



MEETING NOTICE POSTING & AGENDA

TOWN OF HULL

Pursuant to MGL Chapter 30A, § 18-25 all Meeting Notices must be filed and time stamped in the Town Clerk's Office and posted at least **48 hours prior to the meeting** (excluding Saturdays, Sundays and Holidays). Please be mindful of the Town Clerk's business hours of operation and make the necessary arrangements to ensure this Notice is received and stamped in by the Town Clerk's Office and posted by at least **30 minutes** prior to the close of business on the day of filing.

TOWN CLERK'S STAMP

Board or Committee	Conservation Commission
Date & Time of Meeting	TUESDAY, September 27, 2022 at 6:30 P.M.
Meeting Remote Location	Remote Call-in meeting with Zoom: https://us06web.zoom.us/j/82013605230?pwd=SnBLc0dpWmt3NE1vV005RkRRUTNWZz09 Meeting ID: 820 1360 5230 Passcode: 491291 Dial-in number: +1 929 205 6099 or +1 301 715 8592
Requested By:	Chris Krahforst, Climate Adaptation and Conservation

This meeting is being held remotely by telephone as an alternate means of public access pursuant to an Order issued by the Governor of Massachusetts dated March 12, 2020 Suspending Certain Provisions of the Open Meeting Law. You are hereby advised that this meeting and all telephone communications during this meeting may be recorded by the Town of Hull in accordance with the Open Meeting Law.

Members Present: Paul Paquin (PP), Chair, Sam Campbell (SC), Lou Sorgi (LS) Katherine Jacintho (KJ)

Members Absent: Tammy Best (TB)

Staff Present: Chris Krahforst (CK), Conservation Administrator, Renee Kiley, Conservation Clerk

Staff Absent: none

Consideration of Minutes of 9/13/2022: Motion by LS to approve the minutes, 2nd by SC. Roll call: PP-aye, SC aye, LS-aye

AGENDA

6:30 Call to order
Review of Agenda, Meeting Procedure, and approved permit guidance
Minutes

1. Requests for Determination of Applicability

- a. **6:37pm Dune along A-L Streets. Continuation** of a Public Hearing on the **Request for Determination of Applicability** filed by the **Town of Hull** for work described as **invasive knotweed control in Nantasket Beach primary frontal dune along Beach Avenue. Notification:** RDA, none required. **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: AO (depth=2'), VE 15'** (storm damage and pollution prevention, flood control). **LiMWA Site visits not needed.**

Representatives: Chris Krahforst, Town of Hull

Abutters/Others: Susan Short Green, 71 B St

Documents: Map Shown, Letter from Natural Heritage Endangered Species Program (NHSEP)

Krahforst: NHSEP provided their review and listed a Time-of-Year restriction for any proposed work from April 1-August 31st. Green: Why is this an RDA verses an NOI? Commissioner: For this RDA, the applicant asking if the

proposed work will have any significant adverse effect on the resource areas. Commissioner: What will be done when (the knotweed) dies off? Krahforst: The contractor cuts the large stems at grade and drips in the herbicide. The cuttings are collected, bagged, and appropriately disposed of. After the fact of the treatment of the cavity with herbicides, the roots are weakened and, hopefully, the knotweed will die away. There may be a need for another application. The treated part of the root structure doesn't propagate. Another Commissioner: Will this take multiple applications? Krahforst: It may. Commissioner: Do we need a special condition for a monitoring report? Krahforst: The town is asking for a single application. We will come back to the Commission if the town needs repeat applications.

