

TOWN OF HULL CONSERVATION COMMISSION

Meeting Minutes December 13, 2022

Members Present: Paul Paquin (PP), Chair, Sam Campbell (SC), Lou Sorgi (LS) Tammy Best (TB)

Members Absent: none

Staff Present: Chris Krahforst (CK), Conservation Administrator; Renee Kiley, Conservation Clerk

Staff Absent: none

6:30

1. Call to Order

- a. Review of Agenda, Overview of Hearings Procedure
- b. Approval of Draft Minutes:
Consideration of Minutes of 11/22/2022: Motion by LS to approve the minutes as amended, 2nd by SC.
Roll Call: TB –aye, SC aye, PP-aye, LS-aye

2. Notices of Intent

- a. **29 Manomet Avenue. Map 25/Lot 101 (SE35-1731) Continuation** of a Public Hearing on the **Notice of Intent** filed by **Gabriel Lortie** for work described as: **Removal of covered porch and build new 3 season room and new covered porch area, new footing. 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. Site visits done: 11/21.**

Representatives: Gabriel Lortie

Abutters/Others: none

Documents: Proposed Plan

Commission: This property had not received its DEP number at the last meeting. Lortie: No proposed changes since the last meeting.

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

- b. **160 Samoset Avenue. Map 21/Lot 012 (SE35-1732) Continuation** of a Public Hearing on the **Notice of Intent** filed by **Douglas Roberts** for work described as: **Add a rear deck and stairs to existing home. 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. Site visits done: 11/21.**

Representatives: Douglas Roberts

Abutters/Others: none

Documents: Proposed Plan

Commissioner: This property had not received its DEP number at the last meeting. Roberts: No proposed changes since discussed at the last meeting.

6:47 Lou Sorgi recused himself

- c. **Crescent Beach Seawall Construction 18 Gun Rock Ave to 9 Damon Park Road. Map 52/Lot 069 (SE35-1730) Opening** of a Public Hearing on the **Notice of Intent** filed by **Town of Hull** for work described as: **Demolition of existing municipal concrete seawall and reconstruction of new concrete seawall. 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 21' and AE 17'**, (storm damage and pollution prevention, flood control). **LiMWA. Site visits done:** 12/12.

Representatives: Jeremy Packard, Kevin Mooney

Abutters/Others: Kate Conover, 32 Gun Rock Ave.; Valerie Carlson, Rich Ahl, 26 Gun Rock Ave; Lou Sorgi, 38 Gun Rock Ave.

Documents: Proposed Plan, Letter from Corina Harper, 22 Gun Rock Ave

Packard: Work is proposed on the final 315' of the Crescent Beach Seawall. This is a municipal project. The wall was inspected in Aug. 2021 and sections are in a failed condition. The stretch that is proposed to be reconstructed is between 18 Gun Rock Ave and 9 Damon Park Rd. The work proposed is on the municipal right of way. The proposed wall varies 16'-18.5' (relative to NAVD 88) raise as you move west. We will raise the crest to match at the east 16 feet. The western edge the wall will increase to 18 ½ feet. The (WPA Resources) are coastal beach, barrier beach, and coastal dune. All work is landward; no filings with DEP or Army Corps are needed. We may need to do a MEPA review. The 1st proposed staging area is on Damon Park Road; it will mainly be for construction machinery. Also, there is proposed an east staging area within the municipal right of way. The stretch of the right of way (along the landward edge of the existing seawall) is a town right of way. We are not proposing reconstructing the private patios and concrete areas. After construction, that area will be regraded and restored with loam & seed. There is a fence on the staging area. We will remove the fence and will not reinstall. Commission: Is this wall located above the mean high water line? Packard: Yes, above the max. & mean high tide lines. Commission: What are you doing on the seaward side? Will any toe or revetment be added? Packard: No armored stone revetment is being proposed. Commission: There is a lip proposed on the (top, ocean-) side: Packard: The re-curve will minimize overtopping of water from wave action. Commission: You reference mean tide from the NOAA tidal datum? Packard: Yes. Commission: What is the plan for the excess material? Packard: We will use excess material for backfill; any cobble will be left on site. Any loam or waste will be removed (off site). Commission: Will any equipment be left on the beach? Packard: We will have a storm preparedness plan. All equipment will be removed after each day and stored overnight (in the staging areas) behind the wall. No refueling or maintenance will occur on the seaward portion of the project site. Conover: Will this affect the current flood zone? Packard: No. Conover: When do you propose start/finish date & times? Packard: Normal 7-5 work hours. It depends on the municipality. We will coordinate with the town. Construction start dates will depend on funding. There may be an environmental time restriction. I think that it would start after Labor Day. Conover: Holidays? Packard: No major holidays. The proposed seawall is on the base of the existing seawall. The idea is to keep the (new wall) within the same footprint (of the existing seawall). Carlson: What is the longevity of these walls? Packard: A lot of these older concrete walls weren't reinforced. Modern concrete is much stronger; Carlson: What happens to the cobble and stones on the beach? Any plans to bring in cobble? Packard: No beach nourishment is proposed. This is a coastal seawall restoration project. No cobble brought in. Sorgi: What type of work, equipment is to be used on the landward side of the wall? Packard: A large excavator, maybe a crane to move forms. It would depend on the contractor. Sorgi: In the backyards? Packard: Yes, in the backyards. Sorgi: Are you removing the concrete from the old wall? Packard: Yes. Sorgi: The current road is in bad shape. This project may undermine the road. Will it be repaired? Packard: After mobilization there will not be much equipment on the road. The machines will be contained to within the work area. We will maintain & repair any road damage. They will do a survey/condition assessment prior to beginning any work. Any damage (to the roadways as a result of construction) will be repaired. They will likely do surveys to the homes with permission prior to construction, evaluating drywall, settling of foundations. Etc. Ahl: Regarding the temporary stone against the seawall: will it be left or taken out? Packard: If there is temporary stone there, in our section of wall, it would be removed and we would restore to the full height of the seawