

FINAL

MARION CONSERVATION COMMISSION
MINUTES OF THE REGULAR MEETING HELD ON DECEMBER 17, 2008

Members Present: Norman A. Hills, Chairman
Jeffrey W. Oakes, Vice Chairman
Sherman E. Briggs, Jr.
Lawrence B. Dorman

Members Absent: Bruce C. Hebbel
Horace S. Kenney, Jr., Associate
Joel D. Hartley, Associate

Secretary: Diane R. Drake

Others Present: Thomas McGuire and William Travers

Meeting convened at 7:00 PM Wednesday, December 17, 2008 in the main conference room of the Marion Town House, 2 Spring Street, Marion, Massachusetts. Site inspections were held on Saturday, December 13, 2008 by N. Hills and L. Dorman.

7:00 PM Minutes were reviewed. N. Hills moved to accept the November 19, 2008 minutes as amended; L. Dorman seconded; voted unanimously. N. Hills moved to accept the December 3, 2008 minutes as amended; L. Dorman seconded; voted unanimously. S. Briggs joined the meeting at 7:10 PM.

7:10 PM **J. MAURITS HUDIG** – request for a certificate of compliance for replacing a metal drainage pipe under Cottage Lane with an open-bottom, concrete culvert with headwalls (SE 041-1054). J. Oakes said he visited the site and the replication area is certainly larger than proposed on the plan. He was concerned that Japanese knotweed appears to have been planted, and if so it should be removed, but other than that everything looks good. The engineer will be contacted to see if knotweed was planted, and another inspection will be held on January 3, 2009.

7:16 PM **INDIAN COVE TRUST** – NOI (SE 041-1102) to construct a single-family dwelling with a septic system at Assessors' Lot 44 Holly Pond Road (continued from December 3, 2008). Their engineer has requested another continuation while research is done to determine whether the lot is buildable or not due to conservation restrictions. L. Dorman moved to continue the hearing, with the Applicant's consent, to 7:10 PM January 7, 2009; J. Oakes seconded; voted unanimously.

B. Hebbel had notified the Commission Members that vista clearing had taken place again at Margaret ("Meg") Howland's 21 Planting Island property (41D-1340 and 41D-588). A letter will be sent to Ms. Howland requesting permission to do a site inspection on January 3, 2009.

7:20 PM **MASSACHUSETTS HIGHWAY DEPARTMENT** – RFD (41D-1366) to resurface Route I-195 from Mattapoisett to Wareham, and use best management practices for storm water drainage improvements. Thomas McGuire and William Travers represented Mass. Highway and described the proposed work. W. Travers said the pavement is about twenty years old and this is a preventative maintenance project. T. McGuire said old stormwater practices brought runoff to the lowest point and discharged it directly into wetlands, but new best management practices to better handle runoff will be used during this renovation. He said the bank will be built up one foot higher with cinder blocks at the Sippican River to increase water retention before entering the River. S. Briggs said there is an area of I-195 at the Point Road overpass that was improperly filled years ago, resulting in concrete popping up three to five inches during cold winters, that needs to be dug up and properly backfilled because it is damaging snow plows. W. Travers said they will look into that problem. T. McGuire said they have stormwater specialists in his Boston office that regularly review best management practices. T. McGuire said the road will not be cold planed; it will have a sticky layer applied and then the "popcorn" mix, which will raise the roadway elevation just a little over one inch. T. McGuire said he preferred using hay bales rather than siltation fencing, because the labor to dig in the siltation fencing makes it more costly to install. W. Travers said they will place hay bales in locations within 100 feet of wetlands, but not in excess. A 30'-wide "recovery" area for vehicles that run off the roadway will be cleared of trees on each side of the lanes, such as is being done now in the Wareham I-195 reconstruction. L. Dorman moved to close the hearing; J. Oakes seconded; voted by majority with S. Briggs abstaining from the vote. J. Oakes moved to issue a conditional negative determination for boxes 2 and 3 (buffer and flood zones), with a condition that hay bales are preferred over siltation fencing for erosion control; L. Dorman seconded; voted by majority with S. Briggs abstaining.

J. Oakes said Jon Zell is clearing behind 283 Wareham Street, in what appears to be wetlands. S. Briggs said he will speak with Mr. Zell about it. A letter will be sent to Mr. Zell requesting permission to do a site inspection on January 3, 2009.

Meeting adjourned at 8:20 PM.

Diane R. Drake, Secretary

Approved January 7, 2009