Motion for a negative determination by SC, 2nd by KJ. Roll call: SC-aye, KJ-aye, PP-aye

2. Notices of Intent

- a. **6:51pm 565 Nantasket Ave., Map 23/Lot 014 (SE35-1710) Continuation** of a Public Hearing on the **Notice of Intent** filed by **Ray Sarno** for work described as **add additional 10' of deck to existing deck. Notification:** proof provided. **Resource Areas: Coastal Beach** (storm damage protection, flood control, wildlife habitat), **Buffer to Coastal Bank** (storm damage protection, flood control, wildlife habitat). **Land Subject to Coastal Storm Flowage: AE 10. Site visits done: 9/12 & 9/13.**

Representatives: None
Abutters/Others: None
Documents: Proposed Plans

CK: This has been continued because there was no DEP Permit number issued at the time of the previous meeting.

Motion to issue an Order of Conditions by LS, 2nd by SC. Roll call: KJ-aye, LS-aye, PP-aye, SC-aye

- b. **6:53pm 20 Touraine Ave., Map 22/Lot 027 (SE35-1712) Opening** of a Public Hearing on the **Notice of Intent** filed by **Stacey Sutton** for work described as **after the fact asphalt driveway Notification:** proof provided. **Resource Areas: Coastal Beach** (storm damage protection, flood control, wildlife habitat), **Buffer to Coastal Bank** (storm damage protection, flood control, wildlife habitat). **Land Subject to Coastal Storm Flowage: AE 10. Site visits done: 09/26.**

Representatives: Stacey Sutton
Abutters/Others: Michelle Burke 12 Touraine
Documents: Proposed Plan

Sutton presents the project above: There was an existing gravel driveway which became very hard packed, and I thought that it was already an impervious area. Water would always collect at the end of the driveway. Commissioner: Do you have a survey? Sutton: I thought that I submitted a survey. Commissioner: The concern is if the driveway is completely on your property. CK: We did permit a fence for 12 Touraine, which is the abutting neighbor to this driveway area. Burke (abutter): The driveway has changed the pitch of the (stormwater) drainage. There is more water running into the drain and my property (because of this change in the driveway). Sutton: I haven't seen evidence of increased runoff. Commissioner: I suggest a continuation. Krahforst: I offer to meet with Ms. Sutton & Ms. Burke to discuss the situation. Commissioner: Are you okay with a continuation. Sutton: Yes

Motion to continue to 10/11/2022 by SC, 2nd by KJ. Roll call: PP-aye, SC-aye, KJ-aye. (No vote from LS-experiencing technical issues)

- c. **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 *amended to only include: construction of a parking lot. 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: FEMA AO Depth 3'** (storm damage and pollution prevention, flood control); **Ch. 91 Jurisdiction** (potential).

Representatives: Adam Brodsky, Chris B, Karlis Schulte, John Chesnee
Abutters/Others: Sandra Segal, Susan Short Green: 71 B St & Horizons
Documents: Proposed plans

Brodsky introduces as representative of project. Introduces engineer, Mr. Schulte. Schulte: We submitted materials for review before the last meeting. We did respond to all the comments (from the peer-review). We performed more research on site with John Chessia (peer-reviewer). We conducted a CCTV investigation for the site. The location of catch basin (CB) in question is shown. The CB is 130 ft. from the Bay. We were not able to

