



HULL CONSERVATION COMMISSION

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MONDAY, October 07, 2019

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

7:30 Call to order

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

7:36 247 Beach Ave., Map 15/Lot 084 Opening of a Public Hearing on the **Request for Determination of Applicability** filed by **Kelly Crummey** for work described as **install 25' long picket-style fence**.

Representatives: Kelly Crummey

Abutters/Others: No one spoke

Documents: "Plan of Land" (annotated) – J Webby Consulting LLC – 4/10/2015

K. Crummey said that it will be similar in style to the fence on the abutting property. The Commission said that the area is in a flood zone and should be elevated off of the ground and allow water to flow through, to which K. Crummey agreed.

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

It was **voted** to:

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

7:44 1133 Nantasket Ave., Map 07/Lot 025 (SE35-1507) Continuation of a Public Hearing on the **Notice of Intent** filed by **John Gilbert** for work described as **construct new 1697 ft² home**.

The Applicant requested a continuance until Nov. 5, 2019 at a time TBD.

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

It was **voted** to:

Continue the Public Hearing to November 5, 2019 at a time TBD.

7:45 90 Atlantic Ave., Map 53/Lot 053 (SE35-1512) Opening of a Public Hearing on the **Notice of Intent** filed by **Jon and Roberta Norton** for work described as **after-the-fact location change of previously permitted landscaping wall. Install pavers**.

Representatives: Jon Norton

Abutters/Others: No one spoke

Documents: "Landscape Layout" – Morse Landscape & Design Inc. – May 2019

J. Norton said that his previous filing with the Commission was centered on changing the location of the wall, but the entire proposed project may have not been clear. The proposed project, which has since been done, involved expanding the driveway area for pavers. This was done to increase visibility getting out of the driveway.

The Commission asked if the work has been completed, to which J. Norton said that some landscaping still needs to be done. The Commission questioned the accuracy of the plan, to which R. Norton said the drawing is a computer drawing and is not drawn to scale.

The Commission expressed concern over the use of stone dust and said that it should not be used on the property. The Commission then added that any work on the ground may require a permit and property owners should always check with the Conservation Department prior to beginning work.

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

It was **voted** to:

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

A Commissioner questioned if they should entertain issuing a Certificate of Compliance for the project, to which C. Krahforst advised that they wait until all landscaping work has been completed and the Order of Conditions has been issued.

8:00 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. The Applicant has requested a continuance until Oct. 22, 2019 at a time TBD.**

- Upon a **motion** by P. Epstein **2nd** by S. Bannen and a **vote** of 4-0;
It was **voted** to:

Continue the Public Hearing to October 22, 2019 at a time TBD.

8:01 Town of Hull Landfill, Maps 43 & 44/Lots (SE35-1514) Opening of a Public Hearing on the **Notice of Intent** filed by **Town of Hull** for work described as **proposed Town of Hull landfill assessment-related work marsh to include: installation of 2 groundwater monitoring wells, 3 gas monitoring wells and the test pits.**

Representatives: Steve Wright (Representative)

Abutters/Others: No one spoke

Documents: "Initial Site Assessment Hull Sanitary Landfill; ISA Base Plan" – Sanborn Head – February 2019

S. Wright stated that the majority of the landfill has been capped, beginning in 1985, but a small 3-acre portion remains in use. The rest of the landfill was capped in a series since 1985. He noted that capacity is running out and the Town will be filing a landfill-assessment with the state. The end goal is to cap the landfill, but the state process takes time. The project currently before the Commission involves installation of 2 groundwater monitoring wells, 3 gas monitoring wells and test pits. He noted that a 10' wide path will be cleared for equipment. The Commission asked how deep the wells will be, to which S. Wright said they will be 20' at deepest. C. Krahforst asked when the work would be completed, to which S. Wright said it would take place in late October or November. He said that once this work is done, work on the assessment report will begin. The Commission noted that no file number was issued, so the hearing must be continued.

Seven Special Conditions were added as follows:

- 1) All work in the marsh must be conducted when high tide is below 9.5' (NAVD88). (Note: Plan of Record has elevations in NGVD 1929)
 - 2) A Chapter 91 License may be required. Compliance with MassDEP Waterways Program must be met and a Ch 91 License obtained if it is determined that such license is required;
 - 3) The activities of this permit will not result in the loss of more than 5,000 square feet cumulatively of bordering and isolated vegetated wetlands and Land Under Water
 - 4) Any dredging, if applicable, must be less than 100 cubic yards of Land Under Water;
 - 5) 1:1 replacement of Bordering Vegetated Wetlands (BVW) for activities that result in BVW loss;
 - 6) No discharge of dredged or fill material is allowed to the Weir River ACEC;
 - 7) If impacts to resource areas or project size increases beyond that described in the Notice of Intent or there are discrepancies therein, the applicant must notify MassDEP and request a determination that the criteria of 314 CMR 9.03 have been met before the activity may begin.
- Upon a **motion** by P. Epstein **2nd** by S. Bannen and a **vote** of 4-0;
It was **voted** to:

Continue the Public Hearing to October 22, 2019 at a time TBD.

