

TOWN OF HULL

CONSERVATION COMMISSION

Meeting Minutes

May 23, 2023

Members Present: Paul Paquin (PP), Chair, Sam Campbell (SC), Lou Sorgi (LS) Tammy Best (TB), Danielle Dolan (DD), Katherine Jacintho (KJ)

Members Absent: none

Staff Present: Ian MacDonald (IM), Administrator; Chris Krahforst (CK), Director; Renee Kiley (RK), Clerk

Staff Absent: none

AGENDA

1. Call to Order

- a. Review of Agenda, Overview of Hearings Procedure

2. Notices of Intent

- a. **51 Harborview Road. Map 56/Lot 028 (SE35-1735) *Continuation*** of a Public Hearing on the **Notice of Intent** filed by **Thomas P. Fitzgerald** for work described as: **Complete slope stabilization project for a portion of the northerly slope. Abutter Notification:** *proof provided. Resource Areas: Coastal Bank:* (Storm damage prevention and flood control); **Coastal Dune** (storm damage protection and flood control, likely wildlife habitat); **Land Subject to Coastal Storm Flowage: FEMA VE 20'** (storm damage and pollution prevention, flood control). **Site visits done:** many times.

Representatives: Russ Morgan and Bin Wang, GZA; Matthew Watsky

Abutters/Public: Barry Fogel, John Struzziery, Ernest Lentini, Tom Fitzgerald

Documents: 5/23/23 Photo of bank, GZA Proposal, Letter from Bryan Stevens

Krahforst represents and provides some permitting history: When the Earth Retaining System (ERS) was permitted (SE 35-1516) back in November 2019 and installed sometime after installation there was a 2nd coastal bank failure (Hurricane Ida, 9/1/21). This project SE35-1735) (that is before the Commission today) proposes slope stabilization using soil nail technology as part of the existing ERA (that was permitted in 2019). Recall that the Commission has required that all work be halted and this proposed project (SE35-1735) be subjected to (an independent) peer review. The Department reached out to 7 consultants; 2 candidates replied that they were interested in reviewing the project. Other consultants did not submit proposals for various reasons. We had one firm, GZA, respond that would be able to conduct the review in a timely manner. The GZA proposal was shared with the Commission, the applicant, and, by request, an abutter. What we have before you is the peer review proposal from GZA for this proposed bank stabilization project. The goal is to consider (the alternatives), the role of the earth retaining system and its functionality (if appropriate) along with the soil nail stabilization, and what mitigation measures are needed (in the immediate short term). Krahforst: Photo shown of site earlier that day showing current state of erosion. Is this proposal adequate to move forward for peer review?

6:40 p.m. Paquin recuses himself (for potential conflict of interest concerns). Sorgi takes over as chair.

Commissioner suggests that a site visit be added to the proposal. Morgan: Site visits were added as Task 1. (During site visits,) we will take measurements, pictures, and (other) observations. Another Commissioner: The Commission wanted to include an analysis looking at the unpermitted activities (associated with the ERS permit) and if these activities contributed to the bank instability. We also wanted another analysis of alternatives besides the soil nail technology including the potential removal of structures. Morgan: GZA will be

