



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, Sept. 13, 2022 at 7:30 P.M.
Meeting Remote Location	Remote Call-in meeting with Zoom: https://us06web.zoom.us/j/81491700865?pwd=SWWh6OGQzbnN3ZTk4SHZVT2EvRVQwUT09 Meeting ID: 814 9170 0865 Passcode: 157047 Or Dial: +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, Tammy Best (TB), Sam Campbell (SC), Lou Sorgi (LS) Katherine Jacintho

Members Absent:

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

Staff Absent: none

Consideration of Minutes of 7/26/2022: Motion by LS to approve the minutes as amended, 2nd by SC. Roll call: KJ-aye, LS-aye, PP-aye, TB-aye.

Consideration of Minutes of 8/16/2022: Motion by LS to approve the minutes as amended, 2nd by SC. LS-aye PP-aye TB-aye SC-aye KJ-aye.

AGENDA

7:30 Call to order

Review of Agenda, Meeting Procedure, and approved permit guidance
Minutes

1. Administrative Reviews

- a. **38 Gun Rock Ave. Map 52/Lot 008.** Opening of a Public Hearing on the Request for **Administrative Review** by Lou Sorgi for work described as **repair and maintain seawall face. 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**

Representatives: Lou Sorgi
Abutters/Others: None
Documents: Proposed wall plan

7:36 LS recused himself.

Sorgi: proposes maintenance of cracks in skim coat on seawall. Commissioner recognizes that maintaining their permitted projects as allowed. Krahforst: Confirming that it is the vertical wall facing the ocean. Sorgi: correct.

No other action needed

7:40 LS returned

2. **Requests for Determination of Applicability**

- a. **23 T St., Map 13/Lot 013. Opening** of a Public Hearing on the **Request for Determination of Applicability** filed by **Steven Greenberg** for work described as **convert existing porch to staircase, install new footing**. **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')** (storm damage and pollution prevention, flood control). **Site visits:** 09/12 & 09/13.

Representatives: Steven Greenberg

Abutters/Others: None

Documents: Proposed Plan

Greenberg: Existing stairway in house is difficult to maneuver; proposing to take a part of the deck and turn it into an interior staircase. A 4 foot footing will need to be installed.

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

- b. **20 F St., Map 16/Lot 093. Opening** of a Public Hearing on the **Request for Determination of Applicability** filed by **Catherine Garabedian** for work described as **lay 50' utility conduit** at. **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: AE 10,** (storm damage and pollution prevention, flood control). **Site visits:** 09/12&9/13.

Representatives: Catherine Garabedian

Abutters/Others: None

Documents: Proposed Plan

Garabedian: Shed was in place when home was purchased. Commissioner: No problem with shed as long as it is in the property boundaries.

Motion for a negative determination by LS with the special condition that it is for the shed and the 50' utility conduit, 2nd by SC. Roll call: TB-aye, SC-aye, KJ-aye, LS-aye, PP-aye.

- c. **791 Nantasket Ave., Map 13/Lot 147. Opening** of a Public Hearing on the **Request for Determination of Applicability** filed by **Kenneth R. Morgan** for work described as **Install pre-fab shed 10'X24** at. **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: AE 10'** (storm damage and pollution prevention, flood control). **Site visits:** 09/12 & 9/13.

Representatives: Kenneth Morgan

Abutters/Others: None

Documents: Existing and Proposed site plan

Morgan: Hand annotated plan shows proposed shed location to be well off the plot line, about 10 feet & 6 feet off of P St. Shed will be put on top of gravel 6-12' deep and on 4x4 pieces of wood.

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

- d. **90 Manomet Ave., Map 23/Lot 135. Opening** of a Public Hearing on the **Request for Determination of Applicability** filed by **Michelle Leary** for work described as **Install Driveway** at. **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: AE 10'** (storm damage and pollution prevention, flood control). **Site visits:** 09/12 & 9/13.