8:20 189 Nantasket Ave. and 9 Park Ave., Map 37/Lots 002 & 004 and Map 38/Lot 100 (SE35-1513) Opening of a Public Hearing on the **Notice of Intent** filed by **Chris Dilorio** for work described as **create a permanent outdoor gallery and garden space; murals to be left out year-round.**

Representatives: none present

Abutters/Others: Mark ??????, Neil Noonan

C. Krahforst noted that C. Dilorio has requested a continuance to October 22, 2019.

Because two abutters were present, C. Krahforst noted that the project had been approved as a seasonal installation, but is coming back before the Commission to be a permanent installation. An abutter stated that they had thought it was a hearing on a project at the area formerly known as 'Marvels,' to which the Commission said it is not. C. Krahforst noted that the Commission did review and approve a project at that area and offered to review the plans with the abutter during regular office hours.

- Upon a **motion** by P. Epstein **2nd** by S. Bannen and a **vote** of 5-0;
It was **voted** to:

Continue the Public Hearing to October 22, 2019 at a time TBD.

8:26 179 C Samoset Ave., Map 19/Lot 119 (SE35-1505) Continuation of a Public Hearing on the Notice of Intent filed by Arnold Freedman for work described as after-the-fact construction of paved binder coat on asphalt passageway over existing access and proposed finish coat.

Representatives: none present

C. Krahforst said that he has not received correspondence requesting a continuance. He noted that the Conservation Department has not yet received a statement from DPW that they will install a catchbasin, nor has the Department received approval from a property owner.

- Upon a **motion** by P. Epstein **2nd** by S. Bannen and a **vote** of 4-0;
It was **voted** to:

Continue the Public Hearing to October 22, 2019 at a time TBD.

Certificate of Compliance Requests

185 Samoset Ave (SE35-1476): C. Krahforst noted that this was not actually a Certificate of Compliance Request.
61 Harborview Rd (NE35-725) (no as-built); NE35-270– never recorded: The Commission stated that an as-built is required.

Continued and New Business

Permit Extension Request for SE35-1345 (demo and new 2-family house, 36 Clifton Ave): Epstein, Bannen 4-0. C. Krahforst also noted that the property owners would like to install granite cobble in front of the property, but they are currently seeking approval from the DPW.

Modification for 40 Sumner St (SE35-1487): C. Krahforst said that the plans have changed. The property owner is now seeking to install a second set of stairs, two small landing pads, and extending a landing pad to the end of the home. The Commission noted that these changes are minor, but the plan needs to be revised.

DPW request for condition on driveways: The Commission reviewed an email from J. Stigliani dated 10/2/2019 requesting that "...any cobblestones, pavers, or other type of raised or inlayed features be set back at least 2 feet from any public roadway in order to minimize the chances of these being picked up or struck during snow plowing." The email also notes that "the installation of any of these features, or a standard driveway apron, within the public layout requires a Street Opening Permit issued by the DPW."

FEMA MAT Recommendations, post-Sandy: C. Krahforst provided the Commission with guidance from CZM and FEMA regarding recommendations, post-Sandy. He noted that the guidance does state that FEMA flood vents do not alleviate all channeling and therefore any potential erosion could be conditioned by the Commission. The Guidance also suggests that buried structures in overwash zones has negative effects on resource areas, as they are more susceptible to scouring than piles. [A document entitled "Summary of FEMA Observations and Recommendations Regarding Coastal Storm Damage Pertaining to Coastal Floodplain Function" and a PowerPoint entitled "Hurricane Sandy in New Jersey and New York" by FEMA, dated November 2013 were included in the packet.]

38 Waltham St RDA?: C. Krahforst questioned if a set of stairs with a landing would require a permit through the Commission, to which the Commission said it did not.

6 Gunrock Ave negative Determination of Applicability appeal to DEP: C. Krahforst noted that he received notification on 10/7 that abutters have appealed the Commission's Determination of Applicability.

(new) Walls/fences: A Commissioner requested clarification on walls/fences. C. Krahforst noted that a new funding round for MVP Action Grants has opened and the Conservation Department will be advocating for funds to pursue a Conservation Bylaw.

Violations and Compliance issues

125 Main St (continued): C. Krahforst noted that there will be a site visit with DEP on 125 Main St on 10/8/19.

169 Beach Ave (continued): C. Krahforst noted that he is still trying to reach out to Town Counsel regarding this matter.

- 9:02** Upon a **motion** by P. Epstein and **2nd** by S. Bannen and a **vote** of 4-0;
It was **voted** to: Adjourn.