trying to evaluate the cause of the destabilization of the slope & taking a look at other alternatives that could be available. We developed our peer review proposal to include a review of the existing ERS and the proposed soil nail wall and will render an opinion on functionality. We have not proposed a (topographic) site survey and to providing an opinion on alternatives. We can amend and include these elements. However, this seems to extend outside of a peer review of a proposed mitigation (project). A Commissioner noted that there was not a coastal geologist on the (review) team. Morgan: We have coastal geologist on staff. They participate sometimes when needed. The erosion morphology has geological components to it (and have been characterized). However, when looking at slope stability at its most basic level it is essentially a geotechnical issue which is part of civil engineering. We engage a specialist in coastal geology when looking at rates of retreat more globally. We did not include it here because we are looking at the stability of the slope. We can have a geologist from our firm be a part of this process. Commissioner: There is a possibility of crossing or approaching the line that goes beyond peer review. The concern is how the proposal fits the project. The Commission is concerned about a broader scope that would include work on alternatives. Basically, are we asking GZA to redesign the project, which is not the town's position, (and is that) the applicant's responsibility? It might be beyond (an appropriate) scope of a peer review. We can engage in the peer review. I don't think that the applicant has provided sufficient information on their project or the engineering. We can start with the peer review (as proposed) and see if we need more information. Another Commissioner: Ultimately (we can engage in the peer review now), as long as the town and the applicant are furnishing the (Commission with) information and provide alternatives that might be appropriate for the site. I think that we have to clear the NOI that is in front of us. At this point before I vote either way (on the NOI), I'd like the peer review to be done. Krahforst: I'll try to summarize the scope (based on this discussion). 1) There is a need to assess existing (current) conditions for the record. 2) Review the proposed project (SE35-1735). 3) There are some concerns about the (proposed) alternatives and thus the need to review the alternative analysis. The peer review could suggest alternatives and to review the interim strategy to prevent any further damages. 4) Other concerns include (should) the patio be moved back from the top of the coastal bank (in the interim)?; Storm water runoff management needs to be reviewed; and adequate protection to the abutting property owners. Morgan: We can bring along a high tech GPS unit to compare grading (to those) on the (record) plans. We can look at the alternatives and give an opinion. We can look at the site conditions to understand what can be mitigated in the short term. Krahforst: With respect to the need for the existing conditions plan, the applicant could provide that. John Lenti (abutter): I'm concerned that the peer review was so limited. I thought that more alternatives would be looked at. I want to make sure that drainage is looked into. I'd like to know how this would impact the seawall project. I'd like the scope to be expanded. Struzziery: One item (possibly to add to Task 1 existing conditions) is to evaluate and identify possible failures of the slope. The scope of the peer review appears to be very broad. If the Commission is looking for further clarification, that can be done. Note the Commission issued an enforcement order. We brought up issues of surface drainage, under drainage, and storm water runoff control. These issues are part of the scope of the peer review. I believe this (peer review) proposal is significant to get going. If there are other thoughts on how the scope may be clarified then the scope can be an amendment if needed. The basis of the peer review is to comment on what the proponent is providing. If it doesn't provide enough detail then the reviewer can suggest alternatives. This scope does evaluate the alternative analysis (included in the NOI). Barry Fogel: Bryan Stevens submitted a letter for the record. I think that the scope can include the alternatives because the report from Dr. Rosen looked at alternatives. It is within the scope of the Notice of Intent. We encourage GZA to look at the history and to consider alternatives. Commissioner: I think that it does need a forensic analysis but we do have to get started. We are asking that the letter be included on record and be included on the scope going forward. If we do have a motion to accept GZA proposal, it should have a condition that (realizes) the scope may evolve going forward. We have an immediate mitigation (need). Commissioner: We can take stock of what items we would like to include for the scope and fee structure. GZA has included a site visit, there is discussion about civil engineers and geologist, versus coastal geologist. We would like for GZA to evaluate the alternatives from CEC or provide additional alternatives. Another Commissioner: I would suggest that GZA look at paragraph 2 of the abutter's letter and the outline with what

they think should be included. Morgan: How deep in the weeds do you get with evaluating alternatives? That is where I have hesitation. We can look at the data presented and past experiences at similar sites and what solutions, whether hard or nature-based (solutions) are applicable. We can consider the alternatives and that could come at the conclusion of the review. Developing cross sections is another step towards design development. We'd have to change our steps. What I'm hearing is - to look at the alternative analysis, take a look at what is proposed, comment on area of improvement and on the means and methods of the constructability, and (its affect on) the (stability of) coastal slope. We can take a step back and look at the site holistically and offer an opinion on strategies that could be used at this location and how it could support the property and the impact on the surrounding properties. We will include that in our opinion. Commissioner: I'm sure that you will look at previous permitted and unpermitted activities. Does the homeowner have to agree? Krahforst: We may not be in quorum. We may need to take a recess. The Chair is rescheduling the rest of the hearing for 51 Harborview Rd until 8:30pm.

