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2 **MARION CONSERVATION COMMISSION**  
3 MINUTES OF THE REGULAR MEETING HELD ON APRIL 13, 2016  
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6 Members Present: Norman A. Hills, Chairman  
7 Joel D. Hartley, Vice Chairman  
8 Jeffrey J. Doubrava, Clerk  
9 Stephen C. Gonsalves, Member  
10 Cynthia Callow, Member  
11 Kristen Saint Don, Associate  
12  
13 Members Absent: Lawrence B. Dorman, Associate  
14  
15 Admin. Assistant: Donna M. Hemphill  
16  
17 Others Present: Brian Hedin, Dexter Beach Improvement Association; Laura A.  
18 Briggs, C.F. Briggs Inc; Pam & Gary Parsons, D.B.I.A.; Amy & Nick  
19 Mitcheson, 18 Wilson Road; Cheryl Francis, 20 Doran Way; John &  
20 D. Doran, 106 Dexter Road; Kate & Michael Sudofsky, 22 Allen  
21 Street; Jeff Oakes, CLE Engineering, Inc.  
22  
23

24 Meeting convened at 7:00 PM on Wednesday, April 13, 2016 in the conference  
25 room of the Marion Town House, 2 Spring Street, Marion, Massachusetts. Site visits were  
26 held on Saturday, April 9, 2016 by J. Hartley, C. Callow, J. Doubrava, N. Hills and S.  
27 Gonsalves. This meeting was televised and video recorded by Old Rochester Community  
28 Television (ORCTV), and audio recorded by Town of Marion staff.  
29

30 7:00 PM **Appointment with Paul Driscoll**, 51 Holly Road. P. Driscoll bought the  
31 property in October 2015. He started to remove phragmites before realizing that he  
32 needed to file an application with the Commission. N. Hills noted that there is an old plan  
33 of the property on file from 2002 that shows the wetland line and the cutting took place  
34 within the resource area. A wetland scientist would need to establish where the wetland  
35 line is now and transferred onto an engineered plan to be submitted with an after the fact  
36 filing of a Notice of Intent. There was a discussion regarding the process of removing  
37 phragmites. It was noted that homeowners are allowed to treat their own property,  
38 provided that they first file and receive approval from the Conservation Commission. P.  
39 Driscoll will prepare an application for submittal in the near future.  
40

41 7:05 PM **Dexter Beach Improvement Association**, c/o Brian Hedin, Request for  
42 Determination of Applicability (File No. 41D-1604), to repair the support brackets on the

43 existing concrete pier and existing walkway. Brain Hedin was present to represent the  
44 Association. He described the current condition of the I beams and noted that the repairs  
45 are necessary due to safety concerns. B. Hedin submitted pictures for the Commission to  
46 review. There was a discussion as to how the repairs would be completed. Fabricated  
47 aluminum I beams will be used as well as southern yellow pine. There were no questions  
48 from the audience or the Commission. It was noted that the pier does have a Chapter 91  
49 license. B. Hedin asked if each time that a repair is needed is it necessary to file paperwork.  
50 Yes, a filing is needed each time. C. Callow motioned to close the hearing, J. Doubrava  
51 seconded; voted unanimously.

52

53 7:10 PM (7:15PM) **Michael Sudofsky**, Request for Determination of Applicability (File  
54 No. 41D-1605), to remove trim brush along the stone wall at 345 Front Street. M. Sudofsky  
55 was present. He noted that he recently purchased the Captain Hadley House and would  
56 like to trim the brush along the wall on the property. S. Gonsalves suggested removing the  
57 vegetation from within the wall as well. M. Sudofsky said that the intent is once it is cleared  
58 they area will be left natural and there will be occasional mowing on the property. There  
59 were no questions from the audience or the Commission. J. Doubrava motioned to close  
60 the hearing; C. Callow seconded; voted unanimously.

61

62 7:15 PM (7:20PM) **Nicholas Mitcheson**, Request for Determination of Applicability  
63 (File No 41D-1600), for a proposed addition at 18 Wilson Road. Continued from March 23,  
64 2016. N. Mitcheson was present and submitted revised plans to the Commission. He also  
65 submitted estimates and appraisal. Adjustments were made to the design in order to  
66 comply with the 50% rule. The addition is now proposed to 18x22 (18x23 with a cantilevered  
67 second floor) instead of the original 18x26. The addition will be slab on grade with a  
68 perimeter foundation. The first floor will be level with the rest of the house, elevation 13 feet.  
69 There were no questions from the audience or the Commission. S. Gonsalves motioned to  
70 close the hearing; C. Callow seconded; voted unanimously.

