

**TOWN OF HULL**  
**CONSERVATION COMMISSION**  
**Meeting Minutes**  
**September 12, 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:**

**1. Call to Order**

- a. Review of Agenda, Overview of Hearings Procedure

**2. Notices of Intent**

- a. **37 Q Street. Map 13/Lot 105 (SE35-1797) Opening** of a Public Hearing on the **Notice of Intent** filed by **Joanne & David Pearson** for work described as: **Installation of new footings for existing deck. Abutter Notification:** *proof provided*. **Resource Areas:** **Coastal Dune** (storm damage protection, flood control, wildlife habitat); **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:** 9/5  
Representatives: Joanne & David Pearson  
Abutters/Public: none  
Documents: Proposed Plan

Pearson: We are doing a renovation on the house. We have to redo the structure on the deck. No footings were ever installed.

Motion to issue orders of conditions by LS 2<sup>nd</sup> by SC. Roll call: LS-aye, PP-aye, SC-aye, TB-aye, DD-aye, KJ-aye

- b. **27 Westminster Road. Map 28/Lot 111 (SE35-1798) Opening** of a Public Hearing on the **Notice of Intent** filed by **Gerard Cooper** for work described as: **Remove existing deck, install 4 new footings. Remove & replace front walkway, and retaining wall. Install paver patio and walkway. 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: Gerard Cooper  
Abutters/Public: none  
Documents: Proposed Plan, Photos shown

Cooper: I'm doing a renovation on the home. In the rear, there is a small deck that is partially dismantled. I'm proposing to install 4 sono tubes, Installing gravel or pavers for a fire pit. I'd like to replace the pavers. Commissioner: What about the retaining wall? Cooper: It is 12-14 inches high, the wall is falling apart. I'd like to reinstall the wall. Commissioner: Can you please show the photos from the site? IM: Photo shown. Cooper: The brick stairway will be replaced with a wood composite decking.

Motion to issue orders of conditions by LS with the special condition that the plan be annotated before receiving an Order of Conditions 2<sup>nd</sup> by SC. Roll call: KJ-aye, DD-aye, TB-aye, SC-aye, PP-aye  
6:29pm PP recused himself.

- c. **41 Edgewater Road. Map 29/Lot 011 (SE35-1800) Opening** of a Public Hearing on the **Notice of Intent** filed by **Margaret Cadieux** for work described as **Replace existing seashell driveway with asphalt**. **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: Margaret Cadieux  
Abutters/Public: Paul Paquin  
Documents Proposed Plan, Photos shown

Cadieux: There is an existing shell driveway. I would like to replace it with asphalt. Commissioner: Can you please show the pictures. Commissioner: Is it going to be pitched toward the street? C: I'm not sure because of the berm. We're thinking of pitching it toward the back yard. Commissioner: How far is it from the bank or the shore? Cadieux: I'm not sure, but it leads down towards a sea wall. 12-15-20 feet. Paquin: Its probably 30-40 feet from the wall.

Motion to issue orders of conditions by SC 2<sup>nd</sup> by DD. Roll call: DD-aye, TB-aye, KJ-aye, SC-aye, LS-aye 6:53pm PP returns

- d. **50 Revere St. Map 26/Lot100 (SE35-1796) Opening** of a Public Hearing on the **Notice of Intent** filed by **Denise Fisher** for work described as **Install 24' of fencing in the rear of the property** **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: Denise Fisher  
Abutters/Public  
Documents: Proposed Plan

Fisher: There was a fence. When I had my survey done, I had to take the tree down and the neighbor's fence was on my property. The neighbor's fence was reinstalled on the neighbor's property. I would like to put my own fence up. Commissioner: Do you know where your property lines are? Fisher: Yes. Commissioner: What kind of fence? Fisher: metal post with wooden fence panels.

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

- e. **808 Nantasket Ave. Map 13/Lot 063 (SE35-1799) Opening** of a Public Hearing on the **Notice of Intent** filed by **Jim Wojciechowski** for work described as **Demolish existing structure and construct 4 family dwelling**. **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: Jim Wojciechowski  
Abutters/Public: John Struzziery  
Documents: Proposed & Existing Conditions

Wojciechowski: I currently have a non-compliant building that will be FEMA compliant. There will be 7 smart vents, in the front of the property there is a catch basin. Gutters are to be installed all around the building. Using existing foundation, coming up 4 four feet on the west side to be 10 feet above sea level. Commissioner: There may need to be a dry well or pipe at the southeast corner.

