



HULL CONSERVATION COMMISSION

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Hull, MA 02045

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TUESDAY, March 27, 2018

Meeting held at Town Hall (253 Atlantic Avenue)

Members Present: Sheila Connor, Chair, Sean Bannen, Paul Epstein, Elizabeth Fish, Chris Oliveri, Paul Paquin, 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 6-0;

It was **voted** to: Approve the Minutes of December 12, 2018 as drafted.

Upon a **motion** by S. Bannen **2nd** by L. Sorgi and a **vote** of 6-0-1 (C. Oliveri abstained);

It was **voted** to: Approve the Minutes of February 27, 2017 as amended.

7:30 Call to order

C. Oliveri arrived at 7:34

7:35 59A B St., Map 17/Lot 034 Opening of a Public Hearing on the **Request for Determination of Applicability** filed by **James Frechette** for work described as **dig 3 sonotubes and construct 16' x 10' deck**.

Representatives: James Frechette

Abutters/Others: none present

Documents: "59A B St" – n.d.
"59 ½ B St" – n.d.

J. Frechette presented the proposed project which includes constructing a 16' x 10' deck attached to the existing sunroom.

- Upon a **motion** by P. Epstein **2nd** by S. Bannen and a **vote** of 7-0;

It was **voted** to:

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

7:40 20 Sunset Ave., Map 16/Lot 008 Opening of a Public Hearing on the **Request for Determination of Applicability** filed by **John Struzziery** for work described as **construct 80 sq. ft. utility deck in rear of home**.

Representatives: John Struzziery

Abutters/Others: none present

Documents: "Site Plan" – 3/1/2018 (annotated 3/27/2018)

J. Struzziery presented the proposed project. He stated that after the last few storms, he recognized how vulnerable the area is to flooding and therefore he wants to construct a 4-5' x 16' utility deck to hold 2 A/C units. J. Struzziery stated that the deck may be less than 16' long. He presented a picture showing what the deck will look like. The Commission asked how the lines for the utilities will be run, to which J. Struzziery said that the lines run on the underside of the existing crawlspace. The utility deck will be partially attached to the home and will be on 3 or 4 sonotubes. He added that he may install lattice work around the A/C units. He annotated the plans to show the dimensions of the deck.

One Special Condition was added as follows:

The area below the utility deck cannot be enclosed.

- Upon a **motion** by P. Epstein **2nd** by S. Bannen and a **vote** of 7-0;

It was **voted** to:

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

7:45 36 Cadish Ave., Map 16/Lot 077 (SE35-1400) Opening of a Public Hearing on the **Request to Amend the Order of Conditions** filed by **Alysha Perry** for work described as **install trench drain system in driveways; change location of approved drywell**.

Representatives: Alysha and Chris Perry

Abutters/Others: none present

Documents: "Amended Site Plan of Land at 36 Cadish Avenue" – Joseph E. Webby III – 03/20/2018

A. Perry stated that a new surveyor discovered that the elevations were incorrect; the Plan of Record for the original Order of Conditions shows elevations that are off by 8/10ths of a foot. A new plan has been prepared showing the correct elevations. C. Krahforst noted that minor deviations from the approved plan to the new plan include 1) a slight difference in house dimensions 2) the shed which was to be removed is still on the plan, 3) the drywell connection lines and location has changed, only the rear spot grades are shown, and no specifications for the trench drain have been provided. A. Perry stated that she submitted a revised plan removing the shed and showing front spot grades. She noted that she has plans for a trench drain, but if the Commission determines that a trench drain is not needed, it will not be installed. The Commission determined that a trench drain is not needed.

Five Special Conditions were added as follows:

S12. The building and foundation must be completely removed from the site and not buried in place.

S13. All demolition materials will be removed from the property and legally disposed of outside of the Town of Hull.

S14. The grade of the property must remain the same post-construction. No filling of any land beyond the limits or above the grades shown on the plans is authorized. The only fill allowed is what is needed to backfill the pre-existing foundation once it is removed. Material used to backfill the foundation shall be comparable to the material on the site.

S15. The project involves the installation of a drywell. This drywell must be maintained in perpetuity in order to mitigate for the increase in impervious surface on the lot. This condition is ongoing and will not expire at the end of three years.

