

FINAL

MARION CONSERVATION COMMISSION  
MINUTES OF THE REGULAR MEETING HELD ON AUGUST 27, 2014

Members Present: Lawrence B. Dorman, Chairman  
Norman A. Hills, Vice Chairman  
Joel D. Hartley, Treasurer  
Jeffrey J. Doubrava, Member

Members Absent: Stephen C. Gonsalves, Clerk  
Cynthia C. Trinidad, Associate

Secretary:

Others Present: The Wanderer; Jack Gordon, Mr. Richard Schaffer , Richie  
Patton and Shawn Patton (A & J Boatworks), Alan Harris (Sippican  
Lands Trust)

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Meeting convened at 7:00 PM on Wednesday, August 27, 2014 in the conference room of the Marion Town House, 2 Spring Street, Marion, Massachusetts. The site inspection on Saturday, by N. Hills and J. Doubrava (visited independently). This meeting was televised and video recorded by Old Rochester Community Television (ORCTV).

7:00 PM **DISCUSSION**: A & J Boatworks, with respect to Map 8 Lot 17A. Mr. Schaeffer presenting A & J Boatworks, handed out plans and information to members. Richie and Shawn Patton, they run the boatyard, also present. This property is off Point Road on Hammetts Cove. In 1996 there were a series of conveyance of land, part of this included Lot 41A which was merged into one lot as shown on the plan and Assessor's Map. Arial photo shows 20-30 boats on 41A, they have used the area since before 1996, until this summer when they were asked to move the boats off of town land. A & J removed the boats in June 2014 as requested. R. Schaffer is requesting use of the land to store the boats. Deed to town gave Conservation Commission control to manage land which includes Lot 41A. Asking the Conservation Commission and eventually the Board of Selectmen for a license to store boats until June 2015 to allow the Pattons more time to explore other options. Mr. Schaffer noted that Lot 41A is for storage only, no work is performed there. L. Dorman asked about the map and what the plans are for the future, what will happen after June 2015. Mr. Schaeffer



40 indicated they are looking for another parcel of land. J. Hartley asked for clarification on the Lot 41A  
41 on the map. Mr. Schaeffer said the deed from the Jenney Family Trust, sold it to the town. The deed  
42 had four lots on it. They merged into one plot that includes Lot 41A. L. Dorman asked if A & J has  
43 an easement. N. Hills suggested speaking to John Whitten before making any decisions or taking  
44 action. L. Dorman noted that after talking to the town, we can't lease the property, it is not a use  
45 allowed on that land. A & J is asking for a one time license. Mr. Schaeffer said a license is allowed  
46 but not leasing. J. Doubrava would be in favor giving approval of the license if town counsel agrees.  
47 L. Dorman agreed with J. Doubrava. The audience was asked if there were any questions or  
48 comment. No comments or questions received. Mr. Schaeffer has copied J. Whitten on all  
49 documents. J. Doubrava stated that the letter sent to A & J by the Conservation Commission was in  
50 response to a complaint. J. Doubrava suggested to allow the one year license and would like a quick  
51 resolution. Will update as soon as response is received from J. Whitten.

52  
53 7:10 PM **SIPPICAN LANDS TRUST**: White Eagle Parcel of Aucoot Woods – Request for  
54 Determination of Applicability (File No. 41D-1540) to remove and replace a 16' bridge on the Old  
55 Indian trail leading to Mattapoisett. Alan Harris, Sippican Lands Trust Chair of the Stewardship  
56 Committee and Jack Gordon, Eagle Scout. J. Gordon said the bridge is a basic design, straight  
57 forward, made wide enough for wheelchair access but not wide enough for ATVs and the like. A.  
58 Harris will have concrete footing along the west side of the stream. J. Gordon said one plan is to  
59 build in sections off site. J. Doubrava asked about pipes, two or one that had been cut in half that is  
60 on site, rusted, in the way. It has served as a bridge in the past. N. Hills asked if the width of 4' was a  
61 minimum, A. Harris was unsure but would check. J. Hartley asked what kind of wood will be used.  
62 J. Gordon received a donation from Mahoney Lumber, it is pressure treated. J. Doubrava asked how  
63 a concrete slab would be formed or moved in to place. N. Hills suggested maybe using one large  
64 piece of granite instead of pouring concrete. N. Hills asked if it will be fastened down. A. Harris said  
65 yes. J. Doubrava expressed concern that someone may be able to remove it or vandalize it. L.  
66 Dorman motioned to close; N. Hills seconded; voted unanimously.

