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FINAL

MARION CONSERVATION COMMISSION
MINUTES OF THE REGULAR MEETING HELD ON JUNE 11, 2014

Members Present: Lawrence B. Dorman, Chairman
Norman A. Hills, Vice Chairman
Joel D. Hartley, Treasurer
Jeffrey J. Doubrava, Member
Cynthia C. Trinidad, Associate

Members Absent: Stephen C. Gonsalves, Clerk
Wendy L. Carreau, Associate

Secretary: Diane R. Drake

Others Present: Matthew Pitta and Shawn Syde (CDM Smith, Inc.), Dennis Clemishaw, Robert Zora (Marion DPW Superintendent), and Joan Hartnett-Barry (The Wanderer).

Meeting convened at 7:00 PM on Wednesday, June 11, 2014 in the conference room of the Marion Town House, 2 Spring Street, Marion, Massachusetts. The site inspection on Saturday, June 7, 2014 was cancelled. This meeting was televised and video recorded by Old Rochester Community Television (ORCTV), and audio recorded by Town of Marion staff.

7:00 PM **DENNIS CLEMISHAW**, Appointment for discussion regarding the construction of a new dwelling and a solar farm in Rochester, with power access from the end of Tucker Lane. Dennis Clemishaw was present and said he bought the 24-acre property in 2009. There are two bogs and a field where he wants to build a dwelling and a solar farm, and is accessible only from Perry Lane in Rochester. He wants to bring the power to the site from the end of Tucker Lane, but starting this year, NStar won't run their lines over wetlands without a road for maintaining the lines. Three-phase electric is necessary for the proposed solar farm, but only single-phase power is available on Perry Lane. He has a plan of the wetlands prepared by Kevin Forgue of G.A.F. Engineering, Inc. and asked if there was a way to build the necessary road. L. Dorman said a Request for Determination of Applicability needs to be filed to verify the wetlands. J. Doubrava said the proposed road should be shown on the plan. N. Hills said there is a 5,000 square foot limit for altering wetlands before it becomes a limited project. J. Hartley said there is a section in the

39 Wetlands Protection Act regarding limited protects, and agreed that the wetlands delineation needs
40 to be verified first.

41
42 7:15 PM **TOWN OF MARION, c/o the Department of Public Works** – Notice of Intent
43 (File No. SE 041-1210) to rehabilitate River Road in order to improve roadway infrastructure and
44 roadway safety (continued from May 28, 2014). Marion Department of Public Works
45 Superintendent Robert Zora was present with his engineers, Shawn Syde and Matthew Pitta of CDM
46 Smith, Inc. Revised plans have been submitted. M. Pitta said the area is actually two separate
47 watersheds. Regarding the north watershed: curbing and four or five catch basins are proposed.
48 The outlet rip rap will stop just short of the wetlands. A new 15"-diameter pipe will replace the
49 existing 12" pipe. Straw wattles will be used for siltation control between the excavation and the
50 wetlands. The berms are no higher than 4" and will run the whole road and will stop the erosion of
51 the beach. The south watershed will include the two-lot subdivision and will consist of two catch
52 basins with double grates. All the swale area is owned by the Stone Rooster and is not a wetland.
53 At the end of the project R. Zora will be responsible for the S4 document operating and management
54 plan. The Order of Conditions is needed for the bid package. L. Dorman moved to close the
55 hearing; N. Hills seconded; voted unanimously.

56
57 **ASSESSORS' MAPS** – The Marion Board of Assessors has a new set of maps, prepared by
58 Claus Goerges using GIS technology. The Commission's maps that are used to show the D.E.P. file
59 numbers on each lot are extremely out of date. N. Hills moved to purchase a full set of 2015
60 Assessors maps on heavy duty paper for an estimated cost of \$250.00; L. Dorman seconded; voted
61 unanimously.

62
63 **MASSACHUSETTS ASSOCIATION OF CONSERVATION COMMISSIONS** –
64 N. Hills moved to approve paying \$385.00 for fiscal year 2015 annual M.A.C.C. dues; J. Doubrava
65 seconded; voted unanimously.

66
67 **PLANTING ISLAND CAUSEWAY** – The Marion Board of Health said the mandatory
68 signage at the Planting Island Causeway beach is missing, and the Conservation Commission is
69 responsible for maintaining or replacing it. N. Hills spoke with Department of Public Works
70 Superintendent Robert Zora about the required wording and now the actual size of the sign needs to
71 be verified.

72

73 **MARION OPEN SPACE ACQUISITION COMMISSION** – The Grassi Bogs were
74 heavily damaged from the recent 5" and 2" rainfalls. N. Hills had drafted a memorandum to the
75 MOSAC noting the extensive damage, questioning the design, and requesting a plan to restore the
76 damage. L. Dorman moved to approve the memorandum as amended; C. Trinidad seconded; voted
77 unanimously.

78
79 **REPLICATION CONDITIONS** – Proposed boilerplate for replication conditions in Orders
80 of Conditions was discussed. The main issue is what is a "growing season" – a calendar year or
81 spring and fall of each year? Five thousand square feet is the maximum allowed replication area.
82 N. Hills said the 500 square feet figure is an arbitrary number. N. Hills will work on this further.

83
84 **GENERAL CONDITIONS** – Duplication between D.E.P. General Conditions and
85 Conservation Commission Special Conditions was discussed. This will be discussed in the future.

86
87 **INVASIVE SPECIES MANAGEMENT** – J. Doubrava said he spoke with D.E.P. about
88 managing invasive species. They recommended the Conservation Commission prepare a general
89 plan on how to manage invasive species projects.

90
91 L. Dorman spoke with Paul Dawson regarding Secretary replacement; he is working on it.

92
93 **A & J BOATS**, His boats are encroaching on Town land. He will remove them and have his
94 property bounds clearly marked. N. Hills suggested the town lease the use of the lot to him at a
95 nominal fee. The Social Club rents the town land for their clubhouse.

96
97 L. Dorman spoke with Paul Dawson regarding having Mr. Teal speak with the Board of
98 Selectmen regarding phragmite control at Sprague's Cove.

99
100 J. Doubrava asked if the Associate Member position had been advertised.

101
102 **TOWN OF MARION**, J. Hartley drafted the Orders of Conditions and moved to issue it as
103 written; N. Hills seconded; voted unanimously.

104
105 **BAYBERRY LANE**, for installing post. C. Trinidad will draft a letter for others to review.
106 L. Dorman moved to put a hold on the issuance of Enforcement Order and send a letter instead.

107

108 Complaint received about 37? River Road. Construction of a 10' x 10' deck being built within
109 200' of the river and possibly in the flood zone. C. Trinidad will draft a letter.

110
111 Meeting adjourned at 8:30 PM.

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Diane R. Drake, Secretary

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118 Approved October 22, 2014