

FINAL

MARION CONSERVATION COMMISSION

MINUTES OF THE REGULAR MEETING HELD ON NOVEMBER 1, 2006

Members Present: Norman A. Hills, Chairman
Jeffrey W. Oakes, Vice Chairman
Bruce C. Hebbel, Member
Lawrence B. Dorman, Member

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

Secretary: Diane R. Drake

Others Present: John Kelly, Susan Nilson and Walter Hartley

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

7:00 PM **MATTAPOISETT RIVER VALLEY WATER DISTRICT** - NOI (SE41-1051) to install 9,500 linear feet of 12"-I.D. water main from the Industrial Drive in Mattapoisett to Benson Brook Road in Marion (continued from October 18, 2006). Jon Gregory, the Tata & Howard Engineer for this project, by letter requested another continuation. L. Dorman moved to continue the hearing, with the Applicant's consent, to 7:00 PM November 15, 2006; B. Hebbel seconded; voted unanimously.

7:10 PM **THE KITTANSETT CLUB** - NOI (SE41-1056) for stockpiling materials near the Coastal Bank at the end of the driving range, 11 Point Road (continued from October 18, 2006 due to the lack of a file number). J. Oakes left the room. John Kelly, Golf Course Superintendent of Kittansett, was present with his Engineer, Susan Nilson of CLE Engineering, Inc. S. Nilson said this is an after-the-fact filing for stockpiling 35 cubic yards of mulch and materials which have since been removed, and the site has revegetated. She said this Notice of Intent will document its placement and removal, and no more materials will be placed there. L. Dorman moved to close the hearing; B. Hebbel seconded; voted unanimously.

7:15 PM **THE KITTANSETT CLUB** - NOI (SE41-1055) to maintain existing drainage ditches and to install underground drain lines within the course areas (continued from October 18, 2006 due to the lack of a file number). J. Oakes remained out of the room. John Kelly, Golf Course Superintendent of Kittansett, was present with his Engineer, Susan Nilson of CLE Engineering, Inc. S. Nilson said this filing is due to the Club's General Maintenance Plan. S. Nilson said the Club would like to do whatever is necessary to

release ponding water in the wooded areas. J. Kelly said he would like to start the project this fall, beginning at the 6th hole (Detail #8 on the plans). S. Nilson said installation of the drains will take more than a year, because it will be done only in the fall and spring. Detail #5 would be done next. N. Hills asked J. Kelly to submit a progress report next summer. J. Kelly said there is approximately 4,000 linear feet of piping to be installed, and he hopes to finish this project in two years, three years at the very most. L. Dorman asked if the Club has discussed the Commission's letter commenting on their General Maintenance Plan. S. Nilson said John Whittemore is the Chairman of the Greens Committee, and he is looking into it. B. Hebbel moved to close the hearing; L. Dorman seconded; voted unanimously. J. Oakes returned to the table.

7:23 PM **SARDINHA FAMILY TRUST** - NOI (SE41-1053) to replace the restaurant building at 450 Wareham Street with two new buildings (a restaurant and an office/retail) (continued from October 18, 2006). The Applicant's Engineer by letter requested another continuation. L. Dorman moved to continue the hearing, with the Applicant's consent, to 7:10 PM November 15, 2006; J. Oakes seconded; voted unanimously.

The Commission discussed Christopher Ouellette's request for a Certificate of Compliance for his septic system repair at 697 Mill Street (SE41-1001). N. Hills said a large area had been turned into lawn, and the garage is not connected to the system. J. Oakes moved to issue a full Certificate of Compliance; L. Dorman seconded; voted by majority with B. Hebbel abstaining.

The Commission discussed Steven Hurley's request for a Certificate of Compliance for his new house at 21 Bayview Road (SE41-921). Walter Hartley, an abutter of this property, had submitted an October 31, 2006 letter from his Engineer, Robert Cummings of EMS Services, commenting on Field Engineering's last submittal of data supporting the as-built compliance plan. The Commission compared the proposed house plans with the as-built plan, and compared spot gradings on the as-built plan to gradings on Earth Tech's plan of record for installing a sewer line in that area. L. Dorman said Robert Field, at the October 28, 2006 site inspection, said Mr. Hurley realized too much fill had been placed, and had it removed. N. Hills said some of the extra fill may have been removed, but not all of it. Walter Hartley said the 12'-wide road is now 20' wide, and was constructed right up to his property line. W. Hartley said the proposed plans show runoff staying on S. Hurley's side of the road, but the as-built plan clearly shows runoff going across the road. N. Hills said the as-built plan should show many more site grades, not just selective ones. J. Oakes said not all of the roof runoff is directed to drywells or drip strips, as mandated in the Order of Conditions. J. Oakes left the room.

N. Hills drafted the Order of Conditions for The Kittansett Club's drainage project (SE41-1055). B. Hebbel moved to issue the Order as written; L. Dorman seconded; voted unanimously.

B. Hebbel drafted the Order of Conditions for The Kittansett Club's removal of stockpiled materials at the end of the driving range (SE41-1056). L. Dorman moved to

issue the Order as written; N. Hills seconded; voted unanimously. J. Oakes returned to the room.

The Commission discussed J. Oakes' draft letter to S. Hurley specifying items that need to be addressed (missing wetland flags, excessive grading, filled drainage swale, etc.) before a Certificate of Compliance can be issued (SE41-921). J. Oakes moved to send the letter as written, and attach a copy of EMS's letter; L. Dorman seconded; voted unanimously.

N. Hills moved to issue a full Certificate of Compliance to Christopher Ouellette for upgrading the septic system at 697 Mill Street (SE41-1001); B. Hebbel seconded; voted unanimously.

Minutes were reviewed. B. Hebbel moved to accept the June 7, July 19, September 6, September 20 and October 4, 2006 minutes as corrected; and the August 16, 2006 minutes as written; L. Dorman seconded the motion; voted unanimously.

Meeting adjourned at 9:15 PM.

Diane R. Drake, Secretary

Approved December 6, 2006