



## HULL CONSERVATION COMMISSION

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

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**TUESDAY, January 28, 2020**

**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 **2<sup>nd</sup>** by S. Bannen and a **vote** of 6-0;  
It was **voted** to: Approve the Minutes of December 17, 2019

**7:31** Call to order

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

100% Renewable Energy Committee (REC) Discussion. Chair Paquin relayed that the Commission has been requested to read the 100% REC's meeting minutes to see if anything relates to the Commission and if so, relay it to the Commission. T. Best agreed to be the liaison.

**7:39 36 Nantasket Ave., Map 49/Lot 034. Continuation** of a Public Hearing on the **Request for Determination of Applicability** filed by **Paul Gratta** to **determine if whether this area is subject to jurisdiction of the Wetlands Protection Act. The applicant requested a continuance to 02/11/2020 at a time TBD.**

- Upon a **motion** by P. Epstein **2<sup>nd</sup>** by S. Bannen and a **vote** of 6-0;

It was **voted** to:

**Continue** the Public Hearing to February 11, 2020 at a time TBD.

**7:40 654 Nantasket Ave., Map 19/Lot 008. Continuation** of a Public Hearing on the **Request for Determination of Applicability** filed by **Ray Sarno** for work described as **install a 10'x 20' container for storage.**

Representatives: Ray Sarno

Abutters/Others: Shauna O'Neil (3 Western); Richard and Arlene Smith

Documents: "Mortgage Inspection Plan (annotated) – Colonial Land Surveying Company, Inc. 9/24/2019  
"Re: 654 Nantasket Ave [letter] – Richard C. Smith – n.d. (new)

R. Sarno presented the proposed project as described above. He relayed that he'd like additional storage onsite as he is working on and in the building and also needs miscellaneous storage for lawn equipment. He stated that he is proposing a portable container which will sit directly on the ground, but he said he would be alright with elevating it if required. He presented a picture of the site where the location is proposed. The Commission questioned the Mortgage plan and location of the storage container in proximity to property lines, as the plan isn't a survey. R. Sarno said that the stockade fence is the property line, to which the Commission said that isn't always the case. R. Sarno said that the storage container would be temporary; it would be onsite for an unknown period of time, could be 6 months or a year or so, but wouldn't be more than 2 years. The Commission said that the container storage must be elevated, to which R. Sarno agreed.

Krahforst read a letter aloud for the record from Richard Smith which objects to the proposed project and contains a picture of the site and existing water issues. S. O'Neil, of 3 Western Ave., questioned the portability of the storage container given its size, to which the Commission said her inquiry is more of a Building Department issue. R. Smith asked how one would access the shed if it is elevated, to which R. Sarno said if it is elevated 1', there would be a ramp. R. Smith said that he spoke with the Building Department and was told it would need to be 10' from the property line and expressed concern that if a ramp is installed it out divert water and cause erosion. R. Sarno asked if the water was coming off of Nantasket Ave or his property, to which R. Smith said its likely Nantasket Avenue. The Commission said that the property owners should reach out to the DPW who may be able to address that concern. R. Smith then said that the subject property used to have a fence and vegetation, both of which have been removed; since it was removed, the water issue has been exacerbated. S. O'Neil asked what the timeframe of work would be to which the Commission said it is out of their purview. S. O'Neil then asked if hazardous materials would be stored inside the container, to which R. Sarno said no, but that there would be gas in a lawnmower. A. Smith noted that the site has a small lawn and questioned the need for a riding lawnmower, to which the Commission said that is out of their purview.

R. Sarno annotated the plan to show the orientation of the shed.

Two Special Conditions were added as follows:

- 1) The storage container shall be elevated 6" at a minimum and shall be tilted towards Nantasket Avenue.
- 2) The storage container and its ramp shall be temporary, as discussed at the Public Hearing.

- Upon a **motion** by P. Epstein **2nd** by S. Bannen and a **vote** of 6-0;  
It was **voted** to:  
**Close** the Public Hearing and **issue** a Negative Determination of Applicability; the Determination of Applicability was **signed**.