Wojciechowski: I can put a drywell in that corner or pitch a gutter. Struzziery: No drainage can be discharged onto the street. Commissioner: You'll need to have drywells. Wojciechowski: I don't have a problem with that.

Motion to issue an order of conditions by LS with the special condition that all debris be taken out of town, all water discharged will go into drywells not in the street or onto the neighbor's property, and the location of the drywells be noted on the plan, all drywells should be on the S St side of the

property 2<sup>nd</sup> by SC. Roll call-DD-aye, LS-aye, PP-aye, SC-aye, TB-aye (Commissioner KJ unavailable)

- f. **69 Hampton Cir. Map 36/Lot 173 (SE35-1801) Opening** 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: Lawrence Bartlett, Brendan St. John  
Abutters/Public:  
Documents: Proposed Plan

Bartlett: I have a wall that is falling down and steps that go down to the water. We would like to replace the stairs. IM: These stone block walls will be replaced as well as the concrete patio at the bottom of the staircase which will be replaced with pavers. Bartlett: The stairs will be granite. Commissioner: Landscaping? Bartlett: We want to have vegetation that is less maintenance. St. John: These stairs will be replaced with granite on either side there will be a wall on each side less than 4 feet high. There will be wing walls on each side [of the stairs]. There are 3 series of walls on either side of the steps. We're planning to remove the vegetation. Commissioner: Are you planning on removing all vegetation? St John: I'm not going to remove anything until the walls are done. Commissioner: The walls will go in and then it will be vegetated? Another Commissioner: Will there be any heavy equipment on the embankment? St. John: It will be done by hand. Commissioner: When the walls and vegetation get ripped out, we have a concern that the embankment might become destabilized. Commissioner: Do you have a landscape plan? It is the root system that stabilizes the earth. St. John: I have to build 3 walls. I have to dig down to put in the footings. Commissioner: What will the walls be made of? St. John: Stone and concrete. Commissioner: You're going to be removing the walls and stairs. St. John. The existing walls don't have footings right now. I have to put footings underneath the new walls. Commissioner: How close is the house from the top of the bank? St John about 25 feet. Commissioner: The patio at the bottom. St John: It is a concrete slab that is falling apart. We would like to remove it by hand and install pavers. Commissioner: Are you doing it in a phased approach? St. John. You have to do all the walls at the same time, all footings will be poured at the same time. There are 3 walls, including the top one. Another Commissioner: the patio is below the mean high water line, it will need coordination with Chapter 91. Bartlett: We will not touch the corners of the patio that are in chapter 91. Stephen Bartlett: The wall at the top has already failed and there is current erosion happening. Commissioner: Is the wall at the top being replaced? St. John: Yes. Commissioner: This documentation is insufficient for this amount of work proposed on a coastal bank. There is no structural plan and no landscaping plan. Commissioner: We need a stamped engineering plan and a landscape plan. Can we continue? Bartlett: Can we receive a list with what you are looking for? IM: Yes, the office will help you with what the commission is looking for. Bartlett: excellent, thank you.

Motion to continue to 09/26 by LS 2<sup>nd</sup> by SC. Roll call-Roll call TB-aye, DD-aye, KJ-aye, LS-aye, SC-aye

- g. **36 Ocean Ave. Map 3/Lot 47 (SE35-1782) Continuation** of a Public Hearing on the **Notice of Intent** filed by **James Russell** for work described as: **After the fact gravel Driveway. Abutter Notification:** *proof provided*. **Resource Areas:** **Barrier Beach** (storm damage protection, flood control, wildlife habitat); **Coastal Dune** (storm damage protection and flood control, likely wildlife habitat) **Land Subject to Coastal Storm Flowage: AE 10'**. (Storm damage, pollution prevention, flood control). **Buffer to Salt marsh. Site Visits Done:** many times  
Representative: James Russell  
Abutters/Public  
Documents: Proposed Plan

IM: The Russells would like to remove the gravel and restore the site. Krahforst: All the crushed blue stone? Krahforst: And return to grade with like fill? CK: Remove the blue stone and return the area to grade with approval by office staff. Russell: I asked if he needed something in writing. CK: We have

not always required a permit for restoration. IM: Can we add a special condition to ask for the plan to be relayed to the commission? Commissioner: The staff should not get involved. Commissioner: Do we have permission to continue. Russell: Yes.

