

Town of Durham
Inland Wetlands and Watercourses Agency
Regular Meeting Minutes
Monday, April 11, 2005

Call to Order: The meeting was called to order at 7:35 PM by Vice-Chairman Dick Eriksen at the Durham Public Library.

Roll Call: Members present: Bob Czarnecki, Dick Eriksen, Joel Labella and Lynn Lawson. Alternates present: Brian Addy, Trish Dynia and Michael Fumiatti.

Seating of Alternates: All three alternates were seated for all items.

Approval of Agenda: *A motion was made by Lynn Lawson, seconded by Joel LaBella, to approve the agenda with the following change: Remove Agenda Item 8, Pat DiNatale. The motion passed unanimously.*

Approval of Minutes: *A motion was made by Bob Czarnecki, seconded by Joel LaBella, to approve the March 14, 2005 minutes as presented. The motion passed unanimously with Trish Dynia abstaining.*

Public Session: Resident Rob DeSimone stated that he wishes to build a 624 sq ft barn on his 37 Gina Drive property to be used for storing a boat and wood working tools. Due to the septic location, the only feasible area for locating the barn would put a portion of the barn within 50 feet of a wetland. Mr. DeSimone submitted pictures showing the wetland area to be reviewed and was advised that he should contact the town sanitarian for the septic location and submit an application for a pole barn.

Joe Palumbo spoke to the Commission regarding the 1135 New Haven Road property he purchased in December of 2004. Mr. Palumbo explained that at that time, the real estate agent and previous owner certified that the property contained no wetlands. In addition, the property was covered with snow at the time along with any possible indication of existing wetlands (i.e. running or dry stream beds, wetland type plants, etc.). Mr. Palumbo became aware of the fact that 90% of his front yard is wetlands when he contacted the building department to obtain a pool permit.

At this time, Mr. Palumbo is no longer interested in building the pool, but would prefer to concentrate on making substantial improvements to the look of these wetlands by removing gravel, stabilizing with grass and other plantings, and possible filling of some areas.

The Commission scheduled a site walk for Saturday, April 16th. Members will meet on site at 9:00 AM.

Note: The application for Pat Dinatale s' construction of a driveway and filling of wetlands on Tri-Mountain Road was withdrawn in order to make revisions and possibly re-submit.

Housewright Development Inc., Activity within 100 ðf a Wetland to Construct a Septic System, 57 Ozick Drive: Pat Benjamin spoke for the applicant, who wishes to construct a septic system within 100 ðf a wetland. The 6-acre lot is located at the southern end on the cul-de-sac. The lot will contain a 9,600 sq ft building with ten rental spaces for offices, assembly, or light manufacturing, and approximately 30 parking spaces. Mr. Benjamin noted the limits of clearing. The wetland line continues about 800 feet back to a stream and the property generally slopes in that direction, flattening out to an approximate ½ % slope 70 feet from the wetland. Mr. Benjamin noted the curtain drains, basin and ten-foot spreader areas. The level spreader, designed for a ten-year storm, is completely within the 100-foot review area, with the closest point at 45 feet. Additionally, a portion of the reserve and primary septic fall within 100 feet.

A motion was made by Trish Dynia, seconded by Lynn Lawson, that there is no activity in the wetlands. The motion passed unanimously.

Wetland Enforcement Officer s'Report: Geoff Colegrove distributed pictures of the Murphy Pool property taken on April 8, 2005. Mr. Colegrove reported that the fill and vehicles have not been removed as requested, and calls to the owner and attorney representing him have not been returned.

A motion was made by Trish Dynia, seconded by Joel LaBella, that Murphy Pools is to remove vehicles and other stored materials by April 30, 2005, remove gravel fill and processed stone parking lot within 60 days from the date of the letter informing him of this action. The motion passed unanimously.

Payment of Bills: *A motion was made by Bob Czarnecki, seconded by Lynn Lawson, to pay the following bill: Trish Dynia, Secretarial Services, \$97.50. The motion passed unanimously with Trish Dynia abstaining.*

Miscellaneous: Bob Czarnecki expressed concerns regarding the items added under Public Session above. Mr. Czarnecki felt that they should have been added as regular agenda items. Vice-chairman Eriksen explained that the Commission could not add agenda items without first having an application on file. Also, discussing the issues under Public Session clarified for the applicants what would be expected of them during the application process.

Adjournment: The meeting was adjourned at 8:15 PM.

Respectfully submitted,

Patricia Dynia
Recording Secretary

Cc: Town Clerk, Midstate Regional Planning Agency