

**TOWN OF HULL**  
**CONSERVATION COMMISSION**  
**Meeting Minutes**  
**November 14, 2023**

**AGENDA**

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

**Members Absent:** Tammy Best (TB), Katherine Jacintho (KJ)

**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. Request for Determination
  - a. **Eastman Rd., Map 50/Lot 028** Opening of a Public Hearing on the **Request for Determination** filed by **The Town of Hull for work described as** Minimal vegetation clearing by hand for developing a minimal access pathway **Resource Areas: Land Subject to Coastal Storm Flowage: AE 13'** (Storm damage, pollution prevention, flood control). **Adjacent to ACEC (Weir River) In Chapter 91. Jurisdiction. Site Visits Done: 11/13**  
**Representative:** Chris Krahforst  
**Abutters/Public:** Christopher Sweeney 219 Atlantic Ave  
**Documents:** Proposed Plan  
IM: Minimal hand clearing. The town will file for a Chapter 91 license or an exception. DD: What is the purpose of the path? Krahforst: The plan was to install an ADA pathway to the Straights Pond Island. We want to clear some vegetation and to determine where the pathway will go. It will help us better design a pathway. It will follow the US forest ways ADA compliance. This is to ask for brush clearing for design reason. We propose to do our work at Eastman Road. This area is town property. Clinton Ave is behind this area and is vegetated. No tree removal. The commission applied for CPA funds to develop a path and a design. There was been some public input about tree removal, and a boardwalk over wetlands. We are considering a design for a less intrusive path and to consider not crossing over the marsh. If there is interest in constructing a path we will develop it. It's not what I'm asking the commission for tonight. We would like to remove brush and maybe label trees.  
Commissioner: Has this area been surveyed. CK: Yes Commissioner: Are there markers. CK: Yes.  
Another commissioner: when would you do the work? CK: 11/29 volunteers are ready to go.  
Commissioner: Are you going to crossover any resources areas. CK: We will find the markers. You might want to condition it. It might be considered a coastal bank. It does receive tidal action. They orange line stays out of the wetlands. Commissioner: This may be exempt. Christopher Sweeney 219 Atlantic: We spent 30K on this. Why did Hull pay 30K for a pathway and invited Hingham & Cohasset? Who is going to clean up the trash and where are people going to park. Commissioner: That is not under the purview of this commission. You said that Conservation Commission applied for the CPA grant. CK: 2-3 years ago the commission voted to apply for the CPA grant. Another Commissioner: What is the plan for the vegetation that is removed? CK: I'll work with DPW; it will mostly be pickley bushes. We will remove it and leave it to the side of the bank for DPW removal or move to the end of Eastman Road. Commissioner: Why stop at Clinton Ave. CK: It's the furthest we can go without getting an easement or going in the wetlands

Motion to issue a negative determination with the condition that no native vegetation be removed from the marked wetlands and no storage of removed vegetation in the flagged wetland area, and

the application will update the commission by SC 2<sup>nd</sup> by DD. Roll Call: LS-aye, PP-aye, SC-aye, DD-aye

**3. Requests to Amend Order of Conditions**

- a. 7 Richards Rd. Map 51/Lot 015 (SE35-1785) Opening** of a Public Hearing on the **Amended Order of Conditions** filed by **Martha Clapp** for work described as: **Increase proposed garage by 156 ft<sup>2</sup>.** **Abutter Notification:** *proof provided*. **Resource Areas:** **Land Subject to Coastal Storm Flowage: X** (Storm damage, pollution prevention, flood control). **Adjacent to ACEC (Weir River) In Chapter 91.** **Representative:** David Ray Katherine Clapper  
**Abutters/Public:** None  
**Documents:** Proposed Plan  
KC: Found ledge so we will have to extend the garage so we won't have to jack hammer the ledge. At 6 feet expansion the garage will be 72 feet from the pond. Commissioner: There was a lot of ledge.  
Another Commissioner:  
Motion to amend the order of conditions by SC 2<sup>nd</sup> by DD. Roll call: PP-aye, SC-aye, DD-aye, LS-aye

