

**DURHAM INLAND WETLANDS
and
WATERCOURSES AGENCY**

Regular Meeting Minutes
Monday, March 9, 2009

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: Pat Dinatale, Dick Eriksen and Joel LaBella Alternates Present: Karen Cheney (7:45) Mike Fumiatti and Rob MacDuff. Staff: Geoff Colegrove and Trish Dynia. Others: Professional Engineer Pat Benjamin and applicant Dr. Sudesh Kumar.

Seating of Alternates: Mike Fumiatti was seated for George Zeeb; Rob MacDuff was seated for Bob Czarniecki; Karen Cheney was seated for Al Petrzal.

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

Approval of Minutes: *A motion was made by Joel LaBella, seconded by Pat DiNatale, to approve the February 9, 2009 minutes as written. The motion passed unanimously.*

Public Session: None.

Sudesh Kumar, Informal Discussion of Flooding Problem on Indian Lane and Parmelee Hill Road: Professional Engineer Pat Benjamin spoke for the applicant, who is the owner of Durham Veterinary Hospital at the corner of Indian Lane and Parmelee Hill Road. Mr. Benjamin distributed pictures showing severe flooding and associated damage which has plagued the property twice in the past two years, most recently during the December, 2008 torrential rains. This fifty to one hundred year storm caused severe damage to the garage and basement.

Mr. Benjamin noted that the Saw Mill Brook and thirty year old Saw Mill Road drainage system converge in front of the property. The detailed plan, which will be presented to the Commission as a formal application in April, is as follows: 1. Back fill the area in front of the garage with brick and re-grade the driveway so that water flows away from the building, 2. Evaluate and extend drainage system beyond its current terminus. Mr. Benjamin stated that having the town spend money to enlarge the culvert would not alleviate the problem.

Dr. Kumar added that his property lies just outside the one hundred year flood plain line. Therefore he is unable to obtain flood insurance. His main concern at this point is to prevent flooding from interfering with the comfort of his patients and staff.

M&T Properties, LLC, Proposed Activity within 100' of a Wetland for the Installation of Three Wells and Building, Higganum Road and Cherry Lane: Professional Engineer Pat Benjamin represented the applicant, who received approval from the Commission in January to construct a 12' wide driveway crossing the wetlands, and a well within 100' of a wetland at the southeast corner of Higganum Road and Cherry Lane, in order to investigate the possibility of drilling a community well.

The well that was subsequently dug did not yield as expected and Mr. Arrigoni wishes to drill in three additional locations, each being approximately 76 feet from the wetland line. In addition the applicant would like to remove two stock piles from the property. The piles, which are believed to contain, soil, tree stumps and miscellaneous debris, are from 270 to 300 yards each.

Additional activities include building a 50' x 90' building on slab to store miscellaneous items from the project and/or for agricultural storage. Also, in a letter from Town Road Supervisor Kurt Bober, dated March 5, 2009, the town has agreed to supply, "all pipe, stone, concrete products, saw cuts, pavement, catch basins and traffic control," for the installation of a driveway crossing and associated drainage improvements necessary to gain access to the lot. The applicants agreed to supply engineering, equipment and labor to complete the project. Mr. Benjamin noted that this was a project the town had been planning to complete at some point and that the cost sharing agreement was a win-win situation for all involved.

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

A motion was made by Pat DiNatale, seconded by Rob MacDuff, to approve the drilling of three additional wells, drainage installation, removal of two debris piles and construction of a 50' x 90' building as shown on the site plan. The motion passed unanimously.

Wetlands Enforcement Officer's Report: Geoff Colegrove has been working with a stable owner whose open paddock and manure piles extend to the edge of a brook on the property. The owner has since begun depositing manure in a water tight container which is emptied off site every two days. In addition, the owner will place wood chips on the over-grazed area and install silt fencing as well as a horse containment fence. Mr. Colegrove noted that the owner has been very cooperative and he is investigating similar situations at other stables in town.

Mr. Colegrove announced that Midstate Regional Planning Agency has hired Al Johannsen to replace him as Wetland Enforcement Officer in the field. Mr. Colegrove will continue to attend meetings but the field work will be conducted by Mr. Johannsen under his supervision. This action was taken as one measure in MRPA's quest to reduce its budget to the Town of Durham. Geoff assured the Commission that Mr. Johannsen is well qualified for this position, having served as zoning and wetland enforcement officer in the Towns of Haddam and East Haddam, and he has taken all appropriate courses.

Payment of Bills: None

Miscellaneous: None

Adjournment: Chairman Eriksen adjourned the meeting at 8:40 PM.

Respectfully submitted,

Patricia Dynia
Recording Secretary

cc: Town Clerk, Midstate Regional Planning Agency