

FINAL

MARION CONSERVATION COMMISSION
MINUTES OF THE REGULAR MEETING HELD ON AUGUST 6, 2008

Members Present: Norman A. Hills, Chairman
Bruce C. Hebbel, Member
Lawrence B. Dorman, Member

Members Absent: Jeffrey W. Oakes, Vice Chairman
Sherman E. Briggs, Jr., Recording Secretary
Horace S. Kenney, Jr., Associate Member
Joel D. Hartley, Associate Member

Secretary: Diane R. Drake

Others Present: (no others)

Meeting convened at 7:00 PM Wednesday, August 6, 2008 in the main conference room of the Marion Town House, 2 Spring Street, Marion, Massachusetts. Site inspections were held on Saturday, August 2, 2008 by N. Hills, J. Oakes, L. Dorman and B. Hebbel.

Minutes were reviewed. N. Hills moved to accept the June 4, 2008 minutes as amended; L. Dorman seconded; voted unanimously. L. Dorman moved to accept the June 18, 2008 minutes as written; B. Hebbel seconded; voted unanimously. N. Hills moved to accept the July 2, 2008 minutes as written; L. Dorman seconded; voted unanimously. N. Hills moved to accept the July 16, 2008 minutes as amended; L. Dorman seconded; voted unanimously.

N. Hills moved to approve payment of \$24.99 to The Sentinel for a one-year subscription renewal; B. Hebbel seconded; voted unanimously.

7:10 PM **FRANKLYN G. AND PRISCILLA P. BILL** – NOI (SE 041-1097) to construct a retaining wall on the landward side of the house at 296 Delano Road; repair a seawall, railings on a stone pier, and wood decks on the house; and associated grading. This hearing had been continued from July 2, 2008 because the Natural Heritage and Endangered Species Program had not reviewed it. Carmelo Nicolosi of Charon Associates has asked for another continuation because Natural Heritage has decided they want a full MESA filing. L. Dorman moved to continue the hearing, with the Applicant's consent, to 7:00 PM August 20, 2008; B. Hebbel seconded; voted unanimously.

B. Hebbel moved to issue a three-year extension permit to **WILMA BAILEY** for eradicating phragmites at 41 Dexter Road, Dexter Beach; L. Dorman seconded; voted unanimously (SE 041-1036).

The Commission Members discussed DONNA DiBONA's request for a certificate of compliance for her new dwelling project at 48 Cranberry Way (SE 041-1052). At the Commission's July 16, 2008 meeting Ms. DiBona's engineer (Kevin Forgue of G.A.F. Engineering) said boulders would be placed five feet from the turn-around pavement, and he thought that would be done in time for this meeting. At the site inspection it was obvious that vegetation clearing had been done, but the boulders have not been placed. On a motion duly made and seconded, it was unanimously voted to deny a certificate of compliance at this time until the boulders have been placed. A letter will be sent to Ms. DiBona explaining why the certificate of compliance is not being issued at this time, and asking her to contact the Commission when the site is ready for another inspection.

An inspection of the Town's Little Neck Village elderly housing at 330 Wareham Street (SE 041-37) was held in response to reports of unauthorized clearing in wetlands and/or the buffer zone to wetlands. It was apparent that clearing had been done, probably by the Town's Department of Public Works crew. Wetland flags have been placed on the ground, as there is nothing higher to attach the flags to. D. Drake explained that she was told by one of the engineers for this project, the Horsley Witten Group, that they will be submitting their notice of intent by August 15, 2008 to be included on the Commission's September 3, 2008 agenda. The clearing will be addressed at that time.

Another inspection will be held at Cove's End Road to determine the extent of damage to the retaining pond behind Thomas Cooper's 10 Cove's End Road dwelling (SE 041-978) due to runoff from site work at Frank Linhares' 365 Wareham Street property (SE 041-1). A letter will be sent to Mr. Cooper notifying him of the inspection.

On August 5, 2008 the Board of Selectmen reappointed J. Oakes, B. Hebbel and H. Kenney for three-year terms expiring June 30, 2011. They will be sworn in again by the Town Clerk.

Meeting adjourned at 7:25 PM.

Diane R. Drake, Secretary

Approved August 20, 2008