



November 27, 2012

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, November 27, 2012

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, November 27, 2012

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

ATTENDANCE ROLL CALL: Acting Chairman S. Purcella Gibbons

COMMISSIONERS Tom Adamski, Bill Richter, Ethan Stewart & I/W Enforcement Officer A. Ferrillo Jr., and Denise Randall Secretary.

ABSENT:

Chairman M. Herde

AMENDEMENTS TO AGENDA:

None

OLD BUSINESS:

None

NEW BUSINESS:

Belmar Farms, LLC (IW 12-115) 108-120 Oxford Rd.

I/W. Enforcement Officer A. Ferrillo Jr. stated that he received a letter from Nafis & Young (Town Engineer) that contains questions and this information was sent over to Pereira Engineering. We are now waiting for a response from both Pereira Engineering and the Oxford Town Engineer.

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 from 11/13/12 with corrections noted below. **Seconded** by **Commissioner B. Richter**. Voted 4-0

Page 2- second paragraph the word "improved" should read "approved"

Page 3- second paragraph bottom of the page the word "permit" should read "permanently" and the word "downgrading" should read "downgrade"

Page 4- fourth paragraph the word "Arial" should read "aerial"

Page 6- fifth sentence from the bottom should read as follows: Keith Buda responded: We would have to come to you first for any additional development.

ENFORCEMENT OFFICER:

I.W.E. Officer A. Ferrillo stated that he spoke with Town Council regarding Mr. Crozier's violation (10 Park Rd) and let him know that the Commission is looking towards placing a caveat on the property and Attorney Condon replied and asked if he would call him and speak to him first and then if he does not respond, then he would advise placing the caveat on. We will give him till the next meeting which is on December 11th to see if he responds.

Commissioner T. Adamski asked: What happened to the enforcement process where you would issue a summons and had a hearing officer and such? Mark Gross and Jim Lyons were the hearing officers.

I.W.E. Officer A. Ferrillo replied: I'm not sure this process is even done anymore. We can try. Donna from D.E.E.P. said that she would be glad to intervene if necessary and she has already observed the property. We can also talk with Jim Galligan and have him send an F.E.M.A letter as it is an F.E.M.A. violation.

Commissioner T. Adamski stated: That would be good.

I.W.E. Officer A. Ferrillo stated: As far as Mr. Cocchiola on Route 34 progress, there is no update. I let him know that the Commission was not inclined to release any of his bonds as the Commissioners are not satisfied with the re-vegetation.

I.W.E. Officer A. Ferrillo stated: Haynes pond cleaning and detention pond has been taken care of. Nafis and Young approved the Clifford pond and the detention pond.

COMPLAINT/CONCERN:

APPLICATIONS NOT REQUIRING OCCIWA APPROVAL:

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--- Mr. Ralph Crozier & 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.
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:

I.W.E. Officer A. Ferrillo explained to the Commission that there was a summons received on November 16th 2012 and then given to Attorney P. Olson (Land Use & Conservation Counsel) on 11/21/2012. At this time, we will wait for advice from Attorney Olson.

Acting Chairman S. Purcella Gibbons asked Commissioner T. Adamski to discuss the timber harvesting on the agenda.

Commissioner T. Adamski stated that the Commission has copies of the information and he wanted to get input from the Commission. The First Selectman has made a proposal that the town have a lottery for firewood cutting permits on Rockhouse Hill. Commissioner T. Adamski then goes onto to say he does not per say have any issue with harvesting but thinks it would be difficult to regulate and at a minimum we need a forestry management plan in place before we can let just anyone in there and then who would be responsible for managing it.

Acting Chairman S. Purcella Gibbons stated: Would if a tree is chopped down by mistake.

I.W.E. Officer A. Ferrillo commented on an important fact, there is no road access to any of the parcels. Allowing vehicles would be detrimental to the environment.

Acting Chairman S. Purcella Gibbons agreed: Yes, right

Commissioner T. Adamski stated: You have a lot of fencing that limits access and as far as skid-steers going in there, you have steep slopes adjacent to wetlands, adjacent to more steep slopes and how do you go in and harvest?

Commissioner B. Richter replied: You can't do it without a machine, that's for sure.

Acting Chairman S. Purcella Gibbons asked: Are we talking harvesting or just cleaning up the mess from recent storms?

Commissioner T. Adamski replied: Well, he is talking about fallen wood and some you can probably get to but the majority of it is too far in off the road.

I.W.E. Officer A. Ferrillo stated: You're not going to carry logs out 100 yards to the road.

Acting Chairman S. Purcella Gibbons stated: Unless it crosses a trail then maybe the town or some other crew can come in and move the timber.

Commissioner T. Adamski replied to Acting Chairman S. Purcella Gibbons: Well, we already do this. In fact, this last storm, Joe Lanier and myself cut about 22 trees total that were blocking the trails.

I.W.E. Officer A. Ferrillo stated: Maybe, if we can get access to something that can move some smaller trees, get it to an area and then get people in to cut up the trees that way.

I.W.E. Officer A. Ferrillo stated: I spoke with Chris Martin who is a head of the Forestry division at D.E.E.P. There are a lot of things to consider before you do this. Probably the best way to do it is to get a forestry management plan in place. We have a person willing to do this and his name is Rod Burgess, a forester, it would be no cost to the town. If there are marketable trees in there, the town would get the money and they would just go to the saw mill that pays him. He can make money and mark trees that are suitable for firewood. The problem becomes access and there is a lot involved and if your going to allow people to do it then there might be someone saying, how come I didn't know about that. We may have to do this slowly.

Commissioner T. Adamski stated: I agree we should come out with a recommendation for adopting a forest management plan and studying it first. One other issue that is stated in the open space regulations that was adopted in a town meeting and it states: No person shall destroy, injure, hurt or harvest or disturb any form of wildlife, plant life or habitat on any regulated town open space area, excluding state permitted fishing which it is specifically allowed for education

programs or by the First Selectman. The First Selectman is also concerned with the build-up of dead timber as a fire hazard and the fire department has gone in to fight fires in the past.

Commissioner T. Adamski agreed and stated they the people would take the larger limbs and leave the tops and brush behind, which would be a fire hazard.

The Commission all agreed to leave this issue on the agenda for discussion at the next meeting on December 11th, 2012.

The Commissioner also agreed to table Chairman M. Herde's discussion on permits and approvals as he is absent from this meeting.

MOTION made by **Commissioner T. Adamski** to approve the 2013 regularly schedule meeting calendar for the second and fourth Tuesday of each month except December 2013 will have only one meeting due to the Holiday. **Commissioner E. Stewart** seconded. All in favor 4-0.

MOTION made by **Commissioner B. Richter** to cancel the December 25th 2012 meeting. Seconded by **Commissioner T. Adamski**. All in favor 4-0.

Secretary Denise Randall told the Commission that the last regular meeting of the year will be December 11th 2012.

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 for period of 1 year to determine if pond constructed is sufficient.

MATTERS OF CONSERVATION: None

ADJOURNMENT :

November 27, 2012

MOTION to adjourn by **Commissioner T. Adamski** and seconded by **Commissioner B. Richter** to adjourn the meeting at 8:24 pm. Voted 4-0

Respectfully Submitted,



Denise Randall
OCCIWA- Secretary

12 DEC -5 PM 3:38
TOWN OF OXFORD, CT
Margaret A. West
TOWN CLERK