



TOWN OF OXFORD
S.B. Church Memorial Town Hall
486 Oxford Road, Oxford, Connecticut 06478-1298
www.Oxford-CT.gov

Conservation Commission / Inland Wetlands Agency

REGULAR MEETING MINUTES

Tuesday, October 13, 2020

The **Regular Meeting** of the Oxford Conservation Commission/Inland Wetlands Agency was held virtually online with Google meets video on Tuesday, October 13, 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, & Joe Lanier, Andy Ferrillo & Ethan Stewart

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

ABSENT: Commissioner Brian Smith

AUDIENCE OF CITIZENS (NOT FOR PENDING APPLICATIONS):
None

AMENDMENT TO AGENDA:

MOTION made by **Commissioner Ethan Stewart** and Seconded by **Commissioner Joe Lanier** to accept the amendment to the agenda to include the following application: **(IW 20-107) Town of Oxford, Dutton Road Bridge**, proposed use bridge replacement & associated roadway construction. (Wetlands impact = 365 sq. ft) (Upland review area = 26,790 sq. ft.) (amount of material removed= 138 c.y.) (Deposited= 42 c.y.) in floodplain. All in favor 4-0.

Enforcement Officer stated: This is a town project that will replace the Dutton Road Bridge for improvements and public safety. There are about 15 homes. I suggested putting in a temporary bridge but they have an outside engineering firm doing the design and they don't need much input from this commission. This is just being received tonight. They need to come in with an application and a map. There will be no fee.

EXECUTIVE SESSION: None

NEW BUSINESS:

(IW 20-93) Chippy's Service Station, 140 Oxford Rd., (Proposed use=Commercial business- leasing existing building for cold storage of 3 wreckers) (Wetlands impact=0)

Chairman Susan P. Gibbons stated: Mr. Barbieri is present to discuss his application and we received your answers to the Commission concerns by email and I have it here in front of me. I think we should just go over them.

Response from Applicant from 9/22/20 I/W meeting

TO INLANDS AND WETLANDS

received
10/8/20

1. Need a more accurate description of how the property will be used. Need some type of plan to show the commission. Interior and exterior uses.

Property at 140 Oxford Road will be used for cold storage of 2-3 wreckers. The interior of the building will protect wreckers from various weather elements, and provide an adequate space for inside storage. There will be nothing done to the exterior of the property other than pulling in and out of the driveway. The intention for this property is NOT to be used as a repair facility, just a place to store wreckers, and temporarily store vehicles towed for Troop A and Oxford PD.

2. Parking storage of vehicles for temporary storage. Inside and/or outside storage.

There will be absolutely no outside storage on premises. Anything that is inside of the building will be picked up by appointment only organized by insurance companies.

3. How are you handling any hazardous materials leaking?

We will utilize drain buckets, speedy dry, absorbent pads, and spill kits (consist of absorbent pads and booms which create a barrier). This will protect anything that would leak from contaminating the ground.

4. Do you have to hold a vehicle on site after an accident in Oxford? If so, then how long?

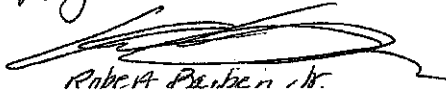
In most cases, insurance companies pick up the vehicle within 24 hours. In order to keep interior storage open, we have a second storage facility in Ansonia that we would gladly move vehicle/s to in order to not clutter anything up in Oxford.

For the generations that we have been in this industry, there has never been a need for spill kits, we have them but the majority of fluids are already out of the vehicle by the time we show up on the scene.

Also, the owner of the property at 140 Oxford Road, stated that he put in burms to protect the wetlands on property from spillage. We are also willing to put in a rain garden to further protect the wetlands as we have no intention to destroy them as we are aware previous tenants did. We are willing to do what we have to in order to operate on this property.

We can assure you that it will be as if we are not even there. Nothing will be stored outside, the only traffic will be pulling in and out of the driveway. The location is conveniently set back from the main road, so there will be nothing visible to businesses located in front of our building.

Regards,



Robert A. Benben Jr.

Mr. Barbieri stated: Yes, I agree.

Mr. Barbieri then explained about the berm that was installed.

