

FINAL

MARION CONSERVATION COMMISSION
MINUTES OF THE REGULAR MEETING HELD ON MARCH 23, 2011

Members Present: Joel D. Hartley, Chairman
Norman A. Hills, Secretary and Treasurer
Wendy L. Carreau

Members Absent: Sherman E. Briggs, Jr., Vice Chairman
Lawrence B. Dorman
Jeffrey W. Oakes, Associate
Bruce C. Hebbel, Associate

Secretary: Diane R. Drake

Others Present: Robert Rogers, Laura Pedulli, Joseph Yates and Elizabeth Hatch.

Meeting convened at 7:00 PM on Wednesday, March 23, 2011 in the conference room of the Marion Town House, 2 Spring Street, Marion, Massachusetts. Site inspections were held on Saturday, March 19, 2011 by J. Hartley and N. Hills.

7:00 PM **JOHN R. HUBBARD, JR.** - NOI (SE 041-1152) to construct a single-family dwelling, a sewage disposal system, a driveway, and associated grading/filling/excavating at Lot 5A Front Street (continued from February 23, 2011). The Applicant's engineer, Kevin Forgue of G.A.F. Engineering, had requested a continuation of this hearing. J. Hartley moved to continue the hearing, with the Applicant's consent, to 7:10 PM on April 13, 2011; W. Carreau seconded; voted unanimously.

JOHN CURRY - request for a three-year extension permit to raze and reconstruct a dwelling, install a septic system, and perform associated site work at 15 Giffords Corner Road (SE 041-1094). Foundation repairs seem to be the only work that has been done. The hay bale line needs to be re-established as shown on the plan. No further work is to be done until the hay bales are replaced. N. Hills moved to issue the extension permit with a cover letter; J. Hartley seconded; voted unanimously.

7:10 PM **A. NEIL PAPPALARDO** - appointment for discussion regarding proposed minor changes to the new dwelling project at 90 Moorings Road (SE 041-1127) (continued from February 23, 2011). Robert Rogers of Tibbetts Engineering represented Mr. Pappalardo and submitted revised plans. Further work includes burying utilities, constructing an outdoor shower, moving air conditioning units, and a 10' x 12' shed on sono tubes. N. Hills said part of the 400'-long 4' x 4' trench will take place within the 15' no-touch zone. N. Hills was concerned with where the dirt was going to go - whether it was to be removed off site until the need to backfill, or the plan should show a staging/stockpiling area. W. Carreau said the storage shed is over 100 square feet and

will need a building permit, and there may be a problem with it proposed in a velocity zone. R. Rogers said the shed is proposed as shown on the plan due to the water service which will be installed inside it, but it will not be habitable. R. Rogers asked the Commission to specify an area where soil can be stored; N. Hills said it would have to be at least 30' from wetlands. R. Rogers suggested on top of the leaching field, which is out of the buffer zone, or off site temporarily. He will note on the plan that soil will be removed off site. Another appointment for discussion will be arranged.

7:36 PM **TABOR ACADEMY** - amendment to an order of conditions (SE 041-1154) for athletic fields improvements at Spring Street and Ryder Lane. The amendment is to install synthetic turf systems on three (rather than two) playing fields, relocate dugouts, make grading and drainage improvements, and modifications to the proposed lighting. Due to the lack of a voting quorum, the Applicant had requested a continuation of the hearing. J. Hartley moved to continue the hearing, at the Applicant's request, to 7:20 PM on April 13, 2011; N. Hills seconded; voted unanimously.

7:37 PM **DAVID and MARSHA KELLEY** - RFD (41D-1441) to construct a new 14' x 24' single-story addition to the garage at 39 Bullivant Farm Road. The Kelley's contractor, Joseph Yates, was present and described the proposed work. He said the addition is a 13' x 24' single-story garage. He said the rest of the garage is not in the Conservation Commission's jurisdiction. He said excess material will be removed from the site, not used for grading. He offered to place hay bales if the Commission so desired; J. Hartley said that would not be required. J. Hartley moved to close the hearing; N. Hills seconded; voted unanimously.

7:46 PM **JOSIAH and ELIZABETH HATCH** - RFD (41D-1442) to construct an 80' x 55' (overall) patio on the south side of the dwelling at 168 Allens Point Road, replace the north entrance steps, and replace the trees around the tennis court with 10'-tall hedges. Mrs. Hatch was present and said the patio is simply stone on grade. She said the septic people located the system so that the patio will not be built on it. She said the trees around the tennis court have been neglected and look like lollipops which is why they need to be replaced. Stumps will not be pulled. She asked to spread on the lawn whatever extra soil they had. J. Hartley moved to close the hearing; N. Hills seconded voted unanimously. J. Hartley moved to close the hearing; N. Hills seconded; voted unanimously.

J. Hartley moved to issue a third three-year extension permit to **JOHN M. and ALICE SHANAHAN** for adding beach sand at 282 Delano Road, with a cover letter that the beach grass shall not be covered with sand; N. Hills seconded; voted unanimously (SE 041-0957).

N. Hills moved to approve the \$45.00 cost for W. Carreau to attend the April 30, 2011 MACC workshop; J. Hartley seconded; voted unanimously.

Minutes were reviewed. J. Hartley moved to approve the March 9, 2011 minutes as amended; W. Carreau seconded; voted unanimously. There was no voting quorum to approve the February 23, 2011 minutes.

JOSIAH and ELIZABETH HATCH's patio project - J. Hartley moved to issue a conditional negative determination for boxes 2 and 3 with a condition of grading excess materials on

the lawn, and verifying the septic system locations with the Board of Health prior to beginning work; N. Hills seconded; voted unanimously (41D-1442).

DAVID and MARSHA KELLEY's garage addition project - W. Carreau moved to issue a negative conditional determination for box #3, with conditions that removed material will be stockpiled within the footprint of the proposed garage until backfilling occurs, and any surplus material will be removed from the site; J. Hartley seconded; voted unanimously (41D-1441).

In other matters, N. Hills discussed the **LITTLE NECK VILLAGE** grading for the access road (SE 041-1100). He will contact the project engineer for clarification and remediation.

N. Hills will update the **TOWN OF MARION**'s Sprague's Cove storm water remediation project maintenance plan (SE 041-556).

Meeting adjourned at 8:25 PM.

Diane R. Drake, Secretary

Approved April 27, 2011