

MARION CONSERVATION COMMISSION

MINUTES OF THE REGULAR MEETING HELD ON July 13, 2016

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5 Members Present: Norman A. Hills, Chairman
6 Joel D. Hartley, Vice Chairman
7 Jeffrey J. Doubrava, Clerk
8 Cynthia Callow, Member
9 Kristen Saint Don, Associate
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11 Members Absent: Lawrence B. Dorman, Associate
12
13 Admin. Assistant: Donna M. Hemphill
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16 Others Present: Carmelo Nicolosi, Charon Associates; Jay Myrto, CEC; David
17 Hooke, 296 Delano Road; N. McFadden, 295 Delano Road.
18

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

25 7:00 PM **Sippican Lands Association, Inc.**, Request for Determination of
26 Applicability (File No. 41D-1616), to add 20 cubic yards of beach sand above the mean
27 high water line on an as-needed basis at the association beach at Kabeyun Road, Map
28 19, Lot 49A. A representative for Sippican Lands Association, Inc. was not present. N. Hills
29 said that members did a site visit on Saturday, July 9, 2016 and the beach looked good.
30 There was a brief discussion regarding the type of sand that should be used. There were no
31 further questions from the audience or members. J. Doubrava motioned to close the
32 hearing; J. Hartley seconded; voted unanimously.
33

34 7:05 PM **Ivor R. Bloom**, Notice of Intent (File No. SE 041-1248), to raze an
35 existing house and construct a new single family residence at 296 Delano Road. Carmelo
36 Nicolisi of Charon Associates was present. C. Nicolisi requested a continuance based on
37 the fact that the applicant has withdrawn the offer that was made on the property. He
38 said they are meeting with a new potential buyer the day after this meeting. He also
39 mentioned that there was a previous Order of Conditions for this property but that work
40 was never started. There was a discussion regarding the requirements for building in a flood

41 zone. The current plan shows the new dwelling being constructed within the Velocity Zone
42 which is not allowed under Marion By-law 8.1.4B. N. Hills gave C. Nicolisi a copy of this by-
43 law for review. He said he will discuss this with the potential buyers. C. Nicolisi agreed to
44 continue the hearing until August 10, 2016 at which time he will have a new plan and new
45 applicant or he will withdraw without prejudice. N. Hills motioned to continue the hearing
46 until Wednesday, August 10, 2016 at 7:15pm; J. Doubrava seconded; voted unanimously.
47

48 **DISCUSSION ITEMS:**

- 49
- 50 A. **Clean Energy Collective (CEC)** – Jay Myrto of CEC was present. Members did
51 a site visit to confirm the flags that had been placed making the locations of
52 the plantings. N. Hills said that they are clear to plant and asked J. Myrto to
53 notify the Commission when they are done so another site visit can be made.
54 He agreed.
- 55 B. Memo received from the Division of Marine Fisheries (DMF) regarding the
56 Sprague's Cove seawall, Order of Conditions File No. SE 041-1222. Mike
57 Pimental, the engineer from JC Engineering has been contacted and is
58 following up with DMF. He will notify the Commission with the information he
59 receives.
- 60 C. Members reviewed an email received from MACC regarding the drought
61 declaration.
- 62 D. Request for comments from the ZBA for Case #725, Hill, 460 Front Street. The
63 application is not within the Commission's jurisdiction.
- 64 E. A letter was received from Schneider & Associates with an update on the
65 Order of Conditions File No. SE 041-1201 for W. & L. Williamson. Members
66 decided to schedule a site visit and then discuss possible action at the next
67 scheduled meeting.

68

69 Minutes from May 25, 2016 and June 22, 2016 were approved.

70

71 The invoice for fiscal year 17 MACC membership was approved for payment.

72

73 Members did a site visit to an area at Silvershell Beach where excess beach grass
74 had been cut. Members decided that a fence or barrier will need to be installed to clearly
75 mark the area that is not allowed to be cut and they recommend a phragmites
76 eradication program.

77 J. Hartley mentioned that Shaun Walsh had submitted his application to the Board
78 of Selectmen to be appointed to the Commission. His application had been discussed as
79 Correspondence at the Selectmen's meeting on July 12, 2016. His application will be an
80 Action Item on their next agenda.

81

82 N. Hills asked K. Saint Don if she would be interested in moving from an Associate
83 Member to a Full Member of the Commission. She said yes. All members agreed to the
84 change. A memo will be sent to the Selectmen recommending the change in
85 membership.

86

87 Reorganization: N. Hills motioned that C. Callow be named Chairman; J. Doubrava
88 seconded; voted unanimously. N. Hills motioned that J. Doubrava be named Vice
89 Chairman; J. Hartley seconded; voted unanimously. N. Hills was nominated to be named
90 Clerk; voted unanimously.

91

92 The Enforcement Order that had been sent to the Reinharts was sent to the previous
93 home address so they have not received it as of this date. Members agreed that the new
94 deadline for the Reinharts to submit the Notice of Intent is now August 10, 2016. An
95 updated Enforcement Order and letter will be sent immediately.

96

97 N. Hills motioned to issue the Determination of Applicability for Sippican Lands
98 Association, Inc. File No. 41D-1616. Negative Box #2, Special Condition: Sand must be
99 consistent with the existing sand. C. Callow seconded; voted unanimously.

100

101 N. Hills drafted the letter to be sent to the Recreation Department regarding the
102 beach grass cutting at Silvershell Beach; C. Callow seconded; voted unanimously

103

104 Meeting adjourned at 7:50pm.

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108 Approved: July 27, 2016



Donna M. Hemphill, Administrative Assistant

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