Enforcement Officer Herde stated: That berm was placed on the outside area for the prior tenant and was installed to protect the wetland from any oils from leaching in, but the soil gravel and any oils will percolate down and to into the wetland.

Chairman S. Gibbons asked: So what I have in front of me is an accurate description but I was wondering if you have some of map?

Mr. Barbieri replied: I wasn't told at the last meeting to provide a map; we didn't interpret it that way. We only provided answers to the commission's questions.

Chairman S. Gibbons stated: The way I read it, it says no outside storage, but then in the beginning it says temporary storage. I just need clarification of no outside storage.

Mr. Barbieri replied: We will store nothing outside. The insurance companies have us store inside temporarily for either 24 or 48 hours.

Chairman S. Gibbons asked: So the temporary storage is only inside?

Mr. Barbieri replied: Absolutely inside only.

The Chairman asked how big the space was.

Mr. Barbieri replied: I believe it is 50' or 60' x 100'

The Chairman asked how many tow trucks?

Mr. Barbieri replied: 3 tow trucks

Chairman S. Gibbons stated: I'm not an expert but with the 60' X 100' size of the area, will this be big enough to store 3 tow trucks and temporary vehicles? We need clarification on outside or inside?

Mr. Barbieri replied: Only inside and there is enough room. If you saw my other place in Ansonia, of what I store there.

Chairman S. Gibbons stated: I actually saw one of your shiny new tow trucks on Rte. 34 and is it a big truck. What street is your auto repair shop on?

Mr. Barbieri replied: It is on Wakelee Avenue in Ansonia.

Chairman S. Gibbons asked what type of spill pad will be used?

Mr. Barbieri replied: It is an absorbent type of pad.

The Chairman asked if the Enforcement Officer wanted to add anything.

Enforcement Officer M. Herde replied: The floor is pitched to the outside and inside if there is some sort of containment, this can work. I know in the last meeting a rain garden was also mentioned for the exterior. This won't work for hazardous materials will leach into to the wetlands. Any storage for the outside would be a total re-application but I know you're only asking for interior. So this type of indoor gutter system with a curb that would go into a containment system.

The Chairman stated: Ok if there is any outside storage, it would be on a whole new level and the commission would probably ask for an environmental review. I think at this point if you can put something together on a plan to explain the size of the containment system for our next meeting which would be October 27th.

Mr. Barbieri agreed and exited the meeting.

Audience of Citizens:

The Chairman asked the audience of citizens which are members of the Land Trust if they wanted to speak about Rockhouse Hill.

Mr. Petrochko stated: Some of our members are present and I would like to thank Joe Lanier and the Youth Conservation Corp. for all of their accomplishments throughout the years which was started by former Commission member Tom Adamski. They have all done a great job. I wanted to speak about the mountain bike activity Rock House Hill, which all of us voted on for NEMBA (New England Mountain Bike Association). I thought we had an understanding that the mountain bike activity would only

be on the east side of the trail. I would also like to comment on the Moose Hill parking lot and ask what the plan is. I realize we have a pandemic and more people than ever have been out utilizing the trails.

The Chairman asked if Commissioner Joe Lanier can reply.

Commissioner Joe Lanier stated: During the last 7 months of this pandemic, there has been a surge of usage of people seeing and rediscovering nature. I agree the original parking area is usually full but there is also an option to park on west field and also at the Oxford High School that some families are utilizing. As far as the Moose Hill parking lot, that is used more for the biking. Right now we are working with Seymour to utilize Holbrook and it takes time. We didn't expect the surge of usage.

Mr. Petrochko asked about the new parking area on Moose Hill and asked about the kiosks on the trail systems.

Commissioner Joe Lanier replied: Right now there is a grant in the works for the Moose Hill Rd parking area. N.E.M.B.A. is assisting with the kiosks on the trails and this will come thru the Conservation Commission. Everyone is very cooperative and helpful. There are 7 kiosks and an electronic map that can be downloaded on a cell phone. There are 6000 rides logged and registered and those are just the ones we that were downloaded onto the app. Biking usage is up 100%.

Chairman Sue Gibbons stated: Well as you know, the Conservation Commission are all about the trails. It seemed during these past 6 months, everyone needed to get outside. I don't really agree with mandating or enforcing any kind of exclusion of mountain bikers. I don't know how you would be able to even do that. Maybe in the future, there is a way to deter them to Parcel C and then we can be allowed to mandate.

