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2 **MARION CONSERVATION COMMISSION**
3 MINUTES OF THE REGULAR MEETING HELD ON MAY 25, 2016
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6 Members Present: Joel D. Hartley, Vice Chairman
7 Jeffrey J. Doubrava, Clerk
8 Cynthia Callow, Member
9 Kristen Saint Don, Associate
10 Lawrence B. Dorman, Associate

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12 Members Absent: Norman A. Hills, Chairman

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14 Admin. Assistant: Donna M. Hemphill

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16 Others Present: Marilou Newell, The Wanderer; William Weber; Ross Menard, RM
17 Property Service; Alexis Popik; Jack Beck, Buzzards Bay Habitat
18

19 Meeting convened at 7:00 PM on Wednesday, May 25, 2016 in the conference
20 room of the Marion Town House, 2 Spring Street, Marion, Massachusetts. Site visits were
21 held on Saturday, May 21, 2016 by C. Callow, N. Hills, and K. Saint Don. This meeting was
22 televised and video recorded by Old Rochester Community Television (ORCTV), and audio
23 recorded by Town of Marion staff.
24

25 Vice Chairman Joel Hartley noted that Chairman Norman Hills was not present at
26 the meeting that evening because he was accepting the 2016 Special Recognition Award
27 from the Southeastern Regional Planning & Economic Development District (SRPEDD).
28 Members congratulated Mr. Hills on his recognition.
29

30 7:00 PM **Appointment with Ross Menard**, regarding a potential project at 185
31 Front Street. R. Menard presented a photo of the low spot in the yard that the owners
32 would like to fill/grade. There is standing water in that area next to the garage. They would
33 use approximately 18 yards of fill and approximately 25 yards of loam. R. Menard's question
34 to the Commission was which application to file; either a Request for a Determination of
35 Applicability or a Notice of Intent. William Weber, 173 Front Street, spoke in favor of the
36 project. He explained that the elevation at the garage and at the stream were fine, it was
37 the area in between that was a low spot that collects standing water. Members discussed
38 the project and decided that a Request for Determination for Applicability would be
39 appropriate. R. Menard will contact the office to start the application process.
40

41 7:05PM **Town of Marion, c/o JC Engineering** – Notice of Intent (File No. SE 041-
42 1222), for the reconstruction of the seawall at Sprague's Cove (Continued from February
43 24, 2016). Mike Pimental of JC Engineering was present. He explained that rather than the
44 complete reconstruction of the seawall, improvements will be made instead. The seawall
45 will be made stronger by places stones within the wall. M. Pimental said that haybales will
46 be in place along both sides of the wall for erosion control. The Army Corps of Engineers still
47 need to approve the plan and that could take another two to four months. M. Pimental
48 also noted that they have already gone through the Natural Heritage and Endangered
49 Species Program. C. Callow asked if there was any reason to believe that the Corps would
50 not approve the plan. M. Pimental said he doesn't see them having an issue with the plan
51 since it is less of a disturbance to the area then reconstructing the entire wall. There was a
52 discussion as to how long ago the seawall had been constructed and the location of it. M.
53 Pimental pointed out on the plan where the mean high water mark was and the annual
54 high tide line that the seawall follows. J. Doubrava asked if by putting erosion control on
55 both sides of the wall would be too much of a disturbance. Members discussed the
56 question and thought that the one in front of the seawall is needed but the one behind is
57 not necessary. There were no further questions from the Commission or the audience. J.
58 Doubrava motioned to close the hearing; L. Dorman seconded; voted unanimously.

59

60 7:10 PM (7:15PM) **Tim Lynch**, Request for Determination of Applicability, (File No. 41D-
61 1612), to build a new egress landing with wrap around stairs at 8 West Avenue. Fred Kracke
62 was present to represent the homeowners. C. Callow said that she and K. Saint Don visited
63 the site on May 21, 2016 and described the location. Members review the plans and
64 photos that were submitted with the application. It is a small deck will extend the deck that
65 is already there and will require just one sonotube. There were no further questions from the
66 Commission or the audience. J. Doubrava motioned to close the hearing; L. Dorman
67 seconded; voted unanimously.

