

FINAL

MARION CONSERVATION COMMISSION
MINUTES OF THE REGULAR MEETING HELD ON APRIL 2, 2008

Members Present: Norman A. Hills, Chairman
Jeffrey W. Oakes, Vice Chairman
Sherman E. Briggs, Jr., Recording Secretary
Bruce C. Hebbel, Member
Lawrence B. Dorman, Member

Members Absent: Horace S. Kenney, Jr., Associate Member
Joel D. Hartley, Associate Member

Secretary: Diane R. Drake

Others Present: Steven Hurley, Andrew Kotsatos, John Beech, Sherry Bernier,
Greenwood Hartley III and Sharon Hartley, Will Saltonstall,
Christian Farland, Michael Isabelle and John Rockwell

Meeting convened at 7:00 PM Wednesday, April 2, 2008 in the main conference room of the Marion Town House, 2 Spring Street, Marion, Massachusetts. There were no scheduled site inspections on Saturday, March 29, 2008.

7:00 PM **GREENWOOD HARTLEY III** – NOI (SE 041-1093) to raze the dwelling at 19 Quelle Road and construct a new flood plain-compliant dwelling of the same footprint (continued from March 19, 2008). Sharon and Greenwood Hartley III were present. A letter and revised plan had been submitted on March 31, 2008 showing the changes requested by the Conservation Commission at the last meeting. (1) Hay bales will be placed to prevent siltation; (2) ground elevations where the support columns of the proposed house meet the ground are shown; (3) roof runoff will be addressed by 12" x 12" drip strips filled with pea stone; (4) the parking area and construction tracking path are one and the same, shall be gravel, and will be installed prior to construction; and (5) because there shall be less than 30 cubic yards of excavated material, and most of it will be used as backfill, siltation runoff for stockpiled material will not be necessary because any excess material will be removed from the site on a daily basis. Mr. Hartley said the porch will be cantilevered, so it won't be necessary to be on the abutters' properties. He said the four-foot frost wall will be below ground with the piles set in the foundation. Steve Hurley of 21 Bayview Road requested a copy of the new plan (N. Hills passed a copy of it to S. Hurley) and asked the Commission to continue the hearing so that his engineer can review and comment on the new information. S. Briggs and B. Hebbel said there is no reason to continue the hearing because Mr. Hartley has submitted all the requested materials and answers to the Commission's concerns. J. Oakes said he did not see why the hearing should be held up, S. Hurley is not an abutter, and his request is not pertinent. S. Briggs moved to close the hearing; J. Oakes seconded; voted unanimously.

7:12 PM **ANDREW KOTSATOS** – NOI (SE 041-1091) to raze the existing dwelling at 196 Point Road and construct a new dwelling with an attached garage, a deck, porches, a patio and a pool in its place (continued from March 19, 2008). Mr. Kotsatos was present with his engineer, Christian Farland of Thompson Merrill Engineering, and his architect, Will Saltonstall of Saltonstall Architects. C. Farland had submitted revised plans and said the new house is still shown 53' from the top of the bank, but the pool has been sized smaller so that it will be 33' (instead of 30') from the bank. A siltation fence is proposed along the top of the coastal bank. C. Farland said the coastal bank is very stable and will not be affected by this project. C. Farland said everything proposed is in compliance with the Wetlands Protection Act regulations and the Commission's setback policies, and Mr. Kotsatos initially wanted everything to be closer to the coastal bank than is proposed. Mr. Kotsatos said he is not trying to be obstinate, but his home on Planting Island is only 30' from the coastal bank, as well as being in the flood plain. He said this house will be 30' high and yes, he does want a better water view. N. Hills said he isn't worried about the bank stability, but his thoughts are that everything could be sited further away when starting with a clean sheet. J. Oakes said the only resource area is the buffer zone to a coastal bank, and nothing in this project will destabilize the bank. J. Oakes said the proposed runoff system will prevent gullyng. C. Farland said the total impervious area will be less, and the abutter, Mr. Farrington, told him he is in favor of the project. L. Dorman moved to close the hearing; J. Oakes seconded; voted unanimously.

7:30 PM **BOYD CONSERVATION PROPERTY AT WASHBURN PARK** – John Rockwell was present on behalf of the Open Space Commission and said the nine-acre parcel includes four acres of the railroad grade from Washburn Park Road to I-195. He said the Sippican Lands Trust bought it for \$200,000 and is holding it for the Open Space Commission who is trying to obtain a grant to help with the cost of buying it. He said he can apply for a matching grant to recreate wetlands there. He said there is a mound of dirt about five feet high which was supposed to have been removed before the Lands Trust purchased it, but the mound was leveled to the railroad bed grade rather than removed. J. Rockwell said a portion of the wetlands has been filled, but there is good sand there and could be turned into a wetland if the fill is removed. S. Briggs said he would prefer to leave the site alone and spend the money needed to remove the fill in better ways. J. Rockwell said he has a contract with G.A.F. Engineering to do a plan of the existing conditions, but there is a time line of the end of June. J. Rockwell asked the Commission to view the site and wetlands flagging to see if they agree it is correct. J. Rockwell said the grant will pay for the Town's Department of Public Works to do the site work. J. Rockwell said he would like the Commission to issue an enforcement order to immediately remove the fill in the east side of the site so that work can begin. A full notice of intent will be submitted for the rest of the site. The Commission Members agreed to inspect the site on Saturday, April 12, 2008. J. Rockwell said he will submit a summary of the flagging and/or a plan showing the flagging as something for the Commission Members to go by.

8:00 PM An expansion of **LITTLENECK VILLAGE** is being proposed by the Marion Affordable Housing Trust, and they are asking the Town boards to sign a letter of support for the project. J. Oakes moved to have the Conservation Commission Chairman sign the letter of support; L. Dorman seconded; voted unanimously.

The Commission's March 19, 2008 minutes were reviewed and amended. S. Briggs said the filled area between Steven Clark and the Town's pump station could have been caused by the Town's

D.P.W. scooping out the effluent line, and piling the sludge there rather than trucking it away. L. Dorman moved to accept the minutes as amended; N. Hills seconded; voted by majority with J. Oakes and S. Briggs abstaining.

N. Hills drafted the order of conditions for **ANDREW KOTSATOS**'s new dwelling at 196 Point Road (SE 041-1091). J. Oakes moved to issue the order as written; B. Hebbel seconded; voted unanimously.

J. Oakes drafted **GREENWOOD HARTLEY III**'s order of conditions (SE 041-1093) for reconstructing a house at 19 Quelle Lane; L. Dorman seconded; voted unanimously.

Meeting adjourned at 8:30 PM.

Diane R. Drake, Secretary

Approved April 16, 2008