

FINAL

MARION CONSERVATION COMMISSION
MINUTES OF THE REGULAR MEETING HELD ON JUNE 21, 2006

Members Present: Norman A. Hills, Vice Chairman & Treasurer
Joel D. Hartley, Member
Bruce C. Hebbel, Member

Members Absent: Jeffrey W. Oakes, Chairman
Sherman E. Briggs, Jr., Recording Secretary
Horace S. Kenney, Jr., Associate Member
Lawrence B. Dorman, Associate Member

Secretary: Diane R. Drake

Others Present: Chuck Fougere, Susan Nilson, William & Susanne Weber,
Donald Wing & Dana Altobello

Meeting convened at 7:00 PM Wednesday, June 21, 2006 in the main conference room of the Marion Town House, 2 Spring Street, Marion, Massachusetts. Site inspections were held on Saturday, June 17, 2006 by N. Hills, J. Hartley and B. Hebbel.

7:00 PM **JOHN P. & MALLORY Y. WATERMAN** - RFD (41D-1280) to raze the existing guest house at 2 Main Street, and replace it with a 22' x 30' guest house. Chuck Fougere represented Mr. and Mrs. Waterman. He said he is the designer of the project, and described the proposed work. He said the existing house is in the Velocity Zone with the first floor elevation at 13'. He said the new house will be built at 21' elevation, which is higher than required by FEMA Regulations. He said the Zoning Board of Appeals has approved the project. The 50% Rule does not apply in this case because the whole house will be built to FEMA standards. B. Hebbel moved to close the hearing; J. Hartley seconded; voted unanimously.

7:10 PM **WILLIAM E. WEBER** - NOI (SE41-1047) to reconstruct a licensed pier, ramp and float at 173 Front Street. William and Susanne Weber were present with their engineer, Susan Nilson of CLE Engineering, Inc., who described the history of the pier, improvements that were done to it, and the proposed work to reconstruct it. She submitted a revised plan with the salt marsh labeled, as requested by D.E.P. when the file number was assigned. She said the pier will be 5' wide rather than 4', which is allowed, and said the barge will not be allowed to rest on the bottom at any time. N. Hills asked how the flowable fill will be contained; S. Nilson said the exterior will be pointed first, then the fill poured. S. Nilson said the 6" x 14" stringers are sufficient for the spans. J. Hartley said he is concerned that wetlands near the stone wall could be impacted; S. Nilson said that area is only to access the pier, and those wetlands should not be harmed. S. Nilson said the float will be bottom anchored, with mushroom anchors and chains. B. Hebbel asked what

measures would be in place if the concrete flow is interrupted; S. Nilson said mats are usually placed to catch any spillage. J. Hartley moved to close the hearing; B. Hebbel seconded; voted unanimously.

The Commission Members discussed Great Hill Trust's request for a third three-year Extension Permit for maintenance dredging and dune nourishment at Great Hill Farm, Delano Road (SE41-777). Susan Nilson said the sand is blown from one side of the pier to the other, and the Order is just to scoop it up and place it above the mean high water mark from whence it came. J. Hartley moved to issue a third three-year Extension Permit; B. Hebbel seconded; voted unanimously.

7:30 PM **TABOR ACADEMY** - NOI (SE41-1046) to reconstruct a licensed pier, walkway, ramp and float at 183 Front Street, known as the "Pond House." Donald Wing of Tabor was present with his engineer, Dana Altobello of Thompson Merrill. D. Altobello said the pier was licensed in 1897, and Lelito Environmental delineated the wetlands there in 1996. He said the decking will be 5' above grade and constructed of fiberglass. D. Wing said the pier was last used in the late 1940's or early 1950's. D. Altobello said the cap is concrete, but D.E.P. preferred something else, so it could be constructed of aluminum. D. Altobello said any disposal material will be put on tarps and disposed of off site, not on site as stated on the plans. D. Altobello said D.E.P. suggested placing feet under the float to keep it at a 21" depth. D. Altobello said the float and ramp can be stored upland. D. Wing said the responsibility of storing the float will be the new Owner's responsibility, as the property is for sale. S. Nilson questioned the 3' water depth shown on the plan, as she found it to be only 1-1/2' when she did the soundings for the Weber pier reconstruction next door; D. Altobello said the 3' depth appears to be a surveying error, and agreed that a 1-1/2' depth is more realistic. J. Hartley said a revised plan is needed showing corrected water depths, size of the boat to be kept at the float, offsite disposal, piles for the float, and stops on the float. J. Hartley moved to continue the hearing, with the Applicant's consent, to 7:00 PM July 19, 2006; B. Hebbel seconded; voted unanimously.

Former Member Janice Mendes had represented the Commission on the Tri-Town River Committee. B. Hebbel agreed to take her place as the Commission's representative.

J. Hartley moved to pay \$237.00 to M.A.C.C. for next year's dues; B. Hebbel seconded; voted unanimously.

J. Hartley moved to pay \$398.80 to M.A.C.C. for publications; B. Hebbel seconded; voted unanimously.

Mario DiBona's River Road 40B housing project was discussed. Plans of nearby properties that had filed with Conservation were reviewed to determine whether a filing will be necessary for this project. Although the site is high and dry and beyond the 200' River Protection District, the proposed entrance road may be in the flood plain or the Buffer Zone to wetlands. N. Hills chose to postpone any action on this until Jeffrey Oakes could review the files.

J. Hartley moved to issue a Conditional Negative Determination for Box #2 for John and Mallory Waterman to replace the guest house at 2 Main Street, with a Condition requiring the new structure to be built in accordance with FEMA Regulations; B. Hebbel seconded; voted unanimously (41D-1280).

N. Hills drafted William E. Weber's Order of Conditions (SE41-1047) for reconstructing the pier at 173 Front Street. J. Hartley moved to issue it as written; B. Hebbel seconded; voted unanimously.

Meeting adjourned at 8:30 PM.

Diane R. Drake, Secretary

Approved August 2, 2006