

**Hull Conservation Commission
Meeting Memo
Tuesday, January 25, 2022
Meeting held online, via GoToMeeting**

Meeting Remote Location	Remote Call-in meeting with GoToMeeting: https://global.gotomeeting.com/join/551324221 OR: By Phone: (872) 240-3212 Access Code: 551-324-221
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Members Present: Paul Paquin, Chair, Tammy Best, Lou Sorgi, Sam Campbell, Katherine Jacintho
Members Absent: none
Staff Present: Chris Krahforst, Conservation Administrator, Renee Kiley, Conservation Clerk
Staff Absent: none
Minutes: Minutes of 1/11 Motion made by to approve the minutes as amended by Sorgi 2nd by Paquin. Roll Call Vote- Sorgi- aye, Jacintho- aye, Campbell- aye, Paquin- aye, Best- aye,

6:00 Call to order

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

6:05 162 Cadish Ave. Map 13/Lot 047 (SE35-1652) Opening of a Public Hearing on the Notice of Intent filed by Daniel Schleifer for work described as construct new deck and footings, rebuild existing front stairs and rebuild. 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 and pollution prevention, flood control); Possible LiMWA, Ch. 91 Jurisdiction.. **Site visit** 01/24.

Representatives: Jed Hannon

Abutters/Others: None

Documents: Proposed Plan, Firmette, Email from DEP re: Chapter 91.

Hannon introduced the project and noted relevant wetlands resources. The house and the deck were built in the 1900's. The existing deck is very dilapidated and a hazard. Krahforst and Jason Harris from the building dept inspected and determined that emergency repair was needed and issued an emergency order which allows them to move forward with removal and replacement. As part of this NOI, the homeowner would like to add an additional deck area and a stair case in the rear but require a chapter 91 license application within 30 days after the emergency order to follow the CMR regulations. The Commission stated that the outside appearance of the existing deck did not appear to be an emergency. Krahforst followed up with the building department and showed photos documenting the state of disrepair and detailed observations of the Building Dept. verifying the need for emergency repair. The Commission asked if the deck would be open or enclosed beneath. Hannon stated that the applicant would like to enclose the deck underneath using lattice material. Krahforst showed the LiMWA intersects on Cadish Ave away from the structure and verified the structure is in an AE 10.

Motion by Sorgi to issue OOC with the special conditions that a c.91 license be obtained and that the lattice be 50% flow through and 6 inches off the ground. 2nd by Campbell. Sorgi- aye, Campbell- aye, Paquin- aye, Best- aye

6:24 Boston Harbor - Harry's Rock Light HR, 42°17'13.291"N, 70°55'54.280"W (SE35-1654) Opening of a Public Hearing on the Notice of Intent filed by Michael Carosotto of USCG for work described as repair and replacement of existing aid to navigation structures. Abutter Notification: no abutters. **Resource Areas:** the Ocean. **Site visit** done N/A.

Representatives: Christine Perron, Steve Huffmon, Kurt Riden

Abutters/Others:

Documents: Proposed Plan

Perrom: The US Coast Guard is replacing 5 navigational aids, water depths at the structure being considered here (Harrys Rock) vary between 13 ft & 24 feet. The structure is a braced steel 3 substructure that supports an 8ft deck. Currently the structure is corroded and in critical need of replacement. The piles will be removed and will be replaced by 4 new piles drilling and socketed into rock by removing the overburdened bed rock. The overburdened bedrock will be airlifted to a barge and disposed. The drill bit will then be lowered into the casing, the cuttings are cleaned out. The casing and the bedrock are grouted minimizing water column turbidity. The casing is used to contain material being excavated. Prior to any work being done, the contractor will submit an environmental plan as well as a dirt and dust control plan. The four steel piles proposed result in impact of 5.6 square feet under the ocean floor. The structure is not located within any priority or estimated habitat. It is in the range of federally listed species Atlantic sturgeon, short nosed sturgeon, sea turtle, North Atlantic right whale, and Fin whale. Measures will be taken to avoid impact to these

species and to fisheries in general. Construction will be happening in 2022 but could extend into 2023. Commissioner: These are daylight markers. Perron: Yes. Commissioner: If construction extends into 2023 will temporary measures be put into place to aid in navigation. Perron: Marine Fisheries are reviewing all 5 structures as a single review but no comments have been provided as of to date. The Commission recommends continuing until Marine Fisheries has commented.

Motion by Sorgi: To Continue the hearing until 2/08. 2nd by Campbell. Campbell-aye, Paquin-aye, Best-aye, Sorgi-aye

- 6:35 189 & 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. **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-21 and AO (Depth=3')** (storm damage and pollution prevention, flood control). Within **Limit of Moderate Wave Action (LiMWA)**. **Site Visits done** multiple times.

