

FINAL

**MARION CONSERVATION COMMISSION**  
MINUTES OF THE REGULAR MEETING HELD ON JULY 27, 2011

Members Present: Sherman E. Briggs, Jr., Chairman  
Norman A. Hills, Vice Chairman and Clerk  
Lawrence B. Dorman, Treasurer  
Joel D. Hartley  
Wendy L. Carreau

Members Absent: Jeffrey W. Oakes, Associate  
Bruce C. Hebbel, Associate (resigned March 30, 2011)

Secretary: Diane R. Drake

Others Present: James Tomlinson, Laurie Fearing, John Kelly, Steve Demmer, Joan-Hartnett-Barry, Mike Campagnone, Jay Stroud, Robert Sanderson, Susan Nilson, Laura Shachoy, Shelly Richins, Mike Sudofsky, Anika Clark, Steve Cushing, Rick Barnes, Betsy Dunn and possibly others that did not sign in.

Meeting convened at 7:00 PM Wednesday, July 27, 2011 in the conference room of the Marion Town House, 2 Spring Street, Marion, Massachusetts. Site inspections were held on Saturday, July 23, 2011 by S. Briggs, N. Hills, L. Dorman and J. Hartley.

7:00 PM Commencement.

7:01 PM The July 13, 2011 meeting MINUTES were reviewed. N. Hills moved to accept them as written; L. Dorman seconded; voted by majority with W. Carreau abstaining.

7:10 PM THE KITTANSETT CLUB - NOI (SE 041-1160) to construct a short game area along the first fairway south of The Haven, a new tee box for Hole #1, and a putting green. John Kelly was present with the Club's engineer, Susan Nilson of CLE Engineering, Inc. S. Nilson said she spoke with Mark Bartow of the Department of Environmental Protection regarding the delineation of the dune which was done in accordance with Coastal Zone Management's global information system. She described the project. J. Hartley said he would like some means of protection for the dune, such as a post and rail fence. S. Nilson said elevations go from 6' to 8' and will be graded to elevation 7'. No equipment will be allowed on the dune. An aerial photograph of the area was shown and discussed. N. Hills would like to do another inspection to determine what is the dune. L. Dorman moved to continue the hearing, with the applicant's consent, to 7:20 PM on August 10, 2011, and hold another site inspection on August 6, 2011; W. Carreau seconded; voted unanimously.

**STEVEN GIGLIA and JOHN G. VACCARRO** have requested a certificate of compliance for a 1988 order of conditions (SE 041-333) to repair a pier, construct a gazebo on the end of the pier, drive four new piles, and place a gangway and float at 1 Island Court, Planting Island. L. Dorman moved to issue a full certificate of compliance; J. Hartley seconded; voted unanimously.

**OTHER MATTERS** - The Board of Selectmen has received a request to allow sump pump discharge from 81 Water Street into the Town's roadway drainage system. N. Hills was concerned about possible contamination of Sprague's Cove and the Harbor if there was an oil spill in the basement, such as recently happened at Blankinships Cove. A memorandum to the Selectmen was drafted, recommending a containment be built around any fuel oil tank and associated piping in the basement. If there is a fuel oil tank in the basement and no containment, then the sump pump discharge should be through an oil separator with an active alarm system. N. Hills moved to issue it as written; L. Dorman seconded; voted unanimously.

7:30 PM **TABOR ACADEMY**, Spring Street at Ryder Lane - synthetic turf project (SE 041-1154). This discussion is to ratify the former Chairman's July 1, 2011 approval of CLE Engineering's request to reduce the three-foot-deep underground concrete curb (used to anchor the artificial turf) as shown on the Plan of Record by one foot. N. Hills and W. Carreau left the table but remained in the room. Susan Nilson and Mike Campagnone of CLE Engineering, Inc. represented Tabor Academy. Headmaster Jay Stroud was present. S. Nilson said the depth of the curb was not decided earlier due to Tabor's not having chosen the manufacturer, and to be on the safe side they showed a three-foot-deep curb on the plans. S. Nilson said the main purpose of the curb is to provide a surface where the edges of the turf can be affixed, not to hold the mat in place, because the weight of the turf, sand and rubber ballast will keep it in place. She read the following from a July 20, 2011 letter from FieldTurf to CLE Engineering, Inc.:

"FieldTurf standard concrete curb recommendations call for a 6" x 12" reinforced concrete curb to be installed around the perimeter of our installations. The purpose of the curb is twofold: First, the curb provides a surface where the edges of the turf can be firmly affixed, and second, provides a barrier for the base stone at the perimeter of the Fieldturf Synthetic Turf System. The concrete curb is primarily utilized for a turf fastener. The turf is either glued to the top/sides or a 2" x 4" wood fastener is used on the interior of the curb for turf fastening purpose only. The FieldTurf system is designed to be self-contained with a combination of sand and rubber ballast. As a result, the curb depth plays no role in maintaining the FieldTurf system in place, during storms or at other times. The weight of the turf and the sand and rubber ballast performs that function. Fieldturf is providing the XM50-P system to include ~5 pounds per square foot of sand and crumb rubber, the square footage of turf is 270,133 sf. The total ballast for the entire area is 1,350,665 pounds. Whether the depth of the curb is 12" (as provided in our standard specification), or 24", or 36", is irrelevant to the turf staying in place. Our patented sand and cryogenic rubber infill system will not float nor is it prone to hydrostatic uplift. The concrete 6" x 12" curbs are by no means a structural component of the system. The 8" x 24" reinforced concrete curb detail for the Tabor Athletic Fields project exceeds FieldTurf requirements and in our opinion, is acceptable."

S. Nilson said the mat will be glued to the curb. L. Dorman asked for the address and contact information for FieldTurf, as it is not shown on their letterhead; S. Nilson said she will submit that information. S. Briggs asked if anyone in the audience had questions. Robert Sanderson asked if

the sand and crumb rubber is in the Conservation Commission's jurisdiction; S. Briggs said the sand/crumb rubber is a 60/40 mix and will sit on top of the turf. R. Sanderson said the rubber will come up and clump, and the height of the curb is irrelevant -- he is concerned with the crumb rubber floating. Massachusetts Maritime Academy's synthetic turf project in a velocity zone was discussed; Betsy Dunn said the MMA field is much smaller than this site. Jay Stroud said the rubber builds a static electric charge when it is put down, such as rubbing a balloon against your head, and the manufacturer said some of it will float shortly after it is laid down. Rick Barnes asked S. Nilson to verify that a 24"-36" curb is standard; she said no, the standard is 12". R. Barnes asked whether the Conservation Commission can require a peer review; S. Briggs said no, the Conservation Commission feels confident that their decision is sound and does not require a peer review. R. Barnes said the Order of Conditions required all other permits to be obtained; S. Briggs said the Order of Conditions and Amended Order of Conditions were issued in accordance with D.E.P.'s procedures. R. Barnes said that if additional review is forthcoming, how can the Conservation Commission proceed?; L. Dorman explained that: (1) the Order of Conditions standard boilerplate reminds the applicant that there may be other permits required from other Boards, and (2) there is no "first to approve" order. S. Briggs said this discussion is to ratify the approval of a 2'-deep curb, and that will be addressed in the as-built plan when the engineer requests a Certificate of Compliance for the project. S. Briggs said the Board of Health may look into the disinfectants that are used and their possible effects on the Harbor. S. Briggs said D.E.P. has taken the crumb rubber to task and has found it to be safe. Seeing as there were no further questions, S. Briggs closed the discussion at 7:53 PM. N. Hills and W. Carreau returned to the table. L. Dorman moved to ratify J. Hartley's letter approving the 2'-deep curb; J. Hartley seconded; voted by majority with W. Carreau and N. Hills abstaining. Selectman Steve Cushing was present and commented on the process (or lack of) of checking with other Boards and Committees before permits are issued; W. Carreau said other town halls have a checklist or guide for applicants and Boards/Commissions, but Marion does not. L. Dorman said it is not the Conservation Commission's responsibility to ensure the applicants meet with other necessary Town boards.

**OTHER MATTERS** - A memorandum to the Selectmen in response to statements made during their July 12, 2011 meeting concerning the adequacy of the Commission's review of the Tabor synthetic turf project was drafted and discussed (SE 041-1154). N. Hills moved to send the memorandum as written; L. Dorman seconded; voted unanimously.

Meeting adjourned at 8:07 PM.

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Diane R. Drake, Secretary

Approved August 10, 2011

**DOCUMENTS REVIEWED AT THE 07/27/2011 MEETING**

1. Letter with plan detail to Joel D. Hartley from CLE Engineering dated 07/01/11 regarding curb depth for Tabor Academy synthetic turf.
2. Letter to Tabor Academy from Joel D. Hartley dated 07/01/11 approving a 2' curb depth.
3. Letter from FieldTurf to CLE Engineering, Inc. dated 07/20/11 regarding the purpose of the 2' curb at Tabor Academy.
4. Memo to Town Administrator from Marion Conservation Commission dated 07/20/11 scheduling discussion item regarding Tabor Academy on 07/27/11.