drive the robot into the pipe but the camera was able to reach near GW Blvd boundary. The CCTV showed the pipe to be clear. We also did a dye test. The basin drained freely. We weren't able to find the outfall location to the bay. The pipe within the pipe of the CB comes from a pump structure at the adjacent (Horizons) property which is part of a wet well system that goes through our site and onto the bay. The work we proposed will have new storm water quality treatment systems in excess of what is required under DEP storm water standards. We will reduce the runoff from the site. Chessia: I agree that the pipe does go under the parking lot, but the outfall has not been found. I think that the outfall needs to be found. The pipe (within the pipe) comes from Horizons. It drains out, but we don't know where. I'm not sure where or how they can figure out where the pipe is discharging. We don't want them to dig up GW Blvd. Commission: When they permitted the pump at Horizon's, wouldn't they have had to know where it was discharging to? Commission: Has the system from the condo been permitted? CK: Yes, the (Horizons project) has an extensive file. Commission: Their plans might have pointed to an outfall that we can review. All the pipes from the parking lot go to a big catch basin. In the catch basin, there is the pipe from the condo, and it goes to the bay? Chessia: The water from next door goes through the smaller pipe and it is in the bigger pipe. The small pipe is ~ 6 (inches in diameter) into a larger 10' (diameter pipe). Commission: Does the peer reviewer think that the outfall has to be found before the work is done? Chessia: Either before or as a special condition. I think that they may have to use more water (for dye testing), maybe in coordination with the condo's pumping station. Brodsky: We will need to mobilize some larger equipment and it would be easier while we were doing construction to do this search. By constructing the parking lot we are reducing peak flows that is discharging into the ACEC. Commission: Where is the current rainwater/stormwater going? Chessia: It is going to the bay. There are currently small catch basins that discharge to the ACEC. Commission: If we were to allow this project, would the stormwater discharge be worse or equal? Chessia: There is nothing that would add more to the contamination; the area is not clean. There is coal remnants (from the previous railroad), and other containments. They propose to add an infiltration system. However, parking cars on pavement will add contaminants to the runoff. Commission: The condo parking areas are paved and their runoff goes through this area. The paved area of the condos is much greater than the area in question. Commission: Where are the DCR drains? Chessia: There isn't a DCR drainage system. Commission: Are both older parking lots draining with less treatment? Chessia: I believe so. There weren't many stormwater treatment requirements in the early 90's (when the Horizons was built). They probably had only catch basins. Commissioner: If we were to issue an Order of Conditions, would you (Chessia) be prepared to help craft the special conditions? We would need to assess the SWPPP (stormwater pollution prevention plan) and approve the SWPPP prior to construction. Brodsky: the SWPPP is a Federal requirement and we have no problem submitting that before construction. However, the Commission may not have the authority to approve the SWPPP. Commission: We should have a copy of the SWPP and be able to review it. CK: There is are new Town stormwater regulations and Authority. This project will need a Land Disturbance permit, and the SWPPP review will be a part of that process. Sandra Segal: You are the Conservation Commission. You have to control the narrow strip (of land). The condos aren't up to date. It's (this project is) an additional assault to the area, additional hardtop that will run into the bay. I can't believe that it's a consideration. Why do they need 90 parking spaces? I urge you to turn this down. Susan Short Green, 71 B St & Horizons: Thank you of the Commission & the staff for all the work. As you know the areas have seen a lot of flooding. Adding more asphalt to the area causes concern. I want to make sure that it won't cause additional issues when there is flooding. It sounds like the filtration would need an O&M plan to ensure that it is working. The parking lots are an environmental hazard. Commission: We apply the rules and regulations of the WPA to the project. Is there a requirement for easements (for stormwater conveyances)? Would John Chessia like more time to propose special conditions for the order? Can this pipe outlet be found? There remain concern about water (runoff) from other areas. The applicant will submit an O&M plan for the system as proposed. CK: I think that this project is very close to being issued an Order of Conditions. Special conditions should include knowing where the outfall pipe is, but not to try to revisit a permitted project (e.g., Horizons) from the past. What remains is an accurate assessment of the outfall capacity which includes the discharge collected from the condos? Is this allowed under current stormwater regulations? The storm water system that is before you should be all that you are considering, not the Horizon stormwater discharge. Commission: I disagree with you; we should look over the plans for the condos stormwater plan. I agree that I want to know where it goes and that this system can support what is coming from the condos. Brodsky: We are connecting to an existing stormwater drainage system. Does the project meet the stormwater standards? We will incur the expenses to find the outfall. We will submit the SWPPP, address the outfall, and submit an O&M plan, but we are not agreeable to a continuation. Commission expressed concern that (stormwater) outlets can result in scour (of protected resources). Brodsky: There isn't any evidence of scour. Skulte: We propose no new discharge. We are reducing the runoff to the pipe. We are improving conditions. The Commission noted that legalities with using a system that moves stormwater through another property is unclear and deserves to be clarified for this project CK reminds Commission that there has been a call for a motion. Commission: Is the Notice of Intent signed by all owners? Do they have right to use it (discharge pipe)? That it outside of our purview.

