

**MARION BOARD OF SELECTMEN
WATER/SEWER COMMISSIONERS**

April 6, 2010

Minutes

The meeting was called to order at 7:00 p.m. Present were Chairman Stephen M. Cushing, Board members Roger F. Blanchette and Jonathan F. Henry and Town Administrator Paul F. Dawson. Also present were Lee Craver, Anne O'Brien-Kakley of *The Wanderer*, members of the Finance Committee Alan I. Minard and Hamish C. Gravem, Town Accountant Judith M. Mooney, Don Cuddy of the *Standard-Times*, Benjamin, Melissa, Nat and Christopher Bryant, Dale Leavitt, professor at Roger Williams University, Harbormaster Michael Cormier, Shellfish Officer Isaac Perry, members of the Marine Resources Commission Eivind Strand, Scott Cowell and Steven Grima, John Ludes and Ora Mae Torres. Also present were Eunice Manduca, Norman Hills, Julia Deane Crowley, Everdene and Henry Salustro, Bronwen Cunningham, Robert C. Booth, Kay Hudock, Charles and Jeanne Lake, William D. and Ellen Johnston, Natalie Mitchell, Charles Burke, Robert Puffer, Thomas J. Figueiredo, Sally Madison, Jim O'Dowd of the Mass. Aquaculture Association, Ted North, Frank Cafarella, Sandra and Jose Delgado, Christian and Natalie Smith, Brian Burke, Benjamin and Joan Cushing, Mae Barrett, Margaret Francis, George B. Moffat, Jr., Bonnie Hartley and others who may not have signed in and Helene Craver, secretary.

Mr. Blanchette moved the minutes of March 30, 2010; the motion was seconded and carried unanimously.

Mr. Minard announced that the Town has a balanced budget for fiscal year 2011, but the budget is still in draft form. Mr. Minard noted that the Governor has cut State aid; in Marion's case, it amount to 4% of \$136,000. Mr. Minard said that local receipts and new growth revenue are down, putting pressure on the income side of the budget. Mr. Minard said that the good news is that the Town had started the budget process with \$1,133,000 in free cash, the careful operation of the department heads and the turning back of \$335,000 by the schools. Mr. Minard said that the whole strategy was to be as conservation as we can. Mr. Minard listed several areas where the budget has increased and the reasons for the increases. Mr. Minard said that, to balance the budget, they had to use \$510,000 (45%) in free cash, when the policy is to use only 40% of free cash.

Mr. Henry moved to hold any questions on the budget until the Friday morning meeting; the motion was seconded and carried unanimously.

Christopher Bryant said that he was presenting an application for an aquaculture license in the Town; since 1967, he has been earning his living from the harbor in one form or another; the aquaculture project is good for the harbor. Mr. Bryant introduced his brother, Benjamin, who thanked the Board for the opportunity to present the project. Mr. Bryant acknowledged the strong sentiment engendered by the application for a one-half-acre project off Job's Cove. Mr. Bryant reported that, last year, for the first time, farm-raised shellfish consumption exceeded that of the product caught

in the wild. Mr. Bryant noted that the State is strongly supportive of ocean farming. Mr. Bryant said that he had researched thirteen sites in Sippican harbor and met with the Harbormaster and Shellfish Officer; it was determined that the area off Job's Cove was most conducive to this project, because it was not a productive shellfish area, there was no eelgrass and it wasn't a high-traffic or mooring field area. Mr. Bryant said that the site could support a project up to two acres in size. Mr. Bryant said that there would be 700 floating bags per each half-acre plot, with the bags floating 3" above the water. Mr. Bryant said that they would be removing any reference to a floating raft in the plan and access the bags from the water in small work skiffs launched from Old Landing. Mr. Bryant described the main activities as culling, to keep the same size oysters together and flipping the bags over, with occasionally pressure washing the bags. Mr. Bryant said that a small oyster farm can offset the nutrient loading of fifteen households and that nitrogen is used during the oyster's growth.

Mr. Blanchette asked about the possibility of the bags breaking loose during a storm. Mr. Bryant said that they will be using bags which handle very strong storms and, should a bag break loose, they will rescue it and place it back on site. Mr. Christopher Bryant said that the shore off their site is owned by the Sippican Lands Trust. Mr. Bryant said that the visual impact is minimal, as the bags were designed to have a low profile. Mr. Bryant said that the navigational impact has been lessened, as they have moved the site back behind the rocks. Mr. Bryant said that he is asking for a provisional license; the project then goes to the Division of Marine Fisheries, Conservation Commission, Natural Heritage folks and Corps of Engineers.

Mr. Bryant said that his professor has come tonight to answer any science questions they might have and introduced Dale Leavitt. Professor Leavitt said that he has more than thirty years' experience with aquaculture and the benefits far outweigh any risks. Professor Leavitt said that Mr. Bryant has taken his course, where he teaches responsible shellfish farming.

