



## HULL CONSERVATION COMMISSION

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

Hull, MA 02045

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**TUESDAY, October 23, 2018**

**Meeting held at Hull Town Hall, 2<sup>nd</sup> 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 L. Sorgi and a **vote** of 5-0;

It was **voted** to: Approve the Minutes of September 5, 2018 as amended.

**7:30** Call to order

**7:35 131 Samoset Ave., Map 23/Lot 083 (SE35-1446) Opening** of a Public Hearing on the **Notice of Intent** filed by **Dorothy-Ann Resnick** for work described as **construct 13' x 18' deck and construct 1,156 sq. ft. addition.**

Representatives: Dorothy-ann, Shannon, and Kevin Resnick; Paul McCarthy (did not sign in; contractor)

Abutters/Others: none present

Documents: "Existing and Proposed Conditions Plan" – Nantasket Survey Engineering, LLC – 10/02/2018  
"Foundation Plan" – Pierce Home Design – 09/28/2018

P. McCarthy stated that the project involves filling in the basement, elevating utilities, installing flood vents throughout the entire foundation, constructing a deck and a large addition. C. Krahforst noted that the property will become FEMA flood compliant if the project is completed.

- 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**.

**7:40 27 Beach Ave., Map 27/Lot 004 (SE35-1414) Continuation** of a Public Hearing on the Notice of Intent filed by **Athanasios Mitropoulos** for work described as **remove sand from existing beach-front patio, install gate adjacent to Beach Ave, and replace approximately 475 sq ft of existing concrete patio and approximately 110 sq ft of existing cement block walls.**

Representatives: Athanasios Mitropoulos

Abutters/Others: Chuck and Stacey Urdang (29 Beach Ave); Marjorie Macleod (18 Manomet Ave);

Documents: "Monument Plan (annotated) – Nantasket Survey Engineering, LLC – 09/17/2018  
"[2 pictures]" – n.d.

S. Clarren began by stating that although P. Paquin was not present for the last discussion, he listened to the recording and signed a form stating such.

A. Mitropoulos stated that he wants to make repairs to his property, including leveling the existing cement patio/walkway and repairing the existing wall. The Commission asked if fill would be brought in, to which A. Mitropoulos said no; the patio would be repaired to the pre-existing grade. The Commission agreed it would be permissible as long as water is not deflected. A. Mitropoulos then stated that they will not repair all of the wall, as previously thought. The plan was then annotated by A. Mitropoulos to show the areas of proposed work [highlighted in yellow on the Plan of Record]. He presented two pictures showing the existing conditions.

A. Mitropoulos then added that he wants to install a fence along the rear of his property, abutting the unconstructed portion of Beach Avenue. He added that the original plan was to construct a gate, but he no longer wants a gate. The Commission determined that a fence could be permissible as long as it is elevated and allows water to flow through.

C. Urdang of 29 Beach Ave. expressed concern over elevating the patio. The Commission noted that spot grades showing the pre-existing elevation are shown on the plan and the project would not be allowed to exceed the existing spot grades. He then stated that the proposed fence is on his property, to which the Commission said there is a surveyed plan stating otherwise. M. Macleod of 18 Manomet Ave. requested confirmation that the grade would stay the same, to which the Commission said they are not allowing the grade to be higher than existing; only small pockets will be brought up to existing grade. S. Urdang of 29 Beach Ave. stated that she plants beach grass every year and expressed concern over the project. She added that she would like a stronger dune in the area, to which C. Krahforst said that such a project may be permissible, but a permit would need to be filed. M. Macleod of 18 Manomet Ave. expressed concern over the fence and how it would impact emergency vehicles. The Commission stated that there are

other options for access of emergency personnel and equipment and the fence is permissible if it allows for sufficient flow through of potential floodwaters.

Four Special Conditions were added as follows:

- 1) Concrete repair of walkway and patio must not exceed adjacent grade of land
  - 2) The fence is to be constructed so that it is 6" off the ground and is 50% flow through
  - 3) If pavers are to be installed in the SE corner of the property adjacent to the building they must be of permeable variety and be maintained as permeable in perpetuity
  - 4) The area of the proposed permeable pavers is to be within 12 ft by 7 feet as indicated on the plan-of-record
- Upon a **motion** by S. Bannen **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**.

P. Paquin recused himself.

**8:11 11 Rockland Cir., Map 39/Lot 135 (SE35-1330) Continuation** of a Public Hearing on the **Request to Amend the Order of Conditions** filed by **Henry Holmes** for work described as **increase size of impervious driveway; install impervious walkways in front and rear of property; change approved drywell locations; change location/size of front deck; install concrete pads for A/C units; install stone wall in front of the property.**

Representatives: Jeff Hassett (Engineer); Henry Holmes (owner)

Abutters/Others: Kerry Adams (17 Rockland Cir.)

Documents: "Conservation As-Built Plan [annotated]" – Morse Engineering Co., Inc. – 8/3/18, last rev. 10/23/2018

J. Hassett of Morse Engineering stated that since the last hearing, he submitted a revised plan showing 1) the driveway and changes to its pitch, drainage, including steel grate drain, and size, showing the downspouts connected to the drywells.

