

MARION CONSERVATION COMMISSION
MINUTES OF THE REGULAR MEETING HELD ON July 26, 2017

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4 Members Present: Jeff Doubrava, Vice Chairman
5 Joel D. Hartley, Clerk
6 Shaun P. Walsh, Member
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8 Members Absent: Cynthia Callow, Chairman
9 Lawrence B. Dorman, Associate
10 Kristen St. Don, Member
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12 Admin. Assistant: Lissa Magauran
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14 Others Present: C.J. Wilbur, Saltonstall Architects; Stephen Chmiel, Fred Trezise,
15 Joanie Gerster
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17 Meeting convened at 7:00 PM on Wednesday, July 26, 2017 in the Marion Music
18 Hall, 164 Front St., Marion, Massachusetts. Site visits were held on Saturday, July 22,
19 2017 by Jeff Doubrava, Joel Hartley and Shaun Walsh. This meeting was televised and
20 video recorded by Old Rochester Community Television (ORCTV), and audio recorded by
21 Town of Marion staff.
22

23 7:00pm **Richard and Anne Lucas**, Request for Determination of
24 Applicability, File No. 41D-1652, to raze and reconstruct a garage at 6 Allen St. (further
25 identified as Lot 116 on Map 16). C.J. Wilbur explained that the garage would be a bit
26 larger (30' x 22') and have the required flow through vents and is entirely within the AE16
27 zone. J. Doubrava noted that there were no resources in the area other than the flood
28 zone. S. Walsh asked whether the slate walk was new. C.J. Wilbur replied that it was not.
29 J. Hartley commented that the only work being done was the demo of the old garage and
30 the construction of the new one. J. Doubrava asked how the flow through vents would be
31 oriented. C.J. Wilbur replied that they would be on the North and South sides. J. Hartley
32 commented that the flooding would come mostly from the south. S. Walsh said that the
33 lot was well developed and well landscaped and that he had no problems with the project.
34 S. Walsh made a motion to close the hearing, seconded by J. Hartley. The motion passed
35 unanimously and the hearing was closed at 7:05 PM.
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37 Discussion: The Conservation Commission received a letter from Attorney Michael
38 McGlone requesting a correction to a Certificate of Compliance (SE041-379) issued on
39 **April 13, 1989**. The Order of Conditions referenced on the Certificate of Compliance had
40 inaccurate recording information. Town Counsel verified the corrected information and

41 that this was strictly a clerical error so The Conservation Commission issued a corrected
42 Certificate of Compliance with the correct filing information for the Order of Conditions
43 referenced on the Certificate. S. Walsh made a motion to correct the clerical error,
44 seconded by J. Hartley. The motion passed unanimously.

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46 Discussion: Request for comment from the Marion Board of Health regarding a
47 Septic Permit Review for 600 Front St. (Lot 9B, Map 23). J. Doubrava and S. Walsh both
48 said that there were no wetlands in the area so it was not within the ConCom's
49 jurisdiction.

50
51 Issuances: S. Walsh made a motion, seconded by J. Hartley to approve for payment
52 the Wanderer invoices (for legal ads) #7199 for \$40.00, #7198 for \$40.00, #7183 for
53 \$20.00, and #7190 for \$20.00. The motions passed unanimously. S. Walsh made a
54 motion to approve for payment the invoice from the Massachusetts Association of
55 Conservation Commissions for the annual dues (Invoice #FY18169) in the amount of
56 \$409.00. The motion passed unanimously.

57
58 Approval of Minutes: A motion was made by S. Walsh, seconded by J. Hartley to
59 approve the minutes from the June 28, 2017. The motion passed unanimously.