Representatives: Michelle Leary

Abutters/Others: None

Documents: Proposed site plan

Leary describes project above: 90 Manomet is Lot 1 shown on the plan. The horseshoe diagram in the middle shown on the plan is proposed parking. Propose to remove concrete and add a gravel driveway 36'x38' which will benefit all 3 properties (90A and 90B Manomet). Commissioner: The applicant only is in control of part of the proposed area of work. Commissioner: The plan is inadequate and requires more information (location of

buildings, lot numbers, addresses, etc.) and should require an NOI. There is also may not be code (re: size) for parking areas. Leary: I was told that the spaces need to be 9'feet wide. Commissioner: Gravel may not be the best choice.

Motion to issue a positive determination by LS, 2nd by SC. Roll call: KJ-aye, LS-aye, TB-aye, PP-aye, SC-aye.

- e. **169 Beach Ave., Map 19/Lot 050. Opening** of a Public Hearing on the **Request for Determination of Applicability** filed by **John Ferrara** for work described as **Remodel driveway, cobblestone apron** at. **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: AE 12'** (storm damage and pollution prevention, flood control). **Site visits** 09/12 & 9/13.

Representatives: Kate Ferrara

Abutters/Others: None

Documents Proposed Plan

Ferrara: Installing a pervious driveway 3 feet from neighbors.

Motion to issue a negative determination with a special condition that the pavers stay permeable in perpetuity and 3 feet away from the lot line by LS, 2nd by SC. Roll call: LS-aye, PP-aye, TB-aye, SC-aye, KJ-aye.

- f. **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 None:

Abutters/Others: None

Documents: None

Motion for a continuation by LS for 2 weeks, 2nd by SC. Roll call: PP-aye, TB-aye, SC-aye, KJ-aye, LS-aye.

3. Notices of Intent

- a. **47 F St., Map 13/Lot 015 (SE35-1702) Continuation** of a Public Hearing on the **Notice of Intent** filed by **Brian Hernon** for work described as **add 5' to existing side porch and build 16'x12' deck in rear of home. 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: 7/24.**

Representatives: Brian Hernon

Abutters/Others: None

Documents Proposed site plan

Hernon presents the above project: proposes to extend existing porch by 5 feet and install footings to carry a deck on top. Commissioner: Are you installing a FEMA compliant foundation? Hernon: yes

Motion to issue an Order of Conditions by LS with the special condition that the foundation be FEMA compliant, 2nd by SC. Roll call: TB-aye, SC-aye, KJ-aye, LS-aye, PP-aye.

- b. **50 Revere St., Map 26/Lot 100 (SE35-1706) Opening** of a Public Hearing on the **Notice of Intent** filed by **Lawrence Trubia** for work described as **Install 3 new decks 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:** 09/12 & 09/13.

Representatives: Denise Fisher, Lawrence Trubia

Abutters/Others: None

Documents: Proposed plan, proposed deck plan

Trubia presents above project: proposes 3 decks (58'x8', 28' x1', and 11'x21') on sono tubes. Commissioner: Will there be stairs as well? Are the decks different heights? Trubia: The decks on the side will be higher than the Revere St. side. Commissioner: Will the shed be removed? Trubia: Yes.

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

- c. **737 Nantasket Ave., Map 19/Lot 40 (SE35-1707) Opening** of a Public Hearing on the **Notice of Intent** filed by **Julia Heavern** for work described as **add a 6'x5' deck and stairs to rear of home** **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:** 09/12 & 09/13.

Representatives: Julia Heavern
Abutters/Others: None
Documents Proposed plan

Heavern presents above project: Doing a remodeling project; need to add a door, stairs and 6'x5' landing.

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

- d. **175 Manomet Ave., Map 15/Lot 26 (SE35-170) Opening** of a Public Hearing on the **Notice of Intent** filed by **Carol Cusack** work described as **2.8' x 22.5' addition on 3 sonotubes, extend fence** **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:** 09/12 & 09/13.

