

FINAL

MARION CONSERVATION COMMISSION
MINUTES OF THE REGULAR MEETING HELD ON APRIL 20, 2005

Members Present: Norman A. Hills, Vice Chairman
Janice M. Mendes, Treasurer (left at 7:47 PM)
Sherman E. Briggs, Jr., Recording Secretary

Members Absent: Jeffrey W. Oakes, Chairman
Robert J. Merlino, Member
Horace S. Kenney, Jr., Associate Member
Joel D. Hartley, Associate Member

Secretary: Diane R. Drake

Others Present: Richard Anderson, Charles Bradley, John Rockwell, Peter Rezendes Jr., Kenneth Conte, Garry Holmes, Steve Nojeim & Suzie Kokkins.

Meeting convened at 7:08 PM Wednesday, April 20, 2005 in the main conference room of the Marion Town House, 2 Spring Street, Marion, Massachusetts. Site inspections were held on Saturday, April 16, 2005 by N. Hills and J. Mendes.

7:08 PM **TOWN OF MARION** - NOI (SE 041-1028) to construct four biofilter systems at 1 Island Wharf Road to treat storm water discharge into Sippican Harbor, and pave a portion of the existing parking lot. Harbormaster Charles Bradley was present with Richard Anderson of the Sippican Historical Society, and John Rockwell of the Buzzards Bay Project. J. Rockwell submitted revised plans, and said the engineer won't sign them until the Buzzards Bay Project approves them first. J. Rockwell said the only revision was to move the system out of the Arms Memorial Park. C. Bradley submitted a sample of water he took, which shows the tremendous amount of silt that is flowing into the Harbor now, and said this stormwater system will prevent this from happening. N. Hills said the hearing can be closed, but a stamped and signed set of plans is needed before the Order of Conditions will be issued. J. Mendes moved to close the hearing; S. Briggs seconded; voted unanimously. N. Hills drafted the Order of Conditions. J. Mendes moved to issue it as written after the signed plans are received; S. Briggs seconded; voted unanimously.

7:18 PM **STEPHEN CLARK** – RFD (41D-1201) to place a line of boulders and to level and reseed an existing lawn at 713 Mill Street (continued). Mr. Clark by letter explained that he has not been able to do the required work due to all the snow last winter, and asked for a continuation. J. Mendes moved to continue the hearing, with the Applicant's consent, to 7:20 PM May 18, 2005; S. Briggs seconded; voted unanimously.

7:20 PM **ANTONIO LOPES** – NOI (SE 041-1026) to construct a 700'-long driveway, a single-family dwelling, install utilities, and associated filling and grading at Lots 17 and

27A off Rezendes Terrace (continued). Kenneth Conte of Beals and Thomas represented Mr. Lopes. He said the roadway has been shifted over more, and explained the other changes. He said he will meet with the Planning Board on May 2, 2005 and would like to continue this hearing to May 4 so that he can incorporate the Planning Board's comments on the revised plans. Abutter Peter Rezendes, Jr. asked what would be done if peat is found where the roadway is proposed; K. Conte said that will be addressed in the contract. Mr. Rezendes questioned the dewatering; K. Conte said the NPDES permit is included in the filing. J. Mendes moved to continue the hearing, with the Applicant's consent, to 7:20 PM May 4, 2005; S. Briggs seconded; voted unanimously. Mr. Rezendes asked to be notified if that hearing is going to be continued as well (telephone 508-748-0742).

7:30 PM **GARY HOLMES** – RFD (41D-1219) to rebuild a house at 31 Beach Street. Gary Holmes was present. N. Hills said he observed a plastic discharge pipe on the site, which he would like to be redirected into a drywell; G. Holmes said that is a perimeter drain around the foundation. S. Briggs suggested having the pipe discharge into riprap, and offered to meet the Contractor (Wellen Construction) at the site to help address the drain issue. J. Mendes moved to close the hearing; S. Briggs seconded; voted unanimously. J. Mendes moved to issue a Negative Determination for Box #2; S. Briggs seconded; voted unanimously.

7:40 PM **APPOINTMENT FOR DISCUSSION** – Two Members of the Pinewood Drive Association were present to ask the status of the ongoing activities at the Walker property at 587 Front Street. Suzanne Kokkins said the neighborhood is constantly disturbed with the Walkers' backhoe, dogs barking, roosters crowing all day, etc. Steve Nojeim said some of the Walkers' animals have escaped onto abutters' properties. N. Hills explained the history of the site and said Ed Burke of D.E.P. has scheduled a site inspection for Thursday, April 28, 2005 at 3:00 PM. S. Kokkins said the abutters are dismayed with the lack of enforcement from the Marion Conservation Commission; N. Hills suggested the abutters speak of this with the Town Administrator and the Board of Selectmen. S. Briggs said Ms. Kokkins and Mr. Nojeim discussed this matter with the Planning Board last night, to see if there are enough uplands (five acres) to have the site designated as a farm. N. Hills said the Commission would also attend the D.E.P. site visit.

Meeting adjourned at 8:25 PM.

Diane R. Drake, Secretary

Approved May 18, 2005