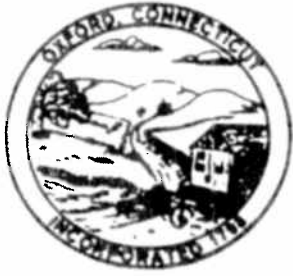


May 28, 2013



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, May 28, 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, May 28, 2013.

**Meeting was called to order at 7:37 P.M. by Acting Chairman S. Purcella Gibbons**

**ATTENDANCE ROLL CALL:** Acting Chairman S. Purcella Gibbons

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

**ABSENT:**  
Chairman Michael Herde

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

**AMENDMENTS TO AGENDA:**

Catch Basin Clean out at OHS Athletic Field

**MOTION** made at by Commissioner T. Adamski and **seconded** Commissioner B. Richter to accept amendment to agenda which is a discussion on the clean out of the catch basins at the OHS Athletic Field. All in favor 4-0

**OLD BUSINESS:**

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

I.W.E. Officer stated: I received a memo from the applicant's Attorney Chris Smith that stated the applicant's engineer is still reviewing the Town's engineer report and will be ready for the second presentation at the next regular meeting on June 11, 2013.

**NEW BUSINESS:**

**(IW 13-27) (207 Christian St)** –Curt Jones (licensed P.E. Civil 1) stated he was present with Ed Godin Jr. (Owner of the property) and explained he received a review letter on May 23, 2013 from the town engineer (Nafis & Young) to which he has brought a response letter. Mr. Jones then handed out the response letter to the Commission members. Allan Young (Nafis & Young) comments are re-stated and Mr. Jones responses are then listed below each comment.

-The underground infiltration system is designed to provide detention and infiltration of stormwater from the roof leader drains and to ensure there is no increase in post development runoff volume for all design storms up to and including the 100 year storm.

Mr. Jones stated: My response is to the town engineers comment that stated the first flush storage requirement is for 1" of rainfall over the impervious surface or approximately 800 cf. The infiltration system has a storage volume of approximately 140 cf.

We have an existing site, with an existing building and an existing driveway coming in and what we are doing is providing detention and retention infiltration for the first flush for the new building only because the rest of the area already exists. The underground infiltration system was sized using the SCS Runoff Curve Number Method in order to ensure there is no increase in post development runoff volume for all design storms up to the 100-year storm. The moderately well-drained soils in the area of the infiltration trench will provide storage and infiltration of both small and large rain events therefore protecting the wetlands area below.

Mr. Jones added that a site walk by the Commission members was performed almost a year ago.

Mr. Jones then went onto to explain that percolation tests have been completed in the area of the proposed infiltration system. The locations of the percolation tests and the results are included on the plans. The field measured results for infiltration were 6.75" /hour. Therefore the 3" an hour rate that was used to design calculations is appropriate and conservative.

-The Town Engineer commented on that the infiltration system has no overflow mechanism.

Mr. Jones response is the infiltration trench has been designed with placing stone to grade. This will allow the trench to overflow and function as a level spreader in the unlikely event that it was to fill completely with stormwater.

-The Town Engineer commented on having no information regarding the quality of the wetlands just down gradient of the property.

Mr. Jones then introduced and handed out the soil report to the Commission members for the record.

Mr. Jones response is that the down gradient wetlands area was flagged on the adjacent property by David Lord (Soil Scientist) on April 27, 2012 as part of the Patriot Business Park Project. A description of the soils and the wetlands in the area are contained in Mr. Lord's wetland delineation report.

-Comment from the Town Engineer states that there is not a stormwater management proposed for any area other than the building roof and overland flow directly to the Wetlands is the stormwater management plan.

Mr. Jones responded: That is correct. The stormwater from the proposed roof leaders will be detained and recharged into the ground through the proposed infiltration system. The parking area, which will be decreased by 2,260 square feet will continue to sheet flow towards off-site grass and wooded areas to the south and southwest as it currently does before entering any wetland areas.

-Comment from the Town Engineer: There is no proposal to capture stormwater from the parking and treat this runoff to remove oil/grit prior to discharge to wetlands.

Mr. Jones response is the existing grass shoulder areas along the edge of the existing parking area act as a sediment and runoff filter from the existing parking area and will continue to do so under proposed conditions. The existence of a septic field in the southern area of the parking lot precludes any additional, structural storm drainage measures in this area.

Comment from Town Engineer: Verify that the infiltration proximity to the leaching field is adequate.

-Response from Mr. Jones: The minimum separation from the leaching field to the proposed infiltration trench is 25'. The provided separation is 40 feet.

Comment from Town Engineer: Silt fence does not appear to be adequate for soil erosion control and should be extended.

-Response from Mr. Jones: The silt fence has been extended per the recommendation

Comment from Town Engineer: Please verify that the stormwater detention plan provides for zero increase in runoff for 2-year through 100-year storms.