**8:06 21 Manomet Ave., Map 27/Lot 019. Continuation** of a Public Hearing on the **Request for Determination of Applicability** filed by **Elias Vossos** for work described as **install a 5' elevated 3' x 5' utility deck**.

Representatives: none present

Abutters/Others: no one spoke

Documents: "21 Manomet St (annotated)" – n.d.

As no one was present for the hearing, C. Krahforst introduced the project as described above. He stated that per the plan, the utility deck is in the rear of the building.

- Upon a **motion** by P. Epstein **2nd** by S. Bannen and a **vote** of 6-0;  
It was **voted** to:  
**Close** the Public Hearing and **issue** a Negative Determination of Applicability; the Determination of Applicability was **signed**.

**8:08 42 Q St. Map 13/Lot 137 Continuation** of a Public Hearing on the **Request for Determination of Applicability** filed by **Thomas and Linda Ricciardelli** for work described as **add a 7' x 13.3' bump out addition and small landing**.

Representatives: Linda Ricciardelli

Abutters/Others: No one spoke

Documents: "42 Q St" – Hoyt Land Surveying – 12/2/2019

L. Ricciardelli introduced the project as described above. She stated that they are remodeling the interior/exterior of the home. The project involves constructing a two-story addition to the kitchen. The Commission noted that a small concrete slab is proposed for the A/C unit. The Commission suggested elevating the slab to increase the longevity of its use for climate change reasons.

- Upon a **motion** by P. Epstein **2nd** by S. Bannen and a **vote** of 6-0;  
It was **voted** to:  
**Close** the Public Hearing and **issue** a Negative Determination of Applicability; the Determination of Applicability was **signed**.

**8:14 3 Hampton Cir., Map 36/Lot 029 Continuation** of a Public Hearing on the **Request for Determination of Applicability** filed by **Derick Ohman** for work described as **remove gravel driveway and replace and expand driveway with asphalt**.

Representatives: No one was present

Abutters/Others: no one spoke

Documents: "Existing and Proposed Conditions Plan" (annotated) – Nantasket Survey Engineering, LLC – 9/6/2019

No one was present for the hearing. C. Krahforst said that he had relayed the Commission's concerns at the last hearing and requested he be present for his hearing. A Commissioner suggested that if the applicant continues to not be present for hearings, a positive determination may be issued.

- 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 February 11, 2020 at a time TBD.

*L. Sorgi recused himself*

**8:20 48 George Washington Blvd., Map 37/Lot 007 (SE35-1524) Continuation** of a Public Hearing on the **Notice of Intent** filed by **Steamboat Wharf Marina, Inc.** for work described as **reconfigure existing marina building and side yard to accommodate seasonal restaurant**.

Representatives: no one present

Abutters/Others: no one spoke

Documents: "Site Sketch Steamboat Wharf" – Cavanaro Consulting – 11/25/19, annotated 12/17/19

"Floor Plan" – Emporium Design – 12/11/2019

S. Clarren noted that the hearing had been continued from the last meeting. She relayed that the Commission was in favor of the project at the last hearing, but kept the matter open in case the plan changed when it went before the Planning Board. As the plan has not changed, she suggested that the Commission vote on the project with the Special Condition discussed on December 17<sup>th</sup>.

One Special Condition was added as follows:

- 1) A vegetated strip (avg. 3 feet, min 2 feet wide) shall be installed along the NW perimeter and the vegetated function be maintained in good order in perpetuity. This condition is ongoing and will not expire at the end of three years.

