

FINAL

**MARION CONSERVATION COMMISSION**  
MINUTES OF THE REGULAR MEETING HELD ON JULY 1, 2009

Members Present: Norman A. Hills, Chairman  
Sherman E. Briggs, Jr. (absent from 7:05 – 7:25 PM)  
Joel D. Hartley  
Wendy L. Carreau, Associate

Members Absent: Jeffrey W. Oakes, Vice Chairman  
Lawrence B. Dorman  
Horace S. Kenney, Jr., Associate

Secretary: Diane R. Drake

Others Present: Janie Coolidge, David Davignon, William F. Madden, Frank Ledwith  
and Robert Luchetti

Meeting convened at 7:05 PM Wednesday, July 1, 2009 in the main conference room of the Marion Town House, 2 Spring Street, Marion, Massachusetts. Site inspections were held on Saturday, June 27, 2009 by N. Hills and W. Carreau.

7:05 PM **COOLMAR LIMITED PARTNERSHIP** – appointment for discussion regarding violations at 596 Point Road (formerly 604D Point Road (SE 041-1042)). Janie Coolidge was present with her engineer, William F. Madden of G.A.F. Engineering, Inc. N. Hills said that over the years several orders of conditions have been issued for that site; J. Coolidge said she has never read any of the orders and leaves that up to her architect, Robert Luchetti, to take care of. N. Hills explained about daily inspections and maintenance of the haybales/siltation fencing, and described the erosion that took place during heavy rainfalls. W. Madden said he always gave a copy of the orders to the contractors, but they just didn't address the problems in a timely manner. W. Madden said he will replace the missing flags. Other items of the June 8, 2009 letter from the Commission to Coolmar were discussed. N. Hills explained the problem with the extensive vista pruning; W. Madden said that is being allowed to grow back. N. Hills said the architect, Bob Luchetti, tries to keep in contact with the Commission and control the contractors, but he can't be at the site all the time. J. Coolidge said she thinks Bob Luchetti, she and the landscaper should get together. W. Madden said he will address the items in the Commission's letter and will request another site inspection, hopefully for July 11, 2009. S. Briggs arrived at 7:25 PM.

7:25 PM **ALAN L. MINARD AND NANCY S. JOHNSON** – NOI (SE 041-1110) to construct a single-family dwelling, a driveway and a septic system, install utilities, fill/grade and replicate wetlands at Lot 30 Allens Point Road (continued from June 17, 2009). David Davignon of N. Douglas Schneider & Associates, Inc. represented the Owners. The Natural Heritage and Endangered Species Program has responded and wants to condition the project. D. Davignon said

he will agree to NHESP's conditions and asked the Commission Members to include them in the order of conditions. D. Davignon said NHESP seems to prefer siltation fences instead of haybales. D. Davignon said he plans to use the Bioclear Septic System, and the house will have four bedrooms. J. Hartley moved to close the hearing; S. Briggs seconded; voted unanimously.

7:30 PM **FRANCIS G. LEDWITH** – RFD (41D-1378) to construct additions, a deck and a patio on the north side of the dwelling at 384 Delano Road. Francis Ledwith was present with his engineer, David Davignon, who described the project. He said the floor will be at 15.1' elevation and the house is just barely (approximately five feet) in the AE 15' flood zone. D. Davignon said the flood openings of the cellar will be above the present flood zone. J. Hartley moved to close the hearing; S. Briggs seconded; voted unanimously.

7:35 PM **COOLMAR LIMITED PARTNERSHIP** (SE 041-1042 from earlier this evening). Robert Luchetti (Coolmar's architect) arrived, apologized for being late and explained that he was stuck in traffic. He asked to discuss the project with regard to the Commission's letter. N. Hills reminded R. Luchetti that roof runoff should be directed to drywells; R. Luchetti said roof runoff is presently being directed into an open creek instead of drywells because the water table is so high and water is entering the cellar. B. Luchetti said Robert Cormier is the contractor and promised to have the downed siltation fence fixed tomorrow. October 2008 photographs were compared to June 24, 2009 panoramic photographs. The Commission thanked R. Luchetti for attending the meeting.

**FRANCIS G. LEDWITH**'s determination for additions, a deck and patio at 384 Delano Road was discussed (41D-1378). J. Hartley moved to issue a negative determination for Box #2; S. Briggs seconded; voted unanimously.

J. Hartley drafted the order of conditions for **ALAN L. MINARD AND NANCY S. JOHNSON** to construct a new house and septic system at Lot 30 Allens Point Road (SE 041-1110) and moved to issue it as written; N. Hills seconded; voted unanimously.

N. Hills moved to accept the June 17, 2009 minutes as amended; J. Hartley seconded; voted unanimously.

Meeting adjourned at 8:15 PM.

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Diane R. Drake, Secretary

Approved September 23, 2009