



**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, March 8, 2022

The **Regular Meeting** of the Oxford Conservation Commission/Inland Wetlands Agency was held virtually online with Google meets video on **Tuesday, March 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, Commissioner Joe Lanier

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

**ABSENT:** None

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

**AMENDMENT TO AGENDA:**

**MOTION** made by **Commissioner Brian Smith** and seconded by **Commissioner Andrew Ferrillo** Accept the following amendments to the agenda: discussion on the 2022-2023 budget and also 2 applications **(IW 22-48) Girl Scouts of CT, 47 Condon Road, (Map 26, block 26, Lot 7) proposed use gravel parking lot, Total size of site 47 acres (Wetlands impact = 0 acres) (Upland review area =0) (amount of material removed =0) (IW 22-49) Town of Oxford, 9 Park Road, (Map 35, Block 7, Lot 19) proposed river clean up. (Wetland's impact = 1000') (Upland review area impact = 0) (amount of material removed= 10 CY) (amount of material deposited = 0)**  
**Voted 5-0.**

**EXECUTIVE SESSION:**

**NEW BUSINESS:**

**OLD BUSINESS:**

**RE-APPLICATION:**

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

**MOTION** made by **Commissioner Joe Lanier** and seconded by **Commissioner Andrew Ferrillo** to accept the 2 following applications as complete **(IW 22-48) Girl Scouts of CT, 47 Condon Road, (Map 26, block 26, Lot 7) proposed use gravel parking lot, Total size of site 47 acres (Wetland's impact = 0 acres) (Upland review area =0) (amount of material removed =0) (IW 22-49) Town of Oxford, 9 Park Road, (Map 35, Block 7, Lot 19) proposed river clean up. (Wetland's impact = 1000') (Upland review area impact = 0) (amount of material removed= 10 CY) (amount of material deposited = 0)**

**MOTION** made by **Commissioner Brian Smith** and seconded by **Commissioner Joe Lanier** to waive fees except for the minimum \$130 application fee and any engineering review fees.  
**Voted 5-0.**

**CORRESPONDENCE:**

**OTHER BUSINESS:**

Informal discussion regarding Shelton Road and Still Road vacant property for sale:

Gail Yaeker (property owner) Pat Blanko (real estate agent) (Mr. & Mrs. Izzi Caranto) potential buyers of the property are all present.

March 8, 2022

The Commission discussed if the house is in a regulated area, then mitigation should be in the form of a conservation easement on other dry area and wetland areas in return. If the house was not in a regulated area, then conservation easement would not be requested and agricultural exemption may apply to other areas.

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

**MOTION** made to approve the 2/8/22 regular meeting minutes by **Commissioner Andy Ferrillo** and seconded by **Commissioner Ethan Stewart**. Voted **5-0**.

**ENFORCEMENT OFFICER:**

Enforcement Officer report:

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

**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:**

Small discussion on town wide clean up for the month of April.

**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.

March 8, 2022

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

Mr. Seth Kimmer stated: For the record, I am Seth Kimmer (Kimp Properties) and my father Scott Kimmer is also present and we have a completed revised restoration plan from Ian Cole, (applicants engineer and landscape architect) who is also present and who put this together and are here to give the commission details and answer questions. Our hope is to move forward with the cease & desist.

Ian Cole (Professional Wetland Soil Scientist) stated: Do you remember last time we met we wanted to restore this upland review area that was cleared. (Pointing to the map) The blue area is kind of the wetland that wraps around, the green is the upland review area and this hashed area is the area we are discussion. They went back and re-calculated that area and it is 17,180 sq. ft. Here is a photo for the commission and for the record. It is well defined clear cut. I had a conversation with Eric Davidson and another conversation with another forester to ask what you guys do with clear cut restoration and the advice I was given is that you're not going to restore a closed force canopy system but what you want to do is jump start an early successional forest community what is what naturally will bounce back, even a natural forest clearing. So, the species associated with that are your black birch, red maple and tulip right. The density for restoring forest canopies like this is 25 ft off center is recommended and that comes out to about 52 trees to be planted in here. What I was recommending, and by the way the state cleared here about 20 years ago, this is all black birch, red maple. All the shrub layers will sprout right back out naturally and beach will dump sprouts pretty significantly.

The other thing we will do is rough grade and so all of the skitter trails and big puddles will be smoothed out. We will do a one to one ratio of rye grass to get a quick pop and that is going to be dovetailed into premade logging trail restoration mix for these areas specifically. So, these areas will have a one to one mix. Then we will fold in 20 tulip trees, 20 red maple and 60 black birch trees. I have for the record this information. We can let the town know that when we start to lay it out and have it installed, take pictures and report back to the commission. The performance standard is to re-visit on one growing season later and make sure everything survived and make sure no invasives colonized. I know at the last meeting there was mention of the Japanese knotweed and I went back to the site and looked around to see where it was currently existing and at the very end of the

road there is a cul-da-sac and it is a cut threw to the state forest. For the record, here is the picture there is some stragglers left behind but really of no significance.

Enf. Officer Herde stated: There is about 1500 to 2000 sq. ft of knotweed there. Maybe the plows have knocked some of it down but it is there.

Ian Cole replied: Really, I didn't see them, I walked all up and down there and didn't even see remnants of it. It makes me want to go back there. The Japanese Knotweed really likes it to be dryer. I have pictures with a written plan here to submit for the record. There are seed mixes and construction details here for the record. It should be a straight forward easy process to restore it.

Enf. Officer Herde stated: It sound like it is going in the right direction. Just so the Commission knows, I did have a restoration company review some of this and they looked the site and said they can do a review of this restoration plan. They did make some of the same recommendations like knocking down some of the tracks, especially in the wetland areas because they are going to decoy pools and right it is a crucial time with the peepers that started 3 days ago.

Ian Cole added: Yes, that's why one of the reasons that we want the commissions permission to go ahead with this. Right now, we have a little cold snap but literally the next warm rain we get, it will start. Last year it started at the end of February.

Enf. Officer Herde stated: Even like a partial lift of the cease & restore order. It is still a cease & restore. I would recommend to the commission that I be notified when they are ready to start out there.

Ian Cole stated: I think now it is an opportunity to go in with the seed mix.

Enf. Officer Herde stated: I think we still need to have a consultant look at this.

Commissioner Andrew Ferrillo stated: We would like to have this consultant review that if it is ok with you. The reason I am asking is that you have to pay for it.

Mr. Scott Kimmer stated: I hired 3 soil scientists so far, I mean, I think enough is enough. It is getting to the point where I don't think we need anymore people now. I have hired 3 people to tell us what we need to do here. I have worked in other towns and never had to hire 2 soil scientists so never mind 3. So, I think enough is enough.

Enf. Officer Herde stated: I think the Commission needs a peer review and that is what this is.

Commissioner Andrew Ferrillo agreed.

Commissioner Joe Lanier stated: Not to go off of his word, we are not professionals.

Scott Kimmer stated: He's a professional.

March 8, 2022

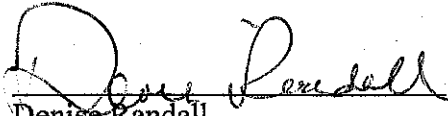
Enforcement Officer explained to Mr. Scott Kimmer that his check that was written out to the town of Oxford was never cashed and we can return that check to you. This was done by Mr. David Lord and we can't get the correct invoice from him as we are having trouble getting in touch with him.

**MATTERS OF CONSERVATION:**

**ADJOURNMENT:**

**MOTION** made by **Commissioner Andy Ferrillo Jr.** to adjourn at 9:11 p.m.  
**Seconded** by **Commissioner Ethan Stewart.** All in favor, voted **5-0.**

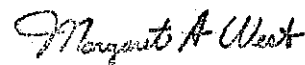
Respectfully Submitted,

  
Denise Randall  
I/W Administrative Secretary

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22 MAY 26 PM 3:44

TOWN OF OXFORD, CT

  
TOWN CLERK