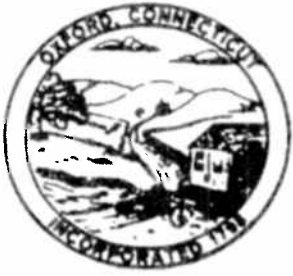


July 9, 2013



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, July 9, 2013

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, July 9, 2013.

Meeting was called to order at 7:36 P.M. by Chairman Michael Herde

ATTENDANCE ROLL CALL: Chairman Michael Herde

COMMISSIONERS PRESENT: Tom Adamski, Bill Richter, Ethan Stewart. Also present: I/W Enforcement Officer A. Ferrillo Jr., and Denise Randall Administrative Secretary.

ABSENT:

None

AUDIENCE OF CITIZENS (NOT FOR PENDING APPLICATIONS)

None

AMENDEMENTS TO AGENDA:

MOTION made by Commissioner B. Richter to accept amendment to the agenda for discussion of vegetation at the O.H.S. Football Field. **Seconded** by Commissioner T. Adamski. All in favor 4-0

Commissioner T. Adamski wanted to discuss the crab grass growth at the OHS Athletic Field and showed photos to the Commission taken the day before.

I.W.E. Officer A. Ferrillo asked if there was any growth of Crown Vetch?

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Commissioner T. Adamski replied: There is very little growth of Crown Vetch.

Chairman M. Herde added that the Crown Vetch, if present, will grow eventually.

Commissioner T. Adamski explained that he would have expected to see more seedlings but did not in large area he walked. The crab grass is just going to die off.

Chairman M. Herde asked: Is that area rough anyways?

Commissioner T. Adamski replied: It's mostly the banks of the retention pond.

Chairman M. Herde stated: Maybe a re-seeding in the last week of August would be a good idea.

I.W.E. Officer A. Ferrillo asked: Just surface seed it?

Chairman M. Herde replied: Maybe if mowed first and on the bank area place a good type of seed down and it may be able to grow ok.

Commissioner B. Richter asked: What is in that area?

I.W.E. Officer A. Ferrillo replied: There is no foot traffic in that area. It's just a grass area surrounding the detention pond.

Chairman M. Herde stated: Yes, make a mention of this and ask for a response.

Commissioner T. Adamski stated: I went out with Nafis and Young and they took 3 sediment samples from the runoff of the football field. One from the detention pond, one from the wetland it empties into and one where the wetland empties into the pond. Basically they are looking for the metals that were discussed on the original application. Results will be in on or about July 22nd or so.

NEW BUSINESS:

- 1) (IW 13-47) Garden Homes, Hurley Road. Attorney Mark Branse (Applicant's Attorney) introduced himself as well as Mr. Michael Klein (Environmental Planning Services-Soil Scientist for Applicant) and Mr. Steve Trinkhaus (Consulting Engineer for Applicant) Attorney Branse stated: We are here for a brief overview of Garden Homes. In the meantime, we have made some revisions to the plans and will now ask Mr. Trinkhaus to identify the differences. We know that in the past, you have had a public hearing on this and I understand this would be in the public interest and we do not object. We can go over the dates and if you need extensions, we can certainly adhere to that. I'm going to now turn it over to Steve Trinkhaus.

Steve Trinkhaus (Consulting Engineer for Garden Homes) The plan I have before you, is the current plan and shows the 2 units were eliminated as part of the revised plan that we wanted to show the Commission. The original application submitted had storm water basins for assessing water quality and your consultants and Town Engineer (Nafis & Young) wanted us to provide 0

increase in 100-200 year storm event. By doing this within the development area, the swale and bio swale systems stayed in place. In the Northwest corner we have a bio-retention system, and it would provide infiltration and also detention for the storm event. The South western area is a gallery system, which has an orifice and again it's an underground detention system to even flow out. On the Eastern side there are 3 dry detention basins now, and on the southern section there is another larger discharge area. All the activity is in the outside of the 100 foot upland review area. Mr. Trinkhaus then pointed out the southern area again with a new basin and the water flowing up North and then back down to the south. The water quality is being attenuated by the bio swales which will infiltrate first runoffs and therefore every time we have an inch or less of rain, there is no water that will ever get into any of these basin systems. Myself and Mr. Klein went out to the site and did 2 different sets of test holes. I also dug other test holes and took condition samples of the site throughout the location and log the soil pits in the existing conditions map which answered one of Tom Pietras prior comment. Basically, that is a quick overview of the site. I would like to now turn it over to Mr. Michael Klein.