8:30pm Returned to hearing. Krahfrost: I have received correspondence from the homeowner. He is in favor of moving forward. The Commission would like to move ahead. There needs to be a better existing conditions plan, GZA plans to review the project as presented, and to review the alternatives analysis. Watsky: Mr. Fitzgerald is in favor of moving ahead with the peer review. Commissioner: GZA would consider the abutters and a more holistic review. Watsky: We've reviewed the GZA proposal. Although there are specifics with what I might disagree, the scope of work is appropriate. We realize that the Commission will not act on the NOI without the review. Another Commissioner: Are we acting on the scope as presented? Commissioner: The proposal has been supplemented by the discussion. Watsky: I ask that the Commission authorize the peer reviewer to speak directly to the applicant's engineer. The Commission concurs.

Motion accept to the peer review proposal based onto the scope and items discussed. by SC 2nd by TB. Roll call: SC-aye, LS-aye, KJ-aye, TB-aye, DD-aye.

Motion to continue until 6/13 by SC 2nd by DD. Roll Call: SC-aye, LS-aye, TB-aye, DD-aye, PP-aye

- b. **153 Manomet Ave. Map 19/Lot 073 (SE35-1763) Continuation** of a Public Hearing on the **Notice of Intent** filed by **Dan Reardon** for work described as: **Remove existing fence and install vinyl fence. Abutter Notification: proof provided. Resource Areas: Barrier Beach** (storm damage protection, flood control, wildlife habitat); **Subject to Coastal Storm Flowage: AE 10. Site visits done: 5/06 5/09**

Representatives: Dan Reardon

Abutters/Public: none

Documents: Proposed Plan

MacDonald: The applicant has been issued a license from the town. The applicant also provided a clearer plan of the proposed fence for the record.

Motion to issue Orders of Conditions by LS 2nd by TB Roll call: PP-aye, SC-abstain, TB-aye, LS-aye

- c. **6 Atherton Road. Map 38/Lot 001 (SE35-1765) Opening** of a Public Hearing on the **Notice of Intent** filed by **Joseph McLaughlin** for work described as: **Install front deck approx 195 ft². Abutter Notification: proof provided. Resource Areas: Barrier Beach** (storm damage protection, flood control, wildlife habitat); **Possible Coastal Dune** (storm damage protection and flood control, likely wildlife habitat); **Land Subject to Coastal Storm Flowage: AO 3.** (Storm damage and pollution prevention, and flood control). **Site visits done: 5/15 & 5/22**

Representatives: None

Abutters/Public: None
Documents: Proposed Plan

MacDonald: Proposed deck extension in an AO 3. Applicant has been issued a stop work order. Commissioner: Is it a foundation. MacDonald: No, it is on pilings. Commissioner: In an AO we consider reflective water. Another Commissioner: It should not be enclosed.

Motion to issue Orders of Conditions by LS with the special condition that the deck is not to be enclosed. 2nd by SC. Roll Call: SC-aye, TB-aye, LS-aye, PP-aye

- d. **7 M Street. Map 14/Lot 091 (SE35-1762) *Opening*** of a Public Hearing on the **Notice of Intent** filed by **William Morgan** for work described as: **Proposed addition & deck, revise existing porch. 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.** (Storm damage and pollution prevention, flood control). **Site visits done: 5/16 & 5/22**
Representatives: David Ray
Abutters/Public:None
Documents: Proposed Plan

Ray: Front is an enclosed porch, at the rear we are going to do a small addiditon to put a bathroom on the 1st floor, space deck on the back and a/c paltform on sonotubes. This project has gone through the ZBA.