Motion to issue an Order of Conditions by SC with the special conditions that the storm water pollution plan be submitted and an O&M be presented to the Commission; the location of the outfall be located; if the pipe is found to be in unsatisfactory condition it will be addressed; and that if the pipe cause erosion or scour to the waters of the Commonwealth that the applicant work to find a solution before construction starts; and that prior to major storm events vehicles be removed from the location: 2nd by KJ. Roll call: LS-aye, PP-nay, SC-aye, KJ-aye

- d. **8:30p Green Hill Playground (near 206 Atlantic Ave), Map 51, Lot 030. (SE35-1714) Opening** of a Public Hearing on the **Notice of Intent** filed by **Town of Hull** for work described as **improvements to existing playground Notification**: proof provided. **Resource Areas: Coastal Beach** (storm damage protection, flood control, wildlife habitat), **Land Subject to Coastal Storm Flowage: AE 10., Potential Chapter 91 Jurisdiction.** **Site visits done:** 09/26.

Representatives: Chris Dilorio, David McKinley, Laura Krauss, Elyse Trip

Abutters/Others: Greg Gray, Marie Lailer

Documents: Proposed Plan, grading plan,

Dilorio: The Town is moving the Green Hill Playground (GHP) project forward to permitting. (The GHP) is in poor condition and needs to be rehabbed. We have had community meetings to get public input. McKinley describes the poor state of the existing GHP of which was noted: non ADA-compliant swing sets and jungle gym; cracked basketball court, and other issues associated with runoff from adjacent Atlantic Ave and on-site drainage. The project proposes to improve drainage with added catch basins and pea stone trench to improve drainage; regrade the basketball court; install play structures and picnic table on poured-in-place rubber surfaces, and engineered wood engineered fiber safety surface resulting in new impervious areas to the site; proposed handicap parking, bike racks, and a walkway around the play area. Also included in the project is landscaping with "pocket plantings, trees and benches to add to the current sparse vegetation of the site. The grading plan is shown and discussion of the proposed retention area in the property's lowest elevations to prevent water from traveling to the neighboring areas. Tripp notes the project is located within the 100 ft. buffer of Straits Pond (ACEC), notes the project's improvement for stormwater retention. Note new proposed plantings might not be typical dune plantings since the current state of the area would not support typical dune plantings. Notes, for c.91 jurisdictional issues that they have reached out to MADEP (Waterways) seeking a minor modification to the area ruling; Notes that no c.91 license has yet been discovered. The Commission asked why the proposed asphalt walkway ends at one point and transitions to stone dust. Dilorio: We needed to meet project cost. Commission: Why evergreen trees and not shade trees? Trip: We propose salt-tolerant species area; all native: juniper, bayberry, yellowwood, because of the nature of this area. Commission suggested considering planting trees with peak mature heights that only reach 30-35 ft. high maximum for coastal wind considerations. The Commission discussed with the applicant the status of the portion of the town-owned property beyond the proposed fence, the nature of the building that is currently there. Dilorio stated Building Dept. and Town Counsel are looking into the nature of the building there. This project only seeks to replace an existing, in poor condition fence. The property using the access (SE corner) may have an existing easement based on the Atlantic Ave Reconstruction project. The Commission review the parking aspects and access which were designed to maximize traffic/parking control and safety (i.e., 90° turn when you enter through the gate) The Commission returned to discussing the tree planting aspect of the project and shallow ground water dictate which trees would be successful. More trees will be added than are already there. Commission asked about a bathroom facility. Gray indicated that this issue has been a long topic of discussion with Park & Rec in the planning of upgrades to all town playgrounds. Lailer: There isn't a sidewalk. Dilorio: I think that the Atlantic Ave plans have a sidewalk on that side. Lailer: Is the basketball full size? Dilorio: It is full size but we reduced the amount of asphalt. Lailer: The fence has been there for 40 years. Is there a law about crossing over for 40 years (re; adverse possession). Commissioner: It doesn't apply to municipal property.