S16. No french drain will be installed at this time. If the applicant decides to construct the french drain, the Conservation Department must be contacted prior to installation.

- Upon a **motion** by P. Epstein **2nd** by S. Bannen and a **vote** of 7-0;

It was **voted** to:

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

7:50 166 Cadish Ave., Map 13/Lot 046 (SE35-1404) Continuation of a Public Hearing on the **Notice of Intent** filed by **Mary Roche** for work described as **construct a new deck and covered porch, enclose existing T Street side covered porch, reconstruct rear of house with new addition, construct entry stair, install two permeable paver walkways and a permeable paver driveway.**

Representatives: Mary Roche (applicant); David Ray (surveyor)

Abutters/Others: none present

Documents: "Existing and Proposed Conditions Plan" – David G. Ray – 12/28/2017

"Addition and Renovations to Roche Residence" – Robert S. Rose – 12/22/2017

M. Roche stated that since the last hearing, the project has been approved by the Zoning Board of Appeals and a DEP File Number has been issued. The Commission determined that there were no outstanding issues since the last hearing on 2/27/2018.

One Special Condition was added as follows:

S12. The permeable areas must remain permeable in perpetuity. This condition is ongoing and will not expire after three years.

- Upon a **motion** by S. Bannen **2nd** by L. Sorgi and a **vote** of 5-0-2 (C. Oliveri and P. Epstein abstained);

It was **voted** to:

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

7:55 215 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. **The applicant requested a continuance until April 10th at a time TBD.**

- Upon a **motion** by P. Epstein **2nd** by S. Bannen and a **vote** of 7-0;

It was **voted** to:

Continue the Public Hearing to April 10, 2018 at a time TBD.

8:00 95 Clifton Ave., Map 32/Lot 047 (SE35-1405) Opening of a Public Hearing on the **Notice of Intent** filed by **John Richardson** for work described as **demolish existing home and construct new 2.5 story home with decks, driveways, patio, garden, and install a riprap erosion control barrier.**

Representatives: John Richardson (owner); David Ray (surveyor)

Abutters/Others: none present

Documents: "Existing and Proposed Conditions Plan" – David G. Ray – 03/02/2018, annotated 03/27/2018
"Basement Plan" – Paul Bonarrigo – 03/02/2018

D. Ray presented the proposed project. He stated that the existing home at 295 Nantasket Road will be demolished and a new home is proposed. The new home will be addressed to be 95 Clifton Avenue. The new home will be located outside of the velocity zone. A permeable paver driveway system will be constructed and the existing driveway will be removed and replaced with a permeable paver system. The existing retaining wall by the driveway will be removed and replaced. In the backyard, a patio with a series of small walls and a pizza oven is proposed. A garden area with rainwater harvesting tank is also proposed. D. Ray stated that there is a large revetment along sunset point which has likely caused minor erosion to the site. Therefore, a small, rock-type structure is proposed by the water. This rock structure would be less than 2' high and 4' wide; it would tie into the existing revetment. At each end of the property, stabilizing plants are proposed.

C. Krahforst noted that armoring the toe end of a coastal bank is not always permitted. He said in this case, the coastal bank is potentially a sediment source and it provides stormwater and flood control. He added that if that's the case, in order to armor the bank, evidence must be provided showing that the pre-1978 home is threatened and there are no other alternatives available. He added that there was recently a case on Cape Cod where the local Commission denied the armoring of a coastal bank because evidence was not provided showing that erosion threatened the home. D. Ray disagreed and said that any lot that was in existence pre-1978 and was built upon can be protected. C. Krahforst pointed out that the Cape Cod Commission's decision to deny an armoring of a coastal bank was for a lot that existed prior to 1978 that contained a 1986 home was upheld by DEP not only because sufficient evidence was not provided showing that the home was in danger, but also because it was a post-1978 home. D. Ray stated that it is not a revetment and then the Commission questioned its purpose. D. Ray stated that its purpose is to dissipate wave action, and to serve as delineation between the rocky beach and the lawn. A member of the Commission stated that during site visits, there was no discernible erosion. J. Richardson, owner, stated that he had wanted the rock structure because he believes that the existing sumac and fence by the water are keeping the bank from eroding, but he wants them removed. He presented a picture showing the existing shoreline. J. Richardson said that the proposed shoreline structure is not needed at this time.

