

FINAL

MARION CONSERVATION COMMISSION
MINUTES OF THE REGULAR MEETING HELD ON OCTOBER 24, 2012

Members Present: Sherman E. Briggs, Jr., Chairman
Lawrence B. Dorman, Vice Chairman
Joel D. Hartley, Treasurer
Norman A. Hills, Clerk

Members Absent: Stephen C. Gonsalves
Jeffrey W. Oakes, Associate
Wendy L. Carreau, Associate

Secretary: Diane R. Drake

Others Present: Eric Tripoli (The Wanderer), Michael Cormier (Harbormaster), Jonathan Dickerson (Marion Recreation Department Director), Jay Pateonus (The Sentinel), Stevie Carvalho (Thompson Farland Engineering), Ashley Cunha (Thompson Farland Engineering), Kevin W. Forgue (G.A.F. Engineering), Christopher Bryant (Sippican Lands Trust), Jake Jacobsen and William St. Cyr (Indian Cove Trust), Susan Nilson (CLE Engineering), John Kelly (Kittansett Club), and David Davignon (N. Douglas Schneider & Associates).

Meeting convened at 7:00 PM on Wednesday, October 24, 2012 in the conference room of the Marion Town House, 2 Spring Street, Marion, Massachusetts. Site inspections were held on Saturday, October 20, 2012 by S. Briggs and N. Hills. This meeting was audio recorded by Town of Marion staff and Eric Tripoli of The Wanderer.

7:00 PM **ANNE HATTON**, 183 Front Street - Notice of Intent (D.E.P. file number not yet received) to demolish an existing garage and construct a 24' x 30' garage with a 24.46' x 16' deck. Stevie Carvalho of Thompson Farland Engineering represented Ms. Hatton. N. Hills said the garage is in a velocity zone. Roof runoff will be directed to a drywell. S. Carvalho said there is a bathroom in the garage and there may be living space above, but it will be designed for construction in a velocity zone. S. Carvalho said he can provide architectural plans if the Commission thinks it's necessary. S. Briggs said that is a Building Department matter but it would be nice to know the thickness of the walls, etc., and details of the support structure. N. Hills moved to continue the hearing, with the Applicant's consent, to 7:10 PM on November 14, 2012; L. Dorman seconded; voted unanimously.

7:11 PM **TOWN OF MARION**, Silvershell Beach - Request for Determination of Applicability (File #41D-1492) to add sand to existing pathways, to use the beach house field as a staging area for regattas, and to launch small sailboats northeast of the beach house. Harbormaster Michael Cormier was present and said the first regatta to use this field will be in August of 2013.

He will place rubber mats on the dune grass to prevent any damage from the launching of boats, and the mats will be removed either every day or after the three-day event. M. Cormier said most of the boats sail out, and launching from Silvershell will relieve congestion in the Harbor and center of town. He said the Buzzards Bay Regatta and Junior Regattas will use the site for boats less than 15' in length. N. Hills said he would like to visit the site after an event to see if any damage has been done. L. Dorman moved to close the hearing; S. Briggs seconded; voted unanimously.

7:17 PM **TOWN OF MARION**, Washburn Park Road - Request for Determination of Applicability (File #41D-1488) to restore and maintain woods roads and hiking trails, install picnic tables and benches at the skating pond, and maintain the area. Recreation Department Director Jonathan Dickerson was present. This hearing was continued from October 10, 2012 so that the areas of work could be staked out. Another inspection was held by S. Briggs and N. Hills with J. Dickerson. N. Hills said he would like a plan showing the skating pond, the flume area and the limits of work areas to be drawn up with permanent markers for our files. L. Dorman explained that the Request for Determination that was submitted is a little too vague and needs more detail. S. Briggs said the pond should be drained and cleaned. N. Hills moved to continue the hearing, with the Applicant's consent, to 7:20 PM on November 14, 2012; L. Dorman seconded; voted unanimously.

7:23 PM **JOHN W. and SHELLY I. (HOON) KEITH**, 15 Shellheap Road - Notice of Intent (File No. SE 041-1184) to remove invasive plant species. Kevin Forgue of G.A.F. Engineering represented the Applicant and said the work will be done in compliance with the Request for Proposal that was sent out by the Town for work on the abutting Sprague's Cove Storm Water Remediation System. He said it is too late to do the work this fall, so it will be done in the spring. S. Briggs moved to close the hearing; J. Hartley seconded; voted unanimously.