Response from Mr. Jones: The underground infiltration system was sized using the SCS Runoff Curve Number Method in order to ensure there is no increase in post development runoff volume for all design storms up to and including the 100-year storm.

Comment from Town Engineer: Engineer should address the possibility of too little stormwater reaching the wetlands and affecting their viability by starving them of water.

Response from Mr. Jones: The placement of the infiltration system up gradient of the wetlands system will provide groundwater recharge of the wetlands area ensuring that they will not be starved of water.

Mr. Jones then showed the groundwater recharge area.

I.W.E. Officer A. Ferrillo asked if the set of plans are for us and the Town engineer.

Mr. Jones replied: Yes, there are enough copies of the maps and drainage reports.

I.W.E. Officer A. Ferrillo replied: Ok, we will get this information tomorrow to the Town Engineer so they can review your responses.

Mr. Jones stated: If no one has any questions then I will wait to hear from you. Thank You.

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

None

**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 May 14, 2013. **Seconded** by Commissioner E. Stewart with the following correction on page 5 (first paragraph) Mr. Brian Baker replied: This will have to be part of the roadway construction, as they are putting the storm drainage in this basin. All in Favor 4-0

**ENFORCEMENT OFFICER:**

I.W.E. Officer A. Ferrillo stated: (Coacchiola Paving -IW 13 6 ) -Riverview Subdivision, Mr. Horbal (Land Surveyor) wanted to know if the applicant is unable to re-submit until the fall do to stabilization problems with he still be credited with the fees he already paid?

The Commission agreed and had no issue with crediting the fees for the re-submission.

**MOTION** made by Commissioner B. Richter to apply the already paid application fee for IW 13-6 (Cocchiola Paving) Riverview Subdivision for the next application as requested when the site is stabilized sometime in the fall of 2013. **Seconded** by Commissioner T. Adamski. All in Favor 4-0.

I.W.E. Officer A. Ferrillo stated: Mr. D'Amico (Engineer is present with the revised map for **10 Park Rd.**)

Mr. D'Amico stated: I'm here with the revised maps for 10 Park Rd. for which the property owners did work in and around the Little River with no permit. It is hard to prove what was done in the river because it is under water. What I did was a topography map and tried to decipher what the existing topography was before. It only looks like it raised about ½ foot to a foot. There is a silt fence along the stream on the one side which is basically right along side the floodway. Luckily, the floodway in that area is just the stream itself. They did fill the flood plain and my guess would be about a foot. I don't think it will effect the actual flow because the floodway is along the stream. Even when we had those bad storms, it never came out of the stream as my office is located next door. On their side, I know the flood plain went almost to their door. It flooded the sluice way. Mr. D'Amico then showed in the map the sluice way area. This would be within the 100 year storm. It's going to overflow the floodway which is basically a little bigger than a channel. The X on the map shows the 500-year storm.

Mr. T. Adamski asked: So if we have a 100-year storm, the potential is to be flowing all over the new grass area, right?

Mr. D'Amico replied: Yes, unless the vegetation grows and stabilizes it. Is it better to make them take it out or to leave it alone.

Mr. T. Adamski stated: Well, we found out from the little red post office down further that grass doesn't hold anything when water comes over it.

I.W.E. Officer A. Ferrillo asked: So the elevation he put in, it's still at flood elevation. In other words, he is not going to stop anymore from coming in his basement?

Mr. D'Amico replied: They claim they have had water in the basement, but they have water in the basement all the time because the sluice way is there. With that last big storm, I don't think it flooded.

I.W.E. Officer A. Ferrillo asked: Is his basement floor at flood plain elevation?

Mr. D'Amico replied: His basement floor is the sluice way that goes right through it. Technically I guess if the sluice way was flooded at the time, it could have backed up but I don't think it came up much further than that.

I.W.E. Officer A. Ferrillo asked if the sluice way, under the bridge, has been cleaned out?

Mr. D'Amico stated: yes, it is.

Commissioner T. Adamski stated: The main effect he had here is the potential that the top soil that was placed will now rush down the river. And also to a small extent, he has reduced the cubic footage of the flood plain.

Mr. D'Amico replied: Yes, I think though, that it is a small percentage only on one side. Even if you raised it a foot through the whole flood plain he is probably raising the flood level less than a foot which technically falls in the regulations but the biggest problem is, right along edge of the stream, even with a smaller storm, top soil will wash out a couple feet as soon as the silt fence is gone. Maybe it should be rip rap along the edge.

I.W.E. Officer A. Ferrillo asked: Is he finished?

Mr. D'Amico replied: I think he is. He built a patio, a deck on the concrete. I doubt that will ever move as it is far enough up stream where it will not get pushed down.

Commissioner T. Adamski asked: Would it make sense to pull the top soil back and rip rap at least a couple of feet back?

Mr. D'Amico replied: Yes, right along the stream about 2 or 3 feet along so that you have an armor barrier.