**4. Notices of Intent**

- b. 21 N Street. Map 14/Lot 114 (SE35-1809) Opening** of a Public Hearing on the **Notice of Intent** filed by **Ann Marie Dunn** for work described as: **Install an asphalt driveway.** **Abutter Notification:** *proof provided*. **Resource Areas:** **Land Subject to Coastal Storm Flowage: AE 10'** (Storm damage, pollution prevention, flood control). **Site Visits Done: 11/13**  
**Representative:** Ann Marie Dunn  
**Abutters/Public:** none  
**Documents:** Proposed Plan  
Commissioner: I wondered if there was a 3 foot clearance. Another Commissioner: It does until the chimney.  
Motion to issue an order or conditions by SC 2<sup>nd</sup> by DD. Roll call: SC-aye, DD-aye, LS-aye, PP-aye
- c. 76 J Street. Map 32/Lot 34 (SE35-1806) Opening** of a Public Hearing on the **Notice of Intent** filed by **Thomas Walsh** for work described as: Replace retaining walls, sidewalk, & paved driveway. **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, pollution prevention, flood control); **Site Visits Done: 11/13**  
**Representative:** David Ray Thomas & Cynthia Walsh  
**Abutters/Public:** none  
**Documents:** Proposed Plan, Photo of site  
Walsh: We have renovated the outside and want to put in a permeable driveway, same footprint. We're also replacing the sidewalk with permeable and DPW okayed it. We are also going to replace the wooden planters with a block concrete substitute. Commissioner: The current driveway goes to the property line. Walsh: It is the existing driveway, the new owner at Beach Ave is going to install a flow through fence. Ray: You're not allowed to have a parking spot on the property line. There is 15.6 feet from the house to the property line. The 3 foot strip could be considered a sidewalk. IM: the zoning requirement only applies to new driveways.  
Motion to issue orders of condition by SC 2<sup>nd</sup> by DD. Roll call: DD-aye, LS-aye, PP-aye, SC-aye
- d. 37 Cadish Ave. Map 16/Lot 015 (SE35-1808) Opening** of a Public Hearing on the **Notice of Intent** filed by: **John Doherty & Heather MacDonald** for work described as: **Elevate home & remove fill if needed and replace with clean fill** **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, pollution prevention, flood control). **Site Visits Done: 11/13**  
**Representative:** John Doherty  
**Abutters/Public:**?  
**Documents:** Proposed Plan, Photo of site  
Doherty: Footprint will stay the same, raised house, floor underneath. Commissioner: The NOI says it's for FEMA compliance, we would want water to flow through, why is it being enclosed? Doherty: There will be flood vents. They are marked on the foundation plan. Commissioner: Flood vents will not be sufficient. IM: Flood vents meet FEMA requirements. Another Commissioner: Yes, it is an AE

and flood vents are fine. The applicant said that they are raising the house and putting a floor underneath. Doherty: Yes, It will be 3-4 higher. Commissioner: Do you know how much freeboard will be underneath? Doherty: It will be 1 foot above base flood. Another Commissioner: There is another house close by. Will you put in gutters? Doherty: Yes. There will be gutters. We have to come back for the driveway and we're considering dry wells. Commissioner: Will it be a 1 to 1 replacement for fill? Doherty: Yes, it will be a 1 to 1 replacement.

Motion to issue an order of conditions with the special condition that dry wells may need to be installed if flooding occurs by SC 2<sup>nd</sup> by DD. Roll call-LS, PP, SC, DD

- e. **78 Lynn Ave. Map 22/Lot 175 (SE35-1807) Opening** of a Public Hearing on the **Notice of Intent** filed by: **John Doherty** for work described as: **After-the-fact removal of 25 yards of soil, addition of 12 yards of gravel, 10 yards of crushed stone, and 5 yards of sand; installed dry wells for gutters; addition of cobblestone retaining wall and 2' concrete pad for gate access. 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, pollution prevention, flood control). **Site Visits Done: 11/13**

**Representative:** John Doherty, Heather McDonald

**Abutters/Public:** Kathleen McDonagh, Christopher Sweeney

**Documents:** Proposed Plan, Photo of site

Commissioner: The long red line shows the drainage Drywell is in the corner of the street and the applicant has confirmed with DPW. Chris Sweeney: The house looks great. Commissioner: Some other people think that it is the opposite. Some people think that it looks more than a single family residence. McDonagh: What about the ditch? There are more pipes, there is an oil barrel.

Commissioner: That is a dry well. McDonagh: What does that do? Commissioner: The dry well catches the water and pours into the dry well and allows it to percolate. If the storm is bad it will overflow and that goes into the street. McDonagh: Did he dig into the town street. Commissioner: It didn't appear that he did. You can report it to DPW. McDonagh: Why did he do all these things without a permit? Commissioner: It happens often. Another Commissioner: I'm concerned about approving things after the fact. This home owner knows the process. The site is almost entirely paved over.

Almost every square inch. Doherty: What is paved? Commissioner: There is a lot of gavel and some hardscape. Another Commissioner: And now he has added this pad for the gate. It's enormous. What was the contamination that required the fill? Doherty: The ground was filled with glass, metal and debris. It was unsafe Commissioner: I'm looking for mitigation for the concrete pad. Commissioner: It's to slide the gate door. Another Commissioner: But it is going down half the property.

