

FINAL

**MARION CONSERVATION COMMISSION**  
MINUTES OF THE REGULAR MEETING HELD ON FEBRUARY 5, 2003

Members Present: Robert J. Merlino, Chairman  
Joel D. Hartley, Vice Chairman  
Janice M. Mendes, Treasurer  
Jeffrey W. Oakes, Member

Members Absent: Sherman E. Briggs, Jr., Recording Secretary  
Horace S. Kenney, Jr., Associate Member  
Frank J. Germano, Jr., Associate Member

Secretary: Diane R. Drake

Others Present: Mike Sciaraffa, John Evans, David N. Booth, David Davignon,  
George Fearons.

Meeting convened at 7:05 PM Wednesday, February 5, 2003 in the main conference room of the Marion Town House, 2 Spring Street, Marion, Massachusetts. Site inspections were held on Saturday, February 1, 2003 by J. Hartley and J. Mendes.

7:05 PM **JOHN M. & ALICE SHANAHAN** - RFD (41D-1130) to expand the septic system leaching field at 282 Delano Road. David Davignon of N. Douglas Schneider & Associates represented the Shanahans and said the site is in the flood plain, which is the reason for this filing. No work is proposed in the buffer zone to the coastal bank. J. Hartley moved to close the hearing; J. Mendes seconded; voted unanimously.

7:10 PM **HERMITAGE TRUST** – NOI (SE41-976) to build up the seawall at 34 Hermitage Road another two feet, and fill behind the seawall to prevent overwashing. J. Oakes left the room. John Evans of the Trust was present with his representative, Mike Sciaraffa of CLE Engineering. M. Sciaraffa said the filled area will have a pinnacle of 8.5', while the surrounding wall will be at 8.0' to discourage ponding. He said no work is proposed on the railway, and the Chapter 91 license will remain unchanged because the proposed work is above the mean high water line. M. Sciaraffa said he will send a copy of the Notice of Intent to the Corps of Engineers, as requested by Dorothy Blickens of D.E.P. in Lakeville (Ms. Blickens reviews Notices of intent for completeness, and issues file numbers along with comments for projects). J. Hartley moved to close the hearing; J. Mendes seconded; voted unanimously. J. Oakes rejoined the meeting.

7:25 PM **GEORGE FEARONS** – RFD (41D-1131) to construct a 14' x 20' 2-story addition between the house and garage at 5 Sarah Sherman Lane. Mr. Fearons was present with his contractor, David Booth. The Building Department had asked the Conservation Commission whether they had permitted the 12' x 18' deck that had been

built behind the house. Mr. Fearons said he bought the house in May of 1999 from Sherman Briggs, and the deck was already there. He said a Partial Certificate of Compliance had been issued by the Conservation Commission when he bought the house, so that the garage could be built later under the same Order of Conditions, instead of requiring a new filing. Mr. Fearons submitted a letter requesting a Full Certificate of Compliance for the house and garage, including the deck (SE41-746). Another site inspection will be held on February 15, 2003 for a Certificate of Compliance. J. Hartley moved to issue a Negative Determination for Box #2 for the proposed addition; J. Mendes seconded; voted unanimously.

R. Merlino drafted The Hermitage Trust's Order of Conditions (SE41-976) and moved to issue it as written; J. Hartley seconded; voted by majority with J. Oakes not participating.

J. Oakes moved to issue a third 3-year Extension Permit for the Town of Marion's maintenance cleaning of the effluent line to Aucoot Cove (SE41-581); J. Hartley seconded; voted unanimously.

J. Hartley moved to issue a second 3-year Extension Permit for Louis Secatore's beach sand project at 5 Island Court, Planting Island (SE41-750); J. Oakes seconded; voted unanimously.

Meeting adjourned at 8:20 PM.

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Diane R. Drake, Secretary

Approved June 4, 2003