68

69 7:15 PM (7:20PM) **Alexis Popik**, Request for Determination of Applicability, (File No.
70 41D-1608), for the erection of an Osprey platform at 1 Shore Drive. (Continued from May
71 11, 2016). A. Popik was present. Since the last meeting A. Popik had submitted a photo of
72 the location of the marker of the proposed site. C. Callow and N. Hills visited the site on
73 May 21, 2016 and saw the marker and were pleased with the location. There was a brief
74 discussion regarding the location. There were no further questions from the Commission or
75 the audience. J. Doubrava motioned to close the hearing; C. Callow seconded; voted
76 unanimously.

77

78 **TO ISSUE:**

- 79 A. Members discussed the draft memo to the DPW regarding the
80 Bog Pond boulder repositioning. They would like to see boulders
81 placed in this path to keep ATVs from accessing this area. The
82 memo was approved.
- 83 B. W.B. Mason invoice #134318524 for \$10.44 for a new name plate
84 for C. Callow was approved.
- 85 C. Jack Beck representing **Buzzards Bay Habitat for Humanity was**
86 **present for the request for a Certificate of Compliance, File No.**
87 **SE 041-1183, 185 Wareham Street.** At the site visit on May 21,
88 2016 a request for made to install drywells. J. Beck presented
89 members with photos of the drywells that had been installed. J.
90 Doubrava motioned to issue a Complete Certificate of
91 Compliance; C. Callow seconded; voted unanimously.
- 92 D. Request for **Extension Permit for Warren & Lee Williamson, 121**
93 **Converse Road (File No. SE 041-1201)** was continued to the
94 June 8, 2016 meeting in order for a site visit to be conducted.

95
96 J. Doubrava discussed the Coastal Barrier Resource System (CBRS) email and the
97 map that consultants from Dewberry are creating. He spoke to the consultant about the
98 three conservation restrictions the town holds that they have asked about. These areas are
99 Planting Island Causeway, a bit of wetlands on the northeast side of Kittansett and in
100 Aucoot Cove. There was a brief discussion regarding the classification of areas as System
101 Units and Other Protected Areas. J. Doubrava said he would speak to the consultants
102 again to follow up.

103
104 C. Callow said that she has worked on the potential Buzzards Bay Watershed
105 Municipal Mini-Grant Program. Further information is needed and it would need to be
106 approved by the Board of Selectmen. Unfortunately, the Selectmen do not meet until June
107 7, 2016 and the deadline for submitting the mini-grant is June 2, 2016. C. Callow said she
108 will see if an extension is possible and report back to the Commission.

109
110 **CORRESPONDENCE:** A letter was received May 13, 2016 from Eversource regarding
111 herbicides along power line rights-of-way. Eversource notifies the Commission when work
112 will be occurring in the area.

113

114 C. Callow motioned to issue the **Determination of Applicability for Tim Lynch**, (File
115 No. 41D-1612), 8 West Avenue, Negative Box #2, no special conditions; L. Dorman
116 seconded; J. Doubrava abstained, all others voted to issue.

117
118 K. Saint Don motioned to issue **Determination of Applicability for Alexis Popik**, (File
119 No. 41D-1608), 1 Shore Drive, Negative Box #2, no special conditions. C. Callow seconded;
120 voted unanimously.

121
122 J. Doubrava motioned to issue **Order of Conditions for the Town of Marion, c/o JC**
123 **Engineering, Inc.**, (File No. SE 041-1222), noting that the Order is subject to approval of the
124 Army Corps of Engineers. C. Callow seconded; voted unanimously.

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126 Meeting adjourned at 8:01pm.

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130 Donna M. Hemphill, Administrative Assistant

Approved: July 13, 2016

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