



HULL CONSERVATION COMMISSION

253 Atlantic Avenue, 2nd floor

Hull, MA 02045

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TUESDAY, August 14, 2018

Meeting held at Hull Town Hall, 2nd Floor

Members Present: Paul Paquin, Acting Chair, Sean Bannen, Paul Epstein, Elizabeth Fish, Chris Oliveri

Members Absent: Lou Sorgi

Staff Present: Chris Krahforst, Conservation Administrator; Sarah Clarren, Assistant Conservation Administrator

Minutes: 7/24/18 and 5/22/2018 prepared, but not reviewed.

7:32 Call to order

7:36 35 A St., Map 18/Lot 061, Opening of a Public Hearing on the **Request for Determination of Applicability** filed by **Kelly Deady** for work described as **expand existing deck**.

Representatives: Kelly Deady

Abutters/Others: none present

Documents: "Mortgage Inspection Plan 6-23-16, Deck Expansion Narrative"

K. Deady presented the proposed project which extends the existing deck by 7'; there will be 4 new footings.

- 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**.

7:40 7 Channel St., Map 02/Lot 027 Opening of a Public Hearing on the **Request for Determination of Applicability** filed by **Jane Driscoll** for work described as **repair existing concrete block wall and fill with beach nourishment stone behind wall**.

Representatives: Jane Driscoll and Richard Powers

Abutters/Others: none present

Documents: "Area of Proposed Work GIS Map" n.d.

J. Driscoll presented the proposed project. She stated that due to the multiple Nor'Easters, the wall was damaged and there was scour behind the wall; work began to correct the damage. She stated that the Conservation Department alerted her that she needed a permit to do the work. She has since spoken with a contractor who indicated that approximately 4 cubic yards of natural stone should be used to fill the scoured area. The wall will be repaired, not replaced.

- 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 53 Beach Ave., Map 25/Lot 084 Opening of a Public Hearing on the **Request for Determination of Applicability** filed by **Gui Ming Huang** for work described as **extend existing deck**.

Representatives: Gui Ming Huang (contractor)

Abutters/Others: none present

Documents: "Proposed Work Plan, 01Aug18"

G. Ming Huang presented the project which involves extending the back deck by 5'. The deck and stairway will be orientated over an existing impervious surface.

- 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**.

7:50 805 Nantasket Ave., Map 13/Lot 072 Opening of a Public Hearing on the **Request for Determination of Applicability** filed by **Cumberland Farms** for work described as **replace existing concrete sidewalk and existing dumpster enclosure; construct bollards; install stone planter around existing sign**.

Representatives: Devon Ward (representative)

Abutters/Others: none present

Documents: "Site Development Plans, 7/9/18 - Bohler Engineering"

D. Ward presented the proposed project. He stated that most of the work will occur within the building, but some exterior work is proposed. Said work includes removing and replacing enclosure and pad, removing and replacing existing sidewalk, adding bollards, installing a low-stone planter. The Commission asked if any stormwater is managed onsite, to which D. Ward said no; he added that there are no proposed drainage changes and to his knowledge, no complaints regarding drainage have been submitted.

- 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**.

8:00 243 Nantasket Rd., Map 32/Lot 034 (SE35-1427) Continuation of a Public Hearing on the **Notice of Intent** filed by **Nancy Aborjaily** for work described as **remove and replace existing stairs down to water; repair/rebuild 3' x 1' section of existing seawall.**

Representatives: none present

Abutters/Others: none present

Documents: "Certified Plot Plan, 4/25/16 – Merrill Engineers and Land Surveyors"

S. Clarren stated that since the last hearing, the Conservation Department received a letter from the last remaining abutter stating that they had been notified of the proposed work.

- Upon a motion by P. Epstein 2nd by S. Bannen and a vote of 5-0-1 (E. Fish abstained);

It was **voted** to:

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

8:02 215 Nantasket Ave., Map 37/Lot 008 (SE35-1403) Continuation of a Public Hearing on the **Notice of Intent** filed by the **Department of Conservation and Recreation** for work described as **construct 14.6' x 32' materials shed.**

Representatives: Raul Silva (DCR); Rich Riccio (Consultant)

Abutters/Others: none present

Documents: "32' CC Profile 1/24/2012 – Calhoun Superstructure"

R. Silva stated that since the last hearing, a stormwater report was done and submitted to the Commission. The Commission asked how tall the shed would be, to which R. Silva stated that it will be approximately 14.6' high. The Commission then asked about the stormwater drain which is in close proximity to the shed. R. Silva stated that the drain has a separator on it.

- 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**.

8:06 17 Moreland Ave., Map 36/Lot 027 (SE35-1430) Opening of a Public Hearing on the **Notice of Intent** filed by **Jennifer Romeo-Porcaro** for work described as **elevate existing single-family home; reconstruct stairs.**

Representatives: Jennifer Romeo-Porcaro; David G. Ray (surveyor)

Abutters/Others: none present

Documents: "Existing and Proposed Conditions Plan, 7-25-18, - Nantasket Survey Engineering"

D. Ray presented the proposed project which involves elevating a small cottage onto piles. He stated that the piles will likely be helical piles and the home would have 4' of freeboard. He added that the stairs would need to be rebuilt. The Commission noted that no DEP File Number has been issued, so they are unable to render a decision.

- 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 the next meeting at a time TBD.

8:15 18-20 Helen St., Map 01/Lot 016 (SE35-1432) Opening of a Public Hearing on the **Notice of Intent** filed by **Edward Amico** for work described as **fill depression with clean gravel to natural grade; construct two-story single-family home on piers; construct permeable paver driveway and walkway.**

Representatives: Ed Amico; David G. Ray (surveyor)

Abutters/Others: Patrick McCann (16 Helen St); Mary O'Brien (10 Arthur St)

Documents: "Existing and Proposed Conditions Plan, 7-25-18, - Nantasket Survey Engineering; Foundation and 1st Floor Framing Plans 7-19-18, Robert Therrien, Architect"

D. Ray presented the proposed project which involves constructing a single family home on piles. The home will have 2' of freeboard and there will be a permeable driveway and walkway. He added that there is a depression on-site that will be filled with clean material. C. Krahforst noted that the depression does hold storm retention. R. Gould of 2 Cushing St stated that the lot has been vacant for years and is an eye sore. He added that water and trash collects on site. The Commission noted that no DEP File Number has been issued, so they are unable to render a decision. The Commission discussed Special Conditions which include 1) the permeable paver system must be identified and provided to the Conservation Department, 2) the depression to be filled must be filled with clean gravel and must follow the natural, surrounding grade, 3) water cannot be redirected to abutting properties because of the project, 4) the permeable paver areas must remain permeable in perpetuity, 5) prior to the issuance of a Certificate of Compliance being issued, an as-built plan must be provided which shows spot-grades in the same location as those shown on the Plan of Record.

- 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 the next meeting at a time TBD.

8:25 Nantasket Ave. (RR Bed), Map 07 & 03 (SE35-1434) Opening of a Public Hearing on the Notice of Intent filed by the **Town of Hull** for work described as **regrade and repurpose accumulated overwash material to minimize channeling impacts to abutting homes. Overwash material to be used to fill eroded like-material at the base of existing revetment along Channel St.**

Representatives: Chris Krahforst (Town of Hull)

Abutters/Others: John Gilbert (1133 Nantasket Ave); Randall Gould (2 Cushing St)

Documents: "Locus Maps A and B, 7/24/18; Construction Plans (annotated 7/31/18) DCR

C. Krahforst presented the proposed project. He stated that the area experiences overwash and accumulation of material; over the years, the Town has pushed the material in such a way that it has created a berm. He stated that ultimately, the berm has created channeling of water and the project will return the area to its pre-existing, natural grade. The berm material will then be repurposed to the scoured areas up by Ocean Avenue. A Commissioner expressed concern that by removing the berm, it may cause more flooding, to which another Commissioner noted that the project is to return the area to its natural grade, which will reduce the channeling of water. A Commissioner asked if the area should be vegetated, to which C. Krahforst stated that vegetation will likely not survive. R. Gould asked if material will be removed at Channel St, to which C. Krahforst said it would not and that material would be placed up at Ocean Avenue. R. Gould then stated that the berm should be continued and not removed, to which C. Krahforst said that the seawall in the area was raised and extending the berm would not only not be feasible due to property rights, extending the berm is not a floodplain management best practice. The Commission noted that no DEP File Number has been issued, so they are unable to render a decision.

- 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 the next meeting at a time TBD.