Mr. Michael Klein (Biologist and Soil Scientist) stated he has been looking at this property for quite some time now. The resources have not changed, although we do have additional information which is seen in the report with the respect to the pond area at the southwestern corner of the site, as there had been questions about that from the past. We witnessed, logged and dug test pits in the basin areas and where the recharge facilities will go. It will be appropriate to accept the infiltration which is a very important element that the consultants in the past have been concerned about. Increasing the rate of runoff and changing the hydrology of these wetland systems and we didn't agree with them in that regard because of the large areas that were involved in the relatively small drainage areas draining to those wetlands. But, as Steve Trinkhaus mentioned the revised plans demonstrate that the infiltration basins and water quality swales will infiltrate the ground water from the small to moderate size storms. The large storm events typically get a substantial amount of runoff anyways and little recharge delivering that first inch or less of rainfall the system is sized to infiltrate all of that. The ground water regime here won't be changed and will continue to support the east and west side wetland systems. The basins have been seeded with different native and non-native and

(Commissioner S. Purcella Gibbons entered the meeting at 7:46 pm)

non-invasive seeds. The plants that survive will sort themselves out, according to hydrology. The mix covers a wider range and are specifically designed for detention basins. The species that like the wetter environments will be more dense in the wetter areas and the species that like the dry will be more dense in the dryer area. One of the things Steve Trinkhaus did not mention, in addition to the stone walls which are present down slope of the basins on the western side, there is more or less continuous stone wall that is down slope of the large basin on the eastern side. In addition the stone walls which will react to the flows, there are additional stone walls proposed to be installed at all the outlet areas of the basins. This will slow down the flows and spread the flows out and minimize the potential for erosion. I did look at the significant activity portion in the regulations. I will put in the record that, in my judgement, I don't think this proposed development has any impact on the wetlands. I would end this here and can answer any questions that you might have.

Attorney Branse then asked the Commission if there were any questions to address.

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Attorney Branse then stated: The drainage calculations that you received do include the assumption of sheds on every lot. The owner is setting a maximum size for a shed and we are assuming that everyone will have a shed. Attorney Branse asked for a further breakdown of the Nafis & Young (Town Engineer) estimate of costs to review this project.

I.W.E. Officer A. Ferrillo replied: We will produce that and get this to you as soon as possible.

Chairman M. Herde then asked the Commission if anyone had any other questions. Are there any thoughts here as to going to a public hearing or not.

MOTION made by Commissioner T. Adamski to have IW13-47 Garden Homes, Hurley Rd. go to a public hearing on Monday, September 9, 2013, 7:00 p.m. at the Oxford Town Hall, main meeting room due to significant public interest based on the past history of the application for this property. Section 9.3 of the Oxford Inland Wetlands Regulations applicant shall mail notice of the public hearing by certified mail to all owners of record of abutting land no less than 15 days prior to the day of the public hearing. Proof of such valid notification shall be entered into the hearing record. No further discussion. **Seconded** by Commissioner Bill Richter. **All in favor 5-0.**

OLD BUSINESS:

1. (IW 13-7) Glendale at Oxford, LLC- Christian St.

I.W.E. Officer stated: Glendale will not be here this evening as their engineer is still working on the Nafis and Young review. Attorney Smith asked for an extension from July 9th to July 23rd and has informed us that his clients should be ready with the revised presentation for the next regular meeting on July 23, 2013.

MOTION made by Commissioner T. Adamski to accept a request for an extension on IW 13-7 Glendale at Oxford, LLC from July 9, 2013 to July 23, 2013. **Seconded** by Commissioner S. Purcella Gibbons. All in favor 5-0.

NEW APPLICATIONS REQUIRING OCCIWA APPROVAL (ACCEPTANCE)

(IW 13-56) DeCarlo & Doll, Inc.- Reconstruction road project of 107-166 Christian St

MOTION made by Commissioner B. Richter to accept application (IW 13-56) DeCarlo & Doll, Inc. reconstruction road project of 107-166 Christian Street. **Seconded** by Commissioner T. Adamski. All in favor 5-0.

OTHER BUSINESS:

None

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

MOTION made by Commissioner T. Adamski to approve the regular meeting minutes for June 25, 2013 with the following corrections: On page 3, fourth sentence down the word “there” should be read “their” and on page 6 –second paragraph the word “too” should read “to”. **Seconded** by Commissioner S. Purcella Gibbons. All in Favor 5-0

ENFORCEMENT OFFICER:

I.W.E. Officer A. Ferrillo stated that Jim Swift (Professional Engineer & Landscape Architect) came in last week to obtain the fee schedule, regulations and an application for the violation on property located at 138 Coppermine Rd (Jason Scherbic) we will wait to hear from them at the next regular meeting.

I.W.E. Officer A. Ferrillo stated that the Cocchiola site at Rte 34 and Punkup, is being re-seeded and the site for now, is still being monitored for re-growth. Mr Horbal would like the Commission members could individually take a look at the site and give their opinions at the next meeting. The majority of the growth appears to be crab grass and Mr. Horbal agrees as well.

Chairman M. Herde stated: I think it's holding for just the summer.

I.W.E. Officer A. Ferrillo stated: I asked him again for the reason for the crushed stone on the right side but Mr. Horbal said he would have an answer for the next meeting.

Chairman M. Herde asked about the Haynes detention pond.

I.W.E. Officer A. Ferrillo replied: It's still holding well for now. I have not seen any increase in the elevation of the water. No visible damage to the offsite pond on Great Hill Rd.

Chairman M. Herde stated: Yes, It seems to be holding, even with the size storms we have been having lately.

