



## HULL CONSERVATION COMMISSION

253 Atlantic Avenue, 2<sup>nd</sup> floor  
Hull, MA 02045

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### **TUESDAY, January 23, 2018 APPROVED** **Meeting held at Town Hall (253 Atlantic Avenue)**

**Members Present:** Sheila Connor, Chair, Sean Bannen, Paul Epstein, Paul Paquin, Chris Oliveri, Lou Sorgi  
**Members Absent:** Elizabeth Fish  
**Staff Present:** Chris Krahforst, Conservation Administrator, Sarah Clarren, Conservation Assistant  
**Minutes:** Discussion on draft minutes of 11/14/17 and 1/9/18 continued to the next meeting.

**7:30** Call to order

**7:35 6 Brewster St., Map 19/Lot 126 (SE35-1382) Continuation** of a Public Hearing on the **Notice of Intent** filed by **David & Marcia Punchard** for work described as **brick patio, pool, replace stairs in front, and construct deck.**

Representatives: Marcia Punchard (applicant)

Abutters/Others: none present

Documents: "Proposed Plan to Install Pavers" – n.d.  
Picture – n.d. [introduced]

M. Punchard presented a picture of the capping of the drain on her property. C. Krahforst read suggested Special Conditions highlighted by John Struzziery of the Sewer Department.

Seven Special Conditions were added as follows:

S12. The sewer cleanout cap must have a solid cap to prevent inflow of surface drainage and rainwater from entering the sewer. Pool dewatering to this cleanout is a prohibited use of the sewer.

S14. Any pool water to be discharged onto the owner's property must be done without impacting adjacent properties or be collected/transported out of town and disposed of in an environmentally friendly manner. Discharge of pool water onto the owner's property must be done in a manner that allows for infiltration into the ground. This condition is ongoing and will not expire at the end of three years.

S15. There shall not be any direct connection between pool discharge water and the town storm drainage system or direct discharge to the street. This condition is ongoing and will not expire at the end of three years.

S16. No stone dust can be used.

S18. The brick pavers must be installed in a permeable manner. Bricks must be set in sand with a minimum of 1/4" gap. Water must be allowed to percolate into the ground. This condition is ongoing and will not expire at the end of three years.

S19. The applicant and contractor must meet on-site with the Conservation Administrator 1) prior to work commencing and 2) once a small portion of the brick patio has been constructed. This is to ensure the work is being done per the Order of Conditions.

S20. A minimum vegetated buffer of 1' must remain between the property and 4 Brewster Street. No work is permitted on abutting properties.

- Upon a **motion** by P. Epstein **2nd** by L. Sorgi and a **vote** of 6-0;  
It was **voted** to:

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

**7:45 36 Cadish Ave., Map 16/Lot 077 (SE35-1400) Opening** of a Public Hearing on the **Notice of Intent** filed by **Alysha Perry** for work described as **demolish existing two family home and construct new two family home.**

Representatives: Christopher and Alysha Perry (applicants)

Abutters/Others: none present

Documents: "Existing Conditions/Plan of Land Showing Proposed New Dwelling" – A.S. Elliott Associates – 12/28/2017, last rev. 01/10/2018

The Commission read the project description. The Commission asked if the shed will be removed, to which A. Perry said it would.

Four 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.

- Upon a **motion** by P. Epstein **2nd** by L. Sorgi and a **vote** of 6-0;

It was **voted** to:

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

**8:00 Peddocks Island, Map 61 (SE35-XXXX) Opening** of a Public Hearing on the **Notice of Intent** filed by the **Department of Conservation and Recreation** for work described as **installation of 71 moorings on northwestern side of island**.

Representatives: Chris Stillman (representative)

Abutters/Others: Kurt Bornheim (Hull Harbormaster); Lou Gainor (123 Beach Ave and Boston Harbor Islands Advisory Council); Frank Prall (1168 Nantasket Ave.); Catherine Daniels (838 Nantasket Ave. and Vice President of Quincy Bay Raceweek); John Meschino (34 S St; representative of the Hull Lobstermans Association); Elisa Rhodes (742 E 4<sup>th</sup> St. # 1 South Boston); Randall Gould (2 Cushing St)

Documents: "Division of Marine Fisheries (DMF) Letter " – Tay Evans, DMF – 01/23/2018

"Peddocks Island Mooring Locations (pg. 4 & 5)" – APEX – July 2017

"Mooring Cross Sections" – APEX – July 2017

C. Stellman stated that in 2002, the Commission had permitted moorings; now more moorings are proposed. A total of 71 moorings are now proposed. The precise location has not been determined, but it will be approximately as shown on the plan. The location may differ if there is a conflict with boating or eelgrass. C. Stellman stated that the project recently was approved by the Boston Conservation Commission for areas within their jurisdiction. C. Stellman added that he has been working with Hull's Harbormaster on the project. DMF has submitted comments in response to the project. One comment raised by DMF is that there is eelgrass in the area. C. Stellman stated that past research shows no eelgrass, but he will re-check the data. C. Krahforst noted that the moorings suggested by DMF are high maintenance, to which C. Stellman agreed.