Motion to issue Orders of Conditions by LS 2nd by SC. Roll call: TB-aye, LS-aye, PP-aye, SC-aye

8:25 Jacintho joined

- e. **23 Edgewater Road. Map 19/Lot 073 (SE35-1763) *Opening*** of a Public Hearing on the **Notice of Intent** filed by **James & Susan Ross** for work described as: **Demolition of the front addition, and construct new addition and mud room. Abutter Notification: *proof provided*. Resource Areas: Barrier Beach** (storm damage protection, flood control, wildlife habitat); **Land Subject to Coastal Storm Flowage: AE 10.** (Storm damage and pollution prevention, flood control). **Site visits done: 5/17 & 5/22**
Representatives: James Ross
Abutters/Public:None
Documents: Proposed Plan

Ross: The proposed project is to add an addition in the front of the house, not as wide as the orginial house. Demolish the exisitng addition and match current dimensions. New addition will be on the existing foundation. We went before the ZBA and the board has approved. Commissioner: You'll have to move the stairs. Ross: The stairway will be adjusted. Commissioner: The house still has a bump out, there is a paved section. Ross: The driveway is below the house. Commissioner: And you're keeping the deck structure. Ross: Not this deck exactly, but a similar deck.

Motion to issue Orders of Conditions by IS 2nd by SC Roll call: KJ-aye, LS-aye, PP-aye, SC-aye, TB-aye

- f. **59 J Street. Map 15/Lot 075 (SE35-1771) *Opening*** of a Public Hearing on the **Notice of Intent** filed by **Steven Hiou** for work described as: **Construct front porch extension. 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: AO 2.** (Storm damage and pollution prevention, flood control). **Site visits done: 5/16 & 5/22**
Representatives: Steven Hiou
Abutters/Public: None

Documents: Proposed Plan

MacDonald: The site plan does say 1 floor addition but it is a porch extension. Hiou: There will be footings underneath. Covered with lattice, 28 inches above grade. It will match existing porch. Commissioner: It is an AO and not going to reflect storm water runoff or face any wave action, Lattice would flood anyway in that case.

Motion to issue Orders of Conditions by LS 2nd by SC. Roll call: LS-aye, P-aye, SC-aye, TB-aye, KJ-aye

- g. **101 Manomet Ave. Map 21/Lot 065 (SE35-1768) Opening** of a Public Hearing on the **Notice of Intent** filed by **Jeff Coffman** for work described as: **Demolish existing house & build new house. 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 15.** (Storm damage and pollution prevention, flood control). **Site visits done:** 5/16 & 5/22

Representatives: David Ray, Jack Mitchell

Abutters/Public: None

Documents: Proposed Plan

Ray: Existing non-FEMA compliant home. Tearing it down and rebuilding with a new FEMA-compliant home with flood vents, decks are elevated with sono tubes, permeable driveway with roof leaders into dry wells. Commissioner: There is little distance between the neighbors. Ray: It is currently non-conforming. It is on the June 6th ZBA agenda. Commissioner: Fencing is on the railroad bed and the pergola is also in the railroad bed. Ray: Client is aware and is it existing. Another Commissioner: via IM: It seems to be a large lot coverage increase can we include stormwater controls & erosion and run off during construction. Commissioner: Are you close to the limit. Ray: decks are not impervious, currently no treatment of roof run off, going into drywells. Commissioner: Are you close to the building department's rules for impervious. Ray: Decks are not impervious. Currently, there is no treatment for roof runoff, although, we are in a better position than where we were previously. Mitchell: Existing lot coverage is 26.6 and the proposed is 29.5. Commissioner: Railroad bed, if there is a plan for any removal. Mitchell: Setbacks are taken from property line. Another Commissioner: it's not part of the application.

