

**Hull Conservation Commission
Meeting Minutes
Tuesday, May 10th, 2022
Meeting held online, via Zoom**

Board or Committee	Conservation Commission
Date & Time of Meeting	TUESDAY, May 10, 2022 at 7:30 P.M.
Meeting Remote Location	Remote Call-in meeting with Zoom: https://zoom.us/j/92790398086?pwd=VUxLQVZhVG5peWMyQlZlUWVFNk9UQT09 Meeting ID: 927 9039 8086 Passcode: 145533 One tap mobile: 19292056099,,92790398086#,,,,*145533# Or Dial: +1 929 205 6099

Members Present: Paul Paquin, Chair, Tammy Best, Katherine Jacintho, Sam Campbell, Lou Sorgi

Members Absent: none

Staff Present: Chris Krahforst, Conservation Administrator, Renee Kiley, Conservation Clerk

Staff Absent: none

Minutes: Consideration of Minutes of 4/26/2022: Motion by Best to approve the minutes as amended, 2nd by Campbell Roll call: Campbell- aye, Best-aye, Jacintho- aye, Paquin-aye, Sorgi-abstain

AGENDA

- 7:30 Call to order**
Review of Agenda, Meeting Procedure, and approved permit guidance Minutes
- 7:32** Sam Campbell joined.
- 7:35 15 Bates St., Map 26/Lot 002. Opening** of a Public Hearing on the **Request for Determination of Applicability** filed by **Kurt Spitz** for work described as **install shed. Abutter Notification:** RDA not needed. **Resource Areas: Barrier Beach** (storm damage protection, flood control, wildlife habitat); **Coastal Dune** (storm damage protection and flood control, likely wildlife habitat); Land **Subject to Coastal Storm Flowage: AE 10, LiMWA** intersects property, but not where activity is proposed. **Site visits done:** 5/8 and 5/9. **Incomplete Application.**
No Action taken (incomplete application, no representative present)
- 7:42 22 K St., Map 14/Lot 041. Opening** of a Public Hearing on the **Request for Determination of Applicability** filed by **Kevin & Melissa Summers** for work described as **construct 8 ft extension to existing rear porch on 6 new sono tubes and remove existing concrete walkway at rear of existing porch. Abutter Notification:** RDA, not needed. **Resource Areas: Barrier Beach** (storm damage protection, flood control, wildlife habitat); **Coastal Dune** (storm damage protection and flood control, likely wildlife habitat); Land **Subject to Coastal Storm Flowage: AE 10.**
Site visits done: 5/8 and 5/9
Representatives: Kevin Summers
Abutters/Others: none
Documents: Proposed Plan
Summers: No changes are proposed from what we applied for. We will remove a concrete walkway and build a deck.
Commissioner: What is this metal plate in the walkway? Summers: I have no idea. It may be an old sewer access.
Commissioner: The project is far away from the property boundary.
Motion to issue a negative determination by Sorgi, 2nd by Campbell Sorgi-aye, Jacintho-aye, Paquin-aye, Campbell-aye, Best-aye
- 7:45 Beach Ave., Maps 12, 13, 15, 17, 19, 21, 23, 25, and 27 (SE35-1661) Continuation** of a Public Hearing on the **Notice of Intent** filed by **Town of Hull** for work described as **maintenance of pedestrian dune crossings and removal of sand encroachment on existing Beach Ave roadway for public safety purposes. Abutter Notification:** proof provided. **Resource Areas: Barrier Beach** (storm damage protection, flood control, wildlife habitat); **Coastal Dune** (storm damage protection and flood control, likely wildlife habitat); Land **Subject to Coastal Storm Flowage: AE 10, AO (Depth = 2'), VE 15** (storm damage and pollution prevention, flood control), LiMWA. **Site visit done:** 3/20. **This project is being reduced to only include "removal of sand encroachment on existing Beach Ave roadway for public safety purposes". On 04/28, the applicant has requested a continuance to June 28th at a time TBD.**
Motion to continue by Sorgi 2nd by Jacintho Sorgi-aye, Jacintho-aye, Campbell-aye, Paquin-aye, Best-abstain