- Upon a **motion** by P. Epstein **2nd** by J. Stone and a **vote** of 5-0-1 (Bannen abstained);

It was **voted** to:

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

*L. Sorgi returned.*

**8:05 79 Pt. Allerton Ave. Map 10/Lot 001 Opening** of a Public Hearing on the **Request for Determination of Applicability** filed by **Amir Shahbazian** for work described as **install 2 sections (9' and 14' linear ft.) of chain link fence or similar.**

Representatives: Shahbazian

Abutters/Others: no one spoke

Documents: "As-Built Plan" (annotated) – Norde-East Survey – 9/10/2019

A. Shahbazian presented the proposed project as described above. He said that he wants to have a chain link fence to prevent rocks from entering his lawn and that he understands that such a fence won't hold up during more intense storms. He said that the fence will have concrete posts. A Commissioner noted that there appeared to be a fence there before, to which another Commissioner said that every fence that has been installed in the area has been destroyed. A. Shabazian asked if he could install a cinder block walls oriented so that the cinder block opens would allow flow through (e.g., that not capped) instead, to which the Commission said no. The Commission said that water couldn't be directed and that the property owner should ensure that rocks do not block water from flowing through the fence.

Two Special Conditions were added as follows:

- 1) The fence shall be chain-linked and shall be elevated a minimum of 6" off of the ground. The fence shall not re-direct water.

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

It was **voted** to:

**Close** the Public Hearing and **issue** a Negative Determination of Applicability; the Determination of Applicability was **signed**.

**8:34 169 Spring St., Map 03/Lot 032. Opening** of a Public Hearing on the **Request for Determination of Applicability** filed by **Joseph Lambert** for work described as **construct new wood-framed second floor addition over existing first floor to remain, new wood-framed second floor balcony, new wood-framed front entry structure with stair on (3) helical piers, new wood framed rear deck with stair on (3) helical piers.**

Representatives: Joseph and Michelle Lambert

Abutters/Others: no one spoke

Documents: "Second Story Addition" (3 pgs) – JL Architectural Design – 1/14/2020

"Plan of Land" – J. Lowell Associates – 5/20/2018

J. Lambert presented the proposed project as described above. The Commission noted that there is a wetlands on the site, but the project is more than 50' away from the wetland. The Commission relayed that siltation barriers need to be installed prior to work and that the Conservation Administrator shall confirm the location of the barriers, to which the Lamberts agreed.

One Special Condition was added as follows:

- 1) Prior to the project commencing, the applicant shall meet with the Conservation Administrator to confirm the location of erosion controls.

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

It was **voted** to:

**Close** the Public Hearing and **issue** a Negative Determination of Applicability; the Determination of Applicability was **signed**.

**8:45 80 Atlantic Ave., Map 55/Lot 045. (SE35-1511) Continuation** of a Public Hearing on the **Notice of Intent** filed by **Ellen Morrissey and Joan McAuliffe TRS** for work described as **after-the-fact installation of fence.**

Representatives: no one present

Abutters/Others: no one spoke

Krahforst provided an update provided by E. Morrissey. Allegedly surveyors were onsite earlier in the day and therefore a survey has not yet been completed. E. Morrissey also had relayed that although the Commission had requested her attendance, she was unable to attend. The Commission expressed concern over the time length and request the applicant to attend the next meeting.

- 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 February 11, 2020 at a time TBD.

**8:47 0 and 78 Clifton Ave., Map 32/Lots 60 and 59 (SE35-1522) Continuation** of a Public Hearing on the **Notice of Intent** filed by **Timothy & Sandra Quigley and Ruth Caruso** for work described as **stabilization and restoration of coastal bank with up-gradient surface runoff control measures.**

Representatives: Jeffrey Couture (Engineer); Rod Gaskall (SITEC Environmental)

Abutters/Others: Tim Doherty (68 Clifton Ave)

Documents: "Coastal Stabilization Project, Clifton Ave, Hull, Massachusetts" – SITEC Environmental – last rev. 1/29/2020

"Coastal Stabilization – Shrub Planting Diagram – SITEC Environmental – 11/15/2019

"Monitoring Plan for Stabilization – Geo/Plan Associates – n.d.

