



HULL CONSERVATION COMMISSION

253 Atlantic Avenue, 2nd floor
Hull, MA 02045

Phone: 781-925-8102

Fax: 781-925-8509

TUESDAY, August 24, 2021

Held virtually via GoToMeeting

Members Present: Paul Paquin, Chair, Lou Sorgi, Tammy Best, Sam Campbell, Katherine Jacintho
Members Absent: Jen Stone
Staff Present: Chris Krahforst, Conservation Administrator
Staff Absent:
Minutes: Upon a **motion** by L. Sorgi **2nd** by S. Campbell, and the below roll-call **vote of 5-0**:
Best – aye; Campbell – aye; Jacintho – aye; Sorgi – aye; Paquin – aye;
It was **voted** to: Approve the Minutes of August 10, 2021 as amended.

6:00 Call to order

P. Paquin read aloud the charges of the Conservation Commission. The chair asked whether there were any hearings that an applicant requested to continue. Krahforst reported that 67 D St is wrongly placed on this agenda since the applicant requested and the Commission voted to continue 67 D St to Sept 14. In addition, the applicants' representatives for "75 Hampton Circle" and "**189 & 193 Nantasket Ave. & 0 George Washington Blvd**" **projects** both were seeking continuances to Sept. 14th.

6:05 Sam Campbell arrives

6:06 67 D St., Map 17/Lot 080 (SE35-1631) Continuation of a Public Hearing on the **Notice of Intent** filed by **Tom Maguire** for work described as **install 14'x14' shed; enlargement of existing concrete patio; stone walls and granite blocks.**

Applicant: Not present

Representatives:

Abutters/Others: No one spoke

Documents: None presented

Krahforst reminded the Commission that they had, at the previous meeting, already voted to continue this project to Sept. 14th. This project was erroneously placed on tonight's agenda. No action is needed and the Commission concurred.

6:10 34 Ocean Ave., Map 03/Lot 048 (SE35-1634) Opening of a Public Hearing on the **Notice of Intent** filed by **John Boyd** for work described as **proposed porch & Second Floor Addition.**

Applicant: J. Boyd

Representatives: D. Ray, Surveyor

Abutters/Others: no one spoke

Documents: Hand annotated "Existing and Proposed Conditions Plan, 6.18.09"; Photos of area during Commissioners' site visit. Basement plan dated 08/09/2021

D. Ray presented the project as described above. Essentially, this project is an existing house and will be a gut-renovation, add second floor, rebuild an existing set of stairs, and rebuild the front and rear porch, filling in the basement, and adding flood vents to become FEMA compliant with respect to flood mitigation. Boyd stated the project will be all within the existing footprint. All footing work inside the basement except for rear porch footings. The Chair asked why the project went before zoning board of appeals. D. Ray stated the house was an existing non-conformity and needed ZBA approval for the 2nd floor addition; which they received. A discussion ensued regarding the stair landing which is outside the property line and the access to the stairs would be through the neighboring property. D. Ray stated that all landings are on the property, the stairs lead to the neighboring property is an unconstructed private way as per indication by the Town's clerk. One Commissioner expressed concern that the bordering vegetated wetlands appears to be immediately adjacent to the proposed porch work in the rear. D. Ray explained that all work proposed was within the existing footprint. Another Commissioner stated that any work for the proposed project should be aware of the wetland location and no work should be done to impair or negatively impact that resource. One Commissioner asked what will happen with the windows in the foundation as they didn't seem to

be at the correct height above grade to serve as flood vents. J. Boyd stated these foundation windows will be blocked up and 10 new flood vents will be added to the foundation. Krahforst it is listed as a road on the assessors map labeled as Hull Road. D. Ray: Stated that Lori West said it was a private way and nothing will be built on it. Krahforst: asked whether the phragmites delineation was accurate on the plan of record and if that was an issue for the Commission. The Commission felt that delineation was not problematic. Another Commissioner asked about the apparent concrete and paver work outside the boundary of the property. The Commission felt this work is not proposed and existing and moot.

Upon a **motion** by L. Sorgi, **2nd** by S. Campbell and the below roll-call **vote of 5-0**:

Campbell – aye; Jacintho – aye; Sorgi – aye; Paquin – aye; Best – aye;

It was **voted** to:

Close the Public Hearing and have the Department **issue** an Order of Conditions.

