

FINAL

MARION CONSERVATION COMMISSION
MINUTES OF THE REGULAR MEETING HELD ON MARCH 13, 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: Sharon and Greenwood ("Woody") Hartley III, Bruce Rocha,
David Davignon, Virginia Becher, Joan Hartnet-Barry and
Bronwen Cunningham

Meeting convened at 7:00 PM on Wednesday, March 13, 2013 in the conference room of the Marion Town House, 2 Spring Street, Marion, Massachusetts. Site inspections were held on Saturday, March 9, 2013 by J. Hartley and N. Hills.

7:00 PM **DIANE Y. BONDI-PICKLES** – Request for Determination of Applicability (File No. 41D-1498) to add approximately 155 cubic yards of fill in a low area and grade the site. This hearing was continued from February 27, 2013 in order to inspect the site again and for the Applicant to submit a revised plan showing the flood zone delineations and other resource areas. The site is entirely in a velocity zone. No one was present on behalf of the Applicant. Another inspection had been held on March 9, 2013. All the Members said they are familiar with the site. S. Briggs said fill can be added as long as it is not structural fill. N. Hills was concerned that filling the depression would push the water toward the house. N. Hills moved to continue the hearing to later tonight in anticipation of the Applicant arriving; J. Hartley seconded; voted unanimously.

MINUTES – N. Hills preferred to discuss the February 27, 2013 minutes at the next meeting on March 27, 2013.

OTHER BUSINESS – **Grant Writer** – N. Hills spoke with the Town's Grant Writer, Pamela Marean, regarding projects that could benefit from grants, such as vernal pool certifications, low impact development, invasive species control, and digitization of records.

7:10 PM **AUCOOT COVE PROPERTIES, LLC**, 128 Indian Cove Road – Notice of Intent (File No. SE 041-1192) to upgrade a septic system and other site improvements. David

Davignon of N. Douglas Schneider & Associates, Inc. described the project. He said the cottage is on the center lot shown on the plan. There are three buildings on that lot. The cottage will be rented. The cottage and workshop will share the new septic tank which is sized for six bedrooms (by State Code standards) or five bedrooms (by Marion Sanitary Code standards). Boulders by the tennis court will be used along the slope of the leaching field at a three-to-one slope due to the site being in a velocity zone where vertical walls are not allowed. N. Hills noted that replacement of a septic system in a velocity zone is only acceptable if the house was there before 1996, which this was. A raised septic system in a velocity zone is normally not allowed, but the geographical contours in this situation ameliorate this concern. The office will not be connected to the septic system. D. Davignon said the water pipe will be installed four feet under the swale, as permitted in a prior filing. N. Hills asked what will happen to the other two buildings; D. Davignon said that has not been decided yet, but the septic system is sized for five bedrooms and will not be expanded any further. J. Hartley asked if the septic tank is weighted; D. Davignon said there is concrete on both sides. Abutter Virginia Becher was present but had no comments. S. Briggs moved to close the hearing; J. Hartley seconded; voted unanimously.

7:28 PM **GREENWOOD HARTLEY III**, 19 Quelle Lane – Request for Determination of Applicability (File No. 41D-1500) to construct a 16' x 18' addition and a 6' x 18' deck to the dwelling. J. Hartley left the table. Sharon and Greenwood Hartley III were present with their contractor, Bruce Rocha, Jr. The house is serviced by Town sewer. B. Rocha said the addition will be elevated and will have a foundation that is open at one end, with sonotubes under the deck. He said their engineer is checking on blow-out panels on the other side. N. Hills was concerned with the clearing that has been done in the buffer zone and partially in a wetland, which he feels requires a Notice of Intent filing; S Briggs disagreed and said the Commission has often allowed this type of work to be done under Requests for Determinations. S. Briggs said some of the clearing in wetlands not owned by G. Hartley may have been done by others; it was agreed that was a possibility. G. Hartley explained that half an oak tree had been hanging for over a year, so he cut it off. He said the stuff that was down was removed, and a lot of grape vines were removed. S. Gonsalves said there is only about 13' of yard left up to the bittersweet and grape vines, which will overtake the deck if not controlled. G. Hartley agreed to submit an after-the-fact filing for the clearing. N. Hills said there are no siltation barriers shown on the plan; B. Rocha said the foundation will just be trenched and the soil taken off site. S. Briggs suggested installing a siltation fence between the house and the wetlands. Abutter Bronwen Cunningham was present but had no comments. S. Briggs moved to close the hearing; S. Gonsalves seconded; voted unanimously. J. Hartley returned to the table.

7:45 PM **AMY ANTHONY**, 91 Piney Point Road – Request for Determination of Applicability (File No. 41D-1501) to construct a 488 square foot bedroom addition at the northerly end of the dwelling. S. Briggs left the table. David Davignon said the Owner would like to build a small, one-bedroom guest wing over a crawl space to match the existing crawl space under the house. He said the first floor elevation is probably at 20' and the grades will not change. He explained that the contours were plotted using the old 1988 flood map datum, but showing the 2012 flood zone delineations. N. Hills said materials should be stored in back of the house. J. Hartley moved to close the hearing; S. Gonsalves seconded; voted unanimously. S. Briggs returned to the table.

7:55 PM **DIANE Y. BONDI-PICKLES**, 29 Cove Street (continued from earlier tonight). S. Briggs reopened the hearing. The Applicant had not arrived. S. Briggs moved to continue the hearing, with the Applicant's consent, to 7:00 PM on March 27, 2013; N. Hills seconded; voted unanimously.

AMY ANTHONY – S. Briggs left the table. S. Gonsalves drafted and moved to issue a Negative Determination for Box #2 for a bedroom addition at 91 Piney Point Road (File No. 41D-1501); J. Hartley seconded; voted by majority. S. Briggs returned.

AUCOOT COVE PROPERTIES, LLC – J. Hartley drafted their Order of Conditions (SE 041-1192) for upgrading a septic system and other site improvements at 128 Indian Cove Road, and moved to issue it as written; N. Hills seconded; voted unanimously.

GREENWOOD HARTLEY III – N. Hills moved to issue a conditional Negative Determination for Boxes 2 and 3 for the proposed addition and deck at 19 Quelle Lane (File No. 41D-1500). The condition will require the installation of a siltation barrier. S. Briggs seconded the motion; voted by majority with J. Hartley abstaining from the discussion and vote.

Meeting adjourned at 8:15 PM.

Approved March 27, 2013

Diane R. Drake, Secretary