

FINAL

MARION CONSERVATION COMMISSION
MINUTES OF THE REGULAR MEETING HELD ON JANUARY 23, 2013

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

Members Absent: Lawrence B. Dorman, Vice Chairman
Jeffrey W. Oakes, Associate
Wendy L. Carreau, Associate

Secretary: Diane R. Drake

Others Present: Stevie Carvalho, David Davignon, William Johnston and Eric Tripoli

Meeting convened at 7:00 PM Wednesday, January 23, 2013 in the conference room of the Marion Town House, 2 Spring Street, Marion, Massachusetts. Site inspections were held on Saturday, January 19, 2013 by J. Hartley and N. Hills. This meeting was audio recorded by Town of Marion staff.

7:00 PM **PAMELA MAREAN**, Town of Marion's Grant Writer – appointment for discussion. Ms. Marean was ill and unable to attend this meeting. N. Hills said he, Harbormaster Michael Cormier and Ms. Marean met one year ago regarding the Sprague's Cove project, but nothing resulted from the meeting. She had asked the Commission to think of projects that might benefit from a grant. S. Briggs suggested the Washburn Park recreation areas. N. Hills suggested Silvershell Beach. N. Hills will contact Ms. Marean to see what grants are available.

7:05 PM **GARY PARSONS**, 13 Shady Lane – Certificate of Compliance for razing the existing dwelling and constructing a new dwelling with a utility room addition at the rear of the garage (File No. SE 041-1166). N. Hills said everything looks fine except there are more downspouts than shown on the Plan of Record -- three of them are directed to drywells and three aren't -- and the Order of Conditions requires all downspouts to be directed to drywells or drip strips. J. Hartley said it is only a flood plain issue and no wetlands will be affected, and he would vote to issue a full Certificate of Compliance. S. Briggs said a crows feet spreader leading to stone could be used for the downspouts that don't discharge into drywells. N. Hills moved to issue a full Certificate of Compliance with a cover letter requiring the three extra downspouts to be addressed in the spring; J. Hartley seconded; voted unanimously.

7:10 PM **SEAWOLF REALTY TRUST**, 19 Lewis Street – Request for Determination of Applicability (41D-1496) to construct a deck and four minor additions to the dwelling. Stevie

Carvalho of Thompson Farland, Inc. represented the Applicant, submitted revised plans showing a patio to be built instead of the deck, and explained the project. The architectural plans by Saltonstall Architects were referred to. S. Briggs moved to close the hearing; J. Hartley seconded; voted unanimously.

7:20 PM **COPPER MEDAL, LLC**, Converse Road – Notice of Intent (File No. SE 041-1190) to cut a footpath to the shore (after-the-fact filing), and perform vista pruning. S. Briggs left the table. David Davignon of N. Douglas Schneider and Associates represented the Applicant and explained that this filing was triggered by cutting a footpath along the southerly boundary to verify the property line which had been encroached upon by abutting property owners over the years. Boundary line stakes have been set. He said the northerly path is approved and valid through 2017. The middle path is also an after-the-fact filing. Two of the middle lots have been combined and will be sold to one owner. D. Davignon said there will only be a 5'-high view window on Lot F. N. Hills said he cannot see making a view vista until a house is built; D. Davignon said the vista is to improve the marketability of the lot. N. Hills said the house that will eventually be built may be in the general area. S. Gonsalves said if the activity is approved it doesn't need to have the house be built first. Both N. Hills and J. Hartley would like to do another inspection with the Owner or Engineer to guide them. N. Hills moved to continue the hearing, with the Applicant's consent, to 7:10 PM on February 13, 2013 and do another inspection with D. Davignon (weather permitting) at 8:35 AM on Saturday, February 9, 2013; J. Hartley seconded the motion; voted unanimously. S. Briggs returned to the table.

7:40 PM **JONATHAN P. and AMY DiVINCENZO**, 370 Delano Road – Notice of Intent (File No. SE 041-1187) to construct a 163'-long pile-supported timber pier, a 20'-gangway and a 10' x 20' float anchored with four pilings. This hearing was continued from January 9, 2013 in order to receive comments from Waterways and the Army Corps of Engineers. He said Waterways questioned the 24" clearance under the floats instead of 30", but the Division of Marine Fisheries approved the 24" clearance. D. Davignon explained the changes made to the plans to incorporate the comments and recommendations of the other licensing agencies. Decking could be the thru-flow grating which is very expensive, or 3/4" pressure treated deck boards. D. Davignon said he spoke with the Army Corps and their approval letter should be issued shortly. He asked to close the hearing tonight. S. Briggs moved to close the hearing; N. Hills seconded; voted unanimously.

7:50 PM **DAVID and LINDA NIELSEN**, 203 Front Street – Notice of Intent (File No. SE 041-1189) to construct a 253'-long timber pier, a 20'-long aluminum gangway, and two 12' x 15' timber floats anchored with six pilings. This hearing was continued from January 9, 2013 to see if monitoring the eelgrass would be needed. He was told the 9' separation from the pier to the eelgrass would have no impact on the eelgrass, and the permit was issued on January 11, 2013. 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; J. Hartley seconded; voted unanimously.

J. Hartley drafted **JONATHAN P. and AMY DiVINCENZO**'s Order of Conditions (File No. SE 041-1187) to construct a pier, gangway and float at 370 Delano Road and moved to issue it as written; S. Briggs seconded; voted unanimously.

N. Hills moved to issue a Negative Determination of Applicability (File No. 41D-1496) for Box #2 to **SEAWOLF REALTY TRUST** to construct a deck/patio and four minor additions to the dwelling at 19 Lewis Street; J. Hartley seconded; voted unanimously.

Meeting adjourned at 8:20 PM.

Diane R. Drake, Secretary

Approved February 27, 2013