R. Gaskall said that the proposed project contains three measures to help stabilize the coastal bank which include 1) compatible sediment, 2) vegetation, and 3) prevention of runoff. He said that at the last hearing he was asked to come back with a more herbaceous species planting plan, which has been done. They were also asked to speak to the DPW regarding runoff, which was done. They were also asked to provide an ongoing monitoring plan to provide data, if approved, on how the measures are working to stabilize the bank.

J. Couture said that the drainage controls proposed on the vacant lot are intended to capture runoff from the street and upland areas. The proposed controls will capture the water, convey it to a drywell and infiltrate it into the soil. As requested, the team talked to the DPW to see if the town could do something to intercept runoff, which concluded with an understanding that although the DPW would like to help with the matter, the elevation changes along the road is miniscule and if a cape cod berm is installed, it may exacerbate ponding on the road. The DPW relayed that there is an intent to repave the road, but not in the near future. J. Couture said that since the last hearing, the drywell has been removed and replaced with catch basin which is piped down to beach and would release water on the beach upward of MHW. R. Caruso expressed concern over the banks condition and said that if and when the road is repaved and if runoff is no longer a problem, the pipe can be capped.

R. Gaskall then described the Operations and Management Plan as provided to the Commission. The O & M Plan calls for monitoring conditions at a minimum of four fixed points bi-annually for a minimum of two years. He relayed that if anything appears abnormal, it would be submitted to the Conservation Department.

The Commission asked how runoff on the grassy lot would be gathered to which J. Couture said that a catch basin is proposed in the center of the lot which would be connected to two shallow (6-8") berms/swales that will use the grade of the site to gather water. The Commission asked how wide the pipe to the beach would be to which J. Couture said that it is hard to size such a pipe, but they are proposing a 12" diameter one. He added that there will be splash blocks at the end of the pipe. The Commission then asked if any fill is being brought in, to which J. Couture said no. The Commission asked if the trees will remain, to which R. Gaskall said that they will and they will also spray seed and hand-place loam. He then went on to say that where there isn't woody vegetation 3' on center, woody vegetation would be placed. J. Couture then asked if the Commission would be agreeable to additional plantings on the top of bank, to which they said yes and that native vegetation shall be used. The Commission stated that if the bank erodes to the point where it exposes the structure of the pipe, it shall be removed immediately, to which the applicants agreed.

T. Doherty of 68 Clifton said that he is in support of the project.

Two Special Conditions were added as follows:

- 1) All monitoring documentation is delivered in a timely manner to the Conservation Department. Monitoring will be done in accordance with the Monitoring Plan for Proposed Coastal Bank Stabilization Plan filed in the Conservation Department. Monitoring shall be performed, at minimum, two times a year and following major storm events. The monitoring shall continue for a minimum of two years or longer, per the request of the Conservation Commission. After each monitoring event, a copy of the report shall be submitted to the Conservation Department for review. If additional information is required, it shall be submitted in a timely manner. This condition is ongoing and will not expire at the end of three years.
  - 2) Corrective measures that become apparent from the monitoring effort will be implemented in a timely manner after consultation with the Commission or its designee. This condition is ongoing and will not expire at the end of three years.
- Upon a **motion** by P. Epstein **2nd** by S. Bannen and a **vote** of 5-0-1 (Stone abstained);  
It was **voted** to:

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

**9:12 125 Main St., Map 02/Lots 005 & 003. (SE35-1523) Continuation** of a Public Hearing on the **Notice of Intent** filed by **Stephanie Aprea** for work described as **construct foundation and install boat house on new foundation. The applicant requested a continuance to 02/11/2020 at a time TBD.**

- Upon a **motion** by P. Epstein **2nd** by L. Sorgi and a **vote** of 6-0;  
It was **voted** to:  
**Continue** the Public Hearing to February 11, 2020 at a time TBD.

