



HULL CONSERVATION COMMISSION

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TUESDAY, March 9, 2021

Held virtually via GoToMeeting

Members Present: Paul Paquin, Chair, Sean Bannen, Paul Epstein, Tammy Best, Lou Sorgi, Jennifer Stone
Staff Present: Chris Krahforst, Conservation Administrator; Sarah Clarren, Assistant Conservation Administrator
Minutes: Upon a **motion** by P. Epstein **2nd** by S. Bannen and the below roll-call **vote** of 6-0;
Bannen – aye; Paquin – aye; Stone – aye; Epstein – aye; Best – aye; Sorgi – aye
It was **voted** to: Approve the Minutes of February 9, 2021
It was **voted** to: Approve the Minutes of February 23, 2021

6:01 Call to order

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

6:10 6 Gunrock Ave., Map 52/Lot 062 (SE35-1598) Continuation of a Public Hearing on the **Notice of Intent** for work described as **install 50% flow through fence 6" off the ground, along property line. Withdrawn**

C. Krahforst relayed the applicant withdrew their application. No further action.

6:18 137A Manomet Ave., Map 19/Lot 139 Opening 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 Peters

Abutters/Others: No one spoke

Documents: "House Location Plan (annotated 2021)" 8/1/1949

L. Peters presented the project as described above. The Commission expressed concern over the submitted plan as it doesn't accurately show what is currently onsite and that there is currently an addition where the 225 sq ft pavers are proposed. The Commission said they need a better plan and the house number should be numbered properly.

- Upon a **motion** by P. Epstein **2nd** by S. Bannen and a **vote** of 6-0

It was **voted** to:

Send the application back to the applicant to submit a revised plan and **Continue** the Public Hearing to March 23rd, 2021 at a time TBD.

Epstein – aye

Best – aye

Sorgi – aye

Bannen – aye

Paquin – aye

Stone – aye

6:29 7 Vernon Ave, Map 24/Lot 143 Opening of a Public Hearing on the **Request for Determination of Applicability** filed by Bayside **Kathryn Roy** for work described as **install fence.**

Representatives: Kathryn Roy

Abutters/Others: No one spoke

Documents: "Existing and Proposed Conditions Plan"–Nantasket Survey Engineering LLC– 6/12/19, annotated 2021

K. Roy presented the project as described above. She relayed that the fence would be semi private and it would be placed between the vegetation and the chain link fence. A Commissioner relayed that the fence should be elevated 6" to allow for flood waters to pass freely, to which K. Roy relayed that the fence would be for her dog and an elevated fence would not work. She then asked the Commission to consider a 50% flow through fence, to which the Commission agreed. As the Commission cannot condition projects not in a buffer zone, the Commission asked permission to change the project description to note the 50% flow through, to which K. Roy agreed.

- Upon a **motion** by P. Epstein **2nd** by S. Bannen and a **vote** of 5-0;

It was **voted** to:

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

Best – aye

Sorgi – aye

Bannen – aye

Paquin –aye
Stone – aye
Epstein – aye

6:46 25 Manomet Ave., Map 25/Lot 168 (SE35-1600) Opening 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.**

Representatives: Deborah & Kenneth LeClair; David G. Ray (Surveyor)

Abutters/Others: no one spoke

Documents: “Existing and Proposed Conditions Plan” – Nantasket Survey Engineering, LLC – 2/2/2021

D. Ray presented the project as described above. It will involve removing the existing concrete driveway and installing permeable pavers; the driveway will be reconfigured to allow more space to park. He added that a walkway in the rear of the home is also proposed. A Commissioner expressed concern over a limited buffer, to which other Commissioners and D. Ray noted that there is a 3' buffer from the pavers. D. Ray noted that the concrete planter will not be altered and will remain as is. Krahforst noted that it is an increase in parking area [for 27 Manomet Ave] and questioned if there could be an offset or mitigation.

The Commission felt that because the proposed plan/survey is the same as the proposed plan/survey for 27 Manomet Ave (SE35-1601), the later hearing should also be opened and both hearings could be addressed simultaneously.

6:50 27 Manomet Ave., Map 25/Lot 169 (SE35-1601) Opening 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.**

Representatives:

Abutters/Others: Kenneth LeClair (25 Manomet Ave)

Documents: “Existing and Proposed Conditions Plan” – Nantasket Survey Engineering, LLC – 2/2/2021

D. Ray presented the project as described above. He noted that there is an easement where pavers are proposed, but that area cannot be parked on. He added that the project at 27 Manomet Ave differs from the previously discussed project as this NOI also requests to add a fence section and to replace the existing shed with a larger one. K. LeClair of 25 Manomet Ave questioned where the fence would be and expressed concern that in the proposed location it would restrict the parking at 25 Manomet Ave. A Commissioner noted that the Commission's jurisdiction is only if something can be permitted through the WPA (i.e., not adversely impact the resource areas). A Commissioner questioned how much the driveway is increasing, to which D. Ray said it would be an additional 7' x 40,' but said they will be going from a concrete to permeable surface. The Commission asked if the both applicants wanted to request a continuance to discuss the location of the fence, to which both applicants agreed.

