

MARION CONSERVATION COMMISSION

MINUTES OF THE REGULAR MEETING HELD ON JANUARY 25, 2017

Members Present: Cynthia Callow, Chairman
Norman A. Hills, Clerk
Joel D. Hartley, Member
Kristen Saint Don, Member
Shaun Walsh, Associate

Members Absent: Jeffrey J. Doubrava, Vice Chairman
Lawrence B. Dorman, Associate

Admin. Assistant: Donna Hemphill

Others Present: Nick Dufrense, Farland Corp,; Also present but not on the sign in sheet: Ray Pickles, Eric Hansen and Bryan Beakes

Meeting convened at 7:00 PM on Wednesday, January 25, 2017 in the conference room of the Marion Town House, 2 Spring Street, Marion, Massachusetts. Site visits were held on Saturday, January 21, 2017 by C. Callow N. Hills, J. Hartley, and J Doubrava. This meeting was televised and video recorded by Old Rochester Community Television (ORCTV), and audio recorded by Town of Marion staff.

7:00pm **Diane Bondi-Pickles**, Request for Determination of Applicability, (File No. 41D-1639), to fill in a low area of the lot, covering rocks and grading at 29 Cove Street (Previously approved – File No. 41D-1498). Diane Bondi-Pickles was unable to attend but her husband Ray Pickles was there on her behalf. He explained that they would like to add approximately 55 yards of fill as well as take out a red oak and one other tree and remove the stumps. They would like to level the lot in that area. R. Pickles stated that this same plan was approved with a previous Determination of Applicability. That Determination has since expired so they have filed for a new one. S. Walsh asked where the fill will be coming from. R. Pickles said he was unsure of the location but that Sherman Briggs will be doing the work. R. Pickles mentioned how water gathers near where the wood pile is located. He also mentioned a drain and a catch basin that is nearby. R. Pickles also said that there is no plan for building at this time and that he is aware he would have to come before the Commission again if that changes. There were no further questions from the audience or members. C. Callow motioned to close the hearing; N. Hills seconded; voted unanimously.

7:05pm **Chad T. Santos**, Request for Determination of Applicability, (File No. 41D-1637), to use the existing road to the back of the property to stock pile loam at

42 17 Giffords Crossing Road (Continued from January 11, 2017). The applicant has
43 requested to continue the hearing to Wednesday, February 8, 2017 at 7:20pm. N. Hills
44 motioned to continue as requested; S. Walsh seconded; voted unanimously.

45

46 7:10pm Appointment for discussion with **Bryan Beakes** of 102 Quails
47 Crossing Road. N. Hills said that on a recent visit to a neighboring lot it was noted that
48 some wetlands had been disturbed and a fence had been installed at 102 Quails Crossing
49 Road. There are Continuing Conditions on the Certificate of Compliance for the previous
50 Order of Conditions. However, B. Beakes was unaware of the conditions. He said that
51 they did minor cutting and installed a fence to keep his children safe in the yard. N. Hills
52 commented that the lawyer that did his title search is to blame. After a brief discussion it
53 was noted that the area is less than 5,000 square feet and it was decided that no action
54 will be taken regarding the Continuing Conditions.

55

56 7:15pm **Jeff Doubrava**, Request for an Extension Permit (three years) for
57 Order of Conditions File No. SE 041-1063, beach nourishment at 47 East Avenue. There
58 was a brief discussion and members did not have any issues with the extension. N. Hills
59 motioned to issue the three year Extension Permit as requested; S. Walsh seconded; voted
60 unanimously.

61

62 7:20pm (7:25pm) **120 Front Street LLC**, Notice of Intent, (File No. SE 041-1260),
63 for the construction of a residential dwelling with associated pool, pool building, driveway,
64 patios, retaining wall, utilities and grading at 120 Front Street. (Continued from January
65 11, 2017). The applicant has requested to continue the hearing to Wednesday, February
66 8, 2017 at 7:00pm; J. Hartley seconded; voted unanimously.