71

72 7:20 PM (7:25PM) **Ann Iannuzzi**, Notice of Intent (SE 041-1244), for minimal grading  
73 and planting of indigenous wetland vegetation to replace the stands of invasive  
74 Phragmites and Japanese Knotweed that were removed in compliance with Order of  
75 Conditions SE 041-1202 at 9 Shell Heap Road. Jeff Oakes of CLE Engineering was present to  
76 represent A. Iannuzzi. He submitted revised plans to the Commission. He pointed out that  
77 there is now a row of stones at the upper limit of the wetland planting on the south side of  
78 the house to mark the edge of wetland. The stones will come out of the existing pile that is  
79 on site. He noted that on the south side of the property is the overflow ditch from the

80 Sprague's Cove water quality basin. This area periodically floods and causes ponding and  
81 standing water. The first part of the project is to level out some low spots, pitch the grade so  
82 that the flood water doesn't get onto the property and create ponding/standing water.  
83 The second part is to revegetate the area with heavy dense plantings. The third part of the  
84 project will be to plant a shrub layer on the upper level to keep children and dogs from  
85 getting into the ditches on two sides of the property. The stockpile on site will be spread first  
86 then create a relatively level plateau that blends from the existing grade down toward the  
87 property line. J. Oakes described how the plantings will be done. Before any work is  
88 started a silt fence will be put in place. They intend to do all work this spring. J. Doubrava  
89 asked about the amount of new fill that is proposed to be brought onto the property. J.  
90 Oakes said that approximately 20 yards of fill is proposed to be used. The purpose is to  
91 remove the ponding and standing water. There was a discussion regarding the amount of  
92 fill to be used. J. Oakes said that two oak trees will be removed. There are two red maple  
93 stumps that will also be removed and replaced with red cedars. Since the green certified  
94 mail cards had not been received, J. Oakes requested to continue the hearing. He is going  
95 to do another abutter notification. N. Hills motioned to continue the hearing to  
96 Wednesday, April 27, 2016 at 7:20pm; J. Doubrava seconded; voted unanimously.

97

98 N. Hills motioned to issue the Partial Certificate of Compliance for **Mark & Meredith**  
99 **Koerner** of 20 River View Lane, SE41-177; J. Doubrava seconded; voted unanimously.

100

101 Request for comments from the ZBA: Cases #722 & 723, Dianne A. Kelley, Trustee –  
102 No recommendations. Request for comments from the ZBA: Case #724, Garrett Bradley –  
103 No recommendations.

104

105 The Commission discussed the site visit to Bird Island. Work still has to be done but all  
106 work stopped on April 7 and cannot commence again until September 7. Members were  
107 pleased with the progress.

108

109 Each member received a copy of an email from the Marion Open Space  
110 Acquisition Commission regarding Conservation Restrictions in town.

111

112 A letter of clarification regarding the location of the split rail fence at 760 Mill Street  
113 to Wendy Henderson regarding Order of Conditions SE 041-1242. After the Commission  
114 reviewed the letter N. Hills motioned to sign it; J. Doubrava seconded; voted unanimously.

115

116 N. Hills motioned to pay Invoice # 6864 from The Wanderer; J. Doubrava seconded;  
117 voted unanimously.

118  
119 There was a brief discussion about a previous meeting with Dave Davignon  
120 regarding an expired Order of Conditions. The Commission stated that the applicant will  
121 need to file a new Notice of Intent.

122  
123 N. Hills motioned to issue the Determination of Applicability for **Dexter Beach**  
124 **Improvement Association** (File No. 41D-1604), Dinghy Road. Negative Box #2. J. Doubrava  
125 seconded; voted unanimously.

126  
127 J. Hartley motioned to issue Determination of Applicability for **Michael Sudofsky**, 345  
128 Front Street. Negative Box #2. N. Hills seconded; voted unanimously.

129  
130 J. Doubrava motioned to issue Determination of Applicability for **Nicholas**  
131 **Mitcheson**, 18 Wilson Road. Negative Box #2. N. Hills seconded; voted unanimously.

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134 Meeting adjourned at 8:01 pm.



Donna M. Hemphill, Administrative Assistant

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139 Approved: April 27, 2016

2016 MAY -2 A 9:40  
PROPERTY  
TOWN OF LEAK NE PANORAMA