E. Fish recused herself.

8:43 1 Avalon Dr., Map 40/Lot 005 (SE35-1428) Continuation of a Public Hearing on the Notice of Intent filed by the **Estates Apartments, LLC** for work described as **widen existing path from 3' to 6'; install approximately 1" of gravel and 2" of mulch to level path; install rope fence with posts; install solar LED lights at bottom of proposed fence posts.**

Representatives: Deborah Maroney; Allan Bora; Creanne VanOffera

Abutters/Others: Cathy Vanderweil (1512 Avalon Dr); Will Newll (52 Bonnie Brier Cir., Hingham);

Documents: "Avalon Estates Plan 8/11/97, Annotated (n.d)

A. Bora, Representative of The Estates, stated that since the last hearing, a revised scope of work is proposed; the proposed plan is to now only have a 3' wide and 340' long path. He added that some mulch is still proposed, but permanent posts with rope and LED lights are no longer proposed. A large plan was presented, showing an annotated path. It was stated that the path that was created without a permit is approximately 8' wide and 5' of the cleared path would be allowed to naturally re-vegetate. A. Bora stated that the area was always used as a path and the proposed plan will help make the area official. He stated that he has read the Weir River Estuary Plan and said that The Estates is willing to work with the Commission's goals for the area and they would consider signage.

C. Krahforst stated that a 3' wide path through Conservation Land may not require a permit, but that the area isn't necessarily Conservation Land. C. Krahforst stated that in a prior Order for construction of The Estates which was issued by DEP, a path to the water was prohibited. He then added that upon speaking with DEP, it was advised that the Commission review the proposed project independently of the previous order since it had expired. The Commission

asked if DEP provided any guidance regarding the path that was originally promised around the perimeter, to which C. Krahforst responded no and added that would be independent of this filing. C. Krahforst then suggested that Town Counsel should examine the previously proposed path around the perimeter of the property.

A. Bora restated that the proposed project's intent was to make the path safer, more user friendly, and to provide a path to the water. The Commission asked what happens when pedestrians reach the end of the path at the water, to which A. Bora said signage can be proposed to educate pedestrians. He restated that the path would only be 3' wide and the area is already re-vegetating naturally. A Commissioner asked how the 3' path would be delineated, as a 6'-8' path has already been cleared, to which A. Bora responded that they would do whatever the Commission prefers and would then maintain the path if permitted. C. Krahforst suggested that temporary wooden stakes delineating a path, if permitted, could be permissible, as it would not affect the wildlife habitat. C. Krahforst suggested that woodchips and like material should be kept away from the coastal bank as it may erode into the Weir River ACEC. S. Clarren presented pictures of the 'current' conditions of the water's edge. C. Krahforst stated that the path brings people to the water's edge and doesn't have an alternate route; it encourages activity on a coastal bank. The Commission discussed conducting a second site visit to further examine the condition of the coastal bank and the end of the path.

S. Clarren stated that although a 3' path is proposed, no path was permitted and an 8' wide path was cleared; although there may be naturally occurring re-vegetation, a restoration plan may be needed. She added that mulch should be removed in any area of a path that is not permitted. A. Bora said that the understory of the forest is very open and there are a lot of thorns and said that it should return to pre-existing conditions within a year. S. Clarren then responded that vegetation could be planted to encourage and enhance the wildlife habitat as a resource area.

C. Frazier of 50 Bonnie Brier Cir., Hingham, asked if anyone representing The Estates was an engineer or landscape architect who could certify that the resource areas shown on the plan [from 1997] were still accurate; he suggested that the area be re-surveyed. A. Bora questioned what benefit re-surveying the area would have, to which C. Frazier stated that the end of the path is experiencing erosion and the delineation of the coastal bank could have changed. He added that because of erosion, people should not be encouraged to walk in the vicinity. W. Newll of 52 Bonnie Brier Cir. presented pictures of the site showing kayaks being stored in the area. He added that more people will use the path if the project is approved. C. Frazier then expressed concern over the ability to police the area. K. Vanderweil of 1512 Avalon Dr. said that people use the area to fish and that using the area within reason is acceptable, but it needs to be more controlled. She asked if the type of woodchips could be specified as some are treated with chemicals, to which the Commission said it could be conditioned. C. VanOffera said that there are 162 total units and since the path has been delineated, the Estates Offices has received fewer complaints regarding the area. A. Bora stated that if it is a path that is recognized, it will be maintained, but if the path is not recognized, it won't be maintained.

C. Frazier of 50 Bonnie Brier Cir., suggested that the Commission review the original Order for Special Conditions and suggested that the Commission obtain an environmental consultant to ensure that the resources are protected.

A. Bora asked what would happen if the Notice of Intent is withdrawn. C. Krahforst said that would be up to the Commission, but the area should be returned to its natural state and the gravel and mulch should be removed. S. Clarren added that an Enforcement Order was issued and then ratified by the Commission for the unpermitted work. The Commission concluded that the hearing should be continued in order for a second site visit to occur, to which the applicants 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 the next meeting at a time TBD.

