



HULL CONSERVATION COMMISSION

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TUESDAY, March 23, 2021

Held virtually via GoToMeeting

Members Present: Paul Paquin, Chair, Paul Epstein, Tammy Best, Lou Sorgi
Members Absent: Sean Bannen, Jennifer Stone
Staff Present: Chris Krahforst, Conservation Administrator; Sarah Clarren, Assistant Conservation Administrator
Minutes: Upon a **motion** by Epstein, **2nd** by L. Sorgi and the below roll-call **vote** of 4-0;
Epstein – aye; Best – aye; Sorgi – aye; Paquin – aye
It was **voted** to: Approve the Minutes of 03/09/2021 as amended.
It was **voted** to: Approve the Minutes of 10/27/2020 as amended.

6:00 Call to order - Paquin – present, Epstein, Best, Sorgi.

P. Paquin read aloud the charges of the Conservation Commission.

6:11 4 Lincoln St., Map 23/Lot 056. Opening of a Public Hearing on the **Request for Determination of Applicability** filed by **Lori West** for work described as **install 10'x14' shed per NFIP requirements**.

Representatives: Lori West

Abutters/Others: no one spoke

Documents: Annotated photo dated 3/04/21
Annotated "mortgage loan inspection"

West presented the project as described above; the shed will be installed in accordance to the required setbacks in the rear of the property.

- Upon a **motion** by P. Epstein **2nd** by L. Sorgi and a **vote** of 4-0;

It was **voted** to:

Close the Public Hearing and have the Department **issue** a Negative Determination of Applicability.

Best – aye

Sorgi – aye

Paquin – aye

Epstein – aye

6:15 137A Manomet Ave., Map 19/Lot 139 Continuation of a Public Hearing on the **Request for Determination of Applicability** filed by **Leonard & Lynn Peters** for work described as **225 sq. ft. permeable paver patio in rear of home**.

Representatives: Leonard and Lynn Peters

Abutters/Others: No one spoke

Documents: "Annotated site map from google earth
House location plan from Plymouth Registry of Deeds Plan book

Peters relayed that since the last hearing, a new plan has been submitted which is an annotated aerial. Peters agreed that the patio will not extend past the house.

- Upon a **motion** by P. Epstein **2nd** by L. Sorgi and a **vote** of 4-0;

It was **voted** to:

Close the Public Hearing and have the Department **issue** a Negative Determination of Applicability.

Sorgi – aye

Paquin – aye

Epstein – aye

Best – aye

6:33 276 Nantasket Ave., Map 34/Lot 093 (SE35-1604) Continuation of a Public Hearing on the **Notice of Intent** filed by **Anthony Ghosn** for work described as **build outdoor seasonal takeout area**.

Representatives: Anthony Ghosn

Abutters/Others: No one spoke

Documents: "Annotated plan of record
Annotated photo

Since the last hearing, a new annotated plan has been provided. The Commission asked if anything has changed since last presentation. Ghosn said that the fence that was pre-existing to enclose trash will be replaced.

- Upon a **motion** by P. Epstein **2nd** by L. Sorgi and a **vote** of 4-0;
It was **voted** to:
Close the Public Hearing and have the Department **issue** an Order of Conditions.
Paquin – aye
Sorgi – aye
Best – aye
Epstein – aye

6:38 25 Manomet Ave., Map 25/Lot 168 (SE35-1600) Continuation of a Public Hearing on the **Notice of Intent** filed by **Deborah & Kenneth LeClair** for work described as **modify driveway and replace surface with permeable pavers**.
The applicant had requested a continuance to 4/13/21.

- Upon a **motion** by P. Epstein **2nd** by L. Sorgi and a **vote** of 4-0
It was **voted** to:
Continue the hearing to April 13th, 2021 at a time TBD.
Epstein – aye
Best – aye
Sorgi – aye
Paquin – aye

6:39 27 Manomet Ave., Map 25/Lot 169 (SE35-1601) Continuation of a Public Hearing on the **Notice of Intent** filed by **Nancy & Thomas O'Connor** for work described as **modify driveway and replace surface with permeable pavers; replace shed; add fence section**.

The applicant had requested a continuance to 4/13/21.

- Upon a **motion** by P. Epstein **2nd** by L. Sorgi and a **vote** of 4-0
It was **voted** to:
Continue the hearing to April 13th, 2021 at a time TBD.
Best – aye
Sorgi – aye
Paquin – aye
Epstein – aye

6:40 Barnstable St. (Off), Map 45/Lot 270 (SE35-1602) Opening of a Public Hearing on the **Notice of Intent** filed by **James Guerrier** for work described as **construct new home**.

Representatives: James Guerrier; David Ray (surveyor)

Abutters/Others: Ed English

Documents: "Land Survey dated 3/08/2021"

D. Ray presented the proposed project as described above. He noted that there is a bituminous concrete driveway proposed due to the steepness of the slope. The Commission noted that the driveway isn't labeled and a revised plan should be submitted with the label, to which D. Ray agreed. He added that there is a small terraced wall, but that is outside the flood zone. He alleged that due to the elevations the site should not be classified as flood zone, to which Krahforst later responded by stating if the homeowners do not agree with the flood zone classification they could submit a LOMAR request to FEMA.

E. English asked if there will be blasting of ledge to install foundation, to which D. Ray said no. Ray said they intend to chip or use expancrete. English asked if they anticipate ledge trauma, to which Ray said no. English then asked if a geostudy was done, to which Ray said no, but they could have a monitor onsite.