6:25 Atlantic Ave Reconstruction, Maps 52-55 (SE35-1584) Opening of a Public Hearing to Amend the Order of Conditions filed by The Town of Hull for work described as road improvements for Atlantic Avenue.

Applicant: J. Stigliani, Town of Hull DPW

Representatives: J. Hall, A. Valcovic, J. Morgan - CHA Consultants

Abutters/Others: M. Struzusky

Documents: Hand annotated "Existing and Proposed Conditions Plan, 05.07.21", dated 07.28.21;

A, Valcovic presented the project and stated the project consists of pavement reconstruction, minor widening for bicycle and parking accommodations, new stormwater drainage system, utility pole relocation and sidewalk configuration, guardrail installation, new signage and pavement markings. The schedule for advertising for construction may be as soon as Sept 11, 2021. Coordination among agencies, abutters, and MA DOT has resulted in some design changes. The following permits were obtained: MEPA Certificate, ACOE 404 permit, DEP 401 Water quality certification, and anticipating soon a C.91 license from MA Waterways. Revisions to wetlands and saltmarsh impact and replication area are proposed based on discussions with DEP, ACOE and CZM through the MEPA process. Also added were additional storm water BMPs that include 5 combined catch basins and 5 tree box filters and a hydrodynamic separator unit that will improve the overall stormwater discharge quality to Straits Pond. In addition, the project proposes the elimination of Gun Rock Beach seawall repair which will be conducted under a separate project which is anticipated to begin this fall. J. Hall presented the changes to the wetlands replication scope. CZM determined this area to be a functioning dune/over wash fan area which results in a reduction of the scope for saltmarsh restoration because part of the resources in the area is a dune system. A Commissioner asked whether the Gun Rock Seawall project will be done under a separate and distinct NOI. Krahforst explained that a separate team will be submitting a new NOI for the Gun Rock seawall repair project which is about in the 50% design phase. The Town has received separate funding through a grant to do this work and this work shall be completed before the Atlantic Ave reconstruction will occur in the adjacent area. One Commissioner asked why this work was removed from the proposed project since it was already permitted. Krahforst responded by stating the seawall face and structural issues were never part of the Atlantic Ave reconstruction project and the repair is beyond the funding capacity for the Atlantic Ave Reconstruction project. The Town recognized the wall's stability needed to be addressed, and that this repair should be done before the proposed Atlantic Ave reconstruction work in the vicinity of the Gun Rock wall is to be conducted. Krahforst stated that an alternative analysis for the wall is being developed and will be presented to Commission through a separate NOI. One Commissioner suggested the amended OOC should be conditioned to ensure the Gun Rock wall repair be done before any Atlantic Ave reconstruction be done in that immediate area. Another Commissioner asked how this project will ensure whether the salt marsh replication will be established and successful. J. Hall pointed to last plan (#43) showing details of the restoration plan and detailed the design modifications for the restoration component of the project. J. Hall stated that an application of herbicides is needed to control/eradicate the phragmites and the procedure for this application will depend on the seasonal timing. Hall detailed the types of native vegetation that will be used to revegetate the area. One Commissioner asked what the goal for the Town of Hull was with getting rid of the invasive species. Hall stated that the removal of phragmites is needed in order to help ensure the success of replication using native, noninvasive plant species. Commissioner: You did not answer the question. What is the goal? Hall: If you're going to impact something the regulations require that you will restore with something better than what you have. One Commissioner asked for clarification where the area of replication is located and Hall provided clarity to its location. It is not a town designated parking area but it has become a natural local parking area. One Commissioner recalled that the parking area was under private ownership at a previous meeting. Valcovic stated that since the original OOC was issued the project team found this parking area to be town-owned. One Commissioner noted that historically the Town has been filling this area by manipulating over wash sediment into the area, this area was never permitted to be a parking lot, and wondered if this area was recognized as a parking area by the Town. Valcovic stated that neighboring property owners all agree that there is limited parking along Atlantic Ave. That is something we are trying to provide that most we can. We are restoring the gravel lot and pushing back the existing outfall. A good portion of this parking area will be restored with native species planting as part of the wetlands restoration effort of the project. A Commissioner asked if this area is being regraded. Hall stated that they would not be regrading as CZM was adamant about keeping the natural grade. J. Hall reviewed the planting plan detailing where planting will occur and the types of plants. The plan shows the elevations which reflect the actual grade of the area. Concerns were raised about what was to be done to ensure success of the revegetation/replication efforts. Hall stated that there is monitoring plan and course of

