

FINAL

MARION CONSERVATION COMMISSION
MINUTES OF THE REGULAR MEETING HELD ON NOVEMBER 14, 2012

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

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

Secretary: Diane R. Drake

Others Present: Katy Fitzpatrick, Will Saltonstall, Stevie Carvalho, Ashley Cunha,
Kenneth Jacobsen, Roger Tenglin, Chuck Cederberg, Robert Reardon,
William St. Cyr, David Nilson and Holly Nilson.

Meeting convened at 7:00 PM on Wednesday, November 14, 2012 in the conference room of the Marion Town House, 2 Spring Street, Marion, Massachusetts. Site inspections were held on Saturday, November 10, 2012 by S. Briggs, N. Hills and S. Gonsalves. This meeting was audio recorded by Town of Marion staff.

7:00 PM Meeting commenced. Minutes were reviewed. S. Briggs moved to accept the October 10, 2012 meeting minutes as written; S. Gonsalves seconded; voted by majority with L. Dorman abstaining. L. Dorman moved to accept the October 24, 2012 meeting minutes as written; S. Gonsalves seconded; voted unanimously.

7:10 PM **ANNE HATTON**, 183 Front Street - Notice of Intent (File No. SE 041-1185) to demolish an existing garage and construct a 24' x 30' garage with a 24.46' x 16' deck (continued from October 24, 2012 in order to obtain architectural plans of the proposed garage). Will Saltonstall (of Saltonstall Architects) and Ashley Cunha (of Thompson Farland Engineering) represented Ms. Hatton. Architectural plans showing construction details have been submitted in response to the Commission's concern with potential living space in a velocity zone. W. Saltonstall said the lower floor has all blow-out walls and the building will meet all the regulations of the Building Code. S. Briggs moved to close the hearing; L. Dorman seconded; voted unanimously.

7:20 PM **TOWN OF MARION**, Washburn Park Road - Request for Determination of Applicability (File No. 41D-1488) to restore and maintain woods roads and hiking trails, install picnic tables and benches at the skating pond, and maintain the area (continued from October 24, 2012). S. Briggs said he would abstain from the discussion and vote because part of that site was donated to the Town by his family many years ago. Vice Chairman L. Dorman read the legal

advertisement. This hearing had been continued so that the proposed work could be shown on a plan of the whole skating pond area. Marion Recreation Department Director Jonathan Dickerson today requested a continuation of this hearing because he is having trouble obtaining the requested site plan, and can't afford to hire an engineer to survey and map the site. He hasn't been able to find a recent aerial map of the area. N. Hills moved to continue the hearing, at the Applicant's request, to 7:10 PM on November 28, 2012; J. Hartley seconded; voted by majority with S. Briggs abstaining.

N. Hills drafted ANNE HATTON's Order of Conditions (File No. SE 041-1185) for a new garage at 183 Front Street, and moved to issue it as written; J. Hartley seconded; voted unanimously.

7:30 PM INDIAN COVE TRUST and INDIAN COVE BOATYARD LLC, 128 Indian Cove Road (a.k.a. 126 Aucoot Road, Mattapoisett) - Notice of Intent (File No. SE 041-1186) to extend a gravel roadway from Aucoot Road in Mattapoisett, and construct a gravel common driveway for two residential lots off Indian Cove Road. Present on behalf of the Trust and the Boatyard were William St. Cyr, Kenneth Jacobsen, Chuck Cederberg, Roger Tenglin and Robert Reardon. David Davignon of N. Douglas Schneider and Associates was delayed due to a scheduling conflict and had asked the Commission to continue the hearing until later this evening. S. Briggs moved to continue the hearing to later tonight; S. Gonsalves seconded; voted unanimously.

7:31 PM INDIAN COVE TRUST, Lot 44 Holly Pond Road - appointment for discussion regarding the construction of a dwelling, a septic system, and a driveway. The Applicant is requesting authorization to further downsize the footprint of the dwelling, driveway and amount of fill without the need for another formal Amendment to the Order of Conditions (File No. SE 041-1102). David and Holly Nilson, the new owners of the lot, were present and described the changes on the revised plan. D. Nilson said the amount of paved driveway is about the same, but the house has been reduced by over 450 square feet. He said the "deck" shown on the plan is actually the dining area. He asked for permission to use this latest plan as the new plan of record, without the need for a formal Amendment to the Order. N. Hills moved to allow the changes by letter; S. Gonsalves seconded; voted unanimously.

7:43 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 24, 2012 at the Applicant's request. David Davignon of N. Douglas Schneider & Associates has requested another continuation. S. Briggs moved to continue the hearing, with the Applicant's consent, to 7:40 PM on November 28, 2012; L. Dorman seconded; voted unanimously.

7:45 PM Discussion followed regarding the sailboat that had gone aground in Aucoot Cove during last year's storm. The sailboat had been removed by using a backhoe to dig a trench in the marsh and float the boat out. D.E.P. had ordered the contractor to restore the site. S. Briggs, N. Hills and S. Gonsalves visited the site. N. Hills said the area could use more beach grass plugs, but looks pretty good considering the damage that had been done.

7:50 PM INDIAN COVE TRUST and INDIAN COVE BOATYARD LLC (File No. SE 041-1186) (continued from earlier tonight). The Applicants said it would be better if their

engineer was present, but it appeared he was going to be delayed even further at the Mattapoisett Conservation Commission hearing. In response to the Commission's request for clarification, W. St. Cyr explained that the 40'-wide road shown on the plan won't be built, just a 12' wide road, but 40' is necessary for the frontage. S. Briggs said both the owners and the buyers of the property are present, and the Commission's questions have been answered, so he sees no reason to continue the hearing again. S. Briggs moved to close the hearing; S. Gonsalves seconded; voted unanimously. N. Hills drafted the Order of Conditions and moved to issue it as written; L. Dorman seconded; voted unanimously.

Meeting adjourned at 8:30 PM.

Diane R. Drake, Secretary

Approved November 28, 2012