### **Certificate of Compliance Requests**

90 Atlantic Ave (SE35-1512): – P. Epstein **Motion**, S. Bannen **2nd**, **vote 6-0**; Issue CoC.

Sunset Bay Marina (NE35-237), (SE35-955), and (SE35-1309): D. Ray was present for discussion on the three CoCs. The CoC for NE35-237 had previously been issued by the Commission, but it was never recorded and the original cannot be located – P. Epstein **Motion**, S. Bannen **2nd**, **vote 6-0**; Issue CoC for NE35-237.

SE35-955: Order issued in 2006 to replace timber pier and dock system, relocate travel lift piers, install wave attenuator, add steel bulkhead to new location, install walkway which was not completed, stormwater improvements. ConComm said that the walkway wasn't done, to which D. Ray said that last year he came back for a modification for the walkway in a later permit, which is still an open Order. – P. Epstein **Motion**, S. Bannen **2nd**, **vote 6-0**; Issue Partial CoC for work completed, except for the walkway which is now included in a later permit. D. Ray asked the Commission to issue CoCs for the two times SE35-955 was amended and the one time it was extended. S. Clarren relayed that only one CoC can be issued for each DEP file number. In case that is not the case, – P. Epstein **Motion**, S. Bannen **2nd**, **vote 6-0**; Issue CoCs for the two amendments and extension.

SE35-1309: – P. Epstein **Motion**, S. Bannen **2nd**, **vote 6-0**; Issue CoC.

79 Pt. Allerton Ave (SE35-1483): S. Clarren noted that the Order has still not been recorded at the Registry of Deeds. – P. Epstein **Motion**, S. Bannen **2nd**, **vote 6-0**; Issue CoC, contingent on the Order being recorded at the Registry of Deeds.

1143 Nantasket Ave (SE35-1300): – P. Epstein **Motion**, S. Bannen **2nd**, **vote 6-0**; Issue CoC.

10 Dighton St. (SE35-1310): – P. Epstein **Motion**, S. Bannen **2nd**, **vote 6-0**; Issue CoC.

### **Continued and New Business**

Scheduling dune sand source public meeting: C. Krahforst provided an update to the Commission about an open Order of Conditions. He relayed that the Town has engaged the Woods Hole Group identify appropriate sand sources and prepare a tech memo for the dune restoration project in front of 131-145 Beach Avenue. He asked the Commission if they would be agreeable to having a Public Meeting solely on the sand source, to which the Commission agreed.

6 Gunrock Ave. - DEP's Superseding Determination of Applicability: C. Krahforst relayed that an abutter has submitted a request for an Adjudicatory Hearing on DEP's Superseding Determination of Applicability which upheld the Commission's Determination.

MACC Annual Environmental Conference, 29 Feb 2019, College of the Holy Cross, Worcester: C. Krahforst said that if Commissioners are interested in attending the MACC Annual Conference, costs would be covered.

Rehabilitation of the Welcome to Hull sign on the approach to Hull adjacent to George Washington Boulevard: Susan Green said the Hull Garden Club is working on renovating blue sign on the boulevard. The posts wouldn't be replaced, but the sign would. She asked if an RDA is needed, to which the Commission said no.

125 Main St.: C. Krahforst relayed that the Court issued an Order mandating the removal of the building by April 1.

(new) Annual Report: The Commission reviewed the prepared Annual Report. – P. Epstein **Motion**, S. Bannen **2nd**, **vote 6-0**; approve the Annual Report as drafted.

### **Violations and Compliance issues**

180 Main St., Turf Field: David DeGennaro present as was Margaret J. Laracy consultant rep. from Gale Associates They stated that since the last time they were present before the Commission, the windscreen was moved down to the bottom of the fence and weighted chains were installed to hold the bottom of the windscreen down. They stated that they hope the measure will catch the crumb rubber if it becomes airborne. They concluded by stating that when the project was permitted, the windscreen wasn't located around the entire fence. The Conservation Department disagreed, but would look into the statement. The Commission said that they would like to conduct a site visit to check on the condition of the windscreen.

- 10:10** Upon a **motion** by P. Epstein and **2nd** by L. Sorgi and a **vote** of 6-0;  
It was **voted** to: Adjourn.