

**DURHAM INLAND WETLANDS  
and  
WATERCOURSES AGENCY**

Regular Meeting Minutes  
Monday, September 14, 2009

**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: Bob Czarnecki, Pat Dinatale, Dick Eriksen, Al Petrzal and Joel LaBella (8:00 PM) Alternates Present: Karen Cheney, Mike Fumiatti and Rob MacDuff. Staff: Geoff Colegrove and Trish Dynia.

**Seating of Alternates:** Karen Cheney, Mike Fumiatti and Rob MacDuff were all seated. (Note: Upon his arrival, regular member Joel LaBella opted to remain unseated but participate in discussions.

**Approval of Agenda:** *A motion was made by Bob Czarnecki, seconded by Pat DiNatale, to approve the agenda as published. The motion passed unanimously.*

**Approval of Minutes:** *A motion was made by Pat DiNatale, seconded by Bob Czarnecki, to approve the August 10, 2009 minutes as written. The motion passed unanimously with Karen Cheney abstaining.*

**Public Session:** None

**Little Lane, LLC, Proposed Activity within 100' of a Wetland for the Construction of Septic Systems and Driveway:** Professional Engineer Pat Benjamin spoke for the applicant, who wishes to partition an existing lot into two lots of 2.4 and 2.9 acres each. The wetland lines were delineated six months ago by a certified soil scientist. At that time it was determined that the existing driveway into the property crossed a wetland. The site plan shows that the proposed houses on each lot have been squeezed tightly into the P & Z setback area in order to keep them out of the wetland review area. Health Officer Bill Milardo has tested and approved the septic and well sites and the site plan shows silt fencing below the disturbed areas. Mr. Benjamin explained that the agenda states that they are looking for permission to construct driveways within the review area, but since the application was submitted, they have found an alternate route which removes the driveways from the review area. At this point, the two activities within the review area include construction of the septic systems. In the proposed Lot 1, a portion of the septic lies within 50 feet of a flagged wetland, and a portion of the proposed septic for Lot 2 lies within 35 feet of the flagged wetland.

*A motion was made by Bob Czarnecki, seconded by Pat DiNatale, that there is no activity in the wetlands. The motion passed unanimously.*

*A motion was made by Bob Czarnecki, seconded by Pat DiNatale, to accept the site plan as presented. The motion passed unanimously.*

**Patricia Dynia, Recording Secretary, Discussion of Meeting Rules and Procedures for Members:** Trish explained that in preparation for the evening's meeting, she had moved the front tables where the Commission sits into a tight U-shape in order to allow members to face each other in a more communication appropriate way. Also, she purchased an easel (to replace one which disappeared several years ago) so that applicants would place their maps on the easel rather than on the table in front of the chairman. This will allow all commission members to view proposals without having to crowd into a small area around the chairman.

**Wetland Enforcement Officer's Report:** Geoff Colegrove reported that he had received a complaint regarding activity in and around a pond at the corner of Higganum Road and Cherry Lane. After a brief discussion it was determined that the Commission should conduct a site walk of the property. This was scheduled for Saturday, September 19<sup>th</sup>, 2009. Members will meet on site at 9:00 AM.

**Payment of Bills:** *A motion was made by Pat DiNatale, seconded by Al Petrzal, to approve the following bills: Middletown Press, Legal Ad Publication, \$367.92, Trish Dynia, Secretarial Services, \$247.00, and Trish Dynia, Reimbursement for easel purchase, \$54.99. The motion passed unanimously.*

**Miscellaneous:** Members briefly discussed the costs associated with conducting public hearings, specifically in regards to legal notice costs. It was determined that the Commission should continue utilizing the Middletown Press for legal notices because this paper has a significant readership in the Durham area and their legal notice fees are more reasonable than those of the Hartford Courant. The option of printing legal notices in the Town Times was discounted due to the fact that it is published weekly and would not always fall within the legal time constraints.

Vice Chairman Dick Eriksen noted that the Planning & Zoning Commission does not approve legal ad bills without proof of publication. It was determined that the recording secretary will now attach proof of publication to all Middletown Press bills prior to their approval.

**Adjournment:** *A motion was made Pat DiNatale, seconded by Karen Cheney, to adjourn the meeting at 8:07 PM. The motion passed unanimously.*

Respectfully submitted,

Patricia Dynia  
Recording Secretary

cc: Town Clerk, Midstate Regional Planning Agency