- Upon a **motion** by P. Epstein **2nd** by S. Bannen and a **vote** of 6-0

It was **voted** to:

Continue both 25 and 27 Manomet Avenue's Public Hearing to March 23rd, 2021 at a time TBD.

Sorgi – aye
Bannen – aye
Paquin – aye
Stone – aye
Epstein – aye
Best – aye

7:03 276 Nantasket Ave., Map 34/Lot 093 (SE35-XXXX) Opening 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: “Plan of Land in Hull” – SJ Siegl Jr, 3/6/1989, annotated 2021

“[Picture of Decking]” – n.d.

“Patio Plan” – n.d.

“Outdoor Dining Structure” – MSA – 2/1/2021

The Commission noted that no DEP File Number has been given and therefore they cannot close the hearing. They then discussed how the work shown on the plan is not accurate. They noted that the survey is older and is not accurate of the site. A Commissioner noted that the annotated survey is decades old and suggested a newer, accurate plan should be provided. The Commission then noted that work on an elevated platform has begun. Krahforst relayed that he had been told that the stage was pre-existing and it was only going to be repaired, but the entirety of the structure appears brand-new. The Commission questioned if pavers are proposed under the structure and again noted that the plans are not clear.

A. Ghosn stated that he was present and did not know what the Commission's concerns were. The Commission reiterated that they need a better, accurate plan of the site and the proposed work. They also asked for a narrative, information on the platform, and what is planned for the fence which appears to be failing. A. Ghosn said that spring is just around the corner and he wants the site in working order to open and asked if there was anything else that was needed. The Commission reiterated what they needed. They also noted that DEP needs to issue a file number.

- Upon a **motion** by P. Epstein **2nd** by S. Bannen and a **vote** of 6-0

It was **voted** to:

Continue the Public Hearing to March 23rd, 2021 at a time TBD.

Bannen – aye

Paquin – aye

Stone – aye

Epstein – aye

Best – aye

Sorgi – aye

Certificate of Compliance Requests

67 Pt. Allerton Ave (SE35-1591): Debbie Lincoln was present. She relayed that she has provided the Commission with an affidavit that the concrete was removed from the site and an invoice detailing the fill for the hole. **Motion**, Epstein **2nd** Bannen, following roll-call vote of 6-0; Stone – aye; Epstein – aye; Best – aye; Sorgi – aye; Bannen – aye; Paquin – aye; to have the Department **issue** a Certificate of Compliance. D. Lincoln relayed that the CoC should be mailed to her.

161 Beach Ave (SE35-1204): The Commission relayed that the plan does not appear to be consistent with what was onsite. They determined that an as-built is needed. No action.

Continued and New Business

None discussed

Violations and Compliance issues – (New - EXECUTIVE SESSION)

0 GW Blvd Enforcement Plan

179-197 Nantasket Ave Enforcement Plan

7:23 Upon a **motion** by P. Paquin and **2nd** by P. Epstein and a roll call **vote** of 6-0;

It was **voted** to: 1) Go into Executive Session to discuss strategy with respect to litigation, and that the Chair declare that an open meeting may have a detrimental effect on the litigating position of the body, 2) go into Executive Session to comply with, or act under the authority of the Attorney-Client privilege, and 3) go into Executive Session to consult with legal counsel and obtain legal advice pursuant to the Attorney-Client Privilege. The following subject will be discussed in the Executive Session: Enforcement Orders and litigation re 0 George Washington Boulevard and 189 Nantasket Avenue.

Paquin – aye

Stone – aye

Epstein – aye

Best – aye

Sorgi – aye

S. Short Green asked why the Executive Session was not posted on the agenda, to which Krahforst relayed that Town Counsel has advised it is permissible, given the substance of the above stated motion. S. Short Green then expressed concern that the site (189 Nantasket Ave) is not in compliance and relayed that the unpermitted skateboard ramp was used earlier in the day. The Commission thanked S. Short Green for relaying the information.

7:26 Upon a **motion** by P. Epstein and **2nd** by S. Bannen and the below roll call **vote** of 6-0;

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

Paquin – aye

Stone – aye

Epstein – aye

Best – aye

Sorgi – aye

Bannen – aye