Motion to issue an Order of Conditions by SC, 2nd by KJ. Roll call: PP-aye, SC-aye, KJ-aye, LS-aye

- e. **8:56 13 Clifton Ave., Map 31/Lot 070 (SE35-1711) Opening** of a Public Hearing on the **Notice of Intent** filed by **Kathleen McCarthy** for work described as **elevate 2 Story House 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: VE 13 & X. LiMWA & Chapter 91. Site visits done:** 09/26.

Representatives: David Ray

Abutters/Others: None

Documents: Submitted plot plan, foundation plan

D. Ray presents the above project: propose to raise a current home on FEMA compliant, 4 ft. of freeboard, open pier foundation. CK notes that part of the structure may be in c.91 jurisdiction.

Motion to issue an Order of Conditions by SC with a special condition that the applicant contact DEP to see if a Chapter 91 and receive one if needed, 2nd by KJ. Roll call: SC-aye, KJ-aye, LS-aye, PP-aye.

- f. **29 Edgewater Rd., Map 29/Lot 005 (SE35-1708) Opening** of a Public Hearing on the **Notice of Intent** filed by **Pete Vanderweil** for work described as: **Expand existing driveway, replace existing front porches with**

addition 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. Site visits done:** 09/26.

Representatives: Pete Vanderweil

Abutters/Others: None

Documents: Proposed Plan

P. Vanderweil presents the above project: propose to expand existing crushed stone parking area by adding 4 ft. of width; propose to enclose existing porches and convert into interior space. Commission: What will be the driveway? Vanderweil explains that during a lot of flash flooding events a lot of water entering into the yard. Currently there is a cape cod berm (along the street) and a storm drain in the street one house over. Proposes an impervious driveway graded such that runoff drains towards the storm drain. Commissioner: I would need to see the plan; forcing water towards the neighboring property could cause damage. The Commission noted that there are no engineering plans for the wall and that the building department may also require these. Vanderweil: I am working with a vendor that will provide structural engineering. Commission noted that the edge of the property has to be graded to not have the water access the neighboring property. Vanderweil: The fill from the basement would be used for the fill. Commission: Did you provide the foundation plan? Vanderweil: I have them and can submit. Commission asked if the applicant would consider a continuation. Vanderweil: I'm not sure that I'm going to go with the current vendor. I would prefer for (this project) be approved with the condition that the plans for the wall are submitted before construction. CK noted that the Commission has traditionally required stamped engineered plans for proposed structural elements on a coastal bank. Vanderweil: I'm happy to continue and to submit the (wall) foundation plans.

Motion to continue to 10/25 by KJ, 2nd by SC. Roll call: KJ-aye, LS-aye, PP-aye, SC-aye

- g. **9:19pm 102 Samoset Ave., Map 23/Lot 110 (SE35-1718) Opening** of a Public Hearing on the **Notice of Intent** filed by **Melissa Miller** for work described as: **After the fact installation of a pool Notification:** proof not 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. Site visits done:** 09/26.

Representatives: Melissa Miller

Abutters/Others: Eric & Lisa Whitman

Documents: Plot Plan, Pool Plan

M. Miller presented the above project: The 12'x24' ft. area where the pool is placed on 3 ft. depth of sand below. Commission asked for assurance that the pool is on the applicant's property. Miller stated that the fence has been there for a long time. Commission noted that they did a site visit a while ago and not recently. CK noted that this has been a long running violation (installed w/o permit) and that the pool appears to be placed in the area of the property owner. Miller pointed to Pool Plan B which notes the distances from the installed pool to the house and to the railroad bed. The Commission noted that the documentation is lacking but the project meets (WPA) performance standards.