Mr. Cormier said that he is in favor of the project, as it will benefit the water quality and add to the shellfish stock and the new position of the project should not have any impact on navigation in the area. Mr. Cormier said that there are numerous rocks in the area and he will have to go out to the area to take GPS readings to confirm that the new site will accommodate everyone.

Mr. Perry said that there are no shellfish on the site itself, although there are some shellfish in the area, and the proposed project will have very minimal impact on the shellfish population. Mr. Henry said that some of the commercial fishermen have spoken to him and told him that this area is one of the few that contain quahogs. Mr. Perry said that he hasn't seen that; the one-half-acre site is not a large area. Mr. Perry pointed out that the Division of Marine Fisheries will survey the area.

Various residents in opposition to the project complained about issues involving navigation, access to the pier, boating obstructions, liability, noise and pollution, power washing, the effect on property values, the disruption of tidal flow and an osprey nest, etc. Mr. North challenged the Selectmen as to whether they were willing to change the character of the Town and if the project was in the best interests of the

residents. Mr. North also questioned whether the fees being charged for the grant were sufficient. Ms. Mitchell recalled her childhood on the land in the area and made an emotional appeal to keep it in its present state. Mr. Moffatt reported on his research of a shellfish farm in Duxbury and the noise and heavy equipment used there. Mr. Moffatt said that he pays a lot of money to enjoy the peace and quiet and beautiful view from his home. Mrs. Torres spoke in favor of the project and urged the residents to share the harbor and its uses. Mr. Perry pointed out that Marion currently has one commercial aquaculture site and he has received no complaints. A resident complained that the proposed project would place stress on the Town's police and marine staff. Mr. Cormier said that there is no additional cost to his department from the current aquaculture site. Mr. Hills said that he didn't want the applicants to think that everyone felt this is a bad idea – it could be a good idea; the waters are for everyone to use and not everyone is opposed to it.

Mr. Cowell reported on his aquaculture grant, which has been in operation for the last three years off Ram Island. Mr. Cowell outlined the steps taken at various times of the year to sustain the business. Mr. Cowell also described the aquaculture operation in Duxbury as being one of the largest commercial aquaculture farms on the east coast, with large, commercial machinery and a different way of growing the shellfish.

Mr. Benjamin Bryant thanked the Board for their time and stressed the fact that it is their intention to be a good neighbor.

Mr. Blanchette moved to continue the hearing until May 4, 2010 at 7:00 p.m.; the motion was seconded and carried unanimously.

Mr. Blanchette moved to approve one-day, all-alcohol licenses for the Marion Social Club for April 24 and May 16; the motion was seconded and carried unanimously.

The following letter to Dale Thackeray was read into the record by Mr. Blanchette:

"Dear Dale:

"At a regular meeting held March 30, the Marion Board of Selectmen reviewed your letter of resignation dated March 7 from Marion Emergency Medical Services.

"On behalf of the enormous numbers of people you have helped over the years, we wish to thank you sincerely for your long-term service to the Town and for your many acts of kindness and compassion to those in need. Your dedication to the Town and the Emergency Medical Services will long be an inspiration to those who follow you.

"We wish you all the best in your future endeavors."

Mr. Dawson noted that, at the last meeting, the Board requested the tax implications of the Indian Cove gift of land to the Town. Mr. Dawson researched the question and determined that the three lots currently pay \$5,662.69 yearly.

Mr. Blanchette moved to accept the gift of land of three lots (Map 18, lots 130, 131A and 137) in Indian Cove to the Town of Marion, subject to a conservation restriction; the motion was seconded and carried unanimously.

Mr. Dawson reported that the new police station was 55% complete. Mr. Dawson explained that the original specifications called for vinyl siding, but the committee is now recommending cedar shakes instead. Mr. Dawson explained that there were two change orders totaling \$20,998.75 on a \$3.8 million project. Mr. Dawson said that, of the \$25,000 authorized to be spent over the budget for contingencies, \$24,722.29 has been spent and he is seeking authorization for another \$25,000 from the contingency budget.

Mr. Blanchette moved to authorize another \$25,000 from the contingency budget; the motion was seconded and carried unanimously.

The Board reviewed an application for an aquaculture license from Catherine Brodeur. Mr. Blanchette suggested that, when following the notification process, copies be sent to residents on Allen's Point Road. Mr. Cushing suggested the Board look over the regulations, as the Town was incurring substantial expenses. Mr. Blanchette pointed out that some of these residents pay \$50,000 in taxes and have a right to be notified. Mr. Blanchette suggested the Marine Resources Commission be asked to change the regulations to expand the notification area. Mr. Blanchette also suggested a special meeting be held on April 27 to hold the hearing.

The Conservation Commission requested a change in membership. The Board members had several questions and it was decided to take this up at the next meeting. The Board also decided to address an additional member to the Marion Affordable Housing Trust at the next meeting.

Mr. Blanchette moved to adjourn at 10:10 p.m.; the motion was seconded and carried unanimously.

Respectfully submitted,



Roger F. Blanchette, Clerk

Date approved: 4/20/10