

FINAL

MARION CONSERVATION COMMISSION
MINUTES OF THE REGULAR MEETING HELD ON JUNE 22, 2011

Members Present: Joel D. Hartley, Chairman
Sherman E. Briggs, Jr., Vice Chairman (absent from 7:00-7:10 PM)
Norman A. Hills, Secretary and Treasurer
Wendy L. Carreau

Members Absent: Lawrence B. Dorman
Jeffrey W. Oakes, Associate
Bruce C. Hebbel, Associate (resigned March 30, 2011)

Secretary: Diane R. Drake

Others Present: Dirk Murphy, Alan Ewing, Joseph A. Silva, Thomas Clarke, Alison Hodges, Stephen Hart, Stephen R. Bullerjahn, Kevin W. Forgue, Don Wing, Susan Nilson and Joan Hartnett-Barry

Meeting convened at 7:00 PM Wednesday, June 22, 2011 in the conference room of the Marion Town House, 2 Spring Street, Marion, Massachusetts. Site inspections were held on Saturday, June 18, 2011 by J. Hartley and W. Carreau.

7:00 PM **THOMAS F. CLARKE and ALISON M. HODGES** - RFD (41D-1452) to rebuild a wrap-around deck (28' x 40' overall) on new footings at 30 Beach Street. Mr. Clarke and Ms. Hodges were present with their contractor, Dirk Murphy. There will be no change in the footprint. W. Carreau had visited the site and said there is bittersweet and junk beneath the deck; Mr. Clarke said they would like to clean that up. The new footings will go down four feet and will be built to code with hurricane ties to joists. N. Hills asked what other work is proposed; D. Murphy said just reshingling the roof and replacing windows, at an approximate total cost of \$40,000 to \$50,000, and the house is assessed at \$127,600. N. Hills thought that there should be a better plan showing the deck and all the proposed improvements in the Request for Determination. J. Hartley moved to close the hearing; W. Carreau seconded; voted unanimously.

S. Briggs joined the meeting at 7:10 PM.

7:10 PM **JOSEPH A. and ANNE SILVA** - NOI (SE 041-1159) to repair a septic system at 11 Giffords Corner Road. Mr. Silva was present with his engineer, Alan Ewing of Alan Ewing Engineering, Inc. A. Ewing said it is an existing dwelling and this is only a septic repair which will be a raised system. The distance from the wetlands to the haybales is 18 feet. A. Ewing is requesting a variance from the Board of Health for the system to be less than 50 feet from the wetlands. N. Hills said he would like to continue the hearing so he could view the line; A. Ewing said Steve Schmeil had flagged the wetland line. W. Carreau said the line looked good. N. Hills

asked if the plan could be revised to move the system a few feet further from the wetlands; S. Briggs said that would just make it closer to the wetlands elsewhere. N. Hills asked A. Ewing whether alternative systems had been considered; A. Ewing said he did not look at alternate systems because this is a good system and is what he prefers. S. Briggs said this system is consistent with the other systems on the street. J. Hartley moved to close the hearing; S. Briggs seconded; voted unanimously.

7:22 PM **111 ALLENS POINT ROAD NOMINEE TRUST** (Stephen R. and Deborah F. Bullerjahn, Trustees) - NOI (SE 041-1157) to demolish and rebuild the north wing of the dwelling at 111 Allens Point Road, add a single-story addition to the south wing, and make landscaping improvements. Mr. Bullerjahn was present with his engineer, Kevin Forgue of G.A.F. Engineering, Inc., and architect, Stephen Hart of Hart Architects. K. Forgue said some of the work is in the buffer zone to the coastal bank, but no work will be done on the bank. He described the work and said the siltation fence will be 20' upland of the coastal bank to prevent runoff and delineate the limit of construction for this project. Excavation will be minimal and any excess materials will be trucked off site. J. Hartley moved to close the hearing; W. Carreau seconded; voted unanimously.

