

FINAL

MARION CONSERVATION COMMISSION
MINUTES OF THE REGULAR MEETING HELD ON MAY 22, 2013

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

Members Absent: Sherman E. Briggs, Jr., Chairman
Stephen C. Gonsalves
Jeffrey W. Oakes, Associate
Wendy L. Carreau, Associate

Secretary: Diane R. Drake

Others Present: Jonathan and Elizabeth Howland, John F. Brown, Ashley Cunha and Christian Farland (Thompson Farland), Lars Olson, Shawn Badgley (The Wanderer), Susan Nilson (CLE Engineering), John Kelly (The Kittansett Club), and David Davignon (N. Douglas Schneider & Associates).

Meeting convened at 7:00 PM Wednesday, May 22, 2013 in the conference room of the Marion Town House, 2 Spring Street, Marion, Massachusetts. Site inspections were held on Saturday, May 18, 2013 by L. Dorman and N. Hills. This meeting was audio recorded by Town of Marion staff.

May 8, 2013 **MINUTES** were reviewed and approved as written on a motion by N. Hills; seconded by L. Dorman; voted unanimously.

7:10 PM **DOROTHY BROWN**, 7 Shawondasse Road – Notice of Intent (File No. SE 041-1198) to update the stairs to the dwelling, and install a drainage system consisting of an 8" drain inlet and trench drain by the garage discharging near the stone patio on Lot 84 across the road. John F. Brown was present with his engineer, Christian Farland of Thompson Farland. C. Farland submitted a revised plan showing a straighter drainage pipe discharging into a drywell rather than rip rap across the street. L. Dorman said a couple of downspouts go into the ground now; C. Farland said he thinks they go into a perforated pipe around the foundation. J. Brown said he would like to tie the downspouts into the system. The west side porch will be removed and granite put down. C. Farland said the size of the drywell can be increased if the Commission requires. C. Farland said seasonal groundwater in the area is approximately -3'. L. Dorman moved to close the hearing; N. Hills seconded; voted unanimously.

7:23 PM **JONATHAN HOWLAND**, Lot 19 Point Road – Notice of Intent (File No. SE 041-1199) to cut a walking path, replicate wetlands, and construct a pile-supported pier with a

floating dock at Planting Island Cove. Jonathan and Elizabeth Howland were present with their engineer, Susan Nilson of CLE Engineering, who described the project. A 3'-wide, 3' high elevated walkway over the marsh will be held in place with helical anchors. S. Nilson said the pier will be very similar to the nearby pier which has been in place for 20 years. She said the Applicant has no problem with the Harbormaster's/Shellfish Officer's comments regarding the maximum size of the vessel allowed to use the float, transiting to and from the dock at higher tides, prohibiting vessels from going aground, and relocating shellfish in the project area. She said the Division of Marine Fisheries would prefer the project materials to be chemically free, but there is nothing else she knows of that works as well for protecting pilings in the water than the material she is proposing. The D.M.F. suggested increasing the walkway height to 5' at the high water mark, or have stairs that go up and over for pedestrian lateral access. S. Nilson suggested installing a hinged stairway that could be pulled down by pedestrians, rather than elevating the walkway from 3' to 5'. Deck spacing will be 3/4" instead of 1/4". The draft shown on the plan is dated 2008; S. Nilson said that will be changed to 2012. E. Howland said the forestry permits for this site are all in place through December 21, 2013. N. Hills suggested placing a plaque on the float explaining the boat size limit and hours of usage. L. Dorman moved to close the hearing; N. Hills seconded; voted unanimously.

7:40 PM **THE KITTANSETT CLUB**, Lots 1, 8 and 8A Point Road – Notice of Intent (File No. SE 041-1200) to construct a collection system for fresh water drainage to be used as irrigation water, and to replace the irrigation system for the golf course. Kittansett's General Manager, John Kelly was present with his engineer, Susan Nilson, who described the project. She said The Haven has a natural berm around it, so siltation fencing isn't necessary. Existing bunkers on site will be removed and replaced with new sand. J. Kelly would like to start the irrigation part of the project in mid-July and finish that by Christmas, and work on the bunkers between October and Christmas. N. Hills moved to close the hearing; J. Hartley seconded; voted unanimously.

8:00 PM **BARBARA BELANGER**, 776 Mill Street – Request for Determination of Applicability (File No. 41D-1508) to upgrade the sewage disposal system to Title 5 Standards. David Davignon of N. Douglas Schneider & Associates represented Ms. Belanger and described the project. The new system will replace a cesspool. N. Hills questioned the wetlands delineation; D. Davignon said the delineation is weird but correct, and was flagged by Mark Manganello of LEC. D. Davignon said they do not routinely flag all wetland lines for just a septic repair. The house is to be sold shortly. L. Dorman said the project is fine but he won't approve the lines. L. Dorman moved to close the hearing; N. Hills seconded; voted unanimously.

8:12 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. His hearing was continued from the Commission's May 8, 2013 meeting because the Engineer was not present at that time to comment on a 30" float clearance rather than the proposed 18" float clearance. David Davignon was present and said the U.S. Army Corps of Engineers has mandated the 30" clearance, so there is no alternative. L. Dorman moved to close the hearing; N. Hills seconded; voted unanimously.

8:14 PM **KATHLEEN MAHONEY**, 40 Dexter Road – Request for Determination of Applicability (File No. 41D-1509) to demolish the dwelling and construct a new dwelling and

driveway. David Davignon represented the Applicant and described the project. The house is outside the buffer zone to wetlands across the road, and is out of the 200' River Protection District. The flood zone on this site changed from velocity to flood on the new July 2012 Flood Insurance Rate Maps. D. Davignon said the house will be built on a standard flood plain concrete foundation. Dirt will be stockpiled on the site. Uncovered stairs do not count in determining setbacks, which is why these stairs can go right up to the property line. L. Dorman moved to close the hearing; N. Hills seconded; voted unanimously.

KATHLEEN MAHONEY – J. Hartley drafted her Order of Conditions (SE 041-1196) to construct a boardwalk, pier, gangway and float across from 40 Dexter Road, and moved to issue it as written; N. Hills seconded; voted unanimously.

DOROTHY BROWN – L. Dorman drafted her Order of Conditions (SE 041-1198) to update the stairs to the dwelling at 7 Shawondasse Road and install a drainage system, and moved to issue it as written; N. Hills seconded; voted unanimously.

BARBARA BELANGER – sewage disposal system upgrade at 776 Mill Street (File No. 41D 1508) - N. Hills moved to issue a Conditional Negative Determination for Box #3 with a condition that the wetland lines are not accepted; L. Dorman seconded; voted unanimously.

KATHLEEN MAHONEY – J. Hartley moved to issue a Negative Determination for Box #2 to demolish the dwelling at 40 Dexter Road and construct a new dwelling (File No. 41D-1509); N. Hills seconded; voted unanimously.

THE KITTANSETT CLUB – N. Hills drafted an Order of Conditions (File No. SE 041-1200) to construct a collection system for fresh water drainage to be used as irrigation water and to replace the irrigation system for the golf course, and moved to issue it as written; L. Dorman seconded; voted unanimously.

JONATHAN HOWLAND – L. Dorman drafted an Order of Conditions (File No. SE 041-1199) to cut a walking path, replicate wetlands, and construct a pile-supported pier with a floating dock at Planting Island Cove, and moved to issue it as written; J. Hartley seconded; voted unanimously.

Meeting adjourned at 9:05 PM.

Diane R. Drake, Secretary

Approved June 26, 2013