Representatives: Carol Cusack, Vinny (no last name mentioned)
Abutters/Others: None
Documents: Proposed Plan

Vinny presents above project: proposes 2' 10" extensions of the porch on 3 sono tubes which will be part of a bedroom. Proposes to extend the fence which comes across the front of the property; proposes to bring it to the lot line. Fence to the left on plan proposed to be extended an additional 10'. Commissioner: The fence appears to be on town property. Applicant must seek a license for the deck and the wooden fence in the back, all of which appear to be on town property.

Motion to issue order of conditions by LS only for the 2.8' x 22.5' addition, not for the fence, 2nd by SC. Roll call: LS-aye, PP-aye, SC, aye, TB-aye, KJ-aye.

- e. **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., and construction of a parking lot; demolish golf course and construct parking lot. *The scope of work the Notice of Intent has been amended to only include: construction of a parking lot.*

Representatives: None
Abutters/Others: None
Documents: None

Motion to continue until Sept 27th by LS, 2nd by SC. Roll call: PP-aye TB-aye, SC-aye, KJ-aye, LS-aye.

- f. **565 Nantasket Ave. Map 23, Lot 014 Opening** of a Public Hearing on the on the **Notice of Intent** filed by **Ray Sarno** for work as described as **install 10'X10' 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&13.

Representatives: Ray Sarno, Diane (no last name)
Abutters/Others: None
Documents: Proposed Plan

CK states that DEP has not issued a permit number because Commonwealth fee has not cleared. Commission can open but not rule on a decision. Diane presents above project: Extend the deck 10'x10' on sono tubes.

Motion to continue until Sept 27th by LS, 2nd by SC. Roll call: TB-aye, SC-aye, KJ-aye, LS-aye, PP-aye.

Certificate of Compliance Requests

- a. 233 Beach Ave. (SE35-1544)

Commissioners discussed observations from site visits. Elevated Home that looks different from the plan. There are no stairs and a new vinyl fence to the ground. There is a new paver driveway not on the original plan (of record) and on the left it is gravel and a utility platform. CK: There usually is a topographic As-Built plan required as specified in the OOC. This request did not provide an As-Built plan. With respect to the utility platform, the Commission has recently waived elevated utility platform review and delegated their "approval" to the department. Krivitsky (Applicant): The vinyl fence does not belong to us. On the plan (of record for the OOC) we were permitted asphalt but we put in permeable pavers. CK: Could the plan be annotated to capture the changes? Commissioner: The permeable driveway needs to be permitted and requires a topographic As-Built plan. The Commission did not issue a COC for the above reasons.

Continued and New Business

- a. 933 Nantasket Ave Civil Action- A civil action against the Commission is underway for not issuing a certificate of compliance.
- b. MACC Fall Conference- If you can please take the courses. MACC is in person.
- c. Boat Storage issue- Boat Storage causing a problem for the neighbors. A property owner may store up to 3 boats and has to meet property/building setbacks. If the vessel is collecting water and breeding mosquitoes-it should be brought to the attention of the health department. Commissioners: Boats should not be stored on tidelands and vegetation.
- d. Commission Meeting Start Time: A Commissioner suggested moving back to an earlier time. Motion by LS to move the meeting time to 6:30, 2nd by SC. Roll call: SC-aye, KJ-aye, LS-aye, SC-aye, TB-aye.
- e. Have we been re-appointed? Will confirm with Town Manager.
- f. DEP conducted site visit at 18 Manomet Ave & the Malta St dune area re: appeals for SOOC (on 09/08/22).

Violations and Compliance issues

- a. 126 Newport Rd Vinyl Stockade Fence. A Non-Compliance letter will be sent
- b. 102 Samoset Ave Pool located behind the fence at the Kenberma area. NOI is coming
- c. 20 Touraine- an unpermitted driveway-NOI has been filed.

9:25 Motion to adjourn by LS, 2nd by SC. Roll call: PP-aye, TB-aye, SC-aye, KJ-aye, LS-aye.

ADDITIONAL NOTES FOR REMOTE MEETINGS

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