

FINAL

MARION CONSERVATION COMMISSION
MINUTES OF THE REGULAR MEETING HELD ON JUNE 3, 2009

Members Present: Norman A. Hills, Chairman
Jeffrey W. Oakes, Vice Chairman
Lawrence B. Dorman
Joel D. Hartley

Members Absent: Sherman E. Briggs, Jr.
Wendy L. Carreau, Associate
Horace S. Kenney, Jr., Associate

Secretary: Diane R. Drake

Others Present: David N. Davignon

Meeting convened at 7:00 PM Wednesday, June 3, 2009 in the main conference room of the Marion Town House, 2 Spring Street, Marion, Massachusetts. Site inspections were held on Saturday, May 30, 2009 by N. Hills, J. Oakes, L. Dorman and J. Hartley.

J. Oakes moved to pay Pencils, Inc. \$94.94 for two self-inking stamps; N. Hills seconded; voted unanimously.

R. Zora met with the Commission Members at the **TOWN OF MARION**'s Sprague's Cove stormwater retention project to discuss what work is needed for this year's annual maintenance (SE 041-556). It was agreed that the bittersweet should be cut back, and a damaged area in one of the baffles needs to be filled. The Commission Members suggested R. Zora remove a section of the fencing between Shellheap Road and the Silvershell Beach parking lot to allow pedestrian traffic around the ponds.

Another site inspection was done at **BLAKE WILSON**'s 23 Parlowtown Road property regarding past land clearing and stockpiling fill in the buffer zone to wetlands on a neighbor's lot. It was agreed that due to a berm on the site, there is no threat to wetlands, and because no further clearing has taken place, there is no need for a filing at this time as long as no further changes occur.

J. Oakes nominated N. Hills to once again be the Conservation Commission's representative on the **COMMUNITY PRESERVATION COMMITTEE** (CPC); J. Hartley seconded; voted unanimously.

REORGANIZATION of the Conservation Commission was discussed. L. Dorman moved to maintain the current status quo with N. Hills remaining as Chairman/Treasurer, J. Oakes as Vice

Chairman, and S. Briggs as Recording Secretary; J. Hartley seconded the motion; voted unanimously.

COOLMAR LIMITED PARTNERSHIP (SE 041-1042) - a one-year extension permit for moving a barn from 604D to 596 Point Road, constructing a driveway, a porch, a walkway and doing clearing/vista pruning was approved on May 20, 2009. N. Hills will draft a letter regarding wetlands violations and other issues, to accompany the extension permit.

7:12 PM **PAPPALARDO NOMINEE TRUST** - NOI (SE 041-1108) to repair the seaward 80' portion of the pier at 90 Moorings Road, and replace the pier fender and float anchor piles. David Davignon of N. Douglas Schneider & Associates, Inc. represented the Trust and described the project. He submitted a copy of the extensive licenses for this pier dating back to 1925, and said the entire structure was licensed in 1995. He said many of the piles are now "wiggly" and will be replaced with sheet pile and piles. Dale Briggs is the contractor and will do the work from the landward end of the pier. D. Davignon said D. Briggs will remove some of the fill in the pier before removing the sheet pile, as described in the methodology shown on the plans. He said their goal is to make that section of the pier watertight. He said the existing fill of the trap rock will be either stockpiled or removed off site. J. Oakes would prefer that a siltation fence be installed between the fill that is placed on the lawn and the shore. Any dewatering discharge shall be filtered through a dewatering bag. J. Oakes moved to close the hearing; J. Hartley seconded; voted unanimously.

Site inspections for the Commission's June 17, 2009 meeting were discussed. N. Hills and W. Carreau won't be available on Saturday, June 13th, because they will be attending an M.A.C.C. training seminar on wetland delineations that day. J. Oakes, L. Dorman and J. Hartley preferred to do the inspections on Saturday, as normal, rather than the following Sunday.

L. Dorman moved to issue a three-year extension permit for **JONATHAN HOWLAND's** order of resource area delineation (SE 041-1043) for verifying the wetland delineations at Lot #19 Point Road; J. Hartley seconded; voted unanimously.

L. Dorman moved to issue a full certificate of compliance for **WAYNE TIRRELL's** addition and septic system repair at 173 Converse Road (SE 041-856); J. Oakes seconded; voted unanimously.

A full certificate of compliance has been requested for **STEPHEN GORMLEY's** dredging and floating dock system at 1A Main Street (SE 041-990). J. Oakes left the room. L. Dorman moved to issue the full certificate of compliance; J. Hartley seconded; voted unanimously.

J. Oakes remained out of the room while **ELLEN BOWLER's** request for a three-year extension permit for removing nuisance vegetation at Lot 84 Shawondasse Road (across from 7 Shawondasse Road) was discussed (SE 041-1045). N. Hills moved to issue a three-year extension permit with a cover letter requiring the beach grass to be planted; J. Hartley seconded the motion; voted unanimously. A stone retaining wall was noted although not shown on the plan of record. It was decided that no action is warranted regarding it at this time, but its impact on the site will be monitored. J. Oakes returned to the room.

J. Oakes drafted the **PAPPALARDO NOMINEE TRUST**'s order of conditions for repairing the seaward portion of the existing pier at 90 Moorings Road, and moved to issue it as written; L. Dorman seconded; voted unanimously.

A request for a certificate of compliance for **HEATH HARRIMAN**'s new driveway at 39 Giffords Corner Road, and relocating/expanding a house and a garage at the site was discussed (SE 041-949). The house configuration on the engineer's plan accompanying a request for a certificate of compliance appears to be different than what was built, and the wood burning furnace building is not shown on the plan. The submitted plan is not an accurate as-built of the house configuration. J. Oakes said he would like a copy of the foundation as-built plan. N. Hills moved to deny issuing a certificate of compliance at this time; J. Oakes seconded; voted unanimously. A letter explaining the Commission's concerns will be sent to H. Harriman, and the certificate of compliance can be requested again when the issues are addressed.

N. Hills will draft a letter to Mr. Margulis, the person doing maintenance/preparation work on the floats stored at the **TOWN OF MARION**'s Wing's Cove boat ramp parking lot. The Harbormaster has allowed the floats to be stored there, rather than beside the Piney Point pier, and has spoken with Mr. Margulis about keeping the site clean to prevent unwanted runoff into the Cove and marsh.

Meeting adjourned at 8:40 PM.

Diane R. Drake, Secretary

Approved June 17, 2009