Motion to issue Orders of Conditions by LS with the special condition that there be dry wells for runoff, all debris removed from town, erosion control in place during demolition this Order of Conditions does not permit anything on the railroad bed 2nd sc. Roll PP-aye, SC-aye, TB-aye, KJ-aye, LS-aye

- h. **110 Manomet Ave. Map 21/Lot 059 (SE35-1766) Opening** of a Public Hearing on the **Notice of Intent** filed by **Joseph Mulkern** for work described as: **Replace existing garage. 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 15.** (Storm damage and pollution prevention, flood control). **Site visits done:** 5/16 & 5/22

Representatives: Joseph Mulkern

Abutters/Public: None

Documents: Proposed plan

Mulkern: Fence down right side, replace driveway, and replace garage. Commissioner: does the documentation include. MacDonald: It was not included in the NOI. Mulkern: Repaving an existing driveway. There is berm to help it from pooling when it rains. Commissioner: The public wasn't notified about the fence. IM: You can't increase the scope of the project. Rk: How a driveway repaving that doesn't come before the commission. Commissioner: As long as it is the existing driveway is permitted and it's a repair it doesn't need to come before the

commission. Commissioner: The garage is very close to the lot line. Another Commissioner: It is already there. Commissioner: Do you have a problem putting gutters and dry wells. Mulkern: It's fine.

Motion to issue Orders of Conditions with special conditions to include gutters and dry wells by LS 2nd
by SC. SC-aye, TB-aye, KJ-aye, LS-aye, PP-aye

- i. **133 Beach Ave. Map 21/Lot 006 (SE35-1772) Opening** of a Public Hearing on the **Notice of Intent** filed by **Jeffery Reale** for work described as: **Install asphalt driveway & replace existing fence. 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 12.** (Storm damage and pollution prevention, flood control). **Site visits done:** 5/16 & 5/22

Representatives: Jeff Reale

Abutters/Public: Ann Lempkin, Boris Berman 124 Manomet Ave

Documents: Annotated site plan

Reale: Replaced an existing driveway from concrete to asphalt. Commissioner: The town has a 3-foot buffer will it leave enough space to comply with zoning? Reale: It will. IM: Existing driveways do not have to comply with zoning. Commissioner: And replace the existing fence. That goes around and behind the driveway. Commissioner: This is a VE 17, where is the velocity line. IM: I think that the entire property is in the flood plain. Commissioner: What kind of fence is there now? Reale: It is a white picket fence, the pilings were filled in. It meets the new guidelines. It has 6 inches of a gap at the bottom. Commissioner: We can't have fences in a velocity zone. It reflects the water. Commissioner: is it an after the fact. IM: Yes. Commissioner: If it's a confirmed VE Zone, I'm not for it. RK: Is the VE 17 zone on the beach side and the structure an AO 2. The FEMA flood map says that it is AO 2.

Lempkin: There are actually 2 driveways. One the official new driveway, are you planning on paving that as well. Reale: No, just the one that is there. Lempkin: Is there a minimum height to put generators and HVAC? Commissioner: Yes, they have to be out of the flood area. Lempkin: And what is the flood level. David Ray surveyed my property and I'm concerned that they are not high enough.

Commissioner: That is not part of the NOI request. IM: Mass mapper is inconsistent with the most recent FEMA flood layer. AE 12 is actually the flood layer. Commissioner: It should be flow through and 6 inches off the ground so it meets the guidelines for AE 12. Berman: The long strip of land. And the fence is on the other side. there is a log fence that looks better and I want to make sure that it the right type of fence..

Motion to issue Orders of Conditions with the special conditions limited to the fence and the repair/replacement of the driveway by LS 2nd by SC. Roll Call: TB-aye, , KJ-aye, LS-aye, PP-aye, SC-aye

8:07 Danielle Dolan Returns

- j. **161 Nantasket Road. Map 30/Lot 027 (SE35-1764) Opening** of a Public Hearing on the **Notice of Intent** filed by **Maureen Mulderry** for work described as: **Install deck addition. 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.** (Storm damage and pollution prevention, flood control). **Site visits done:** 5/16 & 5/22

Representatives: None

Abutters/Public: None

Documents: Proposed Plan

IM: Extending porch to the end of the house, steps will align with the current walkway.

