

TOWN OF HULL
CONSERVATION COMMISSION
Meeting Minutes
October 10, 2023

AGENDA

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

Members Absent: None

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. **5 Arthur St. Map 1/Lot 21 (SE35-1802) *Opening*** of a Public Hearing on the **Notice of Intent** filed by **Rebecca Silverman** for work described as: **Elevate house, proposed addition, & rebuild deck. Abutter Notification: *proof provided*. Resource Areas: Land Subject to Coastal Storm Flowage: AE 10'.** (Storm damage, pollution prevention, flood control). **Site Visits Done: 10/3**
Representative: David Ray, John Boyd, Rebecca Silverman
Abutters/Public: none
Documents: Existing & Proposed, Foundation plan

Ray: The project involves elevating the house 2 feet, installing a FEMA compliant foundation, small addition, & deck. Installing flood vents, and adding stairs in front and rear. Commissioner: Is the basement staying? Boyd: It is a crawl space. Commissioner: Are there gutters? Boyd: No. Another Commissioner: Are you decreasing the lot coverage? Ray: We are increasing the living space. Commissioner: They are taking a bit of the existing house and incorporating it into the addition.

Motion to issue an order of conditions by LS 2nd by SC. Roll call: SC-aye, TB-aye, DD-aye, KJ-aye, LS-aye, PP-aye

- b. **122 North Truro St. Map 47/Lot 62 (SE35-1804) *Opening*** of a Public Hearing on the **Notice of Intent** filed by **Elizabeth Dorrance** for work described as: **Rebuild and expand existing rear deck. Abutter Notification: *proof provided*. Resource Areas: Land Subject to Coastal Storm Flowage: AE 10'.** (Storm damage, pollution prevention, flood control). **Site Visits Done: 10/3**
Representative: David Ray, Elizabeth Dorrance, John Boyd
Abutters/Public: none
Documents: Existing & proposed conditions,

Ray: This project went to the ZBA & was approved. We are taking a rear deck and making it bigger & safer to walk to the water. Everything is over rock ledge, it will be achored to ledge, there will be a ramp to the bottom with removable stairs, the deck is out of the flood zone. Commissioner: What will the stairs be made of? Ray: Pressure treated wood with composite decking. Another Commissioner : How will the stairs be attached & dettached? Boyd: A clip system, they are a seasonal stairway. & they will be aluminum. Commissioner: Are you removing any trees? Ray: Just the one right behind the house, the others will stay. Commissioner: Will the deck be on sono tubes? Boyd: No sono tubes, it will be pinned to the ledge.

Motion to issue an order of conditions by LS 2nd by SC. Roll call: TB-aye, DD-aye, KJ-aye, LS-aye, PP-aye, SC-aye

- c. **243 Nantasket Rd. Map 32/Lot 34 (SE35-1803) Opening** of a Public Hearing on the **Notice of Intent** filed by **Nancy & Norman Aborjaily** for work described as: **Replace concrete driveway with pavers, and rebuild concrete steps. Abutter Notification: proof provided. Resource Areas: Barrier Beach** (storm damage protection, flood control, wildlife habitat); **Land Subject to Coastal Storm Flowage: AE 10'**. (Storm damage, pollution prevention, flood control); **Adjacent to ACEC (Weir River) Site Visits Done: 10/3**
Representative: none
Abutters/Public: none
Documents: Proposed plan

IM: The applicant is repairing and replacing the concrete driveway. It is pitched toward the property. They are also proposing repairing the stone retaining wall. Concrete steps are currently removed and the pad is retained. Commissioner: Is a V zone where the stairs are? Are we allowing them to be replaced? Commissioner: The stairs have been removed. They are in chapter 91? CK: I don't know if these were permitted. They may need a chapter 91 license.

Motion to continue to 10/24 by LS 2nd by SC. Roll call: DD-aye, KJ-aye, LS-aye, PP-aye, SC-aye, TB-aye

- d. **69 Hampton Cir. Map 36/Lot 173 (SE35-1801) (Requested to Continue) Continuation** of a Public Hearing on the **Notice of Intent** filed by: **Lawrence Bartlett** for work described as **Replace steps, stone walls and concrete pad Abutter Notification: proof provided. Resource Areas: Barrier Beach** (storm damage protection, flood control, wildlife habitat); **Land Subject to Coastal Storm Flowage: AE 10'**. (Storm damage, pollution prevention, flood control). **Site Visits Done 9/05**
Representative: Jed Hanlon
Abutters/Public: none
Documents: Proposed Plan, wall section plan, photos of site