The Commission noted that a lot of work is located in the coastal bank. C. Krahforst asked what the existing and proposed square footage of work is, to which D. Ray said it is approximately a tradeoff. A Commissioner noted that the proposed patio location on the coastal bank is where the existing home is located. Another Commissioner noted that when the home was constructed, there wasn't legislation in place to protect the resource areas. J. Richardson stated that the patio and the walls will be permeable. He specified that the joints in the walls will not be filled with anything but mortar.

The Commission requested more information about the garden area. D. Ray stated that the runoff from the house is collected in pipes and directed to a 350 gallon rain harvesting tank. The tank would be below ground. D. Ray added that a retaining wall, less than 18" high, to delineate the garden area are proposed. The home is being removed outside of the flood zone, but the patio will be in the flood zone.

The Commission requested to conduct a second site visit. D. Ray stated that the rock structure will no longer be constructed and questioned why a second site visit is needed. The Commission discussed the garden and agreed that capturing and reusing rainwater onsite is great mitigation, but questioned the necessity of its proposed walls. J. Richardson stated that the walls around the garden aren't needed, except for the wall closest to the parking area. The Commission determined that a wall 6" is permissible, as no water will be redirected to any abutters and the permeability of the coastal bank will be increased.

S. Clarren asked what the vegetation plan is for the lot, to which J. Richardson stated that most of the lot will be grass, but a few plantings are proposed as coastal bank stabilizers. J. Richardson stated that the briars and sumac on the coastal bank will be removed; he stated that those plants did a good job at minimizing erosion. S. Clarren stated that deep-rooted vegetation protects the coastal bank from eroding. She then expressed concern about the use of pesticides on the property as there is a salt marsh on the property. J. Richardson responded by stating that he will follow any guidance that can be provided.

D. Ray annotated the plan to show that the riprap structure below the coastal bank will not be constructed and that the retaining walls around the garden will be 6" high.

Four Special Conditions was added as follows:

S12. The proposed riprap/revetment has been withdrawn by the applicant and will not be constructed.

S13. The walls for the garden area must be less than 6" high. However, the wall closest to the permeable paver driveway may be higher than 6" to ensure appropriate driveway containment.

S14. The permeable areas must remain permeable in perpetuity. This condition is ongoing and will not expire after three years.

S15. If the briars are removed, the area will be revegetated with deep-rooted native species after consultation with the Conservation Department.

Upon a **motion** by P. Epstein **2nd** by S. Bannen and a **vote** of 7-0;

It was **voted** to:

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

8:55 247 Beach Ave., Map 15/Lot 084 (SE35-1383) Continuation of a Public Hearing on the Notice of Intent filed by Tim Clifford for work described as replacement of deteriorating wall and sidewalk and install patio.

- Upon a **motion** by P. Epstein **2nd** by S. Bannen and a **vote** of 7-0;

It was **voted** to:

Continue the Public Hearing to April 10, 2018 at a time TBD.

Certificate of Compliance Requests

none

New Business

Correspondence: none

Beach Grass Planting: P. Epstein stated that the annual Beach Grass Planting Day was a success. He noted that volunteers were interested in having a second planting day in the fall. C. Krahforst stated that he had mentioned this to Phil Lemnios, Town Manager who expressed budgeting concerns. C. Krahforst will continue to encourage a second planting day.

Mitigation Discussion: S. Clarren noted that the Commission is tasked with ensuring the resources protected under the Wetlands Protection Act are not negatively impacted by proposed work.

Re-nourishment: C. Krahforst noted that the DCR and ACOE will be submitting a NOI to renourish the southern portion of Nantasket Beach. The hearing is scheduled for 4/24 and will be held in the Hull High School Exhibition Room at 7:00PM. He added that the meeting will be televised.

Cobble Project: C. Krahforst noted that the Town has filed for a permit to conduct a cobble pilot project. The project will be before the Commission on 4/10.

Permeable Pavers seminar, Plymouth Quarries: C. Krahforst stated that there will be a permeable paver seminar later in the week. He will email the Commission the details.

9:30 Upon a **motion** by S. Bannen and **2nd** by L. Sorgi and a **vote** of 7-0;

It was **voted** to: Adjourn.