7:38 PM **TABOR ACADEMY** - NOI (SE 041-1158) to construct two 2,000-gallon salt water tanks (5' in diameter by 13' tall), anchored to a 10.75' by 20' concrete footing four feet below grade, in a gravel parking area at the Marine Sciences Facility, 255 Front Street. N. Hills left the room. Don Wing, the Facilities Manager at Tabor, was present with his engineer, Susan Nilson of CLE Engineering, Inc. S. Nilson submitted revised plans and described the project. Excavation will be 5-1/2' to 6' deep and consist of 4' of concrete with 18" of crushed stone. J. Hartley recommended temporary shoring to protect the bank; S. Nilson said that can be done. J. Hartley asked if the tanks could be placed elsewhere; D. Wing said the chosen location is close to the building and the rest of the area is needed for parking. The location of the utility lines was discussed. J. Hartley said installing the tanks 5' from the bank would be better if possible. J. Hartley would prefer the plan to be revised before closing the hearing; S. Nilson said she can revise the plan but would prefer not to continue the hearing, as the project is on a tight schedule in order for it to be finished before school starts this fall. S. Briggs said he would prefer to condition the location of the pad rather than continue the hearing for a revised plan. S. Briggs said all utilities can be located first, and relocated if necessary, and any excavated material would be trucked off site. J. Hartley moved to close the hearing; W. Carreau seconded; voted unanimously. N. Hills returned to the table.

7:50 PM **BAY WATCH REALTY TRUST** - NOI (SE 041-1145) to construct a 168-unit affordable housing complex under Chapter 40B with associated parking areas, on-site and off-site utility connections, storm water management infrastructure and related mitigation measures on Lots 27-29 off Front Street (Route 105) (continued from May 25, 2011). Their lawyer has requested another continuation to August 10, 2011. J. Hartley moved to continue the hearing as requested to 7:30 PM August 10, 2011; N. Hills seconded; voted by majority with S. Briggs abstaining.

THOMAS F. CLARKE and ALISON M. HODGES - to rebuild a wrap-around deck (28' x 40' overall) on new footings at 30 Beach Street (41D-1452). N. Hills moved to issue a negative determination for box #2 with a condition that work under this determination is limited to rebuilding the deck; J. Hartley seconded; voted unanimously.

JOSEPH A. and ANNE SILVA - to repair a septic system at 11 Giffords Corner Road (SE 041-1159). N. Hills drafted the order of conditions and moved to issue it as written; J. Hartley seconded; voted unanimously.

111 ALLENS POINT ROAD NOMINEE TRUST (Stephen R. and Deborah F. Bullerjahn, Trustees) - to demolish and rebuild the north wing of the dwelling at 111 Allens Point Road, add a single-story addition to the south wing, and make landscaping improvements (SE 041-1157). N. Hills drafted the order of conditions. He said that side of Allens Point Road is no longer shown as an AE flood zone on the new F.I.R.M. maps - it is all velocity zone. J. Hartley moved to issue the order as written; W. Carreau seconded; voted unanimously.

TABOR ACADEMY - to construct two 2,000-gallon salt water tanks (5' in diameter by 13' tall), anchored to a 10.75' by 20' concrete footing four feet below grade, in a gravel parking area at the Marine Sciences Facility, 255 Front Street (SE 041-1158). J. Hartley drafted the order and moved to issue it as written; W. Carreau seconded; voted by majority with N. Hills abstaining.

June 8, 2011 **MINUTES** were reviewed and accepted as amended on a motion by J. Hartley; seconded by N. Hills; voted unanimously.

M.A.C.C. ANNUAL DUES - J. Hartley moved to pay \$332.00 for July 1, 2011 through June 30, 2012 M.A.C.C. annual dues; N. Hills seconded; voted unanimously. This is a \$9.00 increase from last year's dues.

OTHER BUSINESS - S. Briggs said the Sprague's Cove storm water remediation project maintenance was discussed at the June 21, 2011 Selectmen's meeting (SE 041-556). S. Briggs said the Conservation Commission did not create the maintenance plan, the Buzzards Bay Project designed the project and the maintenance plan. He said it was insinuated that the Conservation Commission has not done their job of maintaining the site.

Meeting adjourned at 8:25 PM.

Diane R. Drake, Secretary

Approved July 13, 2011