

Report of the  
CONSERVATION COMMISSION

“God has cared for these trees, saved them from drought, disease, avalanches,  
and a thousand tempests and floods. But he cannot save them from fools.”

John Muir

To the Honorable Board of Selectmen:

During the year ending December 31, 2011, the Marion Conservation Commission issued:

- 18 Orders of Conditions
- 31 Determinations of Applicability
- 15 Extensions to existing Orders
- 5 Amendments to previously approved Orders
- 21 Certificates of Compliance
- 1 Enforcement Order

These documents were written and approved at the 21 meetings held by the Commission during the year. Prior to each meeting, Commission members conducted Saturday morning site inspections in support of the meeting agenda or for inspection of potential violations. The meetings and 98 site visits represent approximately 950 hours of volunteer service.

Sherman E. Briggs, Jr. was elected Chairman this year. Commission membership had one change this year - Associate Member Bruce Hebbel resigned in March and has not yet been replaced. Any Town resident interested in participating in the Conservation Commission's efforts is encouraged to contact us or the Town Administrator at the Town House. Again this year several members of the Commission attended training sessions and conferences held by the Massachusetts Association of Conservation Commissions (MACC) to expand their education of State requirements, professional knowledge, and administrative processes. Member Wendy Carreau successfully completed MACC's Fundamentals for Conservation Commissioners training course. The Commission members are indebted to our secretary, Diane Drake, for her continued support.

The Commission works with applicants to be sure that proposed projects adhere to the Wetlands Protection Act regulations. This effort sometimes results in changes to the proposed plans but our hope is that any plan changes can be made while still keeping the initial design intent intact.

Projects submitted to the Commission continue to be complex and in some cases controversial. The Commission issued an Order of Conditions (OOC) conditioning a third aquaculture project in Marion which was appealed by some of the abutters. After all appeals had been exhausted, the Department of Environmental Protection issued a Final Order of Conditions in December approving the project with only minor changes. The Commission also issued an OOC for the Tabor Field work. While this project was subject to much discussion, the OOC is still in place. The Bay Watch Realty Trust 40B project off Front Street had been continued for

most of the year while the applicant and some concerned citizens engaged in extended discussions over the scope of the project. Revised plans and storm water calculations for a scaled-down version of the project were submitted to the Commission for review in December.

As noted for the last several years, the Federal Emergency Management Agency's proposed changes to the local Flood Insurance Rate Maps were expected to be formalized in July 2011. That did not happen and we expect that it will not occur now until June/July 2012. These digitized maps contain changes to flood zones and base flood elevations. The technical data represent updated information that the Commission can take into consideration when discussing projects that may be impacted by changed flood zones.

Respectfully submitted,

Sherman E. Briggs, Jr., Chairman  
Norman A. Hills, Vice Chairman  
Lawrence B. Dorman  
Wendy L. Carreau  
Joel D. Hartley  
Jeffrey W. Oakes, Associate  
Bruce C. Hebbel, Associate (resigned)



Photo by Alice Briggs