67

68 7:25pm (7:27pm) **Eric Hansen**, Notice of Intent, (File No. SE 041-1262), to raze the
69 existing dwelling and detached garage and replace with a new single family dwelling with
70 attached garage at 320 Delano Road. (Continued from January 11, 2017). Nick Dufrense
71 of Farland Corp. was present as was Mr. and Mrs. Hansen. The Commission did a site
72 visit on the previous Saturday. N. Hills said it wasn't clear where the boulders are
73 requesting to be placed. While on site he said they saw a concrete boundary marker. N.
74 Dufrense said that boulders will be further up from there, approximately 10-15'. He
75 described the locations as right along where the grass ends. There was a discussion about
76 where the boulders are located on the plan in relation to where they are on site. S. Walsh
77 asked how close the boulders would be to each and asked for confirmation that this is not
78 a wall. His concern is that this is a Velocity Zone and he wanted to be sure as that there

79 is as much room as possible in between each placed boulder. N. Dufrense said they would
80 place them every 1' to 3' from each other. S. Walsh said he preferred as much space as
81 possible. N. Hills mentioned that in the past the Commission approved a similar request.
82 He noted that there are not any structures in that area of the property. S. Walsh asked
83 what was seaward of the proposed boulder location. Members said it was lawn. N.
84 Dufrense said that they had submitted a photo with the application. E. Hansen said that
85 the intention is to stop erosion. He also mentioned the exposed roots from fallen trees as
86 well as how steep the bank is. N. Hills asked for a revised plan that shows the concrete
87 bound. There were no further questions from the audience or the Commission. S. Walsh
88 motioned to close the hearing; N. Hills seconded; voted unanimously.

89
90 Minutes from January 11, 2017 were tabled to the next meeting.

91
92 The Wanderer Invoices #7074 & #7082 for the total of \$100.00 were approved for
93 payment.

94
95 MACC Invoices for the 2017 Annual Conference attendance for N. Hills, K. Saint
96 Don and J. Doubrava, in the amount of \$345.00 were approved.

97
98 Request for comments from the Zoning Board of Appeals for Case #735, 324 Front
99 Street. There was a brief discussion and it was decided that a memo will be sent to the
100 ZBA stating that the applicant will need to file with the Commission.

101
102 Request for comments from the Planning Board for a Site Plan review for a project
103 at 173 & 177 Spring Street. After a brief discussion it was decided that N. Hills will review
104 the packet to see if any resource areas will be affected.

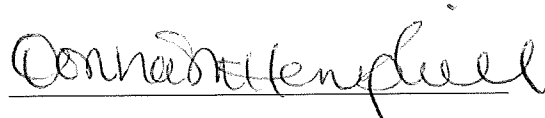
105
106 C. Callow read aloud the correspondence from Plymouth County Mosquito Control
107 and reviewed a letter received from the DEP regarding the minor project modification for
108 the Weweantic River Crossing.

109
110 N. Hills motioned to issue the Determination of Applicability for **Diane Bondi-**
111 **Pickles**, (File No. 41D-1498), 29 Cove Street. Negative Box #2 with the following
112 conditions: 1. Fill limited to the 30'x40' area indicated on the Plan of Record, 2. Clean fill
113 to be used, 3. Level of fill shall not be higher than the surrounding grade, 4. Erosion
114 control barrier installed until revegetation established; S. Walsh seconded; voted
115 unanimously.

116
117
118
119
120
121
122
123
124
125
126
127
128
129
130
131

S. Walsh motioned to issue the Order of Conditions (File No. SE 041-1262) for **Eric Hansen**, 320 Delano Road. There was much discussion regarding the location of the boulders to be placed. S. Walsh expressed his concern with the placement of the boulders to close to the top of the coastal bank. Special condition: The excavated boulders shall be placed a minimum of 10' landward from the top of the coastal bank. Boulders shall be placed on top of existing grade (i.e., no excavation) and spaced a minimum of 3' between each boulder in any direction. Boulders shall be no larger than 4' in size in any dimension. Also, the engineer will be contacted for a new plan that will need to be submitted to show the boulder location and the concrete boundary marker. N. Hills seconded; voted unanimously.

Meeting adjourned at 8:24pm.



Donna M. Hemphill, Administrative Assistant

Approved: February 8, 2017

RECEIVED & FILED
2/10/17 DATE 3:13 pm TIME
MB
TOWN CLERK OF MARION