Motion to issue an Order of Conditions by SC, 2nd by KJ. Roll call: LS-aye, PP-aye, SC-aye, KJ-aye

- h. **9:28p 103 Newport Rd., Map 26/Lot 117 (SE35-1719) Opening** of a Public Hearing on the **Notice of Intent** filed by **Clint Sheufelt** for work described as: **Construct 1 Story sun room on existing deck. Notification:** proof *not* 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. Site visits done:** 09/26.

Representatives: Sherry Reynolds

Abutters/Others:

Documents:

Because proof of mailing was lacking: **Motion** to continue to 10/11 by SC, 2nd by JC. Roll call: PP-aye, SC-aye, KJ-aye, LS-aye

- i. **9:37p 65 C St., Map 17/Lot 070 (SE35-1721) Opening** of a Public Hearing on the **Notice of Intent** filed by **Cameron Hill** for work described as: **Remove deck and new 24'x24' addition. 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: AO 2. Site visits done:** 09/26.

Representatives: Kyle Marter, Cameron Hill

Abutters/Others: none
Documents: Proposed plan

K. Marter presents the above the project: proposes a rear 30.3' x14' addition and deck attached. Flood vents will be added to the foundation. The project results in a 360 ft² increase to existing footprint.

Motion to issue an Order of Conditions by SC, 2nd by KJ. Roll call: SC-aye, KJ-aye, LS-aye, PP-aye.

- j. **9:42pm 133 Hampton Circle, Map 36/Lot 046 (SE35-1713) Opening** of a Public Hearing on the **Notice of Intent** filed by **Wulff Piotraschke** for work described as: **Demolish existing house and construct new 3-story single family residence. 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. Site visits done:** 09/26.

Representatives: **Wulff Piotraschke**

Abutters/Others: None

Documents: Proposed Plan, Foundation Plan

W. Piotraschke presents the above project: proposes to demolish existing home and build a new home with similar footprint as existing but shifting home a little to the east and north to improve setbacks from the western lot line and Hampton Circle and also extend into existing setbacks by adding a new rear deck; proposes to make the home FEMA-compliant with foundation flood vents; proposes permeable paver path from street to porch; some minor grading to improve (stormwater) drainage to the east side. The Commission asked about parking and Piotraschke stated that the project does not propose any parking.

Motion to issue an Order of Conditions by SC, with the special conditions that the pavers stay permeable in perpetuity 2nd by KJ. Roll call: KJ-aye, LS-aye, PP-aye, SC-aye

- k. **9:48p 83 Warfield Ave., Map 24/Lot 079 (SE35-1720) Opening** of a Public Hearing on the **Notice of Intent** filed by **MAL Construction** for work described as: **construct new 3-story single family residence. 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. Site visits done:** 09/26.

Representatives: Greg Grey Jr.

Abutters/Others: None

Documents: Proposed Plan, Proposed foundation plan, Elevations

G. Grey Jr. presents above project: proposes building a new home on a FEMA-compliant foundation and an associated permeable paver driveway.

Motion to issue an Order of Conditions with the special condition that permeable in perpetuity by SC, 2nd by KJ. Roll call: LS-aye, PP-aye, SC-aye, KJ-aye

- l. **9:52pm 18 Fair St., Map 28/Lot 064 (SE35-1717) Opening** of a Public Hearing on the **Notice of Intent** filed by **Greg & Cheryl Gray** for work described as: **Construct 20' X 22' addition. 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. Site visits done:** 09/26.

Representatives: Greg Gray

Abutters/Others: None

Documents: Existing & Proposed Conditions

G. Gray: proposes a 20'x20' addition on footings and an associated deck; notes stairs are incorrectly represented in the proposed plan.

