

FINAL

MARION CONSERVATION COMMISSION
MINUTES OF THE REGULAR MEETING HELD ON APRIL 1, 2009

Members Present: Norman A. Hills, Chairman
Jeffrey W. Oakes, Vice Chairman
Joel D. Hartley (absent from 7:00-7:05 PM)
Lawrence B. Dorman (absent from 7:00-7:02 PM)
Wendy L. Carreau, Associate

Members Absent: Sherman E. Briggs, Jr.
Horace S. Kenney, Jr., Associate

Secretary: Diane R. Drake

Others Present: (No one)

Meeting convened at 7:00 PM Wednesday, April 1, 2009 in the main conference room of the Marion Town House, 2 Spring Street, Marion, Massachusetts. There were no scheduled site inspections for Saturday, March 28, 2009.

7:00 PM **BAY WATCH REALTY TRUST** - ANRAD (SE 041-1104) to verify the wetland resource areas and delineations off Front Street on Lots 27, 28 and 29 (continued from March 4, 2009). The Applicant's \$2,200.00 check to have Sabatia, Inc. verify the correctness of the delineated wetland resource areas and wetlands flagging has not yet been received. Once the check is received, the contract can be awarded and the work can begin. Because of this, the Applicant's representative, Brandon Faneuf, had requested another continuation. J. Oakes moved to continue the hearing, with the Applicant's consent, to 7:30 PM on April 15, 2009; W. Carreau seconded; voted unanimously.

L. Dorman arrived at 7:02 PM. J. Hartley arrived at 7:05 PM.

7:10 PM **SARDINHA FAMILY TRUST** – NOI (SE 041-1053) to raze the restaurant building at 450 Wareham Street and construct two structures in its place (continued from March 18, 2009). No one represented the Trust. They had an informational meeting with the Planning Board today, and their public hearing with the Planning Board will be on April 6, 2009. J. Oakes moved to continue the hearing to 7:40 PM April 15, 2009; J. Hartley Seconded; voted unanimously.

7:13 PM **MARION RECREATION COMMITTEE** (SE 041-1068). J. Oakes had asked to discuss this project, specifically its status with the Environmental Protection Agency. J. Oakes said the filing for this project is still not shown on the EPA website. A review of the file showed that on October 2, 2008 the Recreation Committee responded to the EPA's May 13, 2008 inquiry regarding whether or not a water quality certificate would be required. At that time it was determined that a permit would not be necessary because this project qualifies as Category 1 (non-

reporting). Nothing further was received from the EPA until March 27, 2009, when the Recreation Committee received a letter requesting a yes-or-no clarification of two items regarding total maximum daily load (TMDL) discharge. By email to the Conservation Commission, John Rockwell of the Buzzards Bay Project today verified that there is no TMDL for Buzzards Bay, so neither item applies. N. Hills said it appears the Recreation Committee is trying to work its way through the EPA, and noted that the new Police Station and the Little Neck Village reconstruction project are also not shown on the EPA printout.

Meeting adjourned at 7:22 PM.

Diane R. Drake, Secretary

Approved May 6, 2009