E. Fish returned

9:30 147 & 155 Nantasket Ave., Map 38/Lots 005 & 006 (SE35-1429) Opening of a Public Hearing on the Notice of Intent filed by Roco Realty Trust for work described as raze existing retail/commercial structure and construct new mixed used development.

Representatives: Bob Burwick; Greg Morse (engineer)

Abutters/Others: none present

Documents: "Proposed Mixed Use Development Plans, 4/18/18 – Morse Engineering Co., Inc."

G. Morse presented the proposed project. The project involves razing and rebuilding a commercial building on Nantasket Ave. and a multi-family home on the corner of Berkley Rd and Nantasket Ave. The new building is proposed to be mixed-use; the front 1/3rd of the property would be commercial at ground level and the other 2/3rds would be open-air parking. Fourteen residential units are proposed on top of the commercial/parking areas. G. Morse said the property is located in an AO Depth 3' flood zone and the ground elevation is approximately 12'. The proposed building will be FEMA compliant. G. Morse said that there are a series of catch basins in the parking area. A

stormceptor/particle separator to treat any water in the parking lot and ultimately, water will discharge into a sub-surface infiltration system and/or an overflow out to the existing drainage system on Berkley Rd. He stated that there is currently no drainage on-site and added that there is only a small increase of impervious surface. G. Morse stated that the Planning Board reviewed and approved the project. During their review, John Chessia was hired to conduct a peer review of the project.

A Commissioner asked how the area in between the proposed building and the building next door is maintained, to which G. Morse said that there is a 3' setback with gravel proposed. A Commissioner asked what the cisterns in the rear of the property were, to which G. Morse said one is a septic tank and the other is a cesspool. The plan is to abandon both and to tie into the Town system. The Commission asked if they received approval from the Town to tie into Town lines, to which G. Morse said yes.

G. Morse said that the proposed parking area will be paved and beyond the parking area, there is a small landscaped area and pervious pavers which provide access to trash/recycling and provide an additional emergency access. A Commissioner asked if there was sufficient parking on-site, to which G. Morse said that the rest of the required off-site parking will occur at a different site on Berkley Rd. C. Krahforst stated that there is a proposed fence and in the past, the Commission has required fences to allow some water to flow through and not redirect water. G. Morse said the proposed fence is a stockade fence and they are willing to elevate the fence or to remove a few panels. The Commission asked why a fence is proposed, to which G. Morse said an abutter requested a fence for privacy/lessening potential impact of headlights.

The Commission requested that the applicant consider a continuance in order for the Commission to have further time to review the peer review and the Planning Board Special Permit, to which the B. Burwick of Roco Realty Trust 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 the next meeting at a time TBD.

P. Paquin recused himself.

9:46 11 Rockland Cir., Map39/Lot135 (SE35-1330) Opening 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 dry well locations; change location/size of front deck; install concrete pads for A/C units; install stonewall in front of the property.**

Representatives: None present

Abutters/Others: Joanne Haraden (6&10 Rockview Rd); Daniel Quaile (5 Rockview Rd); Kerry Adams (17 Rockland Cir.)

Documents: "Proposed Site Plan, 10/28/16 – Morse Engineering Co, Inc."

The applicants were not present for the hearing.

- 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 the next meeting at a time TBD.

P. Paquin returned.

Certificate of Compliance Requests

119 Hampton Cir. (SE35-1225) – P. Epstein **Motion**, S. Bannen **2nd**, **vote** 5-0; CoC issued.

New Business

Violations: none

Correspondence: none

Special Town Mtg/Conservation Commission Meeting, Aug 28: The Commission discussed potential next meeting dates due to the conflicting date with Special Town Meeting. P. Epstein **Motion**, S. Bannen **2nd**, **vote** 5-0; change the next meeting date from 8/28 to Thursday, August 30th at 7:00PM.

Seasonal barriers in walls along Beach Ave: The Commission discussed the re-directing and potentially channelization of floodwaters along Beach Avenue by homeowners who put up barriers along property lines. The Commission determined that time should be spent at the next meeting drafting a letter regarding sandbags and how they should be utilized during storm events.

Connor: S. Clarren asked the Commission if they were still interested and when they would be free to have a gathering for past Conservation Chair, Sheila Connor. Upon discussion, it was determined that S. Clarren should create a doodle poll for potential dates post 9/14.

Reminders: S. Clarren reminded the Commission that the first meeting in September is scheduled for Wednesday, 9/5.