Motion to issue Orders of Conditions by LS 2nd by SC. Roll Call: KJ-aye, LS-aye, PP-aye, SC-aye, TB-aye, DD-aye

- k. **245 Beach Ave. Map 15/Lot 065 (SE35-1769) Opening** of a Public Hearing on the **Notice of Intent** filed by **John Childs** for work described as: **Demolish existing home & construct new single family house. 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: AO 2.** (Storm damage and pollution prevention, flood control). **Site visits done:** 5/16 & 5/22

Representatives: David Ray

Abutters/Public: Tom Walsh, Kelley Crumley

Documents: Proposed Plan

Ray: Currently there is an existing home with a basement, intent is to demolish and build a FEMA-compliant elevated home, on a concrete pier and elevator shaft. Home placement is similar to the existing house footprint. Coastal geologist, Stan Humphries looked at the site, while it is a barrier beach the house is sitting on inactive dune. We are going to put in a Concrete pier foundation system, elevate the house on steel pilings. There will be a permeable paver system for parking under the house, permeable paver driveway in on J St out onto Beach Ave. IM: Does the commission have any concerns with the house being built on steel pilings in a coastal environment? Ray: It is appropriate for a coastal environment, coated for protection from saltwater erosion. Commissioner: Parking and driveway is all permeable. Ray: Driveway and parking is all permeable. Crushed shell, summer only, existing wall will have a new façade. Another commissioner: Extending paved sidewalk on town property. Ray: 3 feet of pavement that is required by the town. Commissioner: You'll need permission from DPW. Krahforst: The entire project is in the AO zone. Commissioner: The structure will be out of the flood plain after elevation. Cars will be in the AO. Tom Walsh 76 J St.: My questions were somewhat answered. Line of sight, the property the surrounding decks not be at an elevation with my sight line. That has been satisfied. A Fence runs along my property and abuts the garage. The fence is not compliant. I may have to make it compliant. Crumley: The wall is going to be reconditioned but it's going to be higher? Commissioner: Yes, it can't change in dimensions. Crumley: The deck and the porch, it is enclosed? Ray: It's an open porch. It is a deck with a roof.

Motion to issue Orders of Conditions with the special condition that the wall across the front recondition but not changed and driveways be permeable. By LS 2nd by SC. Roll call: KJ-aye, LS-aye, SC-aye, PP-aye TB-aye
8:30pm 5 minute recess

- l. **8:45pm Parcel 32/ Lot 060 (SE35-1767) Opening** of a Public Hearing on the **Notice of Intent** filed by **Shay Gonen** for work described as: **Construct 2 story house. 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: VE 17.** (Storm damage and pollution prevention, flood control). **Site visits done:** 5/16& 05/22

Representatives: Christa O'Leary, David Ray

Abutters/Public: 72 Clifton Ave, Tim Dougherty 68 Clifton Ave

Documents:

Ray: Proposing a new house sitting on an empty lot. It was part of a revetment project. The VE zone is in the bank, everything else is in zone x. ground construction except for a gravel ditch to help water move to the catch basin. 2 story house walk out in the back. Deck is 8 feet above; patio is to be 11-12 feet back from the costal bank. No flood vents, permeable driveway, roof leaders' tie into ditch around house. The system Ties into the catch basin, excess water will go out into a drain. Commissioner: We may have missed it on the plan. IM: It was hard to see on site. Commissioner: You know where all the pipes are? Ray: The system has been vetted by an engineer. Commissioner: gravel drainage into the coastal bank. Ray: the swale was approved before; there may have been some drainage. We'll use the gravel drainage to. Commissioner: Ray: the pipe goes out over the bank. Commissioner: why didn't they get the DPW to get the water off of the street? Commissioner: Gravel for shading? Ray: the gravel will help move the water. Commissioner: How deep will the gravel