The Commission stated that the plan must be certified by an engineer that the changes made to the plan will solve the drainage issues that have been created by the unpermitted work; J. Hassett stated that he is an engineer and stamped/signed the plan. The Commission required the engineer to initial each annotation on the plan of record to ensure effective remediation of existing post-construction drainage issues.

K. Adams of 17 Rockland Cir. stated that she thought after the last meeting, someone was going to check elevations.

C. Krahforst stated that he compared the survey that was submitted as part of the original filing and the new plan. He then visited the site, paying particular attention to the area surrounding the telephone pole [as requested] and noted no change as previously described.

Two Special Conditions were added as follows:

- 5) The drywells, swale, and drainage shall have an Operations and Maintenance Plan. The drywells, swale, and drainage must be maintained in good working order in perpetuity.
  - 6) (S13 from Original Order of Conditions) A loam and seeded swale is to be created on the southeast side of the property. This swale is to be created and maintained in such a way that the abutting properties do not have additional runoff.
- Upon a **motion** by S. Bannen **2nd** by L. Sorgi 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**.

P. Paquin returned.

**8:22 Beach Ave. (Phipps to R St) (SE35-1441) Continuation** of a Public Hearing on the **Notice of Intent** filed by the **Town of Hull** for work described as **repair primary dune along North Nantasket Beach from winter coastal storm erosion.**

Representatives: Chris Krahforst (Town of Hull)

Abutters/Others: Stacey and Chuck Urdang (29 Beach Ave)

Documents: "Project Narrative and accompanying 2018 Areas Map" – September 2018  
"NHESP File No.: 17-37071" – Division of Fisheries & Wildlife – 10/19/2018

C. Krahforst stated that discussion on the project had occurred at a prior Commission meeting, but the Division of Fisheries and Wildlife had not yet commented on the project, so the Commission had been unable to vote on the project. He then reminded the Commission that the project is not a dune nourishment project, but instead is meant to help repair dune blow-out areas. He added that the sand will be courser than Nantasket Beach sand, but it will be from a source that is approved for environmental use. He stated that the amount of sand is unknown, as those calculations were not

made and the amount of sand will be noted and recorded after the work to aid in estimating needs for future needs. S. Urdang asked if the project will return the dune to previous storm conditions, to which C. Krahforst said it would not. He again stated that the project is meant to help alleviate the worst of the voids. C. Krahforst then noted that the Division of Fisheries and Wildlife reviewed the project and provided six special conditions that would ensure a taking of protected habitat would not occur and these were read aloud for the record.

Six Special Conditions were added as follows:

- 1) All dune and/or beach nourishment is prohibited during the period April 1 – August 31, to protect breeding shorebird species
  - 2) All dune nourishment shall be limited to supplementing the existing dune by repairing voids in the dune. Dune nourishment shall not substantially increase the dune height or seaward location of the existing dune (i.e., nourishment shall not be placed seaward of the existing dune adjacent to the void) and shall be placed at a maximum of 6(H):1(V) or less.
  - 3) If any nourishment will occur on the Coastal Beach, the material shall not exceed a slope of 10(H):1(V).
  - 4) If the scope of dune nourishment expands from the September 2018 Narrative accompanying the Notice of Intent and/or the linear extent increases, then the Applicant must submit updated information to Mass Wildlife for review and written approval prior to the start of work
  - 5) The Applicant must continue to allow regular monitoring for the presence of Piping Plovers and terns by a qualified shorebird monitor, as determined by Mass Wildlife, during the period April 1 – August 31 and shall allow any nests, scrapes, or unfledged chicks to be protected with symbolic fencing (warning signs and twine fencing).
  - 6) Upon filing for renewal, extension, or amendment of Orders of Conditions, the Applicant shall contact Mass Wildlife for written response regarding impacts to Resource Area habitat of state-listed wildlife.
- 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**.

#### **Certificate of Compliance Requests**

19 and 21 Burr Road (SE35-1281) – P. Epstein **Motion**, L. Sorgi **2<sup>nd</sup>**, **vote** 5-0; CoC issued.

#### **New Business**

Vandalism of Gunrock Beach Ramp: C. Krahforst stated that unpermitted work occurred on town-owned property. He stated that someone hired a contractor to install a cement pad on a street ending. He added that the way it was constructed will greatly exacerbate erosion and a police report has been filed. The Conservation Department is actively working with the Police and Town Manager to resolve the violation.

Next meeting date (Nov 6 = Election Day) – reschedule?: S. Clarren stated that the next scheduled meeting falls on election day and suggested that the Commission reschedule. The Commission determined that their next scheduled meeting would be held on 11/13/2018.

CPA: S. Clarren reminded the Commission that CPA applications are due 11/1/2018.

RDA for 17B Gunrock – new: C. Krahforst stated that he spoke with a homeowner that is interested in removing impervious surface, replacing with a permeable paver system, and installing a generator platform. He asked the Commission if it would require a permit. The Commission determined that an RDA should be filed.

Quarterly Report – new: – P. Paquin **Motion**, L. Sorgi **2<sup>nd</sup>**, **vote** 5-0; approve Quarterly Report as amended.