

FINAL

MARION CONSERVATION COMMISSION
MINUTES OF THE REGULAR MEETING HELD ON APRIL 2, 2003

Members Present: Joel D. Hartley, Vice Chairman
Sherman E. Briggs, Jr., Recording Secretary
Janice M. Mendes, Treasurer
Jeffrey W. Oakes, Member

Members Absent: Robert J. Merlino, Chairman
Horace S. Kenney, Jr., Associate Member
Frank J. Germano, Jr., Associate Member

Secretary: Diane R. Drake

Others Present: David Hirschberg, Susan Nilson

Meeting convened at 7:00 PM Wednesday, April 2, 2003 in the main conference room of the Marion Town House, 2 Spring Street, Marion, Massachusetts. Site inspections were held on Saturday, March 29, 2003 by J. Hartley, J. Mendes and J. Oakes.

7:00 PM **DAVID HIRSCHBERG** - RFD (41D-1137) to reconstruct the bank of a stream at 14 Cottage Lane. Mr. Hirschberg was present and showed pictures of flooding in his back yard due to the stream. He feels the flooding has become worse due to extra runoff from the Sippican School addition. He said the Marion Department of Public Works cleared obstructions from the stream 1-1/2 years ago, at Selectman Al Winters' request. J. Hartley said the culvert is half full of sand. J. Hartley said he would approve maintenance of the channel and culvert, and replacing the rock that has fallen near the wall, under this Determination, but would like a Notice of Intent to be filed to fill the bank. S. Briggs said there is too much water coming down from the Sippican School for the pipe to handle, and two culverts would work much better. J. Hartley said Cottage Lane is a private road, so replacing the culvert under the road with larger culverts should also be included in the Notice of Intent. S. Briggs said there was a lot of debris in the brook while the Sippican School addition was being built. J. Mendes moved to close the hearing; J. Hartley seconded; voted unanimously. J. Oakes moved to issue a Conditional Positive Determination for Box No. 3, with the condition that any work other than removing sediment in the channel by hand and replacing the stone that has fallen into the channel, will require the filing of a Notice of Intent; J. Mendes seconded; voted unanimously.

THE KITTANSETT CLUB – Appointment for discussion regarding the recent cutting of phragmites at the Club's parking lot. J. Oakes left the room. This activity had been approved years ago under Order of Conditions SE41-443, but that Order has expired. S. Nilson represented Kittansett and described the work that had been done. She said it does not appear to be a resource area, but is in the buffer zone to a resource area. She

said the work done in 1990 was mowing Lot 88 for overflow parking, and between the parking lot and the water. She said Kittansett is thinking of repaving the parking lot, and would like to pave Lot 88 at the same time. J. Hartley said runoff should be addressed if the amount of pavement is increased. S. Briggs said a swale could handle any runoff. S. Nilson showed a plan of the area delineated by John Rockwell, and the mowed area by the parking lot is shown only as a coastal bank. A site visit will be held on April 12, 2003, and this matter will be discussed at the next meeting. J. Oakes returned to the table.

Paul Anesti's request for a Certificate of Compliance for his new house at 965 Point Road (across from Norman's Auto Body) was discussed (SE41-928). J. Oakes visited the site again today, and the drywells have been installed by the builder, Bill Bachant. J. Oakes moved to issue a Certificate of Compliance for Box No. 1; J. Mendes seconded; voted unanimously.

Discussion followed regarding Victor Brier's complaint by telephone on March 28, 2003, that Winters Trucking is dumping stumps and brush in wetlands at their stockyard at 338 Converse Road (SE41-468). The Commissioners visited the site on March 29, 2003. The owners of the business, Jeffrey Dickerson and Peter Tufts, were also at the site at that time, and said they are renting the site, with the possibility of buying it in the future. No recent violations were seen. A plan of record will be sent to P. Tufts/J. Dickerson so that they will know where the wetlands are and where they can stockpile their materials.

Meeting adjourned at 7:55 PM.

Diane R. Drake, Secretary

Approved June 18, 2003