go? Ray: We'll over dig the foundation. Commissioner: it's less convenes and more infiltration. Ray: This neighborhood is glacier till, it doesn't infiltrate well. Why the previous group used the catch basins and swales. I'm mimicking the swales to direct more water to the catch basin. Commissioner: If it infiltrates how will it get back to the catch basin? Ray: The catch basin is at elevation 20 every other elevation is higher as the trench fills up it will migrate. Commissioner: What is the maximum depth of the system? . Ray 5 feet
 Commissioner: So it's 5 feet below the catch basin? Ray: It will fill up and attempt to migrate to the soil. As it fills up it will seek the lowest point. Commissioner: Yes, but the catch basin is sealed, it needs to find the grate. If it's subsurface, it will just be standing or migrate cross gradient towards the coastal bank. Ray: it will seek the lowest point. Commissioner: There will be standing water below the inlet. Ray: Rather than argue we can put in a pipe system. Commissioner: I'm not trying to argue, I'm just trying to protect the coastal bank. Bob 72 Clifton Ave: Runoff was from the road, part of the bank collapsed. The commission approved the swale catch basin system. Tim Dougerty 68 Clifton: The water and gravel surrounding would migrate into the gravel and uphill. Commissioner: It's not going to be flowing uphill, the gravel trench will be below the catch basin inlet some portion of the water will not be able to reach the catch basin. Commissioner: It will percolate. Another Commissioner: The stability of the coastal bank has to be protected and we have to confirm that the system has been vetted. Commissioner: Are you using drywells? Ray: Yes. Curt Morley 268 Nantasket: Water from the street I the concerns for this property. Street has become more depressed. What is the contour going to be in the street? Commissioner: The street is not being changed. The applicant can request DPW to put a berm in front of the house. Another commissioner: If the applicant doesn't think that they have to tie in to. Commissioner: It's an open storm drain with fresh water in it. What about mosquitoes? Ray: Zebra mosquitoes are a salt tolerant species and is an issue living in a coastal environment. Another commissioner: If there is going to be more standing water are we increasing the problem. Another commissioner: I don't think that they are creating more standing water. A 2nd commissioner: I don't think that we are creating more standing water.

Motion to issue Orders of Conditions with the storm drainage as proposed dry wells in the drainage system if it doesn't work the applicant can install a pipe system by LS 2nd by SC. DD-aye, KJ-aye, LS-aye, PP-aye, SC-aye, TB-aye

3. Certificate of Compliance

a. 238 Nantasket Road (SE35-1353)

No work has been done. Proposed driveway that was never constructed; House has been sold. IM: I visited the property.

Motion to issue a certificate of compliance and that no work has been done by LS 2nd by SC. Roll call: -KJ-aye, LS-aye, PP-aye, SC-aye, TB-aye, DD-aye

4. Permit Extension

a. DCR O&M Plan (SE35-1475)

O&M for the Nantasket Beach Reservation motion to extend the OOC for 3 years by Ls 2nd by SC Roll Call: LS-aye, SC-aye, PP-aye, TB-aye, DD-aye, KJ-aye

5. Violations and non compliance

- a. 36 Ocean Ave.-** Unpermitted gravel driveway brought to the department's attention. Storm water does flow through to the salt marsh. CK: It is an AE 10. It was a quick fix that was unpermitted. The department has issued a noncompliance letter. Commissioner: This is washout zone and should be an AO. CK: Do you want to issue an enforcement order. To submit a NOI to repair it or restore it. IM: We'll let the homeowner know that it will negatively affect the wetlands. Commissioner: What should people drive on? CK: I'm not sure that it was ever a driveway. Another commissioner: Maybe a barrier should be in place. Another commissioner: Ask for restoration. Commissioner: CK: Restore to a washed out blown out area. The concern is that material could be mobilized. I support whatever the commission feels is appropriate and that it causes less damage. As well as

come before the commission and restore to something else or another letter stating remove and restore. Commissioner: silt fence or something along the salt marsh. I don't know what the original condition was. CK: large rocks and coarse stone could be a useful alternative. Commissioner: fencing staked into the ground. Ck this is an area that is going to be very different in the Bay view is an active salt marsh. IM: It is also in chapter 91 jurisdiction. CK: There is difficulty in connecting to the trustee. This area is changing and more frequent storms will happen. Commissioner: erosion control on the double.

- 6. 9:23 Motion to adjourn by LS 2nd by SC. Roll call: PP-aye, SC-aye, TB-aye, DD-aye, KJ-aye, LS-aye**