One Special Condition was added as follows:

- 1) Prior to any work being done, a valid license shall be obtained from the Board of Selectmen for work to be done on Town-owned portion of land.
- Upon a **motion** by P. Epstein **2nd** by L. Sorgi and a **vote** of 4-0;
It was **voted** to:
Close the Public Hearing and have the Department **issue** an Order of Conditions.
Paquin – aye
Sorgi – aye
Best – aye
Epstein – aye

6:54 131 Samoset Ave., Map 23/Lot 083 (SE35-1603) Opening of a Public Hearing on the **Notice of Intent** filed by **Kevin Resnick** for work described as **install above-ground pool, extend deck to meet pool (approx.. 10'x10'), install generator platform, replace ½ of existing fence (~205')**

Representatives: Kevin Resnick

Abutters/Others: no one spoke

Documents: "Annotated land survey/ site plan dated 03/23/2021

A Commissioner relayed that the plan on site visits was confusing, to which Krahforst relayed that he created a revised plan; K. Resnick agreed that the revised plan is accurate to his request. K. Resnick presented the project as described above. A Commissioner relayed that the fence should be elevated to allow water to flow, to which Resnick agreed.

Three Special Conditions were added as follows:

- 1) Pool water shall not be discharged to nearby stormwater catch basins, nor emptied into the ground. Water will need to be contained and removed for disposal off site in a manner that is consistent with all pertinent local, state, and federal regulations. This condition is ongoing and will not expire at the end of three years, nor with the issuance of a Certificate of Compliance.
 - 2) Replace portion of Fence shall have the lowest horizontal member elevated 6" above grade
 - 3) Generator platform be open below to allow for free-flow of flood waters and elevated 1' above BFE.
- Upon a **motion** by P. Epstein **2nd** by L. Sorgi and a **vote** of 4-0;

It was **voted** to:

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

Paquin – aye

Epstein – aye

Sorgi – aye

Best – aye

6:45 85 Nantasket Rd., Map 28/Lot 122 (SE35-1605) Opening of a Public Hearing on the **Notice of Intent** filed by **Brian Donovan** for work described as **install 24ft above-ground pool; install 16'x24' pervious patio and 17'x4' pervious walkway.**

Representatives: Brian Donovan

Abutters/Others: Rhonda Healey

Documents: "Annotated Plan of Record"

B. Donovan presented the project as described above. The Commission noted that a fence has been installed onsite and should be permitted. R. Healey relayed that they are in support of the project.

Two Special Conditions were added as follows:

- 1) Pool water shall not be discharged to nearby stormwater catch basins, nor emptied into the ground. Water will need to be contained and removed for disposal off site in a manner that is consistent with all pertinent local, state, and federal regulations. This condition is ongoing and will not expire at the end of three years, nor with the issuance of a Certificate of Compliance.
 - 2) The permeable walkway and patio shall be maintained in such manner as to ensure permeability in perpetuity. This condition will not expire at the end of three years, nor with the issuance of a Certificate of Compliance.
- Upon a **motion** by P. Epstein **2nd** by L. Sorgi and a **vote** of 4-0;

It was **voted** to:

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

Epstein – aye

Paquin – aye

Best – aye

Sorgi – aye

Certificate of Compliance Requests

None.

Continued and New Business

Fences in FEMA Flood Zone – tabled.

95 Clifton Ave SE35-1405 Extension Request: Krahforst relayed that the home has been constructed, but there may be an issue through FEMA as a LOMR-F (fill used to remove area from floodplain) has been submitted by the applicant. He noted that the balcony extended over V Zone and the way it was presented, the footprint was just outside of the v zone. The Commission relayed that they wanted to conduct a site visit prior to addressing the request, to which Clarren relayed that the Order will expire prior to the next meeting and requested the Commission grant a 1 yr extension. The Commission discussed lesser timeframes and ultimately determined a 6mo extension is permissible. The Commission noted that by granting this extension they are not approving and/or resolving any issues with the permit. Epstein **Motion**, Sorgi **2nd**, following roll-call vote of 4-0; Epstein – aye; Best – aye; Sorgi – aye; Paquin – aye; to have the Department **issue** a six month extension and address the extension permit after a site visit.

MACC Environmental Conference 4/6-17: Clarren reminded the Commission of the annual conference.

Clean Energy and Climate Plan – Sierra Club recommendations letter: no action.

Atlantic Ave Update: Krahforst said the replication of the marsh (WPA requirement), was proposed in the over wash fan that exists from overtopping of storm surge over the top of the Crescent Beach seawall and accumulation in Straits Pond.

CZM flagged this area as an unacceptable location for wetland replication because of the natural migration of over wash material. Krahforst added that the project has been held up in the MEPA process and relayed that the Commission will need to review the project again through an amendment.

(new) Commissioner: A Commissioner noted that the Board of Selectmen appointed a new member.

Violations and Compliance issues

(new) Garbage dumped on road behind temporary generators: A Commissioner reported incident of dumping, to which Krahforst relayed that there has been an increase in dumping since the Covid lockdown and he will alert DPW. He advised the Commission that they can report dumping to the DPW and/or Police.

(new) fishermen: A Commissioner expressed concern over the effects fishermen were having in the bogs. A Commissioner noted that they need to establish what the resource areas are and how they are being impacted.

7:26 Upon a **motion** by P. Epstein and **2nd** by S. Bannen and the below roll call **vote** of 4-0;

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

Paquin – aye

Epstein – aye

Best – aye

Sorgi – aye