

FINAL

MARION CONSERVATION COMMISSION
MINUTES OF THE REGULAR MEETING HELD ON JANUARY 18, 2006

Members Present: Jeffrey W. Oakes, Chairman
Norman A. Hills, Vice Chairman
Joel D. Hartley, Associate Member

Members Absent: Janice M. Mendes, Treasurer
Sherman E. Briggs, Jr., Recording Secretary
Robert J. Merlino, Member
Horace S. Kenney, Jr., Associate Member

Secretary: Diane R. Drake

Others Present: Lawrence Dorman, George L. Tinkham, Bruce Hebbel, Timothy Lynch & son, Jack Egger, Kenneth and Beverly Hanson, Thomas Tarrant, and Jay Ryder.

Meeting convened at 7:00 PM Wednesday, January 18, 2006 in the main conference room of the Marion Town House, 2 Spring Street, Marion, Massachusetts. Site inspections were held on Saturday, January 14, 2006 by J. Oakes and N. Hills.

7:00 PM **THE KITTANSETT CLUB** - NOI (SE041-1035) to relocate and expand a portion of an existing parking area at 11 Point Road, and construct a practice putting area in its place (continued from December 5, 2005). Kittansett's representative, Susan Nilson of CLE Engineering, Inc., had requested another continuation because she is still working with other Town boards regarding this project. J. Hartley moved to continue the hearing, with the Applicant's consent, to 7:00 PM February 15, 2006; N. Hills seconded; voted unanimously with J. Oakes voting due to the Rule of Necessity.

J. Oakes moved to accept the December 7, 2005 minutes as amended; N. Hills seconded; voted unanimously.

7:10 PM **CHARLES BOSTON** - ANRAD (SE041-1039) to verify the Bordering Vegetated Wetlands line at Lot 23 Ridgewood Lane. Due to the inclement weather on Saturday, January 14, 2006, the entire line could not be verified. J. Oakes moved to continue the hearing, with the Applicant's consent, to 7:10 PM February 1, 2006 so that another site inspection can be held, and so that the plan can be revised to show the two observation plot locations; N. Hills seconded; voted unanimously.

J. Hartley moved to ratify the Fiscal Year 2007 Operating and Capital Budgets as submitted; N. Hills seconded; voted unanimously.

N. Hills moved to issue a Full Certificate of Compliance for Box #1 for Tara Woods' septic system repair project at 25 Giffords Corner Road (SE41-970); J. Hartley seconded; voted unanimously.

N. Hills moved to issue a three-year Extension Permit to the Piney Point Beach Club for adding beach sand above the mean high water mark at 93 Piney Point Road (SE41-977); J. Hartley seconded; voted unanimously.

J. Hartley moved to issue a Full Certificate of Compliance for Box #1 for Wayne Assing's house construction at 481 Delano Road (SE41-935); N. Hills seconded; voted unanimously.

7:20 PM **TIMOTHY F. & SANDRA A. LYNCH** – RFD (41D-1254) for clearing brush, extending a lawn and landscaping at 8 West Avenue, Planting Island. This is an after-the-fact filing for clearing the brush and extending the lawn. Timothy Lynch was present and said he did not realize that he needed to apply for a Conservation Commission permit to do that work, which was done in November 2005 by Charles DuPont. T. Lynch submitted a letter from DuPont describing the work that had been done. T. Lynch said he wants to add five trees and shorter plantings/bushes, plus a cedar privacy fence, along the southern property line. J. Oakes said he would like to continue the hearing so that a complete description of the proposed plantings can be obtained from Charles DuPont. J. Hartley moved to continue the hearing, with the Applicant's consent, to 7:20 PM February 15, 2006; N. Hills seconded; voted unanimously.

7:30 PM **GEORGE L. TINKHAM** – RFD (41D-1255) to construct a second-floor addition with wrap-around decks at 57 Oakdale Avenue. George Tinkham was present and described the project. He said no fill will be needed. The second-floor addition will be built according to F.E.M.A. Regulations and will have parking beneath it. J. Oakes said the 50% Rule does not apply in this case because the addition will not be supported by the existing dwelling. J. Hartley moved to close the hearing; N. Hills seconded; voted unanimously. J. Hartley moved to issue a Negative Determination for Boxes 2 and 3; N. Hills seconded; voted unanimously.

Dr. Michael Moore had requested Certificates of Compliance for two old projects that had been done years ago on Ram Island. One project was for general repairs to various bridges on the island (SE41-136), and the other project was to replace a stone and rubble seawall with a rip rap seawall (SE41-846). J. Oakes said he would like to do a site inspection before issuing the Certificates. A site inspection will be held first thing on Saturday, January 28, 2006, if the Ram Island boat will be available to bring them to and from the Island.

7:40 PM **KENNETH L. HANSON** – Appointment for discussion regarding replacing the decking of an existing licensed pier at 47 East Avenue, Planting Island (old file SE41-870). Mr. and Mrs. Hanson were present with their contractor, Thomas Tarrant. Mr. Hanson said he was hoping for an Emergency Certification to replace the decking which was washed away during a recent winter storm and tide surge. J. Oakes explained

that Emergency Certifications can only be issued when the public's health is in danger, not on private property. T. Tarrant asked to do the repair work under a Negative Determination of Applicability; J. Oakes said that might be permissible with the license plan. Mr. Hanson said he will submit a Request for a Determination of Applicability for the repair work.

The Commission briefly discussed the situation with Arthur Walker (41D-1162, 41D-1208) regarding enforcement orders that were issued for violations at 587 Front Street. N. Hills was given the telephone number for Gary Moran, the head of D.E.P.'s southeast regional office. Elizabeth Kouloheras, second in command at D.E.P. Lakeville, called N. Hills on behalf of Gary Moran and promised she would look into the matter.

7:50 PM **JAY & MEREDITH RYDER** – RFD (41D-1256) to construct an attached garage at 13 Nokomis Road. Jay Ryder was present. A portion of the garage is in the AE-15' flood zone, which is why this filing is necessary. N. Hills moved to close the hearing; J. Hartley seconded; voted unanimously. J. Hartley moved to issue a Negative Determination for Box #2; N. Hills seconded; voted unanimously.

7:55 PM Bruce Hebbel and Lawrence Dorman were present to discuss joining the Conservation Commission as replacements for Jan Mendes and Robert Merlino. N. Hills moved to request the Board of Selectmen appoint Bruce Hebbel as a full member to replace Jan Mendes; J. Hartley seconded; voted unanimously.

Meeting adjourned at 8:40 PM.

Diane R. Drake, Secretary

Approved February 1, 2006