60
61 7:10 **Elizabeth Kearns**, Request for Determination of Applicability,
62 File No. 41D-1653 to extend the previously approved limit of disturbance approximately
63 25' east from the existing clearing at 483 Point Rd (further identified as Lot 4, Map 2). S.
64 Chmiel explained that the expansion will be 30' from the BVW. J. Doubrava suggested
65 adding a permanent marker/boundary so that the next owner doesn't inadvertently
66 expand the lawn/landscaping into the wetlands area. The Kearns responded that they
67 were considering erecting a fence. J. Doubrava said that a fence or even boulders would
68 be fine. J. Hartley thought there was an issue with the 30' distance from the no disturb
69 zone, but realized that there was not. S. Walsh said that he had no problem with the
70 project. S. Walsh made a motion to close the hearing, seconded by J. Hartley and it was
71 approved by unanimous vote.

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73 Approval of Minutes: A motion was made by J. Hartley, seconded by S. Walsh to approve
74 the minutes from the July 12, 2017. The motion passed unanimously.

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76 7:20 **Fred Trezise**, Request for Determination of Applicability, File No.
77 41D-1654 for tree and limb removal; removal of phragmites and installation of a shed at

78 22 River View Ln (further identified as Lot 65 on Map 9). F. Trezise explained what he was
79 trying to do, saying that he had spoken with Chris Politan (who was recommended to him
80 by John Rockwell) regarding professional removal of the phragmites and had received his
81 quote on 7/26. He also said that he had been told by both Bartlett Tree and MatCos that
82 there were two trees that needed to be removed as well as other limbs making contact
83 with the house that should be trimmed. His final request is to get permission to put in a
84 shed on a raised bed that was there when they bought the house. The shed is 10' x 12'
85 and it will be anchored and secured to the ground. J. Doubrava and S. Walsh did a site
86 visit on 7/8. J. Doubrava commented that he is very happy that people are dealing with
87 phragmites. S. Walsh said that he had no issues with the tree trimming and the shed and
88 that C. Politan was very familiar with the removal of phragmites so he had no concerns
89 with him either. J. Hartley had no questions. J. Doubrava asked if a building permit was
90 needed for the shed. F. Trezise said that he had spoken with Scott and Ann Marie and
91 both had said that there was no longer a permit required for a shed this size. J. Doubrava
92 asked if there were any more questions. J. Hartley made a motion, seconded by S. Walsh
93 to close the hearing. The motion was approved unanimously and the hearing was closed
94 at 7:30.

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96

97 Issuances:

98 S. Walsh moved to issue the Determination of Applicability for **Fred Trezise**, File
99 No. 41D-1654 (22 River View Lane) Negative, Box 2 with the condition that the
100 phragmites are removed by a professionally licensed pesticide applicator. J. Doubrava
101 seconded, and the motion passed unanimously.

102

103 J. Hartley moved to issue the Determination of Applicability for **Elizabeth Kearns**,
104 File No. 41D-1653 (483 Point Rd) Negative, Box 3 with the condition that erosion control
105 shall be installed at the edge of the lawn extension and shall constitute the limit of work.
106 In addition, a permanent marking boundary shall be installed along the northeast
107 boundary of the lawn edge. The erosion control barrier is to remain in place until the lawn
108 is fully established. S. Walsh seconded, and the motion passed unanimously.

109

110 J. Doubrava moved to issue the Determination of Applicability for Anne and
111 Richard Lucas, File No. 41D-1652 (6 Allen St.) Negative, Box 2 with no conditions. S.
112 Walsh seconded, and the motion passed unanimously.

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114 Other Issues: S. Walsh said that he visited Little Neck Village and looked at the
115 2 retention ponds. He said that some work has been done and that they looked much
116 better. Mark at Peabody Management is preparing a checklist and the Conservation
117 Commission will receive a copy.

118
119 J. Doubrava said that he did an inspection at 296 Delano Rd. for
120 a silt fence and hay bales that had been put into place. They looked fine. L. Magauran will
121 call Dave at Shoreline Remodeling and tell him that the inspection has been done.

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123 Meeting adjourned at 7:44 pm.

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125 Submitted by:
126 Lissa Magauran, Administrative Assistant
127 Approved: 8/23/2017

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