

TOWN OF HULL
CONSERVATION COMMISSION
Meeting Minutes
January 23, 2024

AGENDA

Members Present: Paul Paquin (PP), Chair, Lou Sorgi (LS), Danielle Dolan (DD) Sam Campbell (SC), Tammy Best (TB)

Members Absent: Katherine Jacintho (KJ)

Staff Present: Ian MacDonald (IM), Administrator, Chris Krahforst (CK), Director, Renee Kiley (RK), Clerk

Staff Absent: None

1. Call to Order
 - a. Review of Agenda, Overview of Hearings Procedure

2. Notices of Intent

- a. **29 N Street, Map 35/Lot 033 (SE35-1817) Opening** of a Public hearing on the **Notice of Intent** filed by **Nancy Kern** for work described as **Construct mud room area & extend existing porch**. Abutter Notification: *Proof Provided*. **Resource Areas: Coastal Dune** (storm damage protection and flood control, likely wildlife habitat); **Land Subject to Coastal Storm Flowage: FEMA** (storm damage and pollution prevention, flood control). **Site visits done: 1/23**
Representative: Nancy Kern
Abutters: None
Documents: Proposed Plan

Kern: The front section comes short on the right. We are squaring off the house and there will be a covered porch area.

Motion to issue orders of condition by LS 2nd by SC. Roll Call. LS-aye, PP-aye, SC-aye, TB-aye

- b. **420 Nantasket Ave., Map 19/Lot 001 (SE35-1819) Opening** of a Public hearing on the Notice of Intent filed by **Maurice Caparrotta** for work described as **After the fact installation of 4" PVC pipes, constructed gravel pit (Approx 3 yds³), water proof house foundation, and replace concrete steps**. Abutter Notification: **Proof Provided**. (**Resource Areas: Barrier Beach** (storm damage protection and flood control, likely wildlife habitat); **Land Subject to Coastal Storm Flowage: FEMA AE 10'** (storm damage and pollution prevention, flood control)). **Site visits done: 1/23**
Representative: Maurice Caparrotta
Abutters: none
Documents: proposed plan

Capparrotta: Dry wells are in place and drains are installed, down spouts are connected.

Commissioner: Did they already replace the concrete steps? Capparrotta: The stairs haven't been replaced yet. I stopped work once I heard from the conservation department to file the NOI.

Commissioner: And the basement waterproofing? Capp: It's almost completed; that was also stopped when I was contacted by conservation.

Motion to issue order of condition by LS 2nd by SC. Roll call TB-aye, SC-aye, LS-aye, PP-aye,

- c. **3 James Ave., Map 05/086 (SE35-1818) Opening** of a Public hearing on the Notice of Intent filed by Kerry Kipp for work described Construction of a revetment structure on a Coastal Bank **Resource Areas: Coastal Bank** (storm damage protection and flood control, likely wildlife habitat); Coastal Beach (storm damage protection and flood control, likely wildlife habitat) **Land Subject to Coastal Storm**

The listings of items are those reasonably anticipated by the Chair which may be discussed. Not all items listed may in fact be discussed and other items not listed may also be discussed to the extent permitted by law

Flowage: FEMA VE 18'(storm damage and pollution prevention, flood control).**Site visits done: 1/9**

Representative: Gabriel Padilla

Abutters: Phil Maloney, John Schindler

Documents: Proposed Plan

Padilla & Phil Maloney: At the previous hearing there was a concern of work being done on the neighbor's property. He is to the north and west. Commissioner: Does the right of way go to the end of the water? Malone: The right of way was designed to deliver coal to the house below. It is now a utility easement. Commissioner: The NOI only goes to the boundary line, tetchily, if there is a grant to use the land there is an interest in the land. He can't operate on the other person s land. Commissioner: You should be aware that there might be accelerated erosion on your property. Malone: I am aware of the possibility. Commissioner: To the east it stops, are the stairs 2-3 feet from the boundary? Padilla: Where the stairs end that is James Wharf. The concrete area won't be affected. Commissioner: Southern waves under the west side of the stairs. Another Commissioner: Has this been reviewed by a coastal engineer. Is this in the ACEC? IM There is a professional engineer stamp. It is not in an ACEC. Commissioner: I want the plan reviewed by a coastal engineer. Another Commissioner: The original narrative doesn't include an alternative analysis. An engineered structure is allowed, but part of the performance standard is that an alternatives analysis is required. Maloney: The tide has gotten higher over the last 5-10 years, king tides are up over the existing wall. There has been a lot of erosion during king storms. 2018 took 6 feet of the embankment away. I'm not aware of any vegetation removal. Commissioner: Tall grass planted but it doesn't stop the erosion. Schindler: Sent pictures of vegetation of the bank in good shape. Someone was trying to look at the property line. Line at the top, there is a square, line drops down. That is my property. Commissioner: The set of stairs run along the property line. Schindler: other surveys show differently. Schindler: How are they going to access the area without my permission? Commissioner: Where the set of stairs permitted? IM: They were previously permitted, therefore, the work that was conducted was in accordance with the maintenance and repairs of a permitted structure. Commissioner: The eastern side needs to be pulled back 10 feet because it will cause erosion. The commission is looking for a Professional coastal engineer to do provide alternative analysis like a soft structure, and report on the structure that is already built. We are looking to continue Padilla: We did our design analysis with the army corp. design standards for revetments. Is it a peer review? Commissioner: army corp. guidance for general permits is slightly different storm smart fact sheet that CZM & DEP provides.

