



HULL CONSERVATION COMMISSION

253 Atlantic Avenue, 2nd floor

Hull, MA 02045

Phone: 781-925-8102

Fax: 781-925-8509

TUESDAY, November 5, 2019

Members Present: Paul Paquin, Chair, Paul Epstein, Tammy Best, Lou Sorgi, Jennifer Stone
Members Absent: Sean Bannen
Staff Present: Chris Krahforst, Conservation Administrator; Sarah Clarren, Assistant Conservation Administrator
Minutes: No minutes drafted for review

7:30 Call to order

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

7:35 4 Main St., Map 06/Lot 073 Opening of a Public Hearing on the **Request for Determination of Applicability** filed by **John McDonough** for work described as construct **6'x6'generator platform**.

Representatives: none present

Abutters/Others: none present

Documents: "Existing and Proposed Conditions Plan (annotated) – Nantasket Survey Engineering, LLC – 7/17/2018

As the applicant was unable to attend, C. Krahforst presented the proposed plan as described above. He stated that a revised plan was submitted that shows a corrected location for the platform.

- 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 **issue** a Negative Determination of Applicability; the Determination of Applicability was **signed**.

7:45 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: none present

Abutters/Others: Kerry Cashman

The applicant was not present. K. Cashman of 82 Atlantic Ave said that she was present for the hearing. The Commission said that it is best practice to continue hearings if applicants are not present, to which K. Cashman expressed concern regarding the time since the applicant was last before the Commission. The Commission asked if any resource areas are being impacted by the after-the-fact fence, to which K. Cashman said not that she could see, at this point in time.

- Upon a **motion** by P. Epstein **2nd** by L. Sorgi and a **vote** of 5-0;
It was **voted** to:
Continue the Public Hearing to November 19, 2019 at a time TBD.

J. Stone recused herself.

7:50 1064-1066 Nantasket Ave., Map 08/Lot 008 (SE35-1515) Continuation of a Public Hearing on the **Notice of Intent** filed by **Bruce Hall** for work described as **after-the-fact installation of concrete pads, replace asphalt driveway with permeable pavers, add new landing and stairs**.

Representatives: David Ray; Bruce Hall

Abutters/Others: No one spoke

Documents: "Existing and Proposed Conditions Plan" – Nantasket Survey Engineering, LLC – last rev. 11/06/2019

D. Ray presented the project. He stated that since the last hearing, the plan has changed. The concrete pad in the front of the home and the concrete walk down the side are now proposed to be eliminated and replaced with permeable pavers, but not as wide as previously proposed. He said that dense vegetation plantings are proposed in the front of the home where some of the after-the-fact concrete is. He added that the stairs and concrete pad in the rear of the home are the same as previously proposed. C. Krahforst noted that there is now a 2' asphalt apron street-side to the permeable paver driveway which is consistent with the DPW's request. He added that the Town Manager expressed concern about concrete pad and stairs in the rear, but the reasons do not fall within the Commission's purview.

Four Special Conditions were added as follows:

- 1) No work is to commence for work within the property under town ownership until an appropriate license and permission from town is granted
- 2) The permeable paver areas must remain permeable in perpetuity. This condition is ongoing does not expire after three years.
- 3) No stone dust is permitted as part of this project.

- 4) Vegetation to be installed shall be maintained in good and healthy condition in perpetuity. This condition is ongoing and will not expire after three years.

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

It was **voted** to:

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

J. Stone returned.

8:00 51 Harborview Rd., Map 56/Lot 028 (SE35-1516) Continuation of a Public Hearing on the Notice of Intent filed by Thomas Fitzgerald for work described as Installation of a coastal bank retention system and native coastal bank plantings. **The Applicant has requested a continuance until Nov. 19, 2019 at a time TBD.**

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

It was **voted** to:

Continue the Public Hearing to November 19, 2019 at a time TBD.

8:00 Lynn Ave, undeveloped lot: Map 22/Lot 059 (SE35-1517) Opening of a Public Hearing on the **Notice of Intent** filed by **David Vance** for work described as **construct new single family dwelling and sea shell driveway**.

Representatives: Paul Mirabito (engineer)

Abutters/Others:

Documents: "Site Plan for a Proposed House at Lot 59" – Ross Engineering Co., Inc. – 10/11/2019

Proof of mailing was provided at the hearing. P. Mirabito presented the proposed plan as described above. He stated that a home is proposed on the center of lot with porch in front and deck in the rear. He added that the first floor will be above base flood elevation and that there will be a slab with a foundation above that has flood vents. Roof infiltrators are proposed and the landscaping will consist of shrubs and lawn. C. Krahforst noted that there is no need for a driveway apron at this location.

Two Special Conditions were added as follows:

- 1) The drainage and infiltration system be maintained in good working order in perpetuity. This condition is ongoing does not expire after three years.
- 2) The driveway must be maintained in good working order with respect to permeability in perpetuity. This condition is ongoing and will not expire after three years.

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

It was **voted** to:

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

8:05 49 J St., Map 15/Lot 022 (SE35-1518) Opening of a Public Hearing on the **Notice of Intent** filed by **Brian and Sandra Doody** for work described as **construct new single-family residence**.

Representatives: Brian and Sandra Doody; Chi Man (engineer); Joe ??? (architect)

Abutters/Others: none present

Documents: "Proposed Site Plan" – Hardy & Man Design Group, PC – 10/10/2019

Proof of mailing was provided at the hearing. C. Man presented the project as described above. The site is located within Land Subject to Coastal Storm Flowage and the soil is sandy loam. The lot is small and a single-family home is proposed in the center of the lot. The building will be approximately 1,300 square feet. A concrete foundation is proposed and the slab will be at elevation 10'. C. Man said that they are unsure if flood vents will be required. He stated that the finished floor will be 3' above the flood zone and the surrounding grade will match the abutting properties.