7:50 189 & 193 Nantasket Ave. & 0 George Washington Blvd. Map 37, Lots 002-004 (SE35-1614) Continuation of a Public Hearing on the **Notice of Intent** filed by **Nantasket Dune Holdings, LLC** for work described as demolish existing building and construct five-story building, after-the fact clearing of 0 George Washington Blvd., and construction of a parking lot; demolish golf course and construct parking lot. *The scope of work the Notice of Intent has been amended to only include: construction of a parking lot.* **Abutter Notification:** proof provided. **Resource Areas:** **Barrier Beach** (storm damage protection, flood control, wildlife habitat); **Coastal Dune** (storm damage protection and flood control, likely wildlife habitat); **Land Subject to Coastal Storm Flowage: AE 10'/X'** (storm damage and pollution prevention, flood control). Site visit done: many times. **On 04/12/, the applicant has requested a continuance to May 24th at a time TBD**
Motion to continue by Sorgi 2nd by Campbell Jacintho-aye, Paquin-aye, Campbell-aye, Best-abstain, Sorgi-aye

7:59 125 Main St., Map 02/Lot 005 (SE35-1672) Continuation of a Public Hearing on the **Notice of Intent** filed by **125 Main Street Hull Trust** for work described as **maintain parking and boat storage.** **Abutter Notification:** proof provided. **Resource Areas:** **Coastal Dune** (storm damage prevention, flood control, wildlife habitat); **Coastal Beach** (storm damage protection, flood control, wildlife habitat); **Land Subject to Coastal Storm Flowage: FEMA VE 14' and AE 10'** (storm damage and pollution prevention, flood control). **Subject to Limit of Moderate Wave Action (LiMWA); Site Visit done:** 4/24.
Representatives: Adam Brodsky, David Ray
Abutters/Others: none
Documents: Proposed Storage and Parking Plan Parcel B (revised 5/10), Proposed Sand Nourishment Area & Planting Plan, Chapter 91 license (# 11705), DEP SOC for SE35-1523
Brodsky represented 125 Main Street Trust, referenced additional materials sent to Conservation Dept earlier today. David Ray updated the proposed conditions plan to include the resource areas as delineated by applicant's expert. Brodsky noted that the area is not mapped as a barrier beach by Mass GIS. A dune enhancement is proposed and shown on a dune enhancement plan submitted on 5/10, prior to this hearing, and is adjacent to the coastal beach owned by the town and will be at elevation 11 (NAVD 88). Proposed beach sand will be added to the area and will be planted with beach grass, bayberry, and beach plum. A new accessway is proposed since the applicant will need access to the commercial pier on the east side. Boats are proposed to be stored on the site. Brodsky states the P&S expires on Friday, May 13th for the adjacent lot. The applicant is under time constraints and needs an approved Order of Conditions for the P&S agreement. The Commission asked what was requested from the applicant for this continued hearing. Krahforst stated that at the opening of this hearing (4/26) the Commission asked **Mr. Brodsky to go back** to his client and ask for a dune restoration plan. This is the purpose for the "Proposed Sand Nourishment Area & Planting Plan". A commissioner asked if there was a narrative describing marina operations. Brodsky stated that **the NOI was for dune restoration, permitting existing parking area, and boat storage. No other activities are proposed other than the transport of equipment to the pier.** A Commissioner questioned whether the proposed work would meet the performance standards for a coastal dune. Brodsky states that the applicant agrees to seek a permit that assumes that the entire property is a coastal dune and that the activities proposed meet the performance standards for a coastal dune as defined in the WPA. Activities like cleaning of boats, boat maintenance are not being proposed in this NOI. If the applicant decides to propose any other activities they will have to file another NOI. **This NOI seeks only proposed parking, boat storage, and dune enhancement.** A Commissioner noted that this is an after-the-fact request as boat storage and parking are currently on-going. A Commissioner noted that from site visits there is sand blowing around and depositing itself and rebuilding itself and is functioning as a dune. Bulldozers are moving it all around. There is clearly non-natural material that has been brought in as fill, (pea stone and other materials). People appear to have been taking care of their boats at the site. Are they going to scrape boats on the stands? Containers have been placed on the resource area for years. Brodsky: 1st, the property is going to be divided and all equipment and boats on the western portion of the property will be removed. Commissioner: Please do not reference the other property, this NOI is for Parcel B. Brodsky: 2nd, all containers would be removed. Two trailers on wheels are proposed and will be located on the site as shown on the plan. 3rd, this site has been altered for over 50 years. My clients did not do this. It has been a commercial, marine, water dependent operation for decades. In the last several years this commission has found fault with this operation. We don't view this as an after-the-fact request; our clients are continuing the same operations that has existed for years. We were presented with an opportunity to permit these activities and propose to limit the activity to the eastern parcel (Parcel B). I can't answer to the decades of the use. It is not a natural dune area now. It has some dune components. We are proposing to reduce the historic activities, and enhance the natural dune area. Our proposed activities meet the performance standard for a coastal dune. If the Commission want to continue to fight about this site, that will happen. If I am not successful in receiving an order of conditions for this site, the transaction (sale of the adjacent lot) will not go through, the activities will continue through the entire site, and we will spend the next 3 years in court. Ray: There is a chapter 91 license for that pier and all the activities that go with it are permitted. It is incorrect to deny this project. Commissioner: The Chapter 91 license is for the pier only. Ray: I disagree. Brodsky: The waterways license is for the commercial marine use for the pier and land. The use is allowed under Zoning. Any new activities would need to be authorized by the Commission under the WPA. The c.91 license is consistent with the uses on the property. Commissioner: The whole property (125 Main St.) has been used for storage, boats, containers, and heavy equipment use. This NOI provides the opportunity to compress the marine operations in the area of Lot B, while the other parcel will be sold. If the new owners want to do anything on the other lot they will have to come before the Commission. The only area that is subject to a future concern is the open area