Motion to continue conditions by LS 2<sup>nd</sup> by SC PP-aye, SC-aye, TB-aye, DD-aye, KJ-aye, LS-aye

- h. 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 Tony Sousa, Matt Watsky  
Abutters/Public: John Lenti, Barry Fogel, John Struzziery  
Documents Proposed plan, photos of site, Email between Tony Sousa & GZA

IM: We have received interim plans to address stormwater runoff to keep water off the failing coastal bank. Watsky: In addition to the plans and communication to GZA, we sent a technical report to GZA. The interim measures; Tony can walk you through the details. We spoke to DPW and he didn't rule out directing water to the street, he would rather have the water stay on the property. It will flow via pipe and discharge to a controlled area. GZA reviewed the plans and commented on them. Sousa: We are proposing to re-pitch the sub grade to the rear western corner of the patio. Everything will fall into a 10 inch catch basin that abuts the patio and a 30 inch catch basin and the outlet will go down the slope, earth anchors are to be installed with hand powered equipment. No heavy equipment on the bank. We have a few other items to help prevent erosion. An erosion control blanket to cover the exposed soil. Proposing to install an impermeable liner under the patio to protect the wall. GZA reviewed the plan and they had a few minor comments. Commissioner: This is different from the walk through. Sousa: At the bottom of the site there will be crushed stone. Commissioner the cross-section picture shows how it is graded down into a gully. Sousa: That detail on the plan is the outlet control. Commissioner: Will you erode the toe of the slope by having the outlet not all the way to the bottom? Sousa: We've flared that end section and it will absorb all the energy to not further erode the soil. Commissioner: It's still sand and soil. I think that you have to go down to the bottom. Watsky: We can accommodate that. CK: The engineers have designed this. Commissioner: Putting it further to the ocean gives it more chance to be damaged by wave action. Sousa: The reason the proposed flared end is up above the wave zone and we made sure that there is no vandalism with the area being open to the public. We plan to install the outlet far enough down the slope to minimize both items. The flared end section deposits to a collection bowl, with coarse material. GZA agreed with the hydro count calculations. Commissioner: What would be the procedure for the O&M plan? Sousa: We can provide those notes. Commissioner: The green fabric: will it absorb the water and drop off the edge? Sousa: that is a flat blanket, this is a true temporary measure. It's an erosion control blanket on the steep slope. On the 1 to 1 slope there are erosion rills. It will maintain control better at the bottom to help dissipate energy, and minimize additional erosion. Watsky: The commission is concerned that the blanket will cause a discharge on to the abutting property. Is there going to be more water reaching the area? Sousa: It is semi pervious. Lenti: How long will the blanket be there? Commissioner: This is not the final solution. The review process still needs to take place. We sent a calculation packet to GZA. I do not know. Lenti: Do we need maintenance on the permanent drainage system? Does it need to be maintained; will it clog? Commissioner: It is not the final solution. Souza: There is no additional runoff. Commissioner: We are looking at this as a temporary solution. If we need a maintenance plan, it will come back to the commission as part on the final plan. Souza: This is temporary, it may be part of the permanent solution. Watsky: This is a temporary measure that is necessary to prevent the erosion while the peer reviewer finishes with the review of the permanent solution. Fogel: I'm frustrated (?) that I didn't receive any material before the meeting. Can someone explain why it wasn't shared? CK: When we get material in it doesn't automatically go to anyone on an email list. I'm going to refer this to town counsel. I do not want this to become a debate. CK: The commissioners are receiving this information. Fogel: When was the