Motion to continue by LS 2nd by SC Roll Call :SC-aye, TB-aye, DD-aye, LS-aye, PP-aye

- d. **23 & 28 Lewis Street (SE35-1812) Continuation** of a Public Hearing on the **Notice of Intent** filed by: **Steven Wolberg** for work described as: **After the fact excavation of a trench to install underground electrical utilities. Abutter Notification: proof provided. Resource Areas: Barrier Beach** (storm damage protection, flood control, wildlife habitat); **Land Subject to Coastal Storm Flowage: AE 15'**. (Storm damage, pollution prevention, flood control). **Site Visits Done: 11/26 Requested Continuance**

Motion to continue to 2/13 meeting by SC 2nd by LS Roll call: DD-aye, LS-aye, PP-aye, SC-aye, TB-aye

3. Old Business

- a. 547 Nantasket- COC has not been issued. An as built would be needed. Commissioner: They brought in more fill, stacked up against the fence, and the water flows into the neighbor's property. House changed owners, contactor built the house, what is the legal status of that? They may have a deal Commissioner: I suggest an enforcement letter. IM : I can start with a non compliance letter.
- b. Susan Short Green: After the fact continuation they should be held to a higher standard. Commissioner: They have to be held to the same standards. SSG : I hope that you bring an article to Town Meeting for after the fact the fees.
- c. Standard conditions have been sent to commissioners. Please review. Commissioner: Why are we reviewing them? Another Commissioner: So we know what is in them.

- d. Commissioner: Chapter 155 streets and sidewalks bylaw. CK: Street sidewalk bylaw, it would encourage infiltration.
 - e. Wetlands bylaws 3 going to town meeting. After the fact, cumulative effects, and required flood bylaw
 - f. 246 Nantasket Road-Order of Conditions was denied. A new notice of intent has to be filled.
 - g. Special meeting on 1/30/2024
4. 7:45pm motion to adjourn by LS 2nd by TB Roll call: DD-aye, LS-aye, PP-aye, TB-aye

ADDITIONAL NOTES FOR REMOTE MEETINGS

1. All or any of the members of the public body may choose to participate in a public meeting via remote access. Meetings may be virtual, in their entirety. All members who participate remotely must be clearly audible.
2. If due to special circumstances members of a Board are meeting in person, for everyone's safety, the public will not be allowed into a Board/Committee meeting, even where there are any members of the public body and/or town staff or official(s) physically present at the meeting location during the meeting. Remember also that Town Hall is closed to the general public.
3. However, the public will be provided with alternative access through which they can watch or listen to meetings "in real time," and meeting notices will specify the manner in which members of the public may access audio or video of the meeting as it is occurring.
4. If, despite our best efforts, our technological capabilities do not adequately support public access to virtual or remote meetings, the town will ensure that an audio or video recording, transcript, or other comprehensive record of the proceedings at the meeting is posted on the town's website as soon as possible after the meeting.
5. Notices for public hearings will contain additional information about how the public may participate via electronic/technological means.
6. For executive session meetings, public access to the meeting will be limited to the open session portion(s) of the meeting only. Public access to any audio, video, internet or web-based broadcast of the meeting will be discontinued when the public body enters executive session.
7. Where individuals have a right, or are required, to attend a public meeting or hearing, including executive session meetings, they will be provided with information about how to participate in the meeting/hearing remotely.
8. Meeting notices will still be posted at least 48 hours in advance (not counting Saturdays, Sundays, or legal holidays), unless it is an emergency meeting as defined under the Open Meeting Law. Minutes will still be taken.