



February 12, 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, February 12, 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, February 12, 2013

**Meeting was called to order at 7:33 P.M. by Chairman M. Herde**

**ATTENDANCE ROLL CALL:** Chairman Michael Herde

**COMMISSIONERS PRESENT:** Sue Purcella Gibbons & I/W Enforcement Officer A. Ferrillo Jr., and Denise Randall Administrative Secretary.

**ABSENT:**

Commissioners T. Adamski and Ethan Stewart

**AMENDEMENTS TO AGENDA:**

Discussion of Town Wide Clean-up

**MOTION** made by Commission Sue Purcella Gibbons to forward town wide clean-up resolution and cover letter to the next Board of Selectman meeting. **Seconded** by Bill Richter.  
All in Favor – **3-0**

**OLD BUSINESS:**

Belmar Farms IW-12-115- discussion of vortechnic Unit and Smart sponge.

I.W.E. Officer A. Ferrillo explained to the Commission that the Town Engineer will not be here due to unforeseen circumstance and Commissioner T. Adamski is also absent and wanted to discuss the above items.

The Commission agreed to have the Commissioner T. Adamski and the Jim Galligan (Land Surveyor) as well as the I.W.E. Officer Ferrillo meet for discussion at a later date on the vortechnic unit and Smart Sponge and the erosion controls at the O.H.S. Athletic Field.

**NEW BUSINESS:**

None

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

None

**OTHER BUSINESS:**

None

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

**MOTION** made by Commissioner Sue Purcella Gibbons to approve the regular meeting minutes for January 22, 2013. **Seconded** by Commissioner Bill Richter.  
All in Favor **3-0**

**ENFORCEMENT OFFICER:**

I.W.E. Officer A. Ferrillo stated: We have Mr. Horbal (Engineer) and Mr. Brian Botti (Owner of property) present to discuss the site plan modification for Beth Acres (IW 13-1) Riggs St & Autumn Ridge Rd.

Mr. Horbal stated he is present here with the owner of Beth Acres (Brian Botti) to discuss the site plan modification and he also presented the revised maps to show the Commission. This was originally approved by the Pomperaug Health, Inland Wetlands Department and Planning and Zoning Commissions in 1997 and 1998. The approved plan before us is the actual plan that is on file with the land records. The reason we are here is that Planning and Zoning has questioned and determined that our subdivision approval may have expired due to items not addressed in that time period of 5 years. These items not done include monuments being set as regarded by Planning and Zoning, the pipe that crosses the existing driveway was not removed and this was a condition of the former wetland Commission members and a common driveway had to be built to serve lot #2 and lot #3. Mr. Horbal then showed the Commission lot #2 on the survey map which has the same lot layout as before. Mr. Horbal explained the only difference is they are here for an approval for a site plan modification as we added a drainage swale and a pipe across the driveway which did not exist before. There is a complete set of original site plans. Existing was a home which is #148 with a barn and a driveway that runs along a curvy course, crossing over the brook and exiting out onto Riggs Street. As I explained earlier, part of the approval was to remove the pipe to make the driveway exit differently and in addition to making a lot of this area subject to a conservation easement. The conservation easement has not changed. A section of the driveway in lot #2, there was no ditch or swale proposed and no pipe crossing to empty into the wetlands. When the contractor cut into the

swale there was a lot of water leaking out of the side. He then placed in a rip rap swale with a pipe crossing with rip rap stone that dumps the water from the swale back into the conservation easement and eventually into the Riggs Street Brook. So because Planning and Zoning made this declaration that the subdivision expired, they explained in order to get this reinstated, we had to go back to the Pomperaug Health Department and then to Inland Wetlands and finally to Planning and Zoning Commission with the goal of having this reinstated. If you went out there today, you would see house #148 which is owned by Brian Botti which is leased out. There was a barn on the property in 1997 and it was called to be removed and it was knocked down. There has been no other construction on lot #1 except for the roughing out of a portion of the driveway. There has been construction on lot #2 with the existing house that has that ditch and the swale. On lot #3, the power company replaced 2 poles. We are asking your approval of this modified site plan so that we can proceed onto Planning and Zoning. There are no changes with the driveway. The old driveway is not usable anymore as we can't go from the house driveway onto that driveway and is blocked by a boulder where a monument was built. All easements will stay in place.