action to ensure vegetation/restoration success, all of which are detailed in the NOI. The timing of planting will be seasonally dependent and that will be articulated more completely when the contractor for the project is determined. One Commissioner asked about the scouring potential of the proposed design in the replication area. A Commissioner asked whether the hydrodynamic separator has an O&M plan and will the Town's DPW be responsible for maintaining this stormwater BMP which was confirmed by Hall. The Commissioners were concerned about historic over wash and sediment accumulation in the area and asked what is proposed to handle those occurrences. Valcovic stated that curbing, catch basins, and the relative low change in elevations between the road and the wetland area was an attempt to address the over wash material management and that regarding the road improvement Valcovic stated the project was not designed to implement improvements to reduce over wash. Planting of the shrubs will help control some of the trash. M. Struzusky was concerned about changes to the parking situation, but it became clear that the parking area of Struzusky's concern is located in a different area from the parking area of this discussion. That parking area is called Windsor Shores and there are not changes proposed to the Windsor Shores parking area. One Commissioner pointed out that this project does not include climate change in this overall design

Upon a **motion** by L. Sorgi, **2nd** by S. Campbell and the below roll-call **vote of 5-0**:

Jacintho – aye;
Sorgi – aye;
Paquin – aye;
Best – aye;
Campbell – aye;

It was **voted** to:

Close the Public Hearing and have the Department **issue** an amended Order of Conditions with the following new added condition:

It is the preference of the Commission that the proposed Gun Rock Beach Seawall project be completed in advance of the Atlantic Avenue Roadway Reconstruction project. The Applicant shall coordinate roadway construction activity in the vicinity of the Gun Rock Beach seawall (STA 25+50 to STA 27+00) with the Seawall construction. Final paving and landscaping on Atlantic Avenue shall not be performed at this location (STA 25+50 to STA 27+00) until seawall construction is complete. The roadway project shall be exempt from this condition if for any reason the Seawall project construction has not started by June 1, 2022 or been completed by December 31, 2022.

7:09 75 Hampton Cir., Map 36/Lot 176 (SE35-1625) Continuation of a Public Hearing on the **Notice of Intent** filed by **Edward Wiessmeyer** for work described as **construct new house, with decks, parking, and utility platforms.** **On 08/23, the applicant's representative requested a continuance to Sept. 14th at a time TBD.**

Applicant: Not present

Representatives:

Abutters/Others: None spoke

Documents: None presented

The applicant has requested a continuance to Sept. 14th.

Upon a **motion** by L. Sorgi, **2nd** by S. Campbell and a **vote** of 5-0

It was **voted** to:

Continue the hearing to Sept. 14th, 2021 at a time TBD.

Sorgi - aye
Paquin - aye
Best – aye
Campbell - aye
Jacintho - aye

7:11 189 & 193 Nantasket Ave. & 0 George Washington Blvd. Map 37, Lots 002-004 (SE35-1614) Continuation of a Public Hearing on the **Notice of Intent** filed by **Nantasket Dune Holdings, LLC** for work described as **demolish existing building and construct five-story building, after-the fact clearing of 0 George Washington Blvd., construction of parking lots; demolish golf course.** **On 08/23, the applicant's representative requested a continuance to Sept. 14th at a time TBD.**

Applicant: Not present

Representatives:

Abutters/Others: S. Green

Documents: No documents presented

S. Green asked what was being continued since the applicant stated that they had pulled the application from site plan review. Krahforst stated that part of this project has a landscape restoration component in response to an enforcement order which is still relevant. Krahforst reached out to the applicant's representative and informed them that this project should be continued because of the restoration component was proposed as a remedy to the existing enforcement order. S. Green asked if there would be a new NOI rather than a continuance of this NOI. Krahforst stated that the NOI has several components and that if it is a reduction to the proposed project and not an expansion the NOI remains viable for continuance. S. Green stated that this project and issues of non-compliance has been going on since June of 2020 and appreciated the Commission's effort to continue to inform the public and address these issues.

The applicant has requested a continuance to Sept. 14th.

Upon a **motion** by L. Sorgi, **2nd** by S. Campbell and a **vote** of 5-0

It was **voted** to:

Continue the hearing to Sept. 14th, 2021 at a time TBD.

Paquin - aye

Best - aye

Campbell - aye

Jacintho - aye

Sorgi - aye

7:15 165 Main St., Pump Sta #9, Map 01/Lot 001 (SE35-1633) Continuation of a Public Hearing on the Notice of Intent filed by Hull Sewer Dept. for work described as replace existing pump station with new.