where the dune will be nourished and a special condition should state that it be left in its natural state in perpetuity. It is an opportunity to compress the operations. It will just be boat storage and 2 trailers. It is a step in the right direction. It was a good faith step to do the dune enhancement. Another Commissioner: I agree but one thing now being proposed is an accessway outside of the fenced area of the proposed boat storage. At the last hearing there was no accessway proposed. Will the accessway become a driveway? How will the resource area be affected by this accessway? Brodsky: At the last hearing I agreed to take the dune restoration request back to the clients. I didn't have knowledge of what their operations were. The applicant made the point that they need some access to the pier. I have no details of the plan. They carry materials and equipment to the vessels. I don't think that it is an hourly or daily activity, I don't have the specifics. The plan was designed to keep everything out of the middle area of the site. We knew of the sensitivity of that site. The clients need to access the commercial pier from the street. Commissioner: If there is a permitted driveway or pathway to the pier and if sand was to migrate to that area, would the applicant have to move the dune? Are they **going to need to address** any overwash in the accessway if that occurs? The plan doesn't show that it is an active dune area. Commissioner: Does the chapter 91 license have a driveway to the pier perpendicular to the street? They are now parking boats in the area immediately in front of the pier. Brodsky: Can the plan be shown? I don't think that the license plan has a driveway. Historically, they have walked from the street to the pier. We want to remove activities from the area. We could put the boat storage in the center and create access from the street to the pier. If you would like the accessway on the eastern end we could flip the boat storage location. They are mostly transporting items to their home on Peddocks Island from the pier. David Ray designed the project. Commissioner: We are not in the business of designing plans. Brodsky: We wanted to be sensitive to the Commission's ideas. Commissioner: I don't see how it fits into 310 CMR 10. Brodsky: We stated in detail how the proposed activities meet the proposed performance standards for 310 CMR 10.28 for coastal dune as well as the interest of land subject coastal flowage. We have presented that this project meets the performance standards. Commissioner: Our experts to reliably delineate the wetlands resources were denied access (during a recent NOI for unpermitted placement of a boat house). Last week you said there is a difference between a marina and marine operations. I'm not sure what this business will be doing. How much of the past activities will continue to happen? Boats have been cut up, **motors taken out**, and oil changed. We are charged with pollution prevention. Commissioner: Questions remain about the activities that are not allowed to take place in this location. Commissioner: Commission, are you ready to guess what will happen at this site? They are supposed to come to us with a completed application. Brodsky: I think that you misunderstood (your charge). You have jurisdiction over the wetland resources under the wetlands protection act and regulations. You don't have jurisdiction over uses or historical uses of the property that are allowed under the towns zoning bylaw. You have suggested all sorts of horror shows; none of which there is any evidence of, none of which you have any jurisdiction over. There is no evidence of a release of oil or hazard material on the site. In fact, I believe that the seller has done Chapter 21 E environmental assessment which is regulated by the DEP. Boat washing is regulated by the DEP and the Clean Waters Act for commercial marine waters. None of these activities have been documented. If they don't comply with DEP regulations then they are subject DEP action. They are multi sector regulations DEP and EPA that are within your jurisdiction. The activities that are proposed in the NOI are. I know that you don't like this project. I admire your desire to protect the environment. Commissioner: I don't have a plus or minus of this property or the applicant. I'm just trying to pay attention to the WPA regulations and how we are supposed to be looking out for the Commonwealth's wetland resources. Our resource area delineation experts were denied access to this property and we denied the previous application based on lack of information needed. DEP upheld our decision. You are coming back with a NOI to permit activities in the same area. Brodsky: We were proposing to maintain a boat house on a foundation in the center of the site. The client wouldn't allow the consultant on the property. DEP held up your decision for denial because of lack of necessary information. DEP did not weigh in if the boat house project met the performance standards for a coastal dune. This NOI is different; we are not proposing a structure. If you want to continue to rehash and litigate where the limits of the coastal dune is then we will see you in court. We can avoid that by proposing something different. Krahforst show's DEP SOC for the previous NOI: The department concluded the resource area remained unresolved. And the information submitted was not sufficient to describe the site or the effect of the work on the interest of the Act. This was the department's decision. In addition, the narrative that accompanied this NOI before the Commission tonight addressing the performance standards of resources does not include an accessway across the property. Lastly, the chapter 91 license (# 11705) states this license is to construct and maintain a timber pier, gangway floating dock and mooring piles. It has no land based activities associated with it. This area is in Chapter 91 jurisdiction, so whatever it is proposed -boat storage, parking, transport of heavy equipment over the land- would need a Chapter 91 license. Brodsky: The 2nd page (of the c.91 license) would have the proposed uses. The license authorizes the pier for uses. 2nd, I didn't say anything about heavy equipment use. It is a commercial marina which is an authorized use of this parcel. I just said that they needed access to the pier. Commissioner: Where will they intend to drive? Where is this path being proposed? I don't see where that accessway fits in the plan. Brodsky: I don't think that there is great deal of area that we have to work with. We have a proposed boat storage area. We have to go around the boat storage area between the boat storage area and the property line to the south about 10 feet and they need a similar sized area running along the western boundary of the boat storage area. Could the Commission condition the order of conditions to say that any access of the pier that runs parallel to the proposed fence line? I need some technical advice from Mr. Ray. Ray: I think that the access needs to be 12-14 feet wide. I don't believe that there are too many machines that I've seen up there. I need the owners to speak on this matter. 12 feet is a standard width for a driveway. It will have to curl around the parking area at the southern end to get into the pier. It should be parallel to the dune nourishment area, run over the western boundary, and head north out to the parking area. Krahforst highlights plan to try and capture what is being proposed

