



HULL CONSERVATION COMMISSION

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TUESDAY, November 13, 2018
Meeting held at Hull Town Hall, 2nd Floor

Members Present: Paul Paquin, Chair, Sean Bannen, Paul Epstein, Chris Oliveri, Lou Sorgi
Staff Present: Chris Krahforst, Conservation Administrator; Sarah Clarren, Assistant Conservation Administrator
Minutes: Upon a **motion** by P. Epstein **2nd** by S. Bannen and a **vote** of 5-0;
It was **voted** to: Approve the Minutes of October 23, 2018 as amended.
The minutes of August 30th, 2018 were prepared but not reviewed.

7:30 Call to order

7:39 17B Gunrock Ave., Map 52/Lot 028A Opening of a Public Hearing on the **Request for Determination of Applicability** filed by **Jim and Laurie Murphy** for work described as **remove 225 sq. ft. of existing concrete and replace with permeable pavers; construct concrete block generator platform**

Representatives: Joseph Kasmovski (Contractor)

Abutters/Others: none present

Documents: "Mortgage Inspection Plan [annotated]" – Neponset Survey Assoc., Inc. 9/5/2017

J. Kasmovski presented the proposed project which involves removing existing concrete and replacing it with permeable pavers. The work would also involve constructing a concrete pad for a generator. The Commission recommended that the generator be elevated as it is located in a flood zone. J. Kasmovski agreed that elevating would be in the homeowners' best interest and would relay the recommendation.

- 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 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 **remove rock and overwash debris left on property from coastal storms**.

Representatives: Amir Shahbazian (owner)

Abutters/Others: none present

Documents: "Existing Conditions Plan" – Nantasket Survey Engineering, LLC – 9/25/2018

The Commission noted that the proposal involves removing rocks that are likely from the revetment belonging to the DCR and therefore applicant should check with the DCR prior to moving the rocks, as they could be reused in the revetment. A. Shahbazian stated that he is in contact with the DCR regarding the wall and what can be done to repair it, as it appears to be in poor condition. He added that at this time, he is requesting to remove the rocks, as they have been on the property since the March storms. The Commission asked what will be done to the rocks to which A. Shahbazian stated that they would be removed from the town. The Commission determined that removing small rocks from the property would not adversely impact any resource areas. The Commission stated that prior to work commencing, A. Shahbazian should flag his property lines as work is only allowed on his property; A. Shahbazian 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 **issue** a Negative Determination of Applicability. The Determination of Applicability was **signed**.

8:00 6 Vernon Ave., Map 24/Lot 112 (SE35-1448) Opening of a Public Hearing on the **Notice of Intent** filed by **Jennifer Concannon** for work described as **construct new front porch**.

Representatives: Chris Rand (contractor)

Abutters/Others: none present

Documents: "Proposed Conditions Plan [annotated]" – annotated 10/15/2018

C. Rand stated that the proposed work involves constructing a new front porch.

- 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 **approve** the Order of Conditions. The Order of Conditions was **signed**.

8:02 133 A Manomet Ave., Map 19/Lot 137 (SE35-1447) Opening of a Public Hearing on the **Notice of Intent** filed by **Alysha Perry** for work described as **renovation and addition to existing home**.

Representatives: Cindy and Brian McGreevy (owner); James Kenneway (contractor)

Abutters/Others: none present

Documents: "Proposed Conditions" – Webby Engineering Associates, Inc. – 10/19/2018

J. Kenneway presented the proposed project. He stated that two small additions on sonotubes are proposed. He added that an existing concrete pad will be removed. C. Krahforst noted that the plan shows a fence and shed on the railroad bed. The Commission noted that the proposed work is not close to the railroad bed and therefore is not an issue within their jurisdiction. It was noted that the new owners should contact the Select Board to see if there is a permit for use of the railroad bed.

- 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 **approve** the Order of Conditions. The Order of Conditions was **signed**.

8:10 38 Clifton Ave., Map 31/Lot 002 (SE35-1449) Opening of a Public Hearing on the **Notice of Intent** filed by **Frederick Shaw** for work described as **restoration and replacement of seawall, steps, plantings, and fill Materials**.

Representatives: Fred Shaw (owner); Brendan Sullivan (consultant)

Abutters/Others: Roger Bearde (40 Clifton Ave.)

