

FINAL

MARION CONSERVATION COMMISSION
MINUTES OF THE REGULAR MEETING HELD ON DECEMBER 3, 2003

Members Present: Robert J. Merlino, Chairman
Jeffrey W. Oakes, Vice Chairman
Sherman E. Briggs, Jr., Recording Secretary
Joel D. Hartley, Member
Norman A. Hills, Associate Member

Members Absent: Janice M. Mendes, Treasurer
Horace S. Kenney, Jr., Associate Member

Secretary: Diane R. Drake

Others Present: David & Valerie Knott, William F. Madden, Frederick Coulson,
N. Douglas Schneider, Mr. & Mrs. Brian Levesque, Bill Saltonstall, Richard & Mary Corliss.

Meeting convened at 7:00 PM Wednesday, December 3, 2003 in the main conference room of the Marion Town House, 2 Spring Street, Marion, Massachusetts. Site inspections were held on Saturday, November 29, 2003 by R. Merlino, J. Hartley and N. Hills.

7:00 PM **MARION SOCIAL CLUB** - RFD (41D-1149) to expand the parking lot at 44 Pumping Station Road (continued from November 5, 2003). By telephone, John Collins, the Club's President, said he is still waiting for an updated plan, and to please continue the hearing for another two weeks. J. Oakes moved to continue the hearing, with the Applicant's consent, to 7:00 PM December 17, 2003; J. Hartley seconded; voted unanimously.

The Zoning Board of Appeals has requested the Commission's comments regarding Bay Watch Realty Trust's proposed 40B housing project off Front Street (41D-1044). R. Merlino asked everyone to submit their written comments to him at the next meeting on December 17, 2003, and he will compile them into one for submittal to the Zoning Board of Appeals.

7:10 PM **DAVID & VALERIE KNOTT** – NOI (SE41-1000) to construct a 100' x 50' metal building addition for boat storage at 42 Benson Brook Road. Mr. and Mrs. Knott were present with their Engineer, William Madden of G.A.F. Engineering, Inc. W. Madden said the addition could not be built on the Benson Brook Road side of the building because of the 35' setback, which necessitates two feet of grading within the 15' no touch zone at the southwest corner of the building. As mitigation for the two-foot encroachment, stormwater management is proposed on site. D. Knott explained that he needs the 50' width of the addition to store three large boats abreast, which he cannot do now with the 40'-wide

building. Abutter Frederick Coulson was present and said he is in favor of this project. R. Merlino said he could not attend the last site inspection, and would like to view the site before issuing an Order of Conditions. J. Hartley moved to continue the hearing, with the Applicants' consent, to 7:20 PM December 17, 2003; J. Oakes seconded; voted unanimously.

7:26 PM **CHRISTOPH L. & SUSAN M. HOFFMAN** – RFD (41D-1167) to construct a Title 5 septic system at 63 Moorings Road. N. Douglas Schneider represented the Applicants and described the project. He said only one waiver is needed from the Board of Health, to allow 3' from the water table rather than 4', and that hearing is next week. J. Oakes moved to close the hearing; J. Hartley seconded; voted unanimously. J. Hartley moved to issue a Negative Determination for Box #3; S. Briggs seconded; voted unanimously.

7:35 PM The Commission discussed the draft Proposed Rules for Consulting Fee Reimbursement, and discussed which firms should be sent a letter asking if they would be interested in consulting for the Commission. S. Briggs said the Planning Board uses Field Engineering, which charges between \$500.00 and \$1,500.00. R. Merlino said that a job only needs to be put out to bid if it's over \$5,000.00. R. Merlino will draft a letter to be sent to the selected engineering firms, asking if they would be interested in participating in this work. J. Harley moved to adopt these regulations; J. Oakes seconded; voted unanimously.

7:43 PM **WILLIAM G. SALTONSTALL, JR.** – RFD (41D-1168) to repave Allens Point Road. William Saltonstall, Jr. was present and said the proposed work is mostly maintenance paving. He said the patching will be done in June 2004, and the rest of the work will be done in June 2004. J. Hartley moved to close the hearing; S. Briggs seconded; voted unanimously. J. Oakes moved to issue a Conditional Negative Determination for Boxes 2 and 3, with a condition requiring haybales to be placed on each side of the culvert; S. Briggs seconded; voted unanimously.

7:50 PM **RICHARD CORLISS** – NOI (SE41-996) to replicate a failed wetlands replication area at 51 Dexter Lane, Dexter Beach (continued from November 19, 2003). Mr. and Mrs. Corliss were present with their Engineer, Brian Levesque of Sitec, Inc. Mr. Levesque explained the history of the project since 1997 and said the new replication area will be built parallel to an existing wetland. J. Oakes said he superimposed the old wetland line on the plan, and suggested putting some of the proposed new replication along the wetland line paralleling the shore. Mr. Levesque said that the Corliss's do use the area by the marsh and would prefer to replicate as shown on the plan. Mr. Levesque said he does not agree with the old wetland line based on soil tests, because that site was filled 50 to 60 years ago and is an historic wetland line. Upon further discussion, Mr. and Mrs. Corliss agreed to move some of the proposed replication from the sideline to the wetland line paralleling the shore. Mr. Levesque said he will prepare a revised plan in time for the next meeting. With the Applicant's consent, J. Oakes moved to continue the hearing to 7:30 PM December 17, 2003; J. Hartley seconded; voted unanimously.

R. Merlino agreed to draft the 2003 Annual Report.

8:00 PM **TOWN OF MARION** – NOI (SE41-999) to install 38,000 linear feet of low-pressure sewer pipe in the "Berry" area, the "Dexter" area, and the "South Converse" area (continued from November 19, 2003). The three revised plans showing the areas of siltation control have been received. J. Hartley moved to close the hearing; J. Oakes seconded; voted unanimously. J. Oakes drafted the Order of Conditions and moved to issue it as written; J. Hartley seconded; voted unanimously.

The Commission discussed Gilda's Stone Rooster septic system project at 27 Wareham Road (41D-1146). There has been no response to the Enforcement Order issued September 22, 2003 requiring an additional (immediate) filing for the fill that was placed behind the building. A letter will be sent to her requesting the filing to be submitted in time for the January 7, 2004 meeting.

Meeting adjourned at 8:45 PM.

Diane R. Drake, Secretary

Approved April 7, 2004