To mitigate additional runoff, a cultec system was designed to collect all roof runoff. Additionally, a trench drain will connect runoff from the driveway and into a cultic system. C. Man stated that stormwater calculations show the project being able to capture a 100 year storm. He asked if the Commission would entertain a permeable driveway instead of the asphalt driveway with trench drain and cultic system, to which the Commission said they would.

The Commission asked about the proposed fill, to which C. Man said that the property is shaped like a bowl and will be filled from elevation 9 (current) to elevation 10. He added that the property owners would be open to creating a swale around the property to alleviate any runoff.

The Commission asked if any vegetation was proposed, to which C. Man said that there is no formal planting plan to-date, but the property owners would like to plant native species.

Six Special Conditions were added as follows:

- 1) No change in grade in the area within a 3 ft perimeter of the property boundary (i.e., no higher than the grade of the abutters) is permitted.

- 2) If runoff from the property after construction does result in adverse flooding to abutters, then the applicant needs to pursue remediation (e.g., installation of appropriate swale) through consultation with the Conservation Administrator or appointee. This condition is ongoing does not expire after three years.
 - 3) O&M Plan for drainage and infiltration system is followed as proposed in the drainage report on file with Conservation Dept. and be maintained in good working order in perpetuity. This condition is ongoing does not expire after three years.
 - 4) Any proposed Landscaping (plants) plan be reviewed by the Conservation Administrator, or appointee. Vegetation will be installed and maintained in good condition in perpetuity. This condition is ongoing and will not expire after three years.
 - 5) If the asphalt driveway and drainage tank is not pursued, then the driveway must be made permeable maintained in good working order with respect to permeability in perpetuity. This condition is ongoing and will not expire after three years.
 - 6) If a previous foundation is found during construction, the foundation must be removed and disposed appropriately.
- Upon a **motion** by P. Epstein **2nd** by L. Sorgi and a **vote** of 5-0;
It was **voted** to:

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

Certificate of Compliance Requests

86 Atlantic Avenue (SE35-1136): – P. Epstein **Motion**, L. Sorgi **2nd**, **vote 6-0**; CoC issued.

76 A Street (SE35-1437): – P. Epstein **Motion**, L. Sorgi **2nd**, **vote 6-0**; CoC issued.

61 Harborview Rd. (NE35-725): – P. Epstein **Motion**, L. Sorgi **2nd**, **vote 6-0**; CoC issued.

64 F St. (SE35-1472): The Commission noted that although no as-built topographical plan was submitted, the land and surrounding area are essentially flat. A letter was submitted confirming substantial compliance. – P. Epstein **Motion**, L. Sorgi **2nd**, **vote 6-0**; CoC issued.

Continued and New Business

Landscape plan for 95 Clifton Ave.: The Commission reviewed a planting plan submitted to the Conservation Department. As it consisted of native species, the Commission did not feel that an Amendment to the Order of Conditions was needed.

Amend or new NOI for 189 Nantasket Ave OoC: C. Krahforst said that the building suffered damage and is not feasible to restore. He asked the Commission if the Order could be amended or if a new NOI should be submitted. The Commission determined that if the work is on a different Map/Lot than the original filing, it should be done through a new NOI.

45 N St – 4'x2' landing?: C. Krahforst asked if the Commission would like an RDA for a small landing, to which the Commission said no.

Special meeting for Executive session, Dune project or schedule during 19 Nov Meeting: C. Krahforst noted that the Town Manager and Counsel requested an executive session to discuss litigation. The Commission agreed to hold a meeting outside of their regular schedule on November 12th at 5:30PM.

Upcoming Holiday Schedule as posted: S. Clarren reminded the Commission that they have a special holiday schedule, which was previously approved by the Commission.

Violations and Compliance issues

86 Main St. Non-permitted demolition: C. Krahforst said that the owner overstepped the original Order of Conditions and the building was torn down. He said that a new NOI is being submitted and that he gave permission for woodchips on the bank to be removed.

27 Beach Ave (SE35-1474): Krahforst said that at the last meeting pictures were provided that made it appear that work exceeded what was allowed under SE35-1474 in regards to the height, length, and cap. The Commission said that they saw the wall that was there before, had been under the impression that the wall wouldn't be made larger and after visiting again, it appeared that another row may have been added. A. Mitropolous of 27 Beach Avenue presented two pictures showing the pre-existing wall with three layers of blocks. One Commissioner said that the blocks were loose, but that they were there. C. Krahforst asked about the cap, to which A. Mitropolous said that a cap protects the wall from deteriorating. The Commission determined that cap and stucco won't make the wall more substantial.

M. Macleod of 18 Manomet Ave. said that the wall was raised and extended, to which A. Mitropolous said the wall wasn't extended, the top layer just continued at the height of the wall.

V. Mitropoulos said that the wall is holding the abutters land up and off of their property. The Commission noted that the height of the wall matches the height of the abutting land. A Commissioner noted that the Commission approved the wall to be removed and replaced as it was originally. M. Macleod asked what would happen if her property floods because the wall was removed, to which the Commission said that the regulations allow and encourage walls that restrict natural flow to be removed. The Commission determined that given the information presented, the project is in compliance and work can continue.

8:55 Upon a **motion** by P. Epstein and **2nd** by L. Sorgi and a **vote** of 6-0;
It was **voted** to: Adjourn.