

FINAL

MARION CONSERVATION COMMISSION
MINUTES OF THE REGULAR MEETING HELD ON MARCH 15, 2006

Members Present: Jeffrey W. Oakes, Chairman
Norman A. Hills, Vice Chairman & Treasurer
Joel D. Hartley, Member
Bruce C. Hebbel, Member (absent from 7:00 PM – 7:15 PM)
Lawrence B. Dorman, Associate Member

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

Secretary: Diane R. Drake

Others Present: Harold B. Cole Jr. and Timothy Lynch

Meeting convened at 7:00 PM Wednesday, March 15, 2006 in the main conference room of the Marion Town House, 2 Spring Street, Marion, Massachusetts. Site inspections were held on Saturday, March 11, 2006 by J. Oakes, N. Hills, J. Hartley and B. Hebbel.

7:00 PM **HAROLD B. & JUDITH A. COLE** - RFD (41D-1262) to construct a 12' x 25' three-seasons porch addition to the dwelling at 4 Julian Road, Dexter Beach, and to remove soil contaminated by a leak in his fuel oil tank. An Emergency Certificate had been issued on March 11, 2006 for the immediate removal of the contaminated soil. Mr. Cole was present and said the contaminated soil has already been removed from the site. This filing is required because the house is in the flood plain. N. Hills moved to close the hearing; J. Hartley seconded; voted unanimously. N. Hills moved to issue a Negative Determination for Box #2 for the porch, and include the Emergency Certificate for removal of the soil; J. Hartley seconded; voted unanimously. B. Hebbel joined the meeting.

7:13PM **TIMOTHY F. & SANDRA A. LYNCH** – RFD (41D-1254) (continued). This is an after-the-fact filing for clearing brush and extending a lawn at 8 West Avenue, Planting Island, and for proposed additional landscaping. Mr. Lynch was present and submitted his landscaper's plan and description of the proposed plantings. He said Walpole Woodworkers will install a 6'-high, 96'-long stockade fence along the southern property line. He said he would like to install an irrigation system. He said the removal of the few rocks that are showing as long as it will not require major excavation. He said he would like to widen the driveway to accommodate another car; J. Oakes suggested the use of permeable open pavers for the driveway, because they allow water to drain through rather than run off. J. Oakes said the seawall marks the change from the velocity zone to the flood zone. N. Hills moved to close the hearing; J. Hartley seconded; voted unanimously. N. Hills moved to issue a Negative Determination for Boxes 2 (flood zone)

and 3 (buffer zone to a coastal bank) with a notation suggesting the use of permeable open pavers for the driveway; J. Hartley seconded; voted unanimously.

7:32 PM **D. JOSEPH DUGGAN II** – NOI (file number not assigned yet) to reconstruct a boardwalk over the salt marsh at 17 Dexter Road, Dexter Beach. Due to the lack of a file number, the applicant's engineer by letter requested a continuation. J. Hartley moved to continue the hearing, with the applicant's consent, to 7:10 PM April 5, 2006; B. Hebbel seconded; voted by majority with J. Oakes abstaining and not participating in the discussion or vote. J. Oakes left the room.

J. Hartley moved to issue a three-year Extension Permit to The Kittansett Club for regrading areas of the 4th, 5th and 6th fairways at 11 Point Road (SE41-979); B. Hebbel seconded; voted unanimously. J. Oakes returned to the room.

N. Hills moved to issue a third three-year Extension Permit to Louis A. Secatore for adding beach sand above the original mean high water line at 2 Island Court, Planting Island (SE41-750); B. Hebbel seconded; voted unanimously.

Minutes were reviewed. B. Hebbel moved to accept the February 15, 2006 minutes as corrected; N. Hills seconded; voted unanimously. J. Hartley moved to accept the March 1, 2006 minutes as amended; B. Hebbel seconded; voted unanimously.

J. Oakes moved to send a letter of support for the White Eagle Self Help Application; J. Hartley seconded; voted unanimously.

N. Hills reported on the M.A.C.C. Annual Conference that was held March 4, 2006. He said the new M.A.C.C. Handbook for Conservation Commissioners will not be available until this summer.

L. Dorman reported on D.E.P.'s "Fundamentals of River Health: Assessment, Protection & Restoration" workshop which he attended today in Lakeville.

The Commission discussed group site inspections with regard to the Open Meeting Law. N. Hills said there is no problem because there is no discussion.

The Commission discussed Eleita Babbitt's garage at 39 Water Street. She would like to enclose the carport attached to her garage, and there is no change in the existing footprint. D. Drake explained that the Commission has not required a filing for projects such as these – in the flood zone but with no change in footprint and well below the 50% Rule threshold. J. Oakes said a filing will be required if it is in a velocity zone.

D.E.P. has appealed the Commission's Order of Conditions (SE41-1040) allowing Donald Torres to run a sewer line to his cottage at 23 Dexter Road. Dorothy Blickens will hold a site inspection at 9:30 AM Tuesday, April 4, 2008.

Meeting adjourned at 8:35 PM.

Diane R. Drake, Secretary

Approved April 5, 2006