I.W.E. Officer A. Ferrillo stated: Mr. Ligi's property (501 Roosevelt Dr) I have pictures of the leaning wall which is getting worse. Mr. Galligan was down there today and we now have a new letters from Zoning, Town Engineer and the Building Department as well as myself. The letters state the wall must be removed within 7 days of receipt of these letters that the Marshall will now deliver to him. He has not, in the past, picked up his certified letters.

Chairman M. Herde asked if the Town Attorney is on board?

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I.W.E. Officer A. Ferrillo replied: Yes, the Town Attorney has been notified and given copies of the letters that will be served. Mr. Gramolini (the building inspector) has notified the States Attorney's office as this could develop into a criminal arrest.

Chairman M. Herde asked if the First Selectman is aware?

I.W.E. Officer A. Ferrillo replied: I took the First Selectman out to see the wall already. I have all of the letters here if anyone wants to see them.

COMPLAINT/CONCERN:

APPLICATIONS NOT REQUIRING OCCIWA APPROVAL:

4/20/2013	Jacki Halpern	56 Jackson Cove Rd.	Interior alteration - no ext of foot.
4/29/2013	Edwards Realty	16 Edwards Drive	Cottage Biz
5/6/2013	Richard Hoeppner	9 Owl Ridge Rd. 505 Traditions Court	CO for enclosed sunroom
5/7/2013	Chris Kelly	621 Championship Dr.	Bathroom remodel
5/13/2013	Larry Sims	268 Oxford Road	partial finish bsmt for closet
5/14/2013	Pheonix Propane	71 Oxford Road	CO for Office
5/20/2013	Gary Hylinski	549 Putting Green In	Remodel for Velvet Hair Salon
5/21/2013	David Giovanetti		Bathroom in bsmt.
6/5/2013	Ed Cirella	575 inverness ct	Bsmt. Remodel

MATTERS OF VIOLATIONS/LITIGATIONS:

1. Michael Ligi -501 Roosevelt (Town Engineers report dated 9-12-2011)
Commission requested the Enforcement Officer to contact Mr. Ligi regarding the current status of the wall constructed without a permit.
2. Notice of Violation Cease and Restore Order – Susan Kupec-Jutcawitz Randall

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Drive Detention Pond Collapsed (Pending repair) Wetlands and zoning both approved removal of outlet structure and retaining berm. Wetland work to be completed at low flow periods in June/July of 2013. Outlet structure as been removed. The easterly wall of the detention pond has been removed and all work has been completed.

3. Notice of Violation Cease & Desist--- Ms. V. Tkacz-(10 Park Rd.)
Certified Letter sent on 7/5/12 by I/W and Letter sent by P&Z on 10/1/12. Letter received.
Engineer F. D'Amico engaged by owner to prepare site plan. Site plan received and sent to town engineer for review. Awaiting revised map from Mr. D'Amico.
4. Notice of Violation Cease & Desist ---Mr. Frank H. & Robert Samuelson (Under the Rock Park) on Roosevelt Drive

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:

- 1) Oxford Oak, LLC 360 Oxford Road (Lot 39) (Stabilization of site).
- 2) Open Space Inventory Map. Completed by New England Geosystems
- 3) NOV WR SW 06 007 (Issued 4/10/06) CT DEP Meadow Brook Estates, Great Hill Road (Remove Sediment from Pond & Stream) (Letter dated 9/27/06) (Memo dated 8/4/06). Work completed, staff to monitor site for 1 year.
- 4) Town of Oxford Catch Basins (Silt Removal).
- 5) Storm Drain Marker Program (Phase II).

MATTERS OF CONSERVATION:

Commissioner S. Purcella Gibbons gave an update on when the Americorp team which will now be coming up from Maryland to perform conservation clean-up on August 12, 13th and 15th from 9:00 am to 4:30 pm. I also sent this information to Commissioner Adamski. It's a group of 8 to 10 persons. This information is from Mr. Lucas at Pomperaug Health and again it's a federal program so free to the Town of Oxford.

Commissioner T. Adamski passed around recent photos taken of the Youth Conservation Group cleaning out on Four Mile Brook that had been blocked by fallen pine trees from last years storms and there is more scheduled work to be performed in the next 2 weeks. The Brook was completely blocked and creating a lot of erosion. Commissioner Adamski wanted to show the hard work they have done.

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I.W.E. Officer A. Ferrillo stated: The vote that the Commission made at the least meeting to take money to request money from the conservation fund for surveying and document 40 acres near the Von Wettberg Pond. The Board of Selectman and the Board of Finance have approved it. It is now up to the First Selectman to send it to a town meeting because the town residents to approve it. The Town meeting will be held on (Tuesday) July 16, 2013.

ADJOURNMENT:

MOTION to adjourn by Commissioner T. Adamski and **seconded** by Commissioner B. Richter at 8:18 p.m. Voted **5-0**

Respectfully Submitted,



Denise Randall

Administrative OCCIWA Secretary

13 JUL 16 PM 3:00
TOWN OF OXFORD, CT
Margaret A. West
TOWN CLERK