Motion to issue an Order of Conditions by SC with the special condition that the applicant will provide revised plans with the stairs in the northeast and with the proper dimensions for the addition, 2nd by KJ. Roll call: PP-aye, SC-aye, KJ-aye, LS-aye

- m. **9:56pm 90, 90A, 90B Manomet Ave., Map 23/Lots 133, 134, & 135 (SE35-1716) Opening** of a Public Hearing on the **Notice of Intent** filed by **Michelle Leary** for work described as: **Install a 36'x40' gravel driveway. 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. Site visits done:** 09/26.

Representatives: Michelle Leary
Abutters/Others: None
Documents: Proposed Plan

CK informs that the original presentation of this project to the Commission was by an RDA. The Commission issued a negative determination and required an NOI. Leary presented the above project and stated the project was to create off street parking; proposes a gravel driveway as shown on the plan; will require removing grass and concrete and obtaining necessary curb cuts.

Motion to issue an Order of Conditions by SC with the special condition with the gravel driveway is maintained as gravel or another permeable surface 2nd by KJ. Roll call: SC-aye, KJ-aye, LS-aye, PP-aye.

- n. **10:02pm 39 R St., Map 28/Lot 064 (SE35-1715) Opening** of a Public Hearing on the **Notice of Intent** filed by **John & Laura Struzziery** for work described as **Raze and rebuild single-family home**. **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: AO 2. Site visits done:** 09/26.

Representatives: Caroline Rees, Laura Struzziery
Abutters/Others: Allan Devatos 37 R Street
Documents: Proposed Plan

C. Rees presents the above project: proposes to raze existing home and rebuild a single family home on a FEMA-complaint foundation on 21 piers; requires removing existing building, garage, and hardscapes. Proposed area of utility platform would be at a minimum height of 16 ft. (elevation). Devatos: Neighbors (applicants) engaged us and made small changes to satisfy us. The Commission noted that the area is in an AO zone and, if the project proposes a fence, the fence will need to be flow through. Rees stated that there is an existing stockade fence. Commissioner: We can either not permit a new fence or permit one that is consistent with past decisions on fence installation in an AO Zone (50% flow through, lowest horizontal member is 6" above grade). Struzziery: We would be happy to comply with the AO fence

Motion to issue an Order of Conditions by SC with the special condition that the fence allows it to be AO compliant which is 50% flow through with 6" clearance at the bottom, and the proposed raised beds be raised no higher than 6" above grade, 2nd by KJ. Roll call: KJ-aye, LS-aye, PP-aye, SC-aye

3. Certificate of Compliance Requests

4. Continued and New Business

The Chair asked the members of the Commission if anyone would like to chair the Commission (an annual tradition) and also noted that the Commission still has 2 open seats. The Commission also asked the administrator for an update on at 9 Manomet Ave which extended activity beyond what was permitted: pea stone and hardscaping beyond property boundaries and on town property (RR Bed). The Commission noted that historically, alteration of the RR Bed was permitted. This overstep involved the removal of vegetation. CK noted the area was vegetated with dune grass and was a functioning dune. Commission: We should be firm that we don't want vegetation removed from town property. CK: Is the Commission asking for the area to be restored?

Motion to have the applicant file an NOI to remove the pavers and pea stone driveway and to restore the area to the condition that it was in before the construction and encroachment. 2nd KJ. LS-aye, PP-aye, SC-aye, KJ-aye

Commissioner: Please renew your status with the Town Clerk and take the required Open Meeting Law and classes. CK: Sorgi, Best, and Sorgi need to.

Commissioner: Should the town be applicants on any new Certificate of Compliance. When we see unpermitted activities we withhold the certificate.

5. Violations and Compliance issues

10:28 **Motion** to adjourn by SC 2nd by KJ PP-aye, Sc-aye, KJ-aye, LS –aye,