by Ray and is corrected by Commissioners and Brodsky that the orientation of the accessway is to be parallel to the boat storage fencing. Brodsky: The clients have texted that a 12 foot wide area would be sufficient. We would be happy to submit a revised a plan as a condition. Commissioner: You could submit a revised plan showing the changes. Brodsky: We are happy to submit a revised site plan showing the 12 foot accessway on the southern and western boundaries (of the boat storage area). Commissioner: With the proposed 12 ft accessway, would they be crossing onto the town beach? Another Commissioner: Would they have to modify the boat storage area so as not to encroach on the Town beach.

Motion to issue an order of conditions 125 Main Street Parcel B to include dune nourishment, vegetation planting, with a proposed 12 foot accessway that would extend from the pier through the property out to the parking area, that all existing natural materials of the parking area be maintained, that boats are stored off the ground on metal or wooden stands, the parking area stays as a natural material as shown on the plans, no mechanical or vehicle maintenance or repairing or storage be done in the middle area on the plan, no activities take place in the middle area, access and material delivery to the pier be limited to the 12 foot access way on the southern and western boundary on the parking and boat storage area, dune restoration be maintained in perpetuity, by Jacintho 2nd by Best. Paquin-nay, Campbell-abstain, Best-aye, Sorgi-aye, Jacintho-aye

- 8:54 18-19 Marina Dr., Map 60/Lot 900, (SE35-1676) Opening of a Public Hearing on the Notice of Intent filed by Spinnaker Island & Yacht Club for work described as replacement of timber deck within same footprint. Abutter Notification:** proof provided. **Resource Areas:** Buffer to a Coastal Bank (storm damage protection, flood control, wildlife habitat); **Buffer to a Coastal Beach** (storm damage protection, flood control, wildlife habitat); **Land Subject to Coastal Storm Flowage: FEMA VE 18'** (storm damage and pollution prevention, flood control). **Subject to Limit of Moderate Wave Action (LiMWA); Site Visits done:** 5/8 and 5/9.

