

FINAL

**MARION CONSERVATION COMMISSION**  
MINUTES OF THE REGULAR MEETING HELD ON FEBRUARY 1, 2006

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

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

Secretary: Diane R. Drake

Others Present: Donald & Ora Mae Torres, Deborah Primeau, Joseph Freeman, Christina Hingston, Chris Swoish, William F. Madden, Charles Boston, Joseph Lasky, Bruce Hebbel, Kenneth & Beverly Hanson, Thomas Tarrant, Jack Egger, Janet Cole, and Mark Woods.

Meeting convened at 7:00 PM Wednesday, February 1, 2006 in the main conference room of the Marion Town House, 2 Spring Street, Marion, Massachusetts. Site inspections were held on Saturday, January 28, 2006 by J. Oakes and N. Hills.

7:00 PM **DONALD & ORA MAE TORRES** - NOI (file number not yet assigned by D.E.P.) to install a sewer line and five utility conduits to the dwelling at 23 Dexter Road, and fill the existing sewage disposal system on site. Donald and Ora Mae Torres were present with their Engineer, Joseph Freeman of Earth Tech, and Mr. Freeman's assistant, Deborah Primeau of Earth Tech. Mr. Freeman explained the history of the site and described the project. He said the dwelling was seasonal, not occupied year-round. He said the barge and bobcat will not be used on the island; all work there will be done by hand. He said the drill is 12" in diameter and the pipe will be laid five feet deep, not 15 feet deep as shown on the plan. Deborah Primeau of Earth Tech said the water line and the sewer line can be installed together in this case because they are individually sealed. It was noted that the plan provides no information of how the material will be stored onsite before removal. Due to the lack of a file number, N. Hills moved to continue the hearing, with the Applicant's consent, to 7:50 PM February 15, 2006; S. Briggs seconded; voted unanimously.

7:25 PM **CHARLES BOSTON** – ANRAD (SE041-1039) to verify the delineation of the wetlands at Lot 23 Ridgewood Lane (continued from January 18, 2006). Mr. Boston was present with his Engineer, William F. Madden of G.A.F. Engineering, Inc. The plan had previously been revised to show the locations of the two observation plots. W. Madden submitted plans that had been revised again to show the wetland line as adjusted by the Commission during their site inspections. An abutter asked whether the test pits were 18

years old; J. Oakes explained that these are 20"-deep observation pits used only to verify the wetland line. N. Hills moved to close the hearing; J. Harley seconded; voted unanimously.

7:30 PM **KENNETH L. HANSON** – RFD (41D-1257) to replace the decking on an existing licensed pier at 47 East Avenue, Planting Island. J. Oakes left the room. Mr. and Mrs. Hanson were present with their Contractor, Thomas A. ("Tat") Tarrant. Mr. Hanson said the damage happened on December 9, 2005 during a very unusual tide surge. He said the pier is licensed, and he would like to replace the decking in the same footprint, as licensed. J. Hartley moved to close the hearing; S. Briggs seconded; voted unanimously. J. Oakes returned to the room.

7:30 PM **RONALD & JANET COLE** – (old file SE41-67) - appointment for discussion regarding wetland violations (filling and grading) that had taken place on Thursday, January 19, 2006 at 28 Abel's Way. Janet Cole was present and said she does not live there, her son does. She said the fill came from "a friend of a friend" and was to have been placed in the sinkhole to the right of the driveway, not there. J. Oakes explained that some of the fill extends 10' to 15' into the wetlands and must be removed. Mrs. Cole asked the Commission to visit the site again to show her exactly what part of the fill needs to be removed. The Commission agreed to do another site inspection on February 11, 2006.

7:40 PM **JOSEPH LASKY** – appointment for discussion regarding ponding on his property at 33 Giffords Corner Road. At Mr. Lasky's request, a site inspection was done on January 28, 2006 by J. Oakes and N. Hills. Mr. Lasky was present with his neighbor, Mark Woods of 31 Giffords Corner Road. Mr. Lasky said the driveway to Zora Enterprises' 39 Giffords Corner Road property (SE41-949) is causing his and Mr. Woods' properties to flood because the drainage culverts are too high to work, and the weight of the road has cut off the groundwater flow, effectively acting like a dam and causing ponding at 33 Giffords Corner Road nine to ten months of the year. J. Oakes agreed that the culverts are too high to be effective, but disagreed that the weight of the road cut off the groundwater flow. J. Oakes said that some of the fill was to have been removed a year ago when the Extension Permit was issued. J. Oakes told Mr. Lasky and Mr. Woods that a letter will be sent to Zora Enterprises reminding them to remove the fill that was mentioned in Conservation's February 2, 2005 letter, and ask them to reposition the culverts at the same time the driveway is narrowed from 20' to 10'. S. Briggs said he will visit the site tomorrow.

N. Hills moved to issue a full Certificate of Compliance for Michael Moore's 1983 Order of Conditions allowing general repairs to various bridges on Ram Island (SE41-136); J. Hartley seconded; voted unanimously.

N. Hills moved to issue a full Certificate of Compliance for Michael Moore's 1999 Order of Conditions to replace a stone and rubble seawall at Ram Island with a rip rap seawall (SE41-846); J. Hartley seconded; voted unanimously.

J. Oakes moved to approve the Commission's January 18, 2006 minutes as written; N. Hills seconded; voted unanimously.

N. Hills moved to issue Charles Boston's Order of Resource Area Delineation approving the revised wetland line at Lot 23 Ridgewood Lane (SE041-1039); S. Briggs seconded; voted unanimously.

J. Oakes drafted a letter to Zora Enterprises asking them to narrow the road and address the equalizer pipe ponding problems (SE41-949). N. Hills moved to send the letter as written; S. Briggs seconded; voted unanimously.

J. Hartley moved to issue a Negative Determination for Box #2 to Kenneth L. Hanson for replacing the decking of a pier at 47 East Avenue, Planting Island (41D-1257); S. Briggs seconded; voted by majority with J. Oakes abstaining from the discussion and vote.

Meeting adjourned at 8:55 PM.

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Diane R. Drake, Secretary

Approved March 1, 2006