

FINAL

**MARION CONSERVATION COMMISSION**  
MINUTES OF THE REGULAR MEETING HELD ON MAY 8, 2013

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: Richard Schaefer (Schaefer & Kunz) and Joan Hartnett-Barry (The Wanderer)

Meeting convened at 7:00 PM on Wednesday, May 8, 2013 in the conference room of the Marion Town House, 2 Spring Street, Marion, Massachusetts. Site inspections were held on Saturday, May 4, 2013 by S. Briggs, J. Hartley and N. Hills.

7:00 PM **MOORE MARION TRUST II**, 470 Point Road – Request for Determination of Applicability (File No. 41D-5071) to upgrade a sewage disposal system. Richard Schaefer represented the Applicant and asked for clarification of the flood zone delineations shown on the plan. N. Hills said the leaching field is in Flood Zone X, but the other components are in the Flood Zone which is why this filing is required. N. Hills asked whether this is a new system or a repair, as an existing system is not shown on the plan; R. Schaefer said he was not sure but thought it must be a replacement. The dwelling is shown as having two bedrooms, but the system is sized for three bedrooms. R. Schaefer said the dwelling may be replaced with a larger dwelling in the future. L. Dorman suggested staking the property line before work begins, as some of the work is very close to the line. S. Briggs moved to close the hearing; J. Hartley seconded; voted unanimously. N. Hills moved to issue a Negative Conditional Determination, with conditions that the property line will be staked before trenching, erosion control shall be installed along the isolated wetland, and the existing system shall be disposed of in a manner acceptable to the Board of Health; L. Dorman seconded the motion; voted unanimously. Two Determinations were signed, and one was given to R. Schaefer for the closing on this property tomorrow.

7:20 PM **KATHLEEN MAHONEY**, Dexter Road (across the road from, and associated with, house #40) – Notice of Intent (File No. SE 041-1196) to construct a 4' x 133' timber boardwalk and pier, a 3' x 20' gangway, and a 10' x 20' float supported by four pilings. This hearing was continued from the April 24, 2013 meeting. Clarification was needed from the Shellfish Officer as to

whether the site is a substantial shellfish area (which would require a 30" clearance under the float), or an insignificant shellfish area (which would allow less clearance under the float). The Shellfish Officer determined that the site did not have significant shellfish. D.E.P.'s "Small Docks and Piers" guide was referred to. The wording is confusing but everyone agreed D.E.P.'s requirement for 30" clearance should take preference. L. Dorman moved to continue the hearing to 7:45 PM on May 22, 2013 in case there are additional comments from Ms. Mahoney's engineer; J. Hartley seconded; voted unanimously.

### **FOR DISCUSSION**

A. **Town of Marion**, Planting Island Causeway (File No. SE 041-381). N. Hills spoke with Department of Public Works Superintendent Robert Zora regarding "NO DOGS ALLOWED ON BEACH MAY 1 – OCT. 1" signs to be posted at the Town Beach at Planting Island Causeway. R. Zora will have his men make four of the signs.

B. **Town of Marion**, Sprague's Cove Stormwater Remediation Project (File No. SE 041-556). N. Hills said there is \$1,000.00 left over in this year's budget that could be used to replace the post and rail fencing along the Sprague's Cove basins. S. Gonsalves has seven sections of fencing that could be used. N. Hills moved to authorize Robert Zora to buy the necessary fencing (up to \$1,000.00); J. Hartley seconded; voted unanimously. S. Briggs said that any plantings around the ponds must not hinder the mowers.

C. **Anne Hatton**, 183 Front Street (File No. SE 041-1185). A temporary dewatering pump was required when constructing the new garage's foundation. Ms. Hatton would like to keep the pump for irrigation purposes. All agreed the change in the plan of record is minor and will not require an Amended Order of Conditions. A letter authorizing the change will be sent to Ms. Hatton.

**MINUTES** were reviewed. N. Hills moved to accept the March 27 and April 10, 2013 minutes as corrected, and the April 24, 2013 minutes as written; J. Hartley seconded; voted by majority with L. Dorman abstaining.

Meeting adjourned at 7:50 PM.

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Diane R. Drake, Secretary

Approved May 22, 2013