C. Stellman stated that the island mooring system is like the 'wildwest' and the new moorings would be managed through an online permitting system. He stated that it reduces the liability of the DCR and may limit anchoring, which the DMF highlights as a big impact of eelgrass. DCR will manage and maintain the moorings. The Commission asked C. Stellman to discuss the permitting process. C. Stellman stated it is an online process where one would input their information and pay the fee. He added that the DCR is barely breaking even with the existing system. He stated that there will be a designated dinghy area and each mooring will be a mushroom with a graduated chain. The moorings will be removed at the end of every season. The Commission asked if the chain will drag on the ground, to which C. Stellman said that the heavier the chain the less scour. He added that during low tide, the chain will touch the bottom of the ocean. The Commission asked if the proposed mooring field will use the same moorings as the previous one, to which K. Bornheim stated that the previous moorings were mushrooms as well.

The Commission asked where the summer residents are located in relation to the proposed moorings; C. Stellman showed the location on the plan. He stated that he went to the Assessors Department; the Department does not have record of any tax assessments for the buildings on Peddocks Island and could therefore not provide an abutters list. He added that the properties are managed by DCR.

The Commission expressed concern about the DCR increasing capacity of the island but not increasing the facilities. K. Bornheim stated that a boat out of Boston will deal with any pump outs. S. Clarren asked about the exact location of the designated dingy area, to which C. Stellman said that they are still coming up with the engineering of it, but at this time there is no structure and will just be a flagged area with signage.

The Commission then opened the floor to questions from the public. L. Gainor of 123 Beach Ave. stated that the proposed location is very rocky and that the moorings won't hold in poor weather. He stated that there should be coastguard approval and that more moorings should be located around Georges. He then stated that out of the last round of permitted moorings, only 3 were functioning at the end of last season. He concluded by stating that the Boston Harbor Islands National Recreation Area is a partnership park and that the various partners were not well notified and have not voted on the project. C. Stellman stated that the coastguard has approved the project and has gone through multiple designs. He added that the project is currently undergoing US Army Corps of Engineers (ACOE) review, but the public comment period has ended. K. Bornheim mentioned that a Marine Division was recently created by DCR to maintain their water access resources. C. Stellman stated that once the ACOE issues a permit, they will request the Harbor Master to issue the appropriate permits; he added that the Harbor Master permits are only valid for a year. He then stated that the ACOE permits are not needed, but it provides further legitimacy to the project.

F. Prall of 1168 Nantasket Ave. stated that he is unsure if there is eelgrass in the proposed locations, but regardless, even if 71 moorings are empty, once they are placed in the ocean, there will be an environmental impact on the bottom of the ocean. He then stated that the government is encroaching on boaters rights to drop anchor where they please and the proposed project will force anchoring to be located further from shore or in less desirable areas. He then stated that all mooring contracts require the boater to sign away any and all rights, as the boater is always considered to be at fault. C. Stellman stated that the proposed system will allow for better tracking.

J. Meschino stated that he is representing the Hull Lobstermen Association. He stated that there has been discussion over eelgrass, but there has been no mention of flounder, lobster or clamming. He stated that a study should be done to determine the environmental impacts of the proposed project. He added that fishermen will be unable to enter the area if there are so many moorings and it will create a hazard for boaters. He asked why 71 moorings are proposed and concluded by stating that the project will interfere with how people make a living. C. Stellman stated that DMF has examined this project twice and has stated that there will be no major impact or taking of protected species. The system is set up so the chain will be made custom for that precise location. C. Stellman then stated that the amount of moorings was selected based upon the vicinity of the area, the scope of the project, and the desire to keep the moorings out of the explosive anchorage area. E. Rhodes of 742 E 4<sup>th</sup> St, Boston, asked where comments not under the purview of the Conservation Commission can be sent, to which C. Stellman stated that there was a comment period under the ACOE permitting, which has since closed. The Commission expressed concern on the lack of public notification regarding the ACOE comment period. C. Stellman stated that the Town was notified, but would find further information regarding the dates of notification. E. Rhodes stated that there will certainly be an environmental impact and asked who will monitor the water quality of the area, as more people means more waste and trash; C. Stellman stated that the DCR will monitor the area. E. Rhodes stated that there should be confirmation of the existing resources and suggested a phased approach to limit any negative impacts to resources. C. Stellman stated that the DMF did state some suggestions, which could be conditioned. He added that the system is flexible and can be reviewed. The Commission expressed concern of enhancing access without increasing restroom facilities or rangers patrolling and suggested that a DCR representative that can address such concerns be present.

R. Gould of 2 Cushing St. reiterated the Commission concern of a lack of DCR presence. He suggested that the DCR hold a well advertised hearing regarding the project. He stated that there were 22 moorings previously permitted, but stated that they are never fully being used and therefore questioned the need for 71 new moorings. He added that the island residents should've been notified. He stated that the proposed mooring field is very dense and that 2 lobstermen currently trawl in the area and would be limited. He then stated that if the DCR wants to increase access on the northwestern side of the island, there should be facilities in the area. K. Bornheim and C. Stellman stated that they cannot speak to maintenance questions or concerns. K. Bornheim stated that the Town Manager did meet with the DCR Commissioner on the project. J.

Mescino asked C. Stellman about Greater Brewster's pier, to which the Commission stated that such a question is not relevant to the proposed project.

A Commissioner noted that if so many moorings are allowed, anchoring will increase in other areas. The Commission discussed issues/comments that should be addressed at a subsequent hearing. Such issues include: 1) a revised plan without hatched areas with no description, 2) applicants should address the current DMF letters, 3) the applicants should submit the first letter sent by DMF regarding the project, 4) DCR must be present to address maintenance questions relevant to the Wetlands Protection Act (WPA), 5) someone from DMF should be invited to the next hearing, 6) the Commission should receive and review the Order of Conditions and relevant minutes from the permitted Boston project, 7) provide proof of notification to the Town regarding the ACOE comment period, and 8) comments raised by the public and the Commission relevant to the WPA should be addressed.

- Upon a **motion** by P. Epstein **2nd** by L. Sorgi and a **vote** of 6-0;

It was **voted** to:

**Continue** the Public Hearing to February 27, 2018 at a time TBD.

### **Certificate of Compliance Requests**

None

### **New Business**

Coastal Bank construction, request to CZM for review of recent relevant issued WPA permits: C. Krahforst stated that he has asked Rebecca Haney of Coastal Zone Management to provide a short workshop for the Commission. The workshop will involve reviewing coastal bank permitting. He will set up a doodle poll to discuss potential dates.

Community Preservation Act Discussion and Update: L. Sorgi, Commission representative for the CPC, stated that the CPC has requested the Commission to come up with ideas for potential projects. The Commission agreed to email C. Krahforst ideas and all discussion will occur at the next public meeting.

Coastal Manual Training Discussion: S. Clarren reminded the Commission that there is a new Coastal Manual which provides Commissioners with further guidance.

Beach Management Plan (BMP): C. Krahforst stated that the Conservation Department is currently revising the BMP which will be reviewed by the Commission, Beach Management Committee, Natural Heritage, MA Audubon, and the Selectmen.

Beach Grass Planting (cloth bags?): C. Krahforst stated that the date has been set for March 24<sup>th</sup>, with a rain date of March 25<sup>th</sup>. He suggested purchasing cloth bags instead of using plastic buckets.

3D Drone Discussion: C. Krahforst stated that he is looking into purchasing done to track the elevation of the Nantasket Beach dune system.

Coastal Resiliency Grant: C. Krahforst stated that he is currently working on a Coastal Resiliency grant which would provide funding to build up the Nantasket Beach dune system.

Quarterly Report: the Commission reviewed the provided report. – P. Epstein **Motion**, L. Sorgi **2<sup>nd</sup>**, **vote 6-0**; Quarterly Report approved.

Harbor Discussion: No discussion

Public Lands Preservation Act: Discussion continued.

Upcoming Trainings: South Shore 100% Renewable Energy Forum (1/29 at 6PM in Pembroke; MACC Annual Conference (3/3 in Worcester); StreamStats & Riverfront Analysis (1/24 from 11-1 in North Andover); S.

Clarren stated that if a Commissioner is interested in attending the MACC Annual Conference, to inform her.

Minor Plan Change Request – 712 Nantasket Avenue: installation of a cement pad for propane tank: The Commission reviewed a letter requesting a minor plan change to install a 4' x 12' cement pad for propane gas storage and determined that the increase in impervious surface is insubstantial. – C. Oliveri **Motion**, L. Sorgi **2<sup>nd</sup>**, **vote 6-0**; approve minor plan change.

Correspondence: No discussion.

**10:18** Upon a **motion** by L. Sorgi and **2nd** by P. Epstein and a **vote** of 6-0;

It was **voted** to: Adjourn.