



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

**Oxford Conservation Commission / Inland Wetlands Agency**

**REGULAR MEETING MINUTES**

Tuesday, April 28, 2020

The **Regular Meeting** of the Oxford Conservation Commission/Inland Wetlands Agency was held virtually online with Google meets video on Tuesday, April 28, 2020.

**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 Brian Smith, Joe Lanier, Ethan Stewart, Andy Ferrillo

**STAFF:** Administrative Secretary Denise Randall and I.W. Enforcement Officer Michael Herde

**ABSENT: None**

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

**AMENDEMENT TO AGENDA:**

**EXECUTIVE SESSION: None**

**NEW BUSINESS:**

**Mr. Mihaly is present virtually.**

**(IW 20-17) Matthew Mihaly, 312 Chestnut Tree Hill Rd.** (Proposed use is 4-lot residential subdivision) Total size in acres = 8.174 acres) (Total wetlands=16,383 sq. ft.) (Wetlands impact=0) (Upland review area = 28,000 sq. ft) (amount of material removed=0) (amount deposited=0)

Enforcement Officer M. Herde: This proposed 4-lot subdivision has 1 thumb of wetland near lot 4. Lot 3 has no activity and I have a suggestion to the Commission to place 50 foot setback into the conservation easement. There are additional fees needed if the Commission choosed to go further with this.

Commissioners Brian, Andrew and Joe walked the site on their own.

Commissioner Joe Lanier then brought up the map virtually for everyone to see and pointed out natural delineations and such.

Enforcement Officer Herde stated: The areas in question are here (Pointing) to the wetland flagging, soils and depressions to recognize how the area is used.

Enforcement Officer made mention of the stone wall up by the barn area.

Commissioner Ethan Stewart stated: The natural wetland depression does extend further toward the barn.

Enforcement Officer stated: The barn is in the regulated area, 50' is the conservation easement makes it restricted. A suggestion is to the commission to put the easement at the top of the wetland. I can meet the applicant's engineer to draw a line and show him on the plan.

Chairman S. Purcella Gibbons asked about a soil report and wetland flagging.

Enforcement Officer Herde suggested a cut off access. Drainage put in towards the dirt road to control the water.

Chairman S. Purcella Gibbons asked about the access to Old Litchfield Road.

Enforcement Officer Herde stated: That is up to the town engineer for any improvements to that road that are needed.

Mr. Mihaly asked if he could mow in that area.

Enforcment Officer Herde replied: It should stay natural and only for passive use.

Commissioner Andrew Ferrillo asked if one new proposed lot was facing Chestnut Tree Hill Rd?

Enforcement Officer Herde replied: Yes. The other 2 lots are created on Old Litchfield Tpke.

Commissioner A. Ferrillo reminded the commission that if Planning & Zoning approved the applicant should come back to us for the drainage portion.

Enforcement Officer Herde agreed and added that the commission needs a report on any improvements as well.

Chairman Sue Purcella Gibbons spoke about the entrance to Old Litchfield Road.

The Chairman suggested that we table this until the next regular meeting on May 12.

The Commission agreed.

**MOTION** made **Commissioner Andy Ferrillo** and seconded by **Commissioner Brian Smith** to table this application (**IW 20-17**) **312 Chestnut Tree Hill Rd**, 4-lot residential subdivision until the next regular I/W meeting on May 12, 2020. All in favor 5-0.

A small discussion on Mr. Frank Philips (Pinesbridge Rd) ensued.

**OLD BUSINESS: None**

**RE-CONSTRUCTION:**

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

**CORRESPONDENCE:**

**OTHER BUSINESS:**

The Commission and staff discussed the upcoming budget 2020-2021.

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

**MOTION** made Commissioner Joe Lanier and seconded by Commissioner Brian Smith to accept the minutes with corrections for 3/10/2020. All in favor 5-0.

**MOTION** made by Commissioner Joe Lanier to table the April 14, 2020 regular meeting minutes to correct some information till the next regular meeting. Seconded by Commissioner Andy Ferrillo. All in favor 5-0.

**ENFORCEMENT OFFICER:**

Enforcement Officer Herde stated: Since the last meeting the commission did separate site walks on this 25 Lisa Drive property. The property owner placed gravel right up to the easement. If the commission wishes to entertain bringing it back and remove some equipment for restoration or pull the gravel totally out. We can maybe explore a garage to be located on the other side.

Commissioner Joe Lanier stated: Anything beyond shed should be removed & then we can revisit the proposed garage.

Enforcement Officer suggested we take a look at the maps.

The Chairman suggested some type of planting plan.

Enforcement Officer Herde agreed and asked how much the commission would want pulled out and stated that the property owner is still actively working on it.

Commissioner Andrew Ferillo asked: Does he have a permit to work? I believe P & Z would never approve this?

Enforcement Officer Herde replied: He didn't recognize the conservation line was 70' in the regulated area.

Commissioner Joe Lanier asked if he builds a garage, can he store equipment in it?

Enforcement Officer Herde replied: Yes. I am not sure how close he is to the septic.

Commissioner Joe Lanier stated: Its a straight shot back to a flat area.

Enforcement Officer stated: I will look at the maps and the commission can decide on restoring the area.

Commissioner Brian Smith stated that he had concerns about the owner still working on it and can we get in touch to let him know that the commission is aware?

Commissioner Andrew Ferrillo suggested to issue a cease & desist order.

Enforcement Officer Herde said he would make him aware and talk it over with the owner.

1. **Notice of Cease & Desist** -368 Oxford Road (Mr. Vorfi & Ms. Suilda) digging, tree cutting & grading in a regulated area. (Letter sent to property owner on Jan 6,2020)

Enforcement Officer Herde said he is still keeping an eye on this property a few times a week.

1. **Notice of Cease & Desist**, Glendale at Oxford/Canterbury Estates, Rowland Farms Rd, Erosion controls on site are inadequate. (letter to property owner Mr. Manuel Moutinho Registered mail on 1/6/2020)

Enforcement Officer Herde stated: Erosion is continuing. I was out at the site the other day and was told that the Covid-19 virus is holding up the construction. I will be out on the site either Thursday or Monday to check on it.

Commissioner Andrew Ferrillo asked if there were any outstanding permits and asked if the applicant is in violation of the original permits issued. Is there an active storm water report.

A small discussion ensued about enforcing a cease & restore.

The Chairman suggestion a discussion with the owner of the property.

#### **COMPLAINT/CONCERN:**

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

#### **OTHER ITEMS OF CONCERN:**

A small discussion ensued on the 2020/2021 budget.

#### **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)
- **Notice of Cease & Desist -368 Oxford Road** (Mr. Vorfi & Ms. Suilda) digging, tree cutting & grading in a regulated area. (Letter sent to property owner on Jan

6,2020)


- **Notice of Cease & Desist**, Glendale at Oxford/Canterbury Estates, Rowland Farms Rd, Erosion controls on site are inadequate. (letter to property owner Mr. Manuel Moutinho, Registered certified mail on 1/6/2020)

**MATTERS OF CONSERVATION:**

**ADJOURNMENT:**

**MOTION** made by **Commissioner Joe Lanier** to adjourn at 8:49 p.m.  
**Seconded** by **Commissioner Ethan Stewart**. All in Favor **5-0**.

Respectfully Submitted,

  
Denise Randall  
I/W Administrative Secretary

20 MAY 21 PM 4:32  
TOWN OF OXFORD, CT  
Clerk  
TOWN CLERK