

FINAL

**MARION CONSERVATION COMMISSION**  
MINUTES OF THE REGULAR MEETING HELD ON JULY 15, 2009

Members Present: Norman A. Hills, Chairman  
Lawrence B. Dorman  
Joel D. Hartley  
Wendy L. Carreau, Associate

Members Absent: Jeffrey W. Oakes, Vice Chairman  
Sherman E. Briggs, Jr.  
Horace S. Kenney, Jr., Associate

Secretary: Diane R. Drake

Others Present: Susan Nilson and Barbara Burr

Meeting convened at 7:00 PM Wednesday, July 15, 2009 in the conference room of the Marion Town House, 2 Spring Street, Marion, Massachusetts. Site inspections were held on Saturday, July 11, 2009 by N. Hills, L. Dorman and J. Hartley.

7:00 PM **RUSSELL E. NILSON** – on a motion duly made and seconded, it was unanimously voted to issue a full certificate of compliance for a 1983 order of conditions (SE 041-154) to construct a dwelling, a garage and sewage disposal system at 41 East Avenue, Planting Island.

7:01 PM **MOORINGS BREAKWATER TRUST** – on a motion duly made and seconded, it was unanimously voted to issue a full certificate of compliance for an order of conditions (SE 041-916) to repair a pier and breakwater at the end of Moorings Road (at the southeast tip of Converse Point).

7:02 PM **EDWARD T. NOVAKOFF** – certificate of compliance request for razing the dwelling at 21 Holly Lane and constructing a new dwelling in its place (SE 041-1079). N. Hills said there appears to be a little more fill than proposed, and the roadway has been extended, but the roadway is not on the Novakoff property. L. Dorman moved to issue a full certificate of compliance for the project; J. Hartley seconded; voted unanimously.

7:03 PM **EDWARD T. NOVAKOFF** – L. Dorman moved to issue a full certificate of compliance for a 1982 order of conditions (SE 041-114) to construct a 12' x 36' addition to the (former) dwelling at 21 Holly Lane; J. Hartley seconded; voted unanimously.

7:04 PM **MARTHA C. STARK** – during the July 11 site inspections it was noted that substantial fill had recently been added between the house and the road at 4 West Avenue, Planting

Island, and two small pools are being constructed. After researching Dr. Stark's files, it was determined that the structures are fish ponds, which were approved in the landscaping plan of her order of conditions (SE 041-1061), and that portion of the site appears to be in a flood zone, not a velocity zone.

7:10 PM **BURR BROTHERS BOATS, INC.** – NOI (SE 041-1112) to remove and replace a commercial building at 309 Front Street, make drainage improvements, and associated site work. W. Carreau left the room. Barbara Burr was present with her Engineer, Susan Nilson, who described the project. She said Burr Brothers has established a consulting account with the Planning Board for Field Engineering to verify the stormwater system calculations. She said the site is in Velocity or Flood Zones. S. Nilson said no additional boat washing stations are proposed, and the new building will mainly be used to store boats. After extensive discussion and clarification of various aspects of the project, S. Nilson requested a continuation so that she could respond to the Commission Members' concerns. L. Dorman moved to continue the hearing, with the Applicant's consent, to 7:00 PM August 5, 2009; J. Hartley seconded; voted unanimously. W. Carreau returned to the table.

7:55 PM **DR. WARD MAIER** – RFD (41D-1379) to construct a 12' x 36' deck under an existing pergola at 23 Lewis Street. This is an after-the-fact filing, as the Applicant built the deck as soon as the Building Department issued his building permit. The work is a change in footprint in a flood zone. L. Dorman moved to close the hearing and issue a negative determination for box #2; J. Hartley seconded; voted unanimously.

Discussion followed regarding **COOLMAR LIMITED PARTNERSHIP** vista pruning violations at 596 Point Road (formerly 604D) (SE 041-1042). N. Hills said Coolmar's Architect, Robert Luchetti, spoke with him today regarding the corrective actions. N. Hills said he told R. Luchetti the wetland flags had been replaced, but were not numbered.

Meeting adjourned at 8:02 PM.

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Diane R. Drake, Secretary

Approved September 23, 2009