7:30 PM **INDIAN COVE TRUST**, Lot 44 Holly Pond Road - Amendment to an Order of Conditions (File No. SE 041-1102) to construct a dwelling, a septic system and a driveway. The Amendment is to adjust the footprint and location of the dwelling, shorten the driveway, reduce the size of the septic system leaching area, and construct a detached garage. David Davignon of N. Douglas Schneider and Associates represented the Trust. He said the original plan was submitted in 2008/2009 and the new plan shows the Velocity Zone has moved further away. The house will have three bedrooms instead of four, which will allow a smaller leaching field. The house footprint has changed due to ledge on the site. He said the wetlands are at least 75' away from the work, and the excavated dirt will be placed on the ledge, out of the buffer zone. The easterly part of the property that has the water service easement will be donated to the Town, and the westerly part of the property may also be donated as conservation land. Christopher Bryant of the Sippican Lands Trust was present and was concerned with any dredging of the stream which leads to Aucoot Cove, as that would make the nitrogen flow faster into the Cove; D. Davignon said no dredging is proposed. S. Briggs moved to close the hearing; N. Hills seconded; voted unanimously.

7:45 PM **SANFORD RUSSELL, JR.**, 5 Main Street - Notice of Intent (File No. SE 041-1179) to replace a carport with a garage; remove a retaining wall; relocate and expand a boulder retaining wall; reconstruct a driveway apron; and install a trench drain. This hearing was continued from October 10, 2012. The engineer has requested another continuation. L. Dorman moved to continue the hearing, with the Applicant's consent, to 7:40 PM on November 14, 2012; N. Hills seconded; voted unanimously.

7:50 PM **THE KITTANSETT CLUB**, 261 Point Road - Request for Determination of Applicability (File No. 41D-1494) to construct an irrigation water reservoir, a 28' x 30' pump house building, and to discharge reverse osmosis process water (salt water). John Kelly of Kittansett was present with Susan Nilson of CLE Engineering, who submitted revised plans. She said the work is outside the buffer zone to the wetlands but is in the flood zone. The pump house is also out of the buffer zone. This will give Kittansett two million gallons of usable water to irrigate the course during summers. S. Nilson said the top soil will be stripped and moved to the driving ranges. J. Kelly said he'd like to start the work this December. Landscaping will be done to hide the pump house building. J. Hartley moved to close; N. Hills seconded; voted unanimously.

JOHN W. and SANDRA J. BECK have requested a partial Certificate of Compliance for their new walkway over the marsh at 17 River Road, but wish to continue the phragmites removal portion of their Order of Conditions (File No. SE 041-1153). N. Hills moved to issue a partial Certificate of Compliance for the walkway portion of the Order; L. Dorman seconded; voted unanimously.

INDIAN COVE TRUST, Lot 44 Holly Pond Road (File No. SE 041-1102) - J. Hartley moved to issue an Amended Order of Conditions accepting the revised plan (downsizing the new dwelling and septic system project and approving the construction of a garage) as the new plan of record; L. Dorman seconded; voted unanimously.

THE KITTANSETT CLUB, 261 Point Road (File No. 41D-1494) - N. Hills moved to issue a Negative Determination for Box #2 (flood plain) and Box #3 (buffer zone to wetlands); J. Hartley seconded; voted unanimously.

TOWN OF MARION, Silvershell Beach (File No. 41D-1492) - L. Dorman moved to issue a conditional Negative Determination for Box #2 (flood plain) and Box #3 (buffer zone to wetlands), with conditions requiring the use of mats to prevent the marsh grass from harm, and a report of any damage to the area after an event; J. Hartley seconded; voted unanimously.

JOHN W. and SHELLEY I. (HOON) KEITH, 15 Shellheap Road - S. Briggs drafted their Order of Conditions (File No. SE 041-1184) for eradicating invasive plant species and moved to issue it as written; N. Hills seconded; voted unanimously.

MINUTES were reviewed. N. Hills moved to accept the September 26, 2012 minutes as written; L. Dorman seconded; voted unanimously.

Meeting adjourned at 8:30 PM.

Diane R. Drake, Secretary

Approved November 14, 2012