Applicant: Town of Hull

Representatives: J. Struzziery

Abutters/Others: None spoke

Documents: None presented

J. Struzziery stated that nothing has changed and that this project was continued because a DEP number was not issued during the opening of this hearing on August 10. One Commissioner asked if there were any special conditions required for this project as identified in the August 10th opening of this hearing. Krahforst stated what the special conditions were and those are included below.

Upon a **motion** by L. Sorgi, **2nd** by S. Campbell and the below roll-call **vote of 5-0**:

Best - aye; Campbell - aye; Jacintho - aye; Sorgi - aye; Paquin - aye;

It was **voted** to:

Close the Public Hearing and have the Department **issue** an Order of Conditions with the following two special conditions:

1. When contractor for the project is selected, there will be a presentation to the Commission regarding work plan and how stormwater is managed in the proposed wet well.
2. This area may be important with respect to archeological artifacts. Any excavation shall be done with caution and if any archeological artifacts are discovered work shall be halted and the Department of Conservation and Recreation Archeology Program be contacted.

7:20 43 Edgewater Rd., Map 49/Lot 012. Opening of a Public Hearing on the Request for Determination of Applicability filed by Jeanne and Paul Paquin for work described replace existing fence.

Applicant: P. Paquin

Representatives:

Abutters/Others: None spoke

Documents: photo of after-the-fact installation of fence.

P. Paquin recused himself. L. Sorgi served as chair for this hearing.

P. Paquin presented the project as described above. Both fences will be replaced with a flow through fence.

- Upon a motion by S. Campbell, **2nd** K. Jacintho and a vote of 4-0; it was voted to: Close the Public Hearing and have the Department issue a Negative Determination of Applicability.
Jacintho - aye; S. Campbell; Best - aye Sorgi - aye

Certificate of Compliance Requests

29 Newport Rd (NE35-555) New As-built has been provided. Jed Hannon, surveyor, is representing this request. Home was built in 1993. There was an open order of conditions on the title. Everything was built to be compliant. The fence in the rear is on the neighbor's property.

Motion, Sorgi, **2nd** Campbell, following roll-call vote of 5-0; Campbell - aye Sorgi - aye; Jacintho - aye

Paquin – aye Best; – aye; to have the Department **issue** a Certificate of Compliance and not approving any structures that extend beyond the property boundaries.

0 & 78 Clifton Ave (SE35-1522) The Commission was concerned that the project was not built within the intent and specs of the proposed project. Krahforst shared various application materials that seemed to indicate this project was completed in a manner consistent with what was proposed. Much discussion ensued and the Commission requested that MA DEP review this project before the Commission renders their decision with respect to issuing a COC. The project engineer, J. Couture, was present and agreed to continue this matter to Sept. 14th. No action was taken.

161 Beach Ave (SE35-1204) The owner was present to entertain any questions regarding this request. The Commission was concerned about landscaping that prevents the dune's ability to migrate, which was one of the special conditions in the OOC. The applicant will provide material that shows that the landscaping was approved. The Commission and applicant agreed to continue this request to Sept. 14th. No action was taken.

5 Vernon Ave (SE35-1493). Commission noted that upon their site visit that there was sediment runoff, no appropriate erosion controls, and evidence of stormwater runoff to the abutting neighbor in the rear. No COC should be issued until this runoff and potential impact to the neighbors are addressed. The Commission took no action to allow for corrective measure and agreed to continue this request to Sept. 14th.

Continued and New Business

0 GW Blvd Landscape Plan. Krahforst reminded the Commission that this matter will be captured in the continuance of SE35-1614.

Potential CPA Project Krahforst showed a plan that looks to install a pedestrian accessway in the layout of Eastman Rd to undeveloped Town-owned land along the shores of Straits Pond. The Commission agreed to sponsor this project.

Violations and Compliance issues

113 Edgewater Rd Krahforst informed the Commission of non-permitted construction at this location. NOI for platform set of stairs, and 2nd platform, along the coastal bank. Building department issued a stop work order.

8:46 Upon a **motion** by L. Sorgi and **2nd** by S. Campbell and the below roll call **vote** of 5-0;

It was **voted** to: End the Open Session.

Paquin – aye

Campbell – aye

Jacintho – aye

Best – aye

Sorgi – aye