Mr. Petrochko added: I know we don't live in a perfect world and I agree maybe we can encourage them to use the Parcel C.

Mr. Jim Sanders added: There are steep parts and when you're walking and sometimes can see a biker going 20 mph and then see 3 more, it just would be nice to just be in there without running into so many bikes.

Chairman Sue Gibbons stated: Well I think we can agree we are all on the same page and we all agree that open space is a good thing. Maybe we can partner with you all and look into other options.

The Commission agreed.

(IW 20-97) Michael Lodice, 402 Quaker Farms Rd, (Lot line revision)
(Total acres = 15.6 acres) (Wetlands impact = 0) (Upland review impact = 0)

(IW 20-98) Michael Lodice, 402 Quaker Farms Rd, (Proposed single family dwelling)
(Total acres = 2.09 acres) (Wetlands impact = 0) (Total acres of wetlands = .31 acres)
(Upland review impact = 12,000 sq. ft.)

Engineer Mr. D'Amico stated he would have the conservation easement placed on the proposed single family dwelling plan. I will have it to you in a couple of days. The conservation easement is already on the lot line revision.

OLD BUSINESS:

- **48 Jacksons Cove Rd-** Verbal violation, discussion with permission, separate site walks

Permission (site walk performed) (Still awaiting revised plan from Fred D'Amico)

Applicant not present but engineer Mr. Fred D'Amico is present.

Chairman Sue P. Gibbons stated: We have the revise plan from the last meeting and it is still missing some items that are important.

Commissioner Joe Lanier stated: We need to just wrap this up; it has been on here for weeks.

Engineer Mr. D'Amico said he will have a map with everything on for tomorrow.

The Chairman asked for a motion to remove the cease & restore order and replace it with an approved restoration plan.

MOTION made by **Commissioner Andy Ferrillo** and **seconded by Commissioner Joe Lanier** to remove the cease & restore order and replace with a restoration plan for 49 Jacksons Cove Rd with the following conditions: 1) Owner to maintain grades to control the water .

2) Grade driveway so as not to cause erosion. 3) Minimal cutting of trees, mark trees that you wish to cut and prior to cutting, need IW Officer approval. 4) Underground water retention/infiltration for catch basin and garage roof. 5) Rip Rap armor on embankment.

6) Draw back slope. All in favor voted 4-0.

The Chairman added: Mr. D'Amico if you can work closely with Mike and maybe meet up on Wednesday or Thursday.

RE-APPLICATION:

NEW APPLICATIONS REQUIRING OCCIWA APPROVAL (ACCEPTANCE):

CORRESPONDENCE:

Secretary Denise Randall stated:

We received a letter from Mr. Haynes regarding Meadowbrook Estates who are looking for their performance bond or \$300,000 to be released. They have just obtained their last CO. This letter was sent to our Town Engineer on September 30th. A response was received on October 1st from the town engineer stating that they recommend that the performance bond for this project (400KF6036) be maintained for 1 year after the last closing.

OTHER BUSINESS:

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

MOTION made by **Commissioner A. Ferrillo** and **seconded** by **Commissioner Joe Lanier** to approve the regular meeting minutes from 9/22/20. All in favor 4-0.

ENFORCEMENT OFFICER:

10 Robinson Lane:

The Enforcement Officer stated that he checked the site and it looks good for now.

A small discussion on **25 Lisa Drive** cease & restore ensued.

The Commission members on their own, walked the site in the past few weeks.

MOTION made by **Commissioner Joe Lanier** and **seconded** by **Commissioner Ethan Stewart** to release the cease & restore order on 25 Lisa Drive. All in favor voted 4-0.

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: Will update

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)

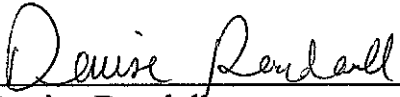
MATTERS OF CONSERVATION:

ADJOURNMENT:

MOTION made by **Commissioner A. Ferrillo** to adjourn at 8:34 p.m.
Seconded by Commissioner J. Lanier. All in Favor

4-0.

Respectfully Submitted,



Denise Randall
I/W Administrative Secretary

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12110 CANTON, CT
Canton, CT 06030
10/20/2022