Chairman M. Herde asked: How big is the pipe under the driveway?

Mr. Horbal replied: The new pipe is a 15 inch plastic pipe under the driveway to a rip rap pad which will then empty out to a wetland.

Chairman M. Herde asked the I. W. Enforcement Officer if he has already been there and how it looks.

I.W.Enforcement Officer A. Ferrillo replied that it looks good.

Mr. Horbal stated: We all met out at the site as the original plan indicated we will remove the old pipe in the brook under the old driveway and we will then pull the portion of the brook back on the East side and the straighten out to avoid water impact on Riggs Street. In fact, I don't want to do this work anytime soon.

Chairman M. Herde replied: I'm wandering about the disturbance of the river.

I.W. Enforcement Officer A. Ferrillo agreed that generally we would prefer the work to be performed in July where the water is lower.

Chairman M. Herde asked if there is trout in that brook?

I.W. Enforcement Officer replied: Probably native brook trout.

Mr. Horbal replied: I'm not sure but this is a one day job for us. We also noticed that since the last approval, Riggs Street has been widened and at different points along the brook the banks have washed out and someone has placed modified rip rap along the West side of the brook.

I.W. Enforcement Officer A. Ferrillo explained as well as the brook coming up, the beaver pond across the street overflows across the road and so that edge of the road has already been taken a beating and will probably get worse.

Chairman M. Herde stated that he would rather wait till July to start the work.

Mr. Horbal replied: We have no problem with that.

**MOTION** made by Commissioner Bill Richter and **seconded** by Commissioner Sue Purcella Gibbons to **APPROVE** site plan modification (drainage swale for driveway) for application **IW-13-1 Beth Acres, Brian Botti** (Lot 2) (880 sq. ft. of U.R.A. impact, 0 sq. ft. of wetland impact) Based on final approved plans dated 8/17/1995 and last revised 2/9/2013. The reason for approval is no direct impact to wetlands and no feasible and prudent alternatives. Permit to expire 2/12/2018.

**Voted – 3-0**

**COMPLAINT/CONCERN:**

None

**APPLICATIONS NOT REQUIRING OCCIWA APPROVAL:**

None

**MATTERS OF VIOLATIONS/LITIGATIONS:**

1. Michael Ligi -501 Roosevelt ( Town Engineered 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  
Drive Detention Pond Collapsed (Pending repair) Wetlands and zoning both approved removal of outlet construction and retaining wall. Not yet 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.
4. Notice of Violation Cease & Desist ---Mr. Frank H. & Robert Samuelson (Under the Rock Park) on Roosevelt Drive

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

**OTHER ITEMS OF CONCERN:**

A discussion ensued regarding the Town Wide Clean-up. Commissioner S. Purcella Gibbons and Secretary Denise Randall agreed to send the cover letter and resolution to the Board of Selectman to start the process rolling. The plan is to have April 1<sup>st</sup> thru April 30<sup>th</sup> as Town Wide Clean-up month and a timeline from last year is in place. The next Board of Selectman meeting will be held on Wednesday February 20<sup>th</sup>. Discussion on the Town Wide Clean-up will continue at the next our next regular meeting.

**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).
- 4) Town of Oxford Catch Basins (Silt Removal).
- 5) Storm Drain Marker Program (Phase II).
- 6) Meadowbrook Estates Detention Pond/Harrison-Byk- Area to be monitored by Nafis and Young staff and I.W. Officer for period of 1 year to determine if expanded detention pond is sufficient.

**MATTERS OF CONSERVATION:**

None

**ADJOURNMENT :**

**MOTION** to adjourn by Commissioner S. Purcella Gibbons and seconded by Commissioner B. Richter to adjourn the meeting at 8:11 pm.  
Voted 3-0

Respectfully Submitted,

Denise Randall  
Administrative OCCIWA Secretary

13 FEB 21 PM 1:54  
TOWN OF OXFORD, CT  
TOWN CLERK  
*Margaret A. West*