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FINAL

**MARION CONSERVATION COMMISSION**  
MINUTES OF THE REGULAR MEETING HELD ON FEBRUARY 26, 2014

Members Present: Lawrence B. Dorman, Chairman  
Norman A. Hills, Vice Chairman  
Joel D. Hartley, Treasurer  
Stephen C. Gonsalves, Clerk  
Cynthia C. Trinidad, Associate

Members Absent: Jeffrey J. Doubrava, Member  
Wendy L. Carreau, Associate

Secretary: Diane R. Drake

Others Present: Matthew Baltz and J. Perry (The Wanderer)

Meeting convened at 7:00 PM Wednesday, February 26, 2014 in the conference room of the Marion Town House, 2 Spring Street, Marion, Massachusetts. There were no site inspections on Saturday, February 22, 2014. This meeting was audio recorded by Town of Marion staff.

There were no hearings or appointments for discussion on the agenda, just discussion items.

**LUBA D. BILENTSCHUK**, Ridgewood Lane (Assessors' Map 5, Lot 23) – proposed conservation restriction. N. Hills had drafted a memo to the Town Administrator recommending acceptance of the proposed conservation restriction. N. Hills sent the memo to John Rockwell for comments but has not heard back. The town will have to accept the land at Town meeting. N. Hills moved to send the memo as written; L. Dorman seconded; voted unanimously.

**HAWLEY BIGELOW** - The Zoning Board of Appeals has requested comments regarding the expansion and conversion of an accessory building at 16 Pitcher Street to a guest house (Assessors' Map 16, Lot 57). A response had been drafted that the work does not appear to be in the Conservation Commission's jurisdiction based on the engineer's certified drawing. N. Hills said there are wetlands on the abutting property at the rear of this lot, but a 100' buffer zone line on the subject lot is not shown. J. Hartley will inspect the site on March 1, 2014 to verify that the work will

38 not take place in a resource area, and the response can still be sent in time for Mr. Bigelow's hearing  
39 with the Zoning Board of Appeals.

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41 **MATTHEW AND LISA BALTZ**, 114 Allens Point Road (Assessors' Map 6, Lot 30).  
42 Matthew Baltz had asked the Commission to clarify the wetlands replication report/statement  
43 requirements for the Certificate of Compliance that was issued for his new dwelling, driveway and  
44 septic system project (File No. SE 041-1110). L. Dorman said the Order of Conditions required  
45 monitoring of the wetlands, and progress reports for the replication. L. Dorman was surprised that  
46 there is an issue with the submission of the report, as the Order of Conditions is pretty clear that the  
47 report would accompany the engineer's request for the Certificate of Compliance. M. Baltz arrived  
48 at 7:20 PM and said his engineer, David Davignon of N. Douglas Schneider & Associates, told him  
49 that a certified botanist needs to prepare the report, and he is not qualified to do the report. M. Baltz  
50 thought D. Davignon would just measure the replication area and state that it appears to be  
51 vegetated. L. Dorman said a qualified professional should provide the documentation, not just LEC.  
52 M. Baltz said the replication has been done since April of 2011. The Commission will send a letter  
53 to M. Baltz explaining that a qualified professional needs to state, in writing, that the replication is at  
54 least 75% successful. N. Hills drafted the letter to M. Baltz and moved to send it as written;  
55 L. Dorman seconded; voted unanimously.

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57 **MINUTES** – The February 12, 2014 minutes were reviewed and accepted as amended on a  
58 motion by N. Hills; seconded by J. Hartley; voted unanimously.

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60 **NOTARY PUBLIC** – L. Dorman moved to reimburse D. Drake \$94.55 for her expenses to  
61 renew her Notary Public reappointment; N. Hills seconded; voted unanimously.

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63 Meeting adjourned at 7:50 PM.

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Diane R. Drake, Secretary

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70 Approved March 12, 2014