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Commissioner B. Richter asked: Is that where the silt fence is?

Mr. D'Amico replied: Yes, basically where the silt fence is right along entire stream and take away part of the grass and put standard rip rap.

I.W.E. Officer A. Ferrillo asked Mr. D'Amico if he can write up this recommendation in a letter.

I.W.E. Officer A. Ferrillo then stated: If Nafis and Young agrees to it and the Commission agrees then we can go from there.

Mr. D'Amico replied: Yes. I can do that.

I.W.E. Officer A. Ferrillo stated: We will give the map to Jim Galligan (Town Engineer) as he is the flood coordinator.

Commissioner S. Purcella Gibbons asked: When someone digs in the wetland such as he did, does the D.E.E.P. get involved?

I.W.E. Officer A. Ferrillo responded: I don't believe the D.E.E.P. would get involved unless we had no cooperation from the property owner. The plan has to be approved by Mr. Jim Galligan and must correspond with F.E.M.A. regulations. Mr. Galligan will review it and come up with a conclusion. Primarily, the flood plain issues are in the Zoning regulations but because it is in a wetland, it is also wetland issue.

Mr. D'Amico concurred: The flood plain ordinances are also governed by Zoning.

Mr. D'Amico thanked the Commission and left the meeting.

I.W.E. Officer A. Ferrillo stated: There is another discussion regarding the Town Hall hours and the discussion is to open till 7:00 on Thursday and only work ½ a day on Fridays. This would mean we would be working 10 nights a month with Monday, Tuesdays and Thursdays.

Commissioner T. Adamski asked: I would really like to see the hours go back to what it was.

The Commission agreed to write a letter to the First Selectman to have the hours go back to what they were.

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I.W.E. Officer A. Ferrillo & Commissioner T. Adamski have recently seen the color of the Von Wettberg Pond which has turned to a greenish/blue color. Commissioner T. Adamski has a concern regarding with one of the dyes used in hydroseeding process which is called Malachite Green. We are still waiting to to hear from Mr. Guerrero (Guerrera Construction) as to what type of hydroseeding was used. In the past, the State fish hatchery's commonly used Malachite green dye to treat certain fungus. They do not use it anymore because the fish could not be good for human consumption. I spoke with Town Engineer and to the First Selectman and they both strongly agreed to have signs posted "Do not eat the fish until further notice, pond may be contaminated". All we need is the manufacturers name so we can find out of the hydroseed has Malachite Green in it. The other question is, can we regulate the use of this type of dye in hydroseeding near or in a body of water? Why would you want to use this type when there is a feasible alternative? I was told by D.E.E.P. yes, you can regulate it.

Commissioner T. Adamski replied: I think just to add one more point. If you have this dye going in the pond, which is a fungicide and an algaecide then you're going to change the character of the wetland.

**COMPLAINT/CONCERN:**

None

**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.	CO for enclosed sunroom
5/7/2013	Chris Kelly	505 Traditions Court	Bathroom remodel
5/13/2013	Larry Sims	621 Championship Dr.	partial finish bsmt for closet
5/14/2013	Pheonix Propane	268 Oxford Road	CO for Office
5/20/2013	Gary Hylinski	71 Oxford Road	Remodel for Velvet Hair Salon
5/21/2013	David Giovanetti	549 Putting Green In	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  
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.
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:**

Commissioner S. Purcella Gibbons started a discussion regarding the Town Wide Clean-up and stated that she and Commissioner Adamski did the drawing of pledge form names for the prizes which will be distributed this week at the area schools.

Commissioner T. Adamski explained to the Commission a recommendation that appropriate funds from the Conservation be used for the purpose of surveying and documenting approximately 40 acres of property, west of and abutting the Von Wettberg Preserve so that the property can be claimed by the town. The land is currently claimed by no other abutters, and doesn't exist on the assessors map. The properties are not appropriate for development, but make a valuable addition to existing open space, at a low cost. Completing a survey of the unknown ownership lands will also determine the boundary of Town of Oxford open space. Knowledge of the western boundary of the Von Wettberg preserve is currently incomplete due to the lack of proper A2 drawings.

**MOTION** made by Commissioner B. Richter to send a letter to the Board of Selectman regarding Parcel D, Rockhouse Hill, land of unknown ownership to be surveyed and documented and not more than \$7500 of funds to be expended from the Conservation fund. **Seconded** by Commissioner E. Stewart. All in favor 4-0.

**COMMENTS FROM THE CHAIRMAN & OTHER COMMISSION MEMBERS**



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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:


ADJOURNMENT:

**MOTION** to adjourn by Commissioner T. Adamski and **seconded** by Commissioner B. Richter at 8:20 p.m. Voted **4-0**

Respectfully Submitted,



Denise Randall  
Administrative OCCIWA Secretary

13 JUN -6 PM 4:02  
TOWN OF OXFORD, CT  
  
TOWN CLERK