

FINAL

MARION CONSERVATION COMMISSION
MINUTES OF THE REGULAR MEETING HELD ON JULY 8, 2015

Members Present: Norman A. Hills, Chairman
Joel D. Hartley, Vice Chairman
Jeffrey J. Doubrava, Clerk

Members Absent: Stephen C. Gonsalves, Member
Lawrence B. Dorman, Associate
Cynthia C. Trinidad, Member

Admin. Assistant: Donna M. Hemphill

Others Present: Ernest Weber, Nokomis Road; Chuong Pham, 22 Bass Point Road;
Jean Perry, The Wanderer

Meeting convened at 7:00 PM on Wednesday, July 8, 2015 in the conference room of the Marion Town House, 2 Spring Street, Marion, Massachusetts. Site visits were held on Monday, July 6, 2015 by C. Trinidad, J. Doubrava and N. Hills. This meeting was televised and video recorded by Old Rochester Community Television (ORCTV), and audio recorded by Town of Marion staff.

7:00 PM Ernest Weber, Request for Determination of Applicability (File No. 41D-1578) to renovate the back porch and stairs at 15 Kabeyun Road. Ernest Weber was present. N. Hills reported that the board did a site inspection on Monday, July 6, 2015 and the contractor was present. E. Weber described the project. He said the purpose is to enclose the back porch and stairway in order to access the lower level of the property without having to go outdoors. He mentioned there would not be heat inside this hallway and there would be plenty of light since windows would be installed. J. Doubrava motioned to close the hearing; J. Hartley seconded; voted unanimously.

7:05 PM Town of Marion, c/o JC Engineering, Inc. – Notice of Intent (File No. SE 041-1222), for reconstruction of a 337' long, 4' high stone seawall, at Sprague's Cove (Continued from May 27, 2015). The applicant has requested to continue the hearing to Wednesday, August 12, 2015 at 7:05pm. N. Hills motioned to continue the hearing; J. Doubrava seconded; voted unanimously.

42 7:10 PM **Chuong Pham**, Request for Determination of Applicability (File No.
43 41D-1579), for an addition on sonotubes, approximately 100 sq. ft. Dr. Pham was present.
44 He said he bought the property approximately three years ago and has lived here part
45 time until just recently. He has three daughters and would like to add a bathroom. He
46 described the project. Dr. Pham said he has been in contact with an engineer and is
47 looking into which type of plan he will need and will provide plans if needed. N. Hills noted
48 that the property is in the Velocity Zone which is a resource area. He said they need to see
49 a plan. J. Doubrava asked if the footprint will remain the same. Dr. Pham said that is
50 correct. J. Hartley asked if it is just the flood zone that will be shown on the plan. J.
51 Doubrava and N. Hills said that it is most likely riverfront and it is close to the wetlands
52 behind the house. Dr. Pham understood and is happy to oblige. N. Hills mentioned the fuel
53 tank that is under the house and the straps holding it need to be replaced with steel
54 cables and adequately anchored to hold the tank in place. Dr. Pham said he will take
55 care of that. There was discussion of what needs to be shown on the plan. N. Hills said they
56 need to show the Velocity Zone, Bordering Vegetated Wetlands and the riverfront areas. J.
57 Hartley said that wetlands are based on the soils and type of plants that are present at the
58 time of the survey. That information you can't get from a map, it is determined in the field.
59 J. Doubrava asked Dr. Pham who installed the deck. Dr. Pham said he had a contractor
60 install it. J. Doubrava noted that when there is any alteration made to a property within a
61 flood zone permits are required and the homeowner is responsible for obtaining any
62 permits. He noted that the back deck is new and about 20' from the wetlands line. Dr.
63 Pham said he thought the contractor was supposed to obtain the permits. N. Hills said the
64 homeowner is responsible for making sure any and all permits have been obtained. J.
65 Doubrava said he can amend the current the application to include the back deck as an
66 after the fact filing. Dr. Pham agreed to do what the commission needs. J. Doubrava said
67 that any time a shovel touches the ground an application needs to be filed with the
68 commission since it is a sensitive and protected area. N. Hills motioned to continue the
69 hearing to July 22, 2015 at 7:20pm; J. Doubrava seconded; voted unanimously.

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71 7:15 PM **Dr. Henning Gaissert**, Request for Certificate of Completion for File
72 No. SE 041-1194), 28 Front Street. N. Hills said the engineer provided a letter saying that the
73 project has been completed. The board did a site visit on Monday, July 6, 2015 and
74 agreed that the project met the conditions. N. Hills motioned to issue a Complete
75 Certificate of Compliance with the continuing condition that the driveway have stone or
76 other pervious material; J. Doubrava seconded; voted unanimously.

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78 **MINUTES:** N. Hills motioned to accept the minutes from June 24, 2015 as

79 modified; J. Doubrava seconded; voted unanimously.

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81 **CORRESPONDENCE:** Request for comments from the ZBA for the Baywatch Realty
82 case: No comments. Request for comments from the ZBA for the Sippican Preservation,
83 LLC: Out of the commission's jurisdiction.

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85 Hensley, 95 Holly Road Certification of Completion (File No. SE 041-1178). It was
86 approved based on the site visit on Monday, July 6, 2015.

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88 **DISCUSSION:** Grassi Bog discussion will be moved to the next meeting on
89 Wednesday, July 22, 2015.

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91 **Ernest Weber:** Determination of Applicability for File No. 41D-1578. Negative Box
92 #2. N Hills motioned to issue; J. Doubrava seconded; voted unanimously.

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94 Meeting adjourned at 7:30pm

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Donna M. Hemphill, Administrative Assistant

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101 Approved: August 12, 2015

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