCCIWA APPROVAL (ACCEPTANCE)

CORRESPONDENCE:

OTHER BUSINESS:

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

MOTION made by **Commissioner T. Adamski** and **seconded** by **Commissioner S. Purcella Gibbons** to accept the Regular meeting minutes from the 10/14/14 with 2 corrections on page 3 and page 6. All in favor **3-0**.

ENFORCEMENT OFFICER:

I.W.E. Officer A. Ferrillo passed out the Annual report for 2013-2014 for the Commission to overlook and make any changes that are needed.

The Commission made some minor changes.

COMPLAINT/CONCERN:**APPLICATIONS NOT REQUIRING OCCIWA APPROVAL:**

| | | | | |
|-----------|-----------------------|----------------------|----------|---|
| 1/27/2014 | Crystal Chandler | 543 Quaker Farms Rd | | finished Basement |
| 1/29/2014 | Matthew Zaloumis | 315 Riggs Street | | CO- Gen Repair, used car permit |
| 2/24/2014 | Eri Amyloid Lab | 315 Riggs Street | | Use Permit Tenant Fit up |
| 2/19/2014 | Master Brands CT | 325 Riggs Street | | Use Permit Tenant Fit up |
| 3/10/2014 | Brian Walsh | 39 O'Neil Road | | Interior work |
| 3/13/2014 | LLc | 441 Oxford Rd. | | |
| 3/17/2014 | Crystal Holick | 42 Highland Rd. | | Tenant separation, Exit stairs accessibility |
| 4/7/2014 | Jeff Haney | 244 Oxford Rd. | | Finish bsmt |
| | David & Loreen | | | Expansion of Liquor Store |
| 4/9/2014 | Rado | 619 Championship Dr | | |
| 4/22/2014 | Hirschbeck | 134 Oneil Road | | Finish bsmt |
| 5/9/2014 | 441 Oxford Road | 441 Oxford Rd. | | Adding 780 sq. ft. |
| | John & Cheryl | | | rebuild barn roof |
| 5/21/2014 | Stephen | 35 N. Mark Rd. | | |
| 5/22/2014 | Woodwork Design | 84 Oxford Road | | Addition over current family room |
| 6/2/2014 | Gyre 9, LLC | 1 Jack's Hill Road | | Tenant fit up |
| | | 545 Putting Green | Green Ln | Warehousing, light assembly |
| 6/2/2014 | Chris Kelly | In | | Bath/shower |
| 6/4/2014 | Gyre 9, LLC | 1 Jack's Hill Road | | remodel |
| 6/18/2014 | Stacy Hudson | 43 Rolling Hills Dr | | wharehousing |
| 6/18/2014 | John Lavorgna & Co | 31 Charter Oak Dr. | | Interior repairs |
| 6/18/2014 | Erin Eglinton | 63 Old Church Road | | Complete Kitchen Renovation |
| 6/23/2014 | Gen Quip, LLC | 119 Hawley Road | | Finish bsmt |
| | American | | | Generator Sales & Service |
| 6/24/2014 | Restoration | 176 Oxford Road | | |
| 6/25/2014 | A. Smalis-Ct. bsmt | 19 Riverbend Dr | | Replace 3 porches |
| 6/25/2014 | Adam Kinkel | 17 Douglas Drive | | Finish bsmt |
| 6/26/2014 | CED Services, Inc. | 3 Fox Hollow Road | | heating system conversion |
| 6/30/2014 | Dunkin Donuts | 71 Oxford Rd. | | Interior Fit-up offices |
| 7/2/2014 | Haynes Materials | 297 Oxford Rd. | | Interior alteration/face lift |
| 7/7/2014 | Oxf Hisorical Society | 60 Towner Lane | | USPS |
| | | | | Sign |
| 7/21/2014 | Rachel Falbo | 44 Wyant Road | | Replace roof, sheet rock, kitchen closet and bathroom |
| 7/22/2014 | Great Oak School | 50 Great Oak Road | | |
| 7/28/2014 | Brian Greco | 20 Sunrise Drive | | Walk-in cooler |
| 7/28/2014 | Richard DiMauro | 30 Tram Drive | | Bsmt renovation |
| 7/31/2014 | Ken Hogan Const. | 471 Roosevelt Dr. | | Handicapp above garage |
| 8/14/2014 | DiGeorgi Roofing | 3 Hilltop Ridge Road | | Screen Porch/mud room |
| | | | | Front Porch |

October 28, 2014

| | | | |
|-----------|----------------------|----------------------|--------------------------|
| 8/25/2014 | K. Mullen Construct. | 470 Quaker Farms Rd | Partition wall 10' X 10' |
| 8/27/2014 | Polebuilt, LLC | 520 Traditions Court | screen porch over deck |
| 8/21/2014 | John Mele | 2 Tetlak Terr | Bsmt finish |
| | Colonial Pet | | |
| 9/2/2014 | Cremation | 207 Christian Street | Cremation |
| 9/4/2014 | Jonathan Benedict | 112 Meadowbrook | Basement finish |
| 10/1/2014 | Glenn Fritz | 72 Oxford Road | Car Show |
| 10/2/2014 | Haynes Develop | 305 Spruce Hill Road | 4 season porch |
| | Bill & Marion | | |
| 10/7/2014 | Schrade | 340 Niblick Lane | Partiall Finished Bsmt |

MATTERS OF VIOLATIONS/LITIGATIONS:

1. Notice of Cease & Restore – (88 Perkins Rd) Debris and garbage on property.
2. Notice of violation – (543 Roosevelt Drive), wall constructed in a flood zone without a permit.
3. (IW 13-93) Cocchiola Paving - Riverview Subdivision, (Permit denied, pending litigation)
(return of record was completed and presented in court on April 2, 2014)
4. Cocchiola Riverview Subdivision review of bond reduction.

REPORTS ON SEMINARS, INSPECTIONS, and OTHER MEETINGS SCHEDULED OR ATTENDED NEWSPAPER ITEMS & P & Z MINUTES:

OTHER ITEMS OF CONCERN:

Secretary D. Randall reminded the Commission about the upcoming training classes in November.

Secretary D. Randall also reminded the Commission that our first regular meeting for November will be on Wednesday, November 12 due to the Veterans Day Holiday on Tuesday, November 11.

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

October 28, 2014

- 3) Town of Oxford Catch Basins (Silt Removal).
- 4) Storm Drain Marker Program (Phase II).

MATTERS OF CONSERVATION:

ADJOURNMENT:

MOTION made by **Commissioner T. Adamski** to adjourn at 9:08 p.m.
Seconded by **Commissioner S. Purcella Gibbons**. All in Favor **3-0**

Respectfully Submitted,

Denise Randall
Administrative OCCIWA Secretary

14 NOV 21 PM 4:00
TOWN OF OXFORD, CT
Sgt. [Signature]
K221-158X