material received by the staff? CK: We were told that we would receive any material as it was received. The structure of piping, will that require a building permit? It is close to the property line. What form/documentation will this take? CK: this is part of the process; I think that it would be linked to the enforcement order. The commissioner agreed that the engineers could work together. GZA has reviewed the preliminary plan and the commission needs to review it. Fogel: What is the method of permitting for this project? Commissioner: I'm not approving anything tonight. We're going to ask town counsel. Fogel: The erosion blanket; so what will it be tied to? Sousa: There is a leader arrow at the hatches showing the location of the timber wall. There is a cross section detail. Fogel: What is the blanket covering? Sousa: There is very little vegetation where the blanket will go. What is implemented to prevent water under the blanket? Sousa: There will be staples that will nail it in every few inches. There will be less water and it will be re pitched away. The quantity & the velocity will be greatly reduced. This is not a permanent solution, it is a preventative measure. Fogel: Detail at the top. Sousa: it will be around the top of the perimeter. Commissioner: Can you please explain the very top piece. Sousa: There is a mini detail. There is an anchor trench at the top. Fogel: Can you show the detail of the FES, there will be infiltration, compacted sub grade, how will water infiltrate? Sousa: Most of the water will be stored in the void space. It will very slowly infiltrate, the soil is very compacted at the area. Over time there will be infiltration and there will be some small amounts of infiltration. Fogel: calculation for what? Sousa: 100-year storm. Fogel: Do you have the calculations? Sousa: It won't go over hydro count, there will be very little. Fogel: Those calculations have been given to GZA? CK: GZA has them. I haven't seen them in detail. The commission needs more time to review. Sousa: GZA has comments. CK: I understand that the commission may need more time. Photos shown. You can see the level of erosion. I think that they have shown how they will anchor the blanket. Fogel: There is a link on your website, I'm asking if these materials will be posted to the website. CK: Yes, it will be posted. Commissioner: I would like to see GZA's response. Email shown Sousa: They asked for additional info on western area of the patio. We are going to provide additional spot elevation lines. Watsky: That is a CAD issue that can be corrected. Sousa: GZA has a different 100-year storm design event in mind, so we will modify our hydro count calculations to reflect that. Revisions to show that roof run off will not enter the drainage system. We will include the locations of the roof drains. It drains into down spouts in the front. Given that the 10-inch pipe will be above grade slightly, we have to drop the invert elevation. Supported by bedding or geotextile, the soil at the site is granular. They want the outlet elevation. Do we know what the groundwater elevations are? Sousa: We did a boring at the site located on Tom's side yard. We got down to elevation 28 and did not see any ground water or seepage at the site. Pipe anchor detail will be included. CK: Is this plan sufficient to move forward with a special that they include GZA's comments? Struzziery: Our interest is the force main drain. This is a good interim measure. I would like to be able to speak to GZA & Tony. The erosion is becoming more severe. Commissioner: Do we think that we should have another interim meeting? Commissioner: What do you propose tonight? Struzziery: To allow the technical people to address the comments and the commission give direction to start this plan. Commissioner: I'd like the info shared and for town counsel to let us know what vehicle we should use. Another Commissioner: Should we have an additional interim meeting? CK: I think that this is in response to an enforcement order. I would like to review CMR 310 and consult with town counsel. My question to the commission is does this plan sound reasonable; do we want to consider to have a review meeting? Commissioner: We are in agreement. CK: Would you like to schedule a special meeting? Another Commissioner: Would the other commissioner be okay with approving the plan pending the changes from GZA and legal? Another Commissioner: I'm in favor.

Motion to approve the current plan with changes proposed from GZA & WWTF pending confirmation from legal on decision format (e.g., amended EO) by DD 2<sup>nd</sup> TB. Roll Call: LS-abstain, KJ-aye, DD-aye, PP-aye, SC-abstain, TB-aye

Motion to continue until 9/26 by LS 2<sup>nd</sup> by SC Roll PP-aye, SC-aye, Tb-aye, LS-aye, KJ-aye, DD-aye,

