



## HULL CONSERVATION COMMISSION

253 Atlantic Avenue, 2<sup>nd</sup> floor

Hull, MA 02045

Phone: 781-925-8102

Fax: 781-925-8509

**TUESDAY, July 7, 2021**

**Meeting held at Hull Town Hall, 2<sup>nd</sup> Floor**

**Members Present:** Paul Paquin, Chair, Lou Sorgi, Tammy Best, Katherine Jacintho, Sam Campbell

**Members Absent:**

**Staff Present:** Chris Krahforst, Conservation Administrator

**Staff Absent:**

**Minutes:** Upon a **motion** by L. Sorgi **2nd** by K Jacintho and the below roll-call **vote** of 5-0;  
Campbell – aye; Best – aye; Sorgi - aye; Jacintho – aye; Paquin – aye;  
It was **voted** to: Approve the Minutes of June 08, 2021 as amended.

Upon a **motion** by L. Sorgi **2nd** by S. Campbell and the below roll-call **vote** of 5-0;  
Best – aye; Sorgi - aye; Jacintho – aye; Campbell – aye Paquin – aye;  
It was **voted** to: Approve the Minutes of June 22, 2021 as amended.

**7:30** Call to order

**7:40 78 Clifton Ave. Map 32, Lot 059 (SE35-1621) Continuation** of a Public Hearing on the **Notice of Intent** filed by **Kyle & Casey Von Iderstein** for work described as **replace existing deck and proposed expansion of house foundation to support house remodeling project.**

Applicant: Kyle Von Iderstein

Representatives: Jed Hannon, Dave Haight

Abutters/Others: None spoke

Documents: Annotated "Coastal Bank Delineation for Proposed Addition Plan", 2 pp  
"Home Addition Plans" 4pp

J. Hannon spoke to the continued project and stepped through the changes to meet the Commission's concerns from previous hearing: a) the deck width will be reduced by 2' 9" to minimize overhang and possible shading onto coastal bank, b) staked out top of coastal bank to aid with site visit interpretations, c) the number of helicals were reduced – 12 for slab and 3 for deck support, d) cross sections of coastal bank were added to site plan, e) applicant agrees to remove shed and concrete slab that is near the top of the coastal bank, f) axial capacity engineering details were added to plans. Representative provided updated plans and Applicant provided copies of PPT slides detailing project. The Commission had concerns about the new plans being delivered to this meeting tonight and the lack of geotechnical assessment on the project's stability of the coastal bank.

Three Special Conditions were added as follows:

- A geotechnical assessment that shows acceptable impact to the coastal bank be provided to the Administrator before any work can commence
- No heavy equipment to be used on or within 10' of the top of the coastal bank, including for test pits for geotechnical assessments
- The non-permitted existing shed and slab shall be removed and area re-vegetated. (Plan was annotated as such.)

Upon a **motion** by L. Sorgi, **2nd** by K Jacintho and a **vote** of 5-0;

It was **voted** to:

**Close** the Public Hearing and **approve** the Order of Conditions with the Standard Special Conditions.  
The Order of Conditions was **signed**.

**8:15 221 Beach Ave., Map 17/Lot 128 (SE35-1629) Opening** of a Public Hearing on the **Notice of Intent** filed by **Rockaway Beach Realty LLC** for work described as **proposed deck and front stair improvement.**

Applicant: D. Zieper

Representatives: J. Hannon

Abutters/Others: None spoke

Documents: "Proposed Deck Addition Plan 5/14/21", 2pp  
""221 Beach Ave Deck Addition Plans 5/5/21" 4pp

J. Hannon presented the project as described above and reminded the Commission that this project was brought before the Commission as a Request for Determination of Applicability to which the Commission issued a positive determination and the applicant is back with a NOI. One Commission inquired if the resource area is appropriately represented on the plans. Hannon pointed to the delineation of the AO zone on the plans.

Two special conditions were added as follows:

- Deck remains opened and unobstructed below
- Decking should allow for light and water to pass through to encourage vegetation growth below the deck area.

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

It was **voted** to:

**Close** the Public Hearing and **approve** the Order of Conditions with the Standard Special Conditions.  
The Order of Conditions was **signed**.

### **Certificate of Compliance Requests**

Beach Ave Path (SE35-1521) adjacent to 141 Beach Ave Krahforst provided overview and relayed that the COC request is only for the path over the restored dune (Restored Dune OOC was appealed and MA DEP is responsible for COC); **Motion**, Sorgi **2nd** Jacintho, following roll-call vote of 5-0; Sorgi-aye, Jacintho-aye, Paquin-aye, Campbell-aye, Best- aye; to have the Department **issue** a Certificate of Compliance.

