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FINAL

MARION CONSERVATION COMMISSION
MINUTES OF THE REGULAR MEETING HELD ON MAY 14, 2014

Members Present: Lawrence B. Dorman, Chairman
Norman A. Hills, Vice Chairman
Joel D. Hartley, Treasurer
Stephen C. Gonsalves, Clerk
Jeffrey J. Doubrava, Member (absent from 7:00 PM to 7:15 PM)

Members Absent: Wendy L. Carreau, Associate
Cynthia C. Trinidad, Associate

Secretary: Diane R. Drake

Others Present: Kevin Forgue (G.A.F. Engineering), Matthew Vander Pol (Tabor Academy), Rick and Janet Barnes, Wilma and Marshall Bailey, and David Davignon (N. Douglas Schneider & Associates).

Meeting convened at 7:00 PM on Wednesday, May 14, 2014 in the conference room of the Marion Town House, 2 Spring Street, Marion, Massachusetts. Site inspections were held on Saturday, May 10, 2014 by N. Hills, J. Doubrava and C. Trinidad. This meeting was video recorded by ORCTV and audio recorded by Town of Marion staff.

REAPPOINTMENTS: J. Hartley and S. Gonsalves do wish to be reappointed. W. Carreau will decline reappointment.

REPLICATION: Proposed wetland replication boilerplate provided to everyone to read for next meeting. The text was developed from MACC suggested wording.

MACC: General conditions, suggestions by MACC.

INDIAN COVE: There is a large Holly tree in the proposed replication area that the owner wants to keep. At the site visit it was agreed that holly tree was in the area selected for wetlands replication, and probably would not survive.

40 **WASHBURN PARK:** D.E.P. received an anonymous complaint of "filling a pond", pulling
41 stumps, grading bank to pond. Site visit scheduled for May 24, 2014.

42
43 7:10 PM **JOHN P. AND MALLORY Y. WATERMAN,** Water Street- Notice of Intent
44 (File No. SE 041-1213) to reconstruct the wooden pier and repair or reconstruct the stone seawall.
45 Kevin Forgue of GAF Engineering represented the applicants and described the project. He said the
46 pier is licensed #4550. Several members inquired about the float (construction, anchoring and water
47 under). L. Dorman would like to know how the float is constructed, whether it has stops, etc. The
48 20" outflow pipe from Water Street that will be replaced is right to under the pier. Applicant's
49 representative indicated that timing of the repairs was flexible. N. Hills moved to continue to May
50 28, 2014 at 7:20pm to determine the depth of the water under the float; with the applicant's consent;
51 L. Dorman seconded; voted unanimously.

52
53 7:30 PM **TABOR ACADEMY,** Ryder Lane – Notice of Intent (File No. SE 041-1215) to
54 remove a deteriorating stone wall along Ryder Lane, loam and seed the disturbed area and
55 eventually plant a low-growing hedge in its place. Matthew Vander Pol represented Tabor Academy
56 and apologized for not spotting the members at the inspection. He described the project. The face of
57 the wall is mostly on the property line with the town. L. Dorman suggested that whatever is planted
58 be entirely on Tabor's property. M. Vander Pol said the line of the turf is 10' from the wall. He said
59 the existing rocks will be stored by the Police Station to eventually be used to repair the walls along
60 Front Street. The hedge will be planted in a year or two after the road work is done. Janet Barnes of
61 Front Street was concerned with cars parking along Ryder Lane if the planting will not be done for
62 2-3 years. M. Vander Pol said CDM's work on Ryder Lane includes a granite curb which will
63 discourage parking. L. Dorman said the applicant is not creating a stone wall it is removing a wall.
64 L. Dorman moved to close the hearing; N. Hills seconded; voted unanimously.

65
66 7:55 PM **MARSHALL AND WILMA BAILEY,** 41 Dexter Road – Notice of Intent (File
67 No. SE 041-1214) to remove the existing licensed boardwalk/pier, gangway and float; construct a
68 new 3.5' x 139' boardwalk/pier, 4' x 24' gangway and 10' x 16' float; and separate and relocate two
69 existing sheds onto new sono-tube foundations. Mr. and Mrs. Bailey were present with their
70 engineering David Davignon. D. Davignon said the site plan addresses the relocation of the two
71 sheds that are presently attached and will be separated and anchored to sono-tube foundations. He
72 said he has obtained a special permit from the ZBA for the work shown on the plan. The sheds will
73 be kept as low to the ground as possible, One shed (without a back) will be connected to the house.
74 J. Doubrava asked if there are concerns with this work being in a 200' river front district. D.

75 Davignon described the pier reconstruction. The alignment in the river will be the same. People will
76 be able to walk under the pier which will be built mostly at the same height as Kate Mahoney's pier
77 being built next door. The first five sections of the pier will be installed using plywood on the marsh.
78 The rest of the pier will be installed by barge at high tide. A copy of the Harbormaster's comments
79 was given to D. Davignon. He said this is a repair, not new construction and he feels the 2½'
80 clearance is not practical as this is a grandfathered pier. D. Davignon said the Baileys would like to
81 keep using the 18' outboard and a sailboat they have now and not be forced to sell their boat for a
82 small one. L. Dorman moved to continue the hearing with the applicants consent to 7:30pm on May
83 28, 2014; N. Hills seconded; voted unanimously.

84
85 **BRIAN DUPRAS**, 28 Oakdale Avenue – Certificate of Compliance (File No. SE 041-865)
86 for constructing a new dwelling, deck, breezeway, garage and driveway. Everything appears to be as
87 proposed. N. Hills moved to issue box 1; L. Dorman seconded; voted unanimously.

88
89 **Discussion Item:** L. Dorman said he met with Paul Dawson regarding the Conservation
90 Commission Secretary's replacement.

91
92 **SPRAGUE'S COVE** (SE-41-556) Article for funds to eradicate phragmites at Town
93 Meeting was voted down, L. Dorman said there is a question on who is actually responsible for
94 maintaining the site, but he doesn't care who is responsible as long as the work is done. N. Hills said
95 the mowing has to be done. He also said there is some money left in our budget that he would like to
96 use to hire an expert to see if the phragmites can actually be controlled. It was agreed to have N.
97 Hills contact Chris Polatin . L. Dorman moved to have N. Hills investigate using a professional; S.
98 Gonsalves seconded; voted unanimously.

99
100 **TABOR ACADEMY**, J. Hartley drafted the Order of Conditions (SE 041-1215) and moved
101 to issue it as written; L. Dorman seconded; voted unanimously.

102
103 Meeting adjourned at 8:45 PM.

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107 _____
Diane R. Drake, Secretary

108 Approved October 22, 2014