Documents: "Site Plan to Accompany NOI" – Cavanaro Consulting – 10/22/2018

B. Sullivan presented the proposed project and gave the Commission pictures of the site and existing wall (included in the Notice of Intent submittal). He stated that the entire site is located in the flood zone. B. Sullivan stated that the project would involve removing and replacing a wall within its same footprint. The top of wall is proposed to be elevation 10'. The existing steps would also be removed and replaced and rosa rugosa is proposed as bank stabilization. He added that as per Coastal Zone Management (CZM)'s recommendation, 24-25 cubic feet of nourishment is proposed to replenish what was lost in storms. A Commissioner expressed concern that the project would redirect water to the abutting property. B. Sullivan said that the homes to the east have seawalls and the homes to the west have rubble walls or the bank is steeper. A Commissioner said that if the wall extends the entire length of the property, it would redirect water and increase erosion to the west; they suggested that the wall be tapered. The Commission asked if the wall be connected to the abutting wall on the east, to which B. Sullivan said yes. The Commission said that in previous situations when there is no seawall on one side of an abutting property, the wall on the subject property ends 10' before the property line. C. Krahforst noted that there was and is a pre-existing wall and the applicant is requesting a semi-soft solution by planting vegetation. C. Krahforst then noted that DEP has suggested that if there is a pre-existing structure, it can be repaired within its pre-existing footprint. A Commissioner noted that what is proposed is different than what was pre-existing; it includes a footing and is significantly more armored than what currently exists. A Commissioner suggested keeping the pre-existing wall for the 10' in question and reconstruct the wall along the rest of the property. B. Sullivan noted that storms are increasing in frequency and intensity so the 10' area would not last.

R. Bearde of 40 Clifton Ave said that he is in support of the project. His property is to the west of the project and when he removed his wall, he was permitted to construct a fence, cobble berm, and vegetation; instead he only constructed the fence and planted beach grass. The Commission noted that is a softer solution than approved and then reiterated that the wall should be tapered to not negatively impact the abutting property and resource areas.

B. Sullivan asked if the wall's height could be elevated 3-4", to which C. Krahforst said that would be expanding the wall's footprint. B. Sullivan noted that the Gunrock seawall is being elevated. The Commission asked if the home was constructed prior to 1978, to which C. Krahforst said it was. The Commission then noted that the regulations allow the property to be armored if there is significant threat to the structure of the house. A Commissioner noted that the home does not appear to be significantly threatened, so the height should not be permitted to be higher than pre-existing.

S. Clarren noted that when DEP issued the file number for the project they commented and stated that "Notwithstanding 310 CMR 10.27(3), beach nourishment with clean sediment of a grain size compatible with that on the existing beach may be permitted."

F. Shaw stated that when CZM was onsite, CZM said that they were alright with the replacement of the wall; they wanted a dune or a replacement of what was there before. C. Krahforst stated that on-site, he was under the impression that the project was a repair of an existing structure and not the removal and replacement of a like-structure. A Commissioner noted that the proposed wall is essentially a terracing wall and is not designed for the resources onsite. A cobble berm or revetment would be better; pouring a concrete wall and a footing in a wetland is not advised. F. Shaw then added that he had originally wanted to construct a revetment, but CZM said no. C. Krahforst noted that CZM makes recommendations and the Commission is tasked with making a determination. A Commissioner noted that there are cheaper, softer solutions that would cause less impact to the resource areas. It was suggested that the wall be repaired with materials that have broken apart and are still onsite. It was also suggested that the applicant consider a continuance to discuss potential options with their representative, DEP, and CZM, to which F. Shaw agreed.

- 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 11/27/2018 at a time to be determined.

Certificate of Compliance Requests

147 Manomet Avenue (SE35-1349) – P. Paquin **Motion**, S. Bannen **2nd**, **vote** 5-0; CoC issued.

New Business

Bay Avenue East (SE35-1178) Extension Request: P. Paquin recused himself. S. Clarren stated that the Community Development and Planning Department is requesting a one year extension for the Bay Avenue East Project. – C. Oliveri **Motion**, L. Sorgi **2nd**, **vote** 4-0; one year extension request granted. P. Paquin returned.

Town Clerk Request 10/25: S. Clarren stated that L. West, Town Clerk, has said that she will email Boards and Commissions regarding requesting re-appointments. It was suggested that Commission members seeking re-appointment email West stating such.

Violations: 12 Lynn Ave: C. Krahforst noted that he received notice that a property owner was sandbagging an area to stop flow from going into a stormdrain. The Commission questioned why someone would want to stop flow from entering into a stormdrain, to which C. Krahforst responded by stating that a property owner is concerned of what is entering said stormdrain. He stated that he sent a letter of compliance notifying the owner of 12 Lynn Ave. that placing sandbags affects the flow of water and is not permitted without review by the Commission. He noted that a blacktop berm had been installed in the area in the past and had been ordered by the Town to be removed, which it was.

CPA Projects from Con Com: L. Sorgi, CPC representative, stated that the submittal deadline for CPA projects has passed. The Commission suggested that for the next application round, they should submit an application for a project.

Upcoming Trainings, including MACC Buffer Zone Workshop: S. Clarren informed the Commission that there is a Buffer Zone Workshop on 12/1 in Easton, MA.

Possible minor amendment 95 Clifton Ave (new): C. Krahforst noted that 95 Clifton Avenue will be requesting to Amend their Order to reduce impacts on natural resources.

315 Beach Ave (new): C. Krahforst stated that he has issued a second compliance letter on November 13, 2018. The letter is regarding unpermitted manipulation to the dune and vegetation.