A St Ramp and Dune (SE35-1549). Krahforst provided an overview of the project and noted the following deviations: pedestrian Mobi Mat orientation different from proposed (not angled to the SE, but perpendicular to restored dune). Krahforst reported that CZM South Shore Regional Coordinator visited site and found no issues. The Commission stated that the beach grass planting was not completed. Krahforst stated that areas needing planting (immediately adjacent to new ramp, and areas near the emergency access mat will be planted during the fall annual beach grass planting event. The Commission decided to wait until the beach grass planting was completed. No Action

353 Beach Ave (SE35-1424) The Commission reviewed the provided As-Built plans and the deviations in the memo reported by Applicant's surveyor. While those deviations were considered minor, the Commission asked if the new vinyl fence was permitted. Krahforst stated that from the Existing and Proposed Conditions plan a vinyl fence was existing. A new fence was not proposed. The As-Built plans and the E&P Conditions Plan do not indicate a new fence was to replace existing. It appears the existing fence was replaced by new, which was not part of the permit. The Commission decided no action and request updated plans to reflect that a new fence was installed to replace existing. Krahforst stated that fences are an obstruction and not allowed by FEMA in V-Zones, which is where the fence is located. Krahforst will follow-up with Applicant's representative.

### **Continued and New Business**

Request by Ernesto Caparrotta to discuss 49 Central Ave Order of Conditions (SE35-1607) The Commission reviewed a modified version of the Standard Conditions that was prepared with the assistance of the Conservation agent (which was partially reviewed by Town Counsel and Town Manager) at the request of Mr. Caparrotta of 49 Central Ave. Mr. Caparrotta expressed concerns about the language of the current Hull Standard Conditions and requested some modifications as reflected in the draft for modifications to the Hull Standard Conditions. The Commission requested a more formal review by Town Council and stated that the Standard Hull Conditions cannot be modified for an individual project but applies to all Orders of Conditions issued by the Commission. The Special Conditions were approved to be modified **not** to require a license for use of Town-owned land (a 5 ft. wide section between the property at 49 Central Ave and G St) and that a curb cut approval by the DPW and Hull Police would suffice.

Request by Kenneth Kaplan to discuss use of Kenberma RR Bed parking Mr. Kaplan explained that changes in the grade to the Kenberma RR Bed parking area has resulted in new flooding problems to the permitted shed

located on the RR Bed. The Commission visited the site on 7/4 and did not notice that there had been significant changes to the grade. Mr. Kaplan explained that when National Grid staged their material for utility work in the area in the recent past, they had left the site in disarray. Mr. Kaplan stated that he contacted the Conservation Administrator and that, working with DPW, the site was restored and that the ¾ inch crushed stone and fabric that was added and regraded improved drainage. Mr. Kaplan stated since then, there have been additional changes and material (road gravel) that was used by the Town and its contractors had changed the infiltration efficiency of the area and he now experiences flooding to his abutting property. Krahforst asked if the crushed stone was added to which there was no permit for such work. Mr. Kaplan stated that 8 inches of crushed stone was added to the area. Upon a site visit, Krahforst stated he noticed an abutting property at 102 Samoset had added an above-ground pool and landscaping was done without any permit from the Commission or the Building Dept. Krahforst showed pictures of landscaping material (pea stone and sand) left in the RR Bed parking area and said he would issue a non-compliance letter to the owners at 102 Samoset Ave. The Commission noted that there appears to be illegal dumping of yard waste in the area that would exacerbate flooding issues in the area. Krahforst stated that the stockade fence associated with Mr. Kaplan's property was not permitted. Mr. Kaplan stated that the fence was existing and that it was replaced in 2019. Mr. Kaplan said he reached out to the Conservation Dept. to ask if the fence replacement needed a permit to which he stated the Conservation Dept. informed him that he did not. Mr. Kaplan stated he had an email that substantiates this as true. The Commission agreed to conduct another site visit with Mr. Kaplan at a date to be determined to further evaluate the flooding issue and changes to drainage to abutters' property.

July – Dec 2021 Meeting Schedule, Revised: L. Sorgi **Motion**, T. Best **2<sup>nd</sup>**, following roll-call vote of 5-0; Best – aye, Sorgi – aye, Jacintho – aye, Paquin – aye, Campbell – aye, approve Meeting Schedule.

Emergency Certification – seaweed removal L-O Sts; T St – Bradford St stairs  
The EC was signed by the Commission

### **Violations and Compliance issues**

34 Gunrock Ave (new): Dave Engelkemeyer (new owner) was present to discuss the installation of “snow” fencing on rocks in front of home, located in a FEMA V Zone. Engeliemeyer explained the fence has been seasonally installed (for years) to prevent beachgoers (kids) from climbing the rocks in front of home and was worried about liability should anyone get injured. The Commission stated that installing obstructions in a V Zone is against Federal regulations. The Commission agreed to do a site visit and continue the discussion when Engelkemeyer returns from being out of town. Engelkemeyer will inform the Administrator of his return and Krahforst will add this discussion to the following available agenda.

4 Gun Rock Ave (new). Krahforst showed a picture showing a platform being constructed on the seawall immediately adjacent to 4 Gun Rock Ave, issued a non-compliance letter to owner earlier today. Krahforst reported the Building Commissioner issued a “stop work” order.

102 Samoset Ave (new) Krahforst observed a non-permitted pool installation and associated landscaping while conducting a site visit at the Kenberma RR Bed area parking, issued a non-compliance letter to owner earlier today.

**10:12** Upon a **motion** by L. Sorgi and **2<sup>nd</sup>** by S. Campbell and a **vote** of 5-0;  
It was **voted** to: Adjourn.