

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41

FINAL

MARION CONSERVATION COMMISSION
MINUTES OF THE REGULAR MEETING HELD ON MARCH 11, 2015

Members Present: Norman A. Hills, Chairman
Joel D. Hartley, Vice Chairman
Cynthia C. Trinidad, Associate

Members Absent: Lawrence B. Dorman, Member
Jeffrey J. Doubrava, Clerk
Stephen C. Gonsalves, Member

Admin. Assistant: Donna M. Hemphill

Others Present: Richie Patten, A & J Boat Company; Matthew Bernat, Sippican Week;
Elaine & Warren Ferguson, 12 Jenney Lane; Jean Perry, The Wanderer;
M. Pierre; Deb & Michael Meachen, Jenney Lane

Meeting convened at 7:00 PM on Wednesday, March 11, 2015 in the conference room of the Marion Town House, 2 Spring Street, Marion, Massachusetts. This meeting was televised and video recorded by Old Rochester Community Television (ORCTV), and audio recorded by Town of Marion staff.

7:00 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 February 11, 2015). The applicant has requested to continue the hearing to April 8, 2015 at 7:05pm. N. Hills motioned to accept; J. Hartley seconded; voted unanimously.

DISCUSSION: Regarding the proposed Notice of Intent for a Turtle Habitat at The Cove. N. Hills stated that there is a procedural question regarding this Notice of Intent. The Conservation Commission is the owner of the land. The question is whether the Commission Members are able to sign the NOI and then will be able to sign and act on an Order of Conditions. N. Hills noted that he had spoken to Town Counsel regarding the matter. J. Hartley suggested one member sign the NOI and have that member be excluded from signing the Order of Condition if one is approved. N. Hills and C. Trinidad agreed that could be a good solution. N. Hills explained to the audience members there for the discussion that the Commission is not acting on the NOI at this time, that this was just a

42 discussion as to how to file the application. The application will be filed and processed as a public
43 hearing following regular procedures. J. Hartley said he believed that The Cove could sign the
44 application as the Applicant. N. Hills said he would double check with Town Counsel to clarify. A
45 resident in the audience mentioned that he has spoken with Dave Davignon of Schneider &
46 Associates regarding the application. D. Davignon told him that one of the reasons that he put The
47 Cove on the application was for the continuing maintenance of the property. He also said that it
48 made sense to have both The Cove and the Commission listed as the owners. J. Hartley noted that
49 the Commission is not doing the work and that the one signing the application is usually the one
50 doing the work. J. Hartley also noted that the Conservation Commission has precedents with another
51 party signing a Notice of Intent with the concurrence of the owner. N. Hills said the Commission
52 will get back to D. Davignon and The Cove in regards to who will be the signer of the Application.

53

54 **DISCUSSION:** A new Marion Conservation Tri-fold flyer was presented to the board for
55 review. Comments will be made and discussion will be had regarding any changes or updates that
56 may be needed at the next meeting.

57

58 **DISCUSSION:** N. Hills mentioned a handout that members were given regarding an
59 upcoming training session that will be held in Mattapoisett on March 19, 2015.

60

61 **DISCUSSION:** Regarding the Saltworks Marine Engineering Review for the Planning
62 Board. N. Hills recommended that members review the report since several points made are in
63 reference to Conservation items of interest. The Saltworks Marine application had been continued to
64 March 25, 2015.

65

66 **DISCUSSION:** Email from MOSAC regarding Grassi Bog and Washburn Park in
67 response to a letter the Commission sent to MOSAC on January 15, 2015. The email included the
68 preliminary plans for the repair work at Grassi Bog. The board will read through the email and plans
69 submitted and will send comments to D. Hemphill for consolidation and a letter will be drafted to
70 MOSAC. The second part was the concern at Washburn Park. The town owns the land but
71 apparently the cranberry growers are responsible for the repair of the facility. N. Hills said that will
72 need to be looked into for more detail.

73

74 **MINUTES:** From February 25, 2015. N. Hills motioned to accept as revised; J.
75 Hartley seconded; voted unanimously.

76

77 **MISCELLANEOUS:** C. Trinidad mentioned the MACC conference that members
78 attended at the end of February. She said the workshops were very informative and it was a good

79 learning experience. N. Hills noted how it is worthwhile for members and for residents too if they
80 are interested.

81

82

83 Meeting adjourned at 7:18pm

84

85

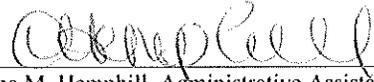
86

87

88

89

90 Approved March 25, 2015



Donna M. Hemphill, Administrative Assistant

RECEIVED
TOWN CLERK OF MARION, MA
2015 MAR 26 A 8:36

Marion Conservation Commission

March 11, 2015 Meeting ~ File Contents:

File # SE041-1222 Town of Marion, Sprague's Cove

- Legal Notice dated 11/27/14
- Request for comment from Harbormaster. Dated 11/19/14
- One copy of NOI. Dated 11/19/14
- Seawall Reconstruction Plan. Dated 11/19/14
- Copy of Legal Ad in The Wanderer. Dated 11/27/14
- Order of Conditions to be completed
- Copy of email from JC Engineering. Dated 12/10/14
- Copy of email from DEP with the file #. Dated 12/5/14
- Copy of email from M. Pimental. Dated 2/3/15
- Copy of email requesting continuance. Date 2/3/15
- Copy of email requesting continuance. Date 3/10/15

Packets for Commission Members:

- Agenda for March 11, 2015
- Notice of Intent draft for Turtle Habitat
- Marion Conservation Commission flyer draft
- Copy of email from MOSAC regarding Grassi Bog & Washburn Park
- Flyer for upcoming seminar to be held in Mattapoisett
- One copy Saltworks Marine Engineering Plan
- Minutes from February 25, 2015 to be approved