Representatives: Alan MacDonald

Abutters/Others: None

Documents: Proposed Plan, Email from Adam Brodsky

MacDonald introduced himself as the new Chief Operating Officer for Nantasket Dune Holdings. It is our intention to come to you with new drawings and funding for the peer review. We are rethinking about the buffering design throughout the main parcel and will have updated plans to the Commission shortly. The Commission stated that these new plans are needed prior to initiating the peer review. Krahforst recounted the lengthy process for this project and noted that a newer NOI was submitted in spring of 2021 and has had numerous continuations. MacDonald: I am requesting a continuation.

Motion by Sorgi to continue the hearing until 2/08. 2nd by Campbell. Paquin-aye, Best-aye, Sorgi-aye, Campbell-aye

- 6:20 Beach Avenue, Maps 15, 17, 19, and 21. (SE35-1653) Opening** of a Public Hearing on the **Notice of Intent** filed by **Town of Hull DPW** for work described as **drainage improvements along discrete locations along Beach Ave from Coburn St. to L St. The opening for this hearing is rescheduled for 02/08/2022**

Motion by Sorgi to continue to 02/08/22, 2nd Campbell: Best-aye, Campbell-aye, Sorgi-aye, Paquin-aye

Certificate of Compliance Requests

1 Avalon Dr., Hall Estates, SE35-1428

Motion by Sorgi to issue a Certificate of Compliance. 2nd by Campbell, Sorgi-aye, Campbell-aye, Paquin-aye, Best-aye.

Corner of J St and Beach Ave drainage, DPW, SE35-1639

Commission considered the request to delay issuing a COC until beach grass planting has been completed. No COC was issued.

9 Damon Park Road (SE35-1074)

Krahforst stated that this COC request is merely a matter of procedure. This COC is for an OOC issued to elevate house and reconstruct existing. The project was never built. An amended OOC was issued to demolish and build new for which an OOC was issued and recorded. A COC was issued for the amended OOC. A COC for the original OOC to elevate and reconstruct was never requested since that work was never undertaken. Currently the original OOC remains open with the Registry of Deeds and the applicant is seeking a COC for work never undertaken. Motion by Sorgi to issue a certificate of compliance for said original OOC. 2nd by Campbell. Jacintho-aye, Campbell-aye, Best-aye, Paquin-aye, Sorgi-aye.

7:01pm Jacintho Joined.

Continued and New Business

Commission's procedural review for unpermitted work

Conservation Commission Expert System shown to improve Compliance.

Krahforst stated this proposed Expert System attempts to address the discovery of non-compliance and issues of grandfathering as it relates to the WPA. Town Counsel Lampke advised that non-compliance should not be ignored.

Krahforst recommended the Commission consider asking the applicant to capture the non-compliance issues in the current NOI application. If the applicant is in agreement then the applicant would have to re-advertise to include the unpermitted work since the scope of the project may have significantly changed. Lampke: They may have to do a new mailing and have staff guide them to include items in the original NOI. Krahforst indicated that the Dept. will add non-compliance language to our boiler plate language we share with applicants when the Dept. provides assistance to completing NOI application thereby encouraging compliance and avoiding enforcement. Lampke noted that if the Commission observes non-compliance during

site visits they are still required to follow Open Meeting Law regulations and that there cannot be any deliberation if site visits are not following public meeting protocol.

Town Bylaw to double fees for after-the-fact WPA Applications

Krahforst: Since COVID may have significantly affected the general public's ability to attend Town meeting, this topic has been delayed until better conditions for public participation is realized.

Violations and Compliance issues

Continuation of HRA Parking Lot, Map 33/Lot 066

Lampke: With respect to grandfathered activities to the WPA, I'm going to suggest that it is a multifaceted issue and I need to complete some research on it so we have better understanding.

Motion by Paquin Move to go into executive session for the purpose regarding litigation where an open session may have a detrimental effect on the litigating position of the body: Subjects to include: Appeal of DEP Superseding Order of Conditions (DEP File # 35-1558) for work at Beach Avenue and 169 Beach Avenue" and to not reconvene in open session, 2nd by Sorgi. No discussion. Campbell-aye, Paquin-aye, Best-aye, Sorgi-aye, Jacintho-aye

7:31PM Motion by Sorgi to close the open session of the Conservation Commission, 2nd Campbell, Campbell-aye, Paquin-aye, Sorgi-aye, Best-aye.