67  
68 7:15 PM **SIPPICAN LANDS TRUST**: Peirson Woods – Request for Determination of  
69 Applicability ( File No. 41D-1539) to remove and replace the current 6'x6'x5' high observation  
70 platform and ladder with a 10'x10'x6' platform with a set of more accessible stairs. A. Harris  
71 representing Sippican Lands Trust. The platform was a former scout project. Many people love it.  
72 The platform is a little wiggly, tough to get up to the top. Would build a bigger platform on the same  
73 spot. Concrete will be used and pressure treated wood posts will go up. J. Doubrava asked about the  
74 funding. It was approved at Town Meeting, using CPC funds. A. Harris indicated that a contractor



75 will do the work. N. Hills noted that in the plans it states that pressure treated wood will be used. L.  
76 Dorman asked how the Sippican Lands Trust will track usage? A. Harris is a regular visitor there,  
77 word of mouth, talking to people. N. Hills said you can tell the trail is well used. N. Hills asked  
78 about the ladder and A. Harris said the stairs would come straight out not off to the left. N. Hills  
79 asked if debris will be removed, A Harris said yes. L. Dorman asked if it is the same height. N. Hills  
80 said just a foot higher. J. Doubrava asked how materials will be taken to and from the site. A. Harris  
81 said he has volunteers if needed, the contractor as seen the area and signed off on it. A. Harris will  
82 bring this concern up to the contractor again. The pathway to Allens Point may provide closer access.  
83 L. Dorman motioned to close; N. Hills seconded; voted unanimously.

84

85 **TO ISSUE:** Richard Costa, 237 River Road – Request for Determination of Applicability  
86 (File No. 41D-1536) construction of a 12 ' x 8' platform/deck. Commission had discussed before,  
87 continued due to administrative error. J. Hartley questioned the ladder. R. Costa replied they have a  
88 mooring. L. Dorman asked if any other questions. N. Hills stated that there should be no  
89 modification or additions without first coming to the Conservation Commission. L. Dorman asked  
90 how it was secured to the ground. R. Costa said cement footings. L. Dorman motioned to close the  
91 hearing; N. Hills seconded; voted unanimously. R. Costa thanked the Commission.

92

93 **DISCUSSION:** N. Hills stated that since the last meeting the Commission received an email  
94 from Annie Rockwell in regards to Sprague's Cove and the Freedom of Information Act and another  
95 question. The Town Administrator will respond. Will discuss at the next meeting.

96

97 **DISCUSSION:** N. Hills stated the following letters were received: a letter was received  
98 regarding an Order of Conditions on eradication of phragmites. Will be on next agenda. A letter  
99 regarding the bog upstream of Grassi Bog. A letter from the DEP regarding Johnson Pier; minor  
100 alterations needed. A MACC brochure regarding training this fall. Copies were given to all members  
101 present. J. Doubrava and C. Trinidad are interested in attending.

102

103 **DISCUSSION:** N. Hills stated there was a letter to Rob Zora of the DPW from the Army  
104 Corps of Engineers regarding the rock wall near Sprague's Cove that the Commission will need to  
105 act on. There will be a site visit.

106

107 L. Dorman received an update from Paul Dawson regarding the search for a Secretary. There  
108 were 11 applicants. Will hold interviews. It will be one full time position supporting Conservation  
109 Commission and Zoning Board of Appeals.

110

111 **SIPPICAN LANDS TRUST**: White Eagle Parcel of Aucoot Woods – Request for  
112 Determination of Applicability (File No. 41D-1540). Determination Negative Box 2 and Box 3. With  
113 conditions, 1. concrete-not be poured on site, 2. no equipment across the stream, 3. must be fastened  
114 at each end and 4. current debris must be removed. N. Hills motioned; L. Dorman seconded; voted  
115 unanimously.

116

117 **SIPPICAN LANDS TRUST**: Peirson Woods – Request for Determination of Applicability (  
118 File No. 41D-1539). Negative Determination Box 2 and Box 3. With conditions, current platform  
119 and materials will be removed, no trails widened to get equipment in, no rinsing of equipment on  
120 site. L. Dorman motioned; N. Hills seconded; voted unanimously.

121

122 **RICHARD COSTA**: 237 River Road – Request for Determination of Applicability (File No.  
123 41D-1536). Negative Determination Box 2 and Box 3. No alteration or expansion of existing  
124 structure. L. Dorman questioned if they would tie a boat to the deck. N. Hills, said no, J. Doubrava  
125 said not likely.

126

127 **A & J BOATWORKS**, with respect to Map 8 Lot 17A. Letter will be drafted regarding a  
128 one time license if town counsel is in agreement. L. Dorman noted that there is low environmental  
129 impact and that they are investigating other alternatives. Believe no harm done in a one time license  
130 until June 2015. N. Hills recommended agreement from Board of Selectmen is needed.

131

132 **REORGANIZATION**: New Chairman – Norman Hills; Joel Hartley, Vice-Chairman; J.  
133 Doubrava, Clerk; L. Dorman, Treasurer. J. Doubrava noted that the Associate Member opening has  
134 been listed in the Wanderer.

135

136 L. Dorman motioned to adjourn; N. Hills seconded; voted unanimously.

137

138 Meeting adjourned at 8:06 PM.

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145 Approved December 10, 2014