Representatives: Danielle Goudreau

Abutters/Others: Henry Herman

Documents: Proposed Plan

Commissioner: Will the footprint of the decks stays the same? Goudreau: Yes, in the application I stated that the deck is pulling away the building. That is incorrect. The ledger board is rotting and we recommend replacement and new supports similar to other construction on the island. These decks were built on angled supports. Commissioner: The neighbors appear to have vertical posts for the deck. Is that what you are proposing? Goudreau: Yes. Commissioner: How are they going to do this work and what are you proposing to put in the ground? Goudreau: The majority of the construction will be completed with ladders and small hand tools. The posts are 7 x7 posts that could be handled by a crew. That could be installed with hand tools. They might need light equipment in the area; it could be a small excavator with rubber tires. They would access the grass area in the rear, and not the beach. Construction of the posts will be 7x7 timber posts which will be excavated to 4 feet and installed with concrete footings. Henry Hermann 20 Marina Drive. We have no objections to the project

Motion to issue an order of conditions special conditions that the construction be done with hand tools, ladders, and light equipment with rubber tires and work be done at during the low tide period. 2nd Campbell. Campbell- aye, Best-aye, Sorgi- aye, Jacintho-aye

- 9:05 85-87 Bay St., Map 35/Lots 019&020 (SE35-1677) Opening of a Public Hearing on the Notice of Intent filed by Harry Hibbard for work described as proposed driveway repair and slope protection. Abutter Notification:** proof provided. **Resource Areas:** Coastal Bank (storm damage protection, flood control, wildlife habitat); **Coastal Beach** (storm damage protection, flood control, wildlife habitat); **Land Subject to Coastal Storm Flowage: FEMA AE 10'** (storm damage and pollution prevention, flood control). **Within c.91 Jurisdiction. Site Visits done:** 5/8 and 5/9.

Representatives: Harry Hibbard, Stephen Kiley, David Ray

Abutters/Others: none

Documents: Proposed Site Plan. Proposed Parking Plan

Hibbard: We have an eroding coastal bank and we are proposing to fix it by evening out the slope and covering it with gabion mattresses and blankets. At 87 Bay St, they are proposing a cantilevered driveway extension. Ray: We are proposing gabion blankets or mattress that will follow the slope of the bank. The slope will have to be smoothed out and a 12 " gabion mattress place with a basket at the base buried into the ground with 3-4 inches sticking out to hold the baskets in place. And underneath the houses gabion mattress will be placed flat on the surface to help with erosion underneath the houses. On 87 Bay St. they are trying to get their cars off the street and improve their parking and not touch the bank at all. We are proposing 2 grade beams with a pre-stressed concrete parking area on top of the grade beams. The parking area is designed to maintain openness to the soil below. There will be a grid over the driveway. It is supported on the grade beams and cantilevered out over the bank. Commissioner: Is the gabion mattress similar to the project on nearby Bay Street? Ray: That is correct. These gabion mattresses are appropriate for saltwater applications. Commissioner: Are driveways on pilings? Do you dig a trench and install the steel beam. Ray: They are on concrete grade beams. The things that look like pilings (in the plan) are posts so you don't drive off of the driveway. Commissioner: Does the slope of the bank stay the same with the installation of the gabions? Ray: The slope will stay the same. Commissioner: **Should the driveway slope toward the street?** Ray: correct. Commissioner: **Where is says open**, is that the grid? Ray: Yes, an open grid. Commissioner: Is there a difference on the **slope on the property**. Applicant: No there is no difference in slope between these two properties. Commissioner:

How close is this project to the adjacent neighbors? Ray: I would say not very close. Nothing will go to the other sides. Hibbard: The erosion we are experiencing has to do with the driveway. When this is done we will put in a driveway with proper drainage. Commissioner: Would the applicants be okay with the gabion mattress being **at least** 10 feet away from the abutters?. Ray: **Yes**. At first the mattress needs something to stay in place. Without a toe reinforcement, the gabion will start migrating. Commissioner: The 1st grade beam appears to be by the street, the 2nd one is back from the bank. How far in the ground is it going? Ray: 3 feet down. Commissioner: The gabion blankets will come up the bank from the water side. Ray: On the left hand side, it is back further. Commissioner: The grade beam seaward. Ray it is about elevation 11 and in the existing parking area. **Commissioner**: During the No-Name Storm did the waves reach where the grade beam is proposed? Kiley: The waves didn't come that high, maybe 2-3 ft. below that. Commissioner: It appears that a Chapter 91 license is needed. Commissioner: We need a letter from Mass Waterways or an appropriate license regarding c.91 jurisdiction.

Motion to issue an order of conditions special conditions that the gabion blankets not come within 10 feet from the neighbors and a letter or chapter 91 is obtained from DEP Waterways, 2nd Campbell. Best-aye, Sorgi-aye, Jacintho-aye, Paquin-aye, Campbell-aye

- 9:25 0 & 3 Fitzpatrick Way Map 09/Lots 044&044A (SE35-1678) Opening** of a Public Hearing on the **Notice of Intent** filed by **Boston Gas Co.** for work described as **proposed gas main installation. Notification:** proof provided. **Resource Areas: Coastal Dune** (storm damage prevention, flood control, wildlife habitat); **Buffer to a Coastal Beach** (storm damage protection, flood control, wildlife habitat); **Land Subject to Coastal Storm Flowage: FEMA VE 12' and AE 13'** (storm damage and pollution prevention, flood control). **Subject to Limit of Moderate Wave Action (LiMWA); may be within c.91 Jurisdiction. Site Visits done:** 5/8 and 5/9.

Representatives: Mike Toohill

Abutters/Others: Malee Nuesse

Documents:

Toohill: It is a request to put in 500 linear feet of a 2 inch gas main to the Saltwater Club. The project will require an open trench to install the 2 inch gas main for service. Commissioner: Does the other club have gas? Toohill: I'm not sure that the other club has gas. Krahforst: Part of the installation falls under chapter 91. Some indication or letter stating that whether a chapter 91 license is needed for this **work?** Nuesse: What would be the timing of the work and potential restriction resulting to the parking area? Toohill: I don't have a good answer. I know that they want it to be done as soon as possible. Nuesse: Where will the equipment be stored? Toohill: It is a fairly quick project. It should be done in a few days. Commissioner: Equipment could be stored in the parking area near the far side of the saltwater club. Toohill: It's a small project. Nuesse: How will we be updated? Toohill: Boston Gas will be your contact. Please give your contact info to Krahforst.

Motion to issue an order of conditions special conditions that the letter or chapter 91 be obtained and equipment be stored on the far side near the salt water club 2nd Campbell., Sorgi- aye, Paquin-aye, Campbell-aye, Best-aye, Jacintho-aye

- 9:35 Fitzpatrick Way and Nantasket Ave Maps 08&09 / Various Lots (SE35-1680) Opening** of a Public Hearing on the **Notice of Intent** filed by **Town of Hull** for work described as **replace and upgrade shoreline structures protecting Fitzpatrick Way and Nantasket Ave. Notification:** proof provided. **Resource Areas: Coastal Dune** (storm damage prevention, flood control, wildlife habitat); **Buffer to a Coastal Beach** (storm damage protection, flood control, wildlife habitat); **Land Subject to Coastal Storm Flowage: FEMA AE 13'** (storm damage and pollution prevention, flood control). **Subject to Limit of Moderate Wave Action (LiMWA); within c.91 Jurisdiction. Site Visit done:** not done. **On 04/28, the applicant has requested a continuance to May 24th at 7:35 PM.** **Motion to continue by Sorgi 2nd by Campbell Paquin-aye, Campbell-aye, Best-ay, Sorgi-aye, Jacintho-aye**

Certificate of Compliance Requests

179 Atlantic Ave (SE35-559) Krahforst: COC for a project that was done in 1993. There is a handicap ramp that isn't in the plans. It was added later. This building is being sold. The applicant updated the plan to note the change.