Commissioner: What do you propose? McDonald: The water can flow over it. Another

Commissioner: I think that the plan needs to be clarified. Doherty: The plan is 10" wide and 36 feet long. Commissioner: We would like to continue. McDonagh: How deep are the downspouts?

Motion to continue to 11/29 by SC 2<sup>nd</sup> by DD. Roll call: PP-aye, DD-aye, SC-aye, LS-aye

- f. **Nantasket Rd. Map 32/Lot 036 – adjacent to 246 Nantasket Rd. (SE35-18XX) Opening** of a Public Hearing on the **Notice of Intent** filed by: **John Kenyan** for work described as: **After-the-fact construction of retaining wall and stairs. 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, pollution prevention, flood control). **Site Visits Done: 11/13**

**Representative:** Pete Vansderweil

**Abutters/Public:**None

**Documents:** Proposed Plan, Photo of site

Pete Vanderweil: I worked with Paul Boner & David Ray. The existing condition, there was a very old retaining wall that was failing. Someone in the family performed the work without a permit. Paul, David, and I came on after work. Commissioner: Who did the work? Vanderweil. I believe that it was a nephew. Commissioner: An unlicensed family member. Commissioner: Is the wall in the VE zone, the wall was removed and it should not have been put back. Commissioner: Is it in chapter 91. IM: It is out of the chapter 91. Another Commissioner: Where is the line from? IM: Massmapper and GSI. How did it come to 4.3? Vanderweil: Another Commissioner: you are here as the agent? Yes. Did you file the NOI? The owner filled out the application with Ian, I finished the application. Commissioner:

When did the project get done? PV: Sometime over the summer? Commissioner: If we had more information we wouldn't have allowed this. Commissioner: The stones in the need to be spread out.

Motion to deny the order of conditions because the wall was built without a permit, without proper design, it armors a bank in a VE zone and it doesn't meet the performance standards for a barrier beach by LS 2<sup>nd</sup>SC. Roll call: SC-aye, DD-aye, LS-aye, PP-aye

- g. **243 Nantasket Rd. Map 32/Lot 34 (SE35-1803) Continuation** of a Public Hearing on the **Notice of Intent** filed by **Nancy & Norman Aborjailly** for work described as: **Replace concrete driveway with pavers. 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, pollution prevention, flood control); **Site Visits Done: 10/3**

**Representative:** None

**Abutters/Public:** None

**Documents:** Proposed Plan, Photo of site

IM: the scope included the driveway and the steps. They are decreasing the scope of the project to replacing the driveway. Commissioner: Nothing on the water side of the road. IM: correct.

Motion to issue an order of conditions for only the driveway by SC 2<sup>nd</sup> by DD. Roll call: DD-aye, LS-aye, pp-aye, sc-aye

- h. **51 Harborview Rd. 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

**Representative:**

**Abutters/Public:**

**Documents:**

Motion to continue by SC to the next meeting by SC 2<sup>nd</sup> by DD. Roll LS-aye, PP-aye, SC-aye, DD-aye

i. Certificate of Compliance

- a. 335 Beach Ave (SE35-1579)

IM: No work was done. Motion to issue a certificate of compliance by SC 2<sup>nd</sup> by DD. Roll call-PP-aye, SC-aye, DD-aye, LS-aye

- b. 102 Edgewater Rd (SE35-1741)

Motion to issue a certificate of compliance by SC 2<sup>nd</sup> by DD. Roll-SC-aye, DD-aye, LS-aye, PP-aye

- c. 205 Samoset Ave. (SE35-1623)

Motion to issue a certificate of compliance by SC 2<sup>nd</sup> by DD. Roll call: DD-aye, LS-aye, PP-aye, SC-aye

- d. 6 Atherton Rd. (SE35-1765)

Motion to issue a certificate of compliance by SC 2<sup>nd</sup> by DD. Roll Call: LS-aye, PP-aye, SC-aye, DD-aye

- e. 33 Warfield Ave (SE35-1696)

IM: an as built was issued. Commissioner: the once issue was there is a propane tank at ground level.

Motion to issue a certificate of compliance by SC 2<sup>nd</sup> by DD. Roll call: PP-aye, DD-aye, SC-aye, PP-aye

5. New Business

- a. Hampton Circle, Buried stormwater outfall  
IM: There was a clearing of a storm water outfall. The town completed the work. It is the over side of the seawall.
- b. Move the meeting to 11/29. Commissioner Sorgi will be unavailable.

SE-1516 enforcement order. The work should be completed tomorrow.

**6. Minutes**

- a. Motion to approve Minutes for October 24, 2023 as amended by SC 2nd by DD. Roll call: SC-aye, DD-aye, LS-aye, PP-aye

**7. 8:32pm Adjourn- Motion to adjourn by SC 2nd by LS. Roll call: DD-aye, LS-aye, PP-aye, SC-aye**

**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.