

The Town of Durham
Inland Wetlands and Watercourses Agency
Regular Meeting Minutes
Monday, October 3, 2005

Call to Order: The meeting was called to order at 7:30 PM by Vice-Chairman Dick Eriksen at the Durham Public Library.

Roll Call: Members present: Dick Eriksen, Lynn Lawson and Joel LaBella. Alternates present: Trish Dynia. Others Present, Applicants and their agents.

Seating of Alternates: Trish Dynia was seated for George Zeeb.

Approval of Agenda: *A motion was made by Trish Dynia, seconded by Lynn Lawson, to approve the agenda as published. The motion passed unanimously.*

Approval of Minutes: *A motion was made by Lynn Lawson, seconded by Joel LaBella, to approve the September minutes as written. The motion passed unanimously with Trish Dynia abstaining.*

Public Session: None.

Jay Cusak, Subdivision Review and Proposed Grading within 100' of a Wetland, Pisgah Road: The Commission held a joint site walk with Planning and Zoning on Saturday, October 1st. house on each lot.

A motion was made by Trish Dynia, seconded by Joel LaBella, that there is no activity in the wetland. The motion passed unanimously.

However, members did have numerous concerns, specifically regarding the potential of significant run-off to Pisgah Road and a major wetland, as well as the blasting of 5,000 to 7,pp cubic yards of earthen materials from the ledge within the review area. The Commission also needs to hear from the Town Engineer and Town Planner on this project. The commission scheduled a public hearing for the next regular meeting.

Infinite Outdoor Inc., Violation of Wetlands, Clear-Cutting to Increase View of Billboards, New Haven Road: Subsequent to Enforcement Officer Geoff Colegrove sending a letter to Infinite Outdoor Group, it was found that the ownership of the billboards was transferred in July to a company called Next Media of Berlin, CT. In a letter dated October 3, 2005, Next Media informed Mr. Colegrove of the situation and stated that their sub-contractor, who did the cutting, was not aware that there were wetlands in the area. The company has promised to send a representative to the November meeting. At that time, mitigation will be discussed.

Arrigoni Enterprises, LLC, Proposed Activity within 100' of a Wetlands for the Construction of a Detention Basin and Commercial Buildings, Old Mountain Road: Professional Engineer Pat Benjamin spoke for the applicant who wishes to construct a detention basin and three commercial storage buildings within 100 feet of wetlands on this 9.1 acre lot. Mr. Benjamin reviewed the plan in full, including building locations, distance from wetlands, grading, e & s controls and drainage direction.

The commission tentatively scheduled a joint site walk with Planning & Zoning for Saturday, October 15th. Members will meet on site at 9 AM.

PUBLIC HEARING

A motion was made by Trish Dynia, seconded by Lynn Lawson, to open the public hearing. The motion passed unanimously.

Submitted by Bryant and Margo Esparo, a request to permit the selective thinning of trees within 100 feet of a wetland for a horse pasture at 36 Bailey Road. This is a significant activity. In response to the Commission's request in September, Attorney Joseph Porto submitted Certified Return receipts showing that each of the abutting neighbors had been contacted regarding this public hearing. However, the applicant's soil scientist has not yet met with Geoff Colegrove, nor has he re-flagged the wetlands. Abutting neighbor Jim Pietroski requested that this situation be clarified prior to the Commission taking any action.

A motion was made by Trish Dynia, seconded by Joel LaBella, to continue the public hearing. The motion passed unanimously.

Wetland Enforcement Officer's Report: None

Payment of Bills: *A motion was made by Lynn Lawson, seconded by Joel LaBella, to approve the following bills: Trish Dynia, Secretarial Services, \$97.50, CACIWC annual membership \$60. The motion passed unanimously with Trish Dynia abstaining.*

Miscellaneous: Trish Dynia reported that she is seeking a replacement to act as recording secretary for the Commission. She will continue as an alternate member of the Commission.

Commission members agreed that it would be prudent to discuss changing commission procedures in order to require that signs be posted on properties scheduled for public hearings by this agency. There will be more discussion on this at the next meeting.

Adjournment: The meeting was adjourned at 8:20 PM.

Respectfully submitted,

Patricia Dynia
Recording Secretary

Cc: Town Clerk, Midstate Regional Planning Agency