### 3. Request for Determination of Applicability

- a. **14 Gun Rock Ave Map 52/Lot 066 Opening** of a Public Hearing on the **Request for Determination** filed by **Anita & Alan Teig** for work described as: **Install parking area with breakaway doors**  
**Abutter Notification:** *proof not required*. **Resource Areas:** **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: Alan Tieg  
Abutters/Public: None  
Documents Proposed Plan, Photo shown

Teig: We would like to enclose an area underneath the house for 1 car. Commissioner: Is there anything in the OOC for the house about storage underneath? RK: The OOC did not restrict anything under the house. Commissioner: Did we understand which section? Commissioner: It was the southern section. Teig: Just to the left and right of the parked car. Commissioner: Nothing in front of the car toward the sea wall? Teig: There will be garage doors on both ends for flow through. Commissioner: How would you make it breakaway and not fall on the car? Teig: We'd like the idea of having both doors be flow through, and be able to remove the cars from the property in the case of a large storm approaching. Commissioner: The Issue with cement on the ground is that it will cause acceleration of water? Teig: We're planning on pavers. CK: This area putting pavers, a concrete pad might be better. Commissioner: The wall stops from mobilizing. Commissioner: This is now an AE. CK: This is tough because FEMA should be subjective to local knowledge.  
Motion for a negative determination with the special condition that permeable pavers be used by LS 2<sup>nd</sup> by SC. Roll call: DD-aye, TB-aye, SC-aye, PP-aye, LS-aye, KJ-aye

- b. **Pump House No 4, 13 Marginal Road Map 35/Lot 014 Opening** of a Public Hearing on the **Request for Determination** filed by **Town of Hull** for work described as: **Filling void caused by erosion. Abutter Notification: proof not required. 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**  
Representatives: John Struzziery  
Abutters/Public: None  
Documents Proposed plan, narrative

Commissioner: You are allowed to maintain. IM: They are proposing filling the voids with Shot crete during low tide. Commissioner: Has it been used in town before? Struzziery: We used it between A-D Street. It is high strength concrete, it will be recessed in and it's compacted, the top patio is stabilized. Struzziery: The tide is eroding in between the stones. Commissioner: It seems that the tide lands are getting sucked into the Weir River. Are the tide lands reseeding? Struzziery: I think that is sea level rise getting into the high levels.

Motion to issue a negative determination for Pump House #4 by LS 2<sup>nd</sup> by SC. Roll call: TB-aye, DD-aye, KJ-aye, LS-aye, PP-aye, SC-aye

#### 4. **Certificate of Compliance**

- a. 12 Crest Road. (SE35-1548) & (SE35-1595)  
Motion to issue a certificate of compliance for SE35-1548 no work was done by LS 2<sup>nd</sup> by SC roll PP-aye, SC-aye TB-aye, DD-aye, KJ-aye, LS-aye

Motion to issue a certificate of compliance for SE35-1595 no work was done by LS 2<sup>nd</sup> by SC roll PP-aye, SC-aye TB-aye, DD-aye, KJ-aye, LS-aye

- b. 49 Hampton Circle (SE35-1787)  
Motion to issue a certificate of compliance for LS 2<sup>nd</sup> SC KJ-aye, LS-aye, PP-aye, SC-aye TB-aye, DD-aye

#### 5. **New Business & Inquiries**

- a. New Language for Hull's Special Conditions IM: Include comment from town counsel. Property owner liable safe and legal responsible any comments is not an insurance, property owners consultants and contractors. Commissioner: Does it have to go to town meeting? CK: This is standard language that clarifies proof of burden. This doesn't require a town meeting in vote. Its under the commission's

purview.

Motion to add the special condition from town consul 2<sup>nd</sup> by SC Roll Call; DD-aye, LS-aye, KJ-aye, PP-aye, SC-aye, TB-aye

- b. Town Clerk Conflict of interest & Ethics. Please confirm that you have completed all forms.

**6. Minutes**

- a. Motion to approve Minutes for August 15, 2023 as amended by TB, LS, DD & LS 2<sup>nd</sup> by SC. Roll call: TB-aye, SC: LS-aye, PP-aye, SC-aye, KJ-aye, DD-aye

**7. Motion to Adjourn by LS 2<sup>nd</sup> by DD Roll Call: PP-aye, DD, LS, KJ TB-aye, SC-aye**