Hanlon: We are proposing work right along the coastal bank. The existing staircase is at the end of its life. We are proposing erosion control at the bottom, no work in chapter 91, the intent is to put in a 3 tiered terraces, each wall is under 4 feet. There are plantings proposed at each level using salt tolerant species. Wall section plan shown: At the bottom left, the existing patio, replacing with pervious pavers, to recharge runoff, ¾ inch stone with back fill, at the top erosion control blankets with loam and seed. This will most likely be a spring project. Commissioner: Are you proposing to take out the walls and vegetation then installing new walls and replanting? Another Commissioner: Are you going to be removing all the walls at the same time? Hanlon: One wall at a time, starting from the bottom. Commissioner: Is there going to be back fill, if so, how much will it be? Hanlon: There will be approximately six inches of loam on top, crushed stone at full depth height of the wall in the goal of providing a surface to percolate the water on the slope. Commissioner: All the growth will be removed. Hanlon: Yes. Commissioner: Is the bank stable enough, will it be hand work? Hanlon: It is all hand work due to the slope. Mini excavator at the top to remove the wall, curb at the top. Commissioner: And the integrity of the slope is stable enough to do the work? Hanlon: Yes. Commissioner: Will fill be brought in? Hanlon: The plan is to reuse as much as possible. There is going to be some cuts taken out; some material will be brought in. Commissioner: all cinder block will be removed? Hanlon: Yes. Commissioner: I'm concerned about removing all the vegetation. Hanlon: There is so much vegetation, until this is cleared out; it's hard to determine what is there. At the Pre construction meeting in the spring, we'll be able to more carefully view the vegetation. Another commissioner: Is the intent is to do this in sections? Hanlon: As we do the work from top to bottom we may have to revise the project if there is an issue. Commissioner: it seems like it doesn't need to be done all at once, the wall will stabilize the bank. How long will it take? Hanlon: I'm not sure of the duration of the project. I'm guessing 6-8 weeks. Another Commissioner: Any standard conditions to prevent erosion? Commissioner: We could create a special condition that says "soil exposed to erosion for more than 30 days, they would have to mat/blanket the bank." CK: This is a costal bank it is steep, how will it work with the neighboring properties? I would caution the commission to look at all the issues. What are the end effects? Commissioner: Isn't it already terraced? Commissioner: There is a cinder block wall 6-7 feet from the neighbors. I don't know if the wall up higher goes to the neighbor's property line. Another commissioner: I would like to see coastal engineering to show how

it will affect the neighbors. Hanlon: There is a leader line, at the top and weep holes in the walls to help with drainage. The key is the crushed stone; it meets the storm water requirements. I do appreciate the concern for the neighbors. We could do wing walls 5 feet from the property line. There is a degree of making it work with the abutter's property. CK: The project is not changing the grade, just replacing the walls. Hanlon: If you look at the topography, the contours are generally consistent. It is slightly more terraced. Commissioner: Commissioners are concerned that it could go bad. They want an engineer to look at the plans. Hanlon: civil engineers are coastal engineers. I'm going to suggest that we'll have to be onsite to look at the concerns. I think that the abutters should be involved. Commissioner: Not sure about the boundaries and the neighbor's property.

Motion to continue until 10/24 by LS 2nd by SC. Roll call: LS-aye, PP-aye, SC-aye, TB-aye, DD-aye, KJ-aye

- e. **51 Harborview Rd. Map 56/Lot 028 (SE35-1735) Continuation** of a Public Hearing on the **Notice of Intent** filed by **Thomas P. Fitzgerald** for work described as: **Complete slope stabilization project for a portion of the northerly slope. Abutter Notification: proof provided. Resource Areas: Coastal Bank:** (Storm damage prevention and flood control); **Coastal Dune** (storm damage protection and flood control, likely wildlife habitat); **Land Subject to Coastal Storm Flowage: FEMA VE 20'** (storm damage and pollution prevention, flood control). **Site visits done:** many times
Representative: Matthew Watsky, Tony Sousa
Abutters/Public: Bin Wang, Barry Fogel
Documents:

IM: process of peer review, CEC is working on preparing for the construction of the interim measure. Commissioner: We approved the interim project. Watsky: Although staff has been copied on all communications, they thought that it will be helpful to give a status update. Sousa: Series of conversations regarding the permanent solution, draft calculation package to GZA provided a draft soil cross section, by next week we will have a final calculation package. We also had a meeting to discuss the soil nail technology. It would be beneficial from engineering perspective, to extend the soil nails into the abutter's property. Bin discussed the additional concept with the town. Along with our technical narrative, we will also be including a concept design remediation to just 51 and additional to extension into 53. Watsky: We are aware under this NOI, that 51 Harborview's project is the only property applying for a permit. Bin's solution for the property could only happen if 53 would sign on to the NOI. Commissioner: When will we get the report? CK: When can you expect a final review? Bin Wang GZA: Once they have the final calculation package with the final design; and with an alternative concept we will wrap up the review. We expect it will be approximately 2 weeks. The alternative concept is just a concept, stopping at the property line looked odd from an engineering concept. We don't know if it is a preferred alternative. Fogel: When was the interim measure approved? I saw an amended enforcement order dated 10/02. Has the commission ratified the enforcement order? Have I missed some meeting that the commission approved the interim measure? CK: Mr. Fogel you did miss a meeting that it was approved. (CK misspoke; the interim measure was approved on 09/12/2023 per the minutes Mr. Fogel was in attendance) The minutes will be available on our website. Fogel: Was that before or after 10/02. I saw the document on the website. CK: It was after (misspoke see above notation) Fogel: When was the meeting? CK: I do not have that in front of me. All agendas are posted to the town calendar. Fogel: No notice was given to abutters. CK: No notice to abutters goes out for continuances. All meetings are posted publicly. Fogel: Mr. Stevens and I have requested notice of meeting and special meetings. Clearly, you have chosen not to extend that courtesy. I think that is interesting that Bin mentioned that it's a bit odd with the unfinished property lines; they proposed a laughable suggestion extending at 53 Harborview. In the meeting in May, the commission wanted an analysis of the history of the bank failure and alternatives analysis. I know that you said that you are following up on the additional scope. Commissioner: We are awaiting the GZA comments. Fogel: I hope that the commission goes back and reads the meeting minutes or watch the recording from May. I hope you will adhere to the commentary at the meeting. Another commissioner: I'm hoping that those things will be in the peer review. Fogel: You didn't include that in the scope. You deferred to asking for those. Commissioner: The interim project has not been started. IM: No work has started. Commissioner: CK: I believe that they are planning a start on 10/23.

Watsky: I suggest that you open the hearing at the next meeting regarding the enforcement order on SE35-1516

Motion to continue until 11/14 by LS 2nd by SC Roll call: LS-aye, PP-aye, SC-aye, TB-aye, DD-aye, KJ-aye

3. Certificate of Compliance

a. 143 Nantasket Rd (SE35-1697)

IM: New single family house built by Mitchell Construction. Commissioner: We found discrepancies. Commissioner: The driveway on the plan is not what was done, gutters to driveway, we can't let water go onto the road. Mitchell: At the prior hearing there was no request for dry wells. The driveway pitches from left to right to the drainage ditch not to the street. There is a stone trench on the side of house. I also created a dry well trench on the other side. Another commissioner: This house was approved prior to the town telling us that we can't displace water onto the street. We said that we wouldn't approve the gutters going forward. These were already approved. CK: If water is flowing into the street it can create an ice sheet. The town is saying that you can't discharge to the street. This is after that. If there is way that it poses that problem it will need to be addressed. I know that you wouldn't want to create the problem. I do see a catch basin in front of the property. Mitchell: The driveway does pitch toward the trench. It travels to the trench before the street. CK: I'm not seeing it be an ice sheet problem. Another commissioner: The driveway from the walkway to the line. To the left of that line is not paved. Mitchell: the opening shows different on the plan. Commissioner: Is everyone okay with annotating the plan. CK: There is a town bylaw that says that you can't discharge to the street. Commissioner: If we didn't permit the size of the driveway, I'm not okay with annotating the plan; I would want the pavement removed. Mitchell: The design makes more sense with moving cars. The opening appears smaller on the plan of record. CK: There is a question, is this a substantial change? There is stormwater flow designed to be captured in a French drain system that was extended to capture more water. Mitchell: Can we put something in there that if it causes a problem, I will fix it? Commissioner: I believe that annotating the plan is enough. Commissioner: Can we add a condition to the certificate of compliance? Another Commissioner: No, it would have to be the Order of Conditions.

b. 44 H St. (SE35-1754)

IM: Outdoor shower and paver patio.

Motion to issue a certificate of compliance by LS 2nd by DD. Roll call: PP-aye, SC-aye, TB-aye, DD-aye, KJ-aye, LS-aye

c. A St. Dune Ramp (SE35-1549)

Motion to issue a certificate of compliance by LS 2nd by DD. Roll call: SC-aye, TB-aye, DD-aye, KJ-aye, LS-aye, PP-aye

4. New Business

a. MassFM (10/23) & MACC Fall Conference (10/28)

CK: Mass flood plains managers certification process. MACC on 10/28 look at registration. Staff will register you if interested.

5. Minutes

a. Motion to approve Minutes for September 12, 2023 as amended, by LS 2nd by DD. Roll Call: TB-aye, PP-aye, LS-aye, KJ-aye, DD-aye, SC-aye

b. Motion to approve the minutes for September 26, 2023 as amended by LS 2nd by SC. Roll call: PP-aye, LS-aye, KJ-aye, DD-aye, TB-aye, SC-aye

CK: no discussion after the meeting.

6. Motion to Adjourn at 8:19 by LS 2nd by SC. Roll LS-aye, KJ-aye, DD-aye, TB-aye, SC-aye, PP-aye