Motion to issue a certificate of compliance by Sorgi 2nd by Campbell Campbell-aye, Best-aye, Sorgi-aye, Jacintho-aye, Paquin-aye

Continued and New Business

Dune Invasive species continued Krahforst- There are 3 areas where knotweed has shown up. Adam Finke from Woods Hole wondered if the **brought-in-fill** was the source of the knotweed. There is an area that is vegetated with natural material that did not have fill where the knotweed is also starting to grow. I spoke to Katherine Jacintho on what we can do. I did also receive an email from Woods Hole Group which states "Knotweed is nasty, hard to treat, and already looks well established. It likely came in with any fill that was added to the area. I'm not sure how large the area is but the best protocol, is to flush cut it in the late summer/early fall before it goes to seed and to drip glyphosate solution into every stem. It will reemerge the following year. So spring and fall treatments are standard protocol for the following 3 years. If you have the flexibility to do so, you can flush cut it and install black poly sheeting over the area to "cook" the

roots. Knotweed has a shallow fibrous root that offers little stability. Best to treat it and work to establish American Beach Grass." I did speak to the town manager about contracting this. It is the end of the fiscal year. There has been a suggestion that DPW cut it back but that may not be the best solution.

Jacintho thinks that bushwhacking would be a bad idea and it could stimulate further accelerated growth.

Commissioner: I have extensive knowledge about treating the knotweed. It should be treated in each stem. It's a common way of treating it. I do not think that we should cut it. It will spread and take off. We need to understand how it was introduced and keep it from happening again. If we can keep the foot print small it won't be as expensive to treat. Whether or not this is occurring in protective habitat, if the knotweed takes over it will no longer be a plover habitat. Commissioner: I agree. **It shouldn't** be cut unprofessionally. Commissioner: Treatment should be done by a professional service. Another Commissioner: If it is a project in a NHSPG habitat and we submit on NOI to remove invasive in the dune. Signage should be considered about caution of introducing knotweed in the area; especially if contaminated fill may be the culprit. Susan Short Green: I wanted to point out that there is a lot of knotweed on Fitzpatrick Way. They started cutting the dune and maybe it was on the blades. I have seen it in my yard as well.

Violations and Compliance issues

John Hitchner- I'm questioning the last item. It's the seawall. We will own the home for 14 years. There is a very large horizontal crack. If it gives away it could send my home into the pond behind it. Krahforst: They have done structural engineering and design. This is currently under MEPA review. You can reach out to town manager for a copy of the plans and I would be willing to put the plans on the website. Hitchner: I will wait until May 24th.

9:40 Motion to adjourn 2nd by Campbell PP, SC, TB, LS, KJ

ADDITIONAL NOTES FOR REMOTE MEETINGS

1. All or any of the members of the public body may choose to participate in a public meeting via remote access. Meetings may be virtual, in their entirety. All members who participate remotely must be clearly audible.
2. If due to special circumstances members of a Board are meeting in person, for everyone's safety, the public will not be allowed into a Board/Committee meeting, even where there are any members of the public body and/or town staff or official(s) physically present at the meeting location during the meeting. Remember also that Town Hall is closed to the general public.
3. However, the public will be provided with alternative access through which they can watch or listen to meetings "in real time," and meeting notices will specify the manner in which members of the public may access audio or video of the meeting as it is occurring.
4. If, despite our best efforts, our technological capabilities do not adequately support public access to virtual or remote meetings, the town will ensure that an audio or video recording, transcript, or other comprehensive record of the proceedings at the meeting is posted on the town's website as soon as possible after the meeting.
5. Notices for public hearings will contain additional information about how the public may participate via electronic/technological means.
6. For executive session meetings, public access to the meeting will be limited to the open session portion(s) of the meeting only. Public access to any audio, video, internet or web-based broadcast of the meeting will be discontinued when the public body enters executive session.
7. Where individuals have a right, or are required, to attend a public meeting or hearing, including executive session meetings, they will be provided with information about how to participate in the meeting/hearing remotely.
8. Meeting notices will still be posted at least 48 hours in advance (not counting Saturdays, Sundays, or legal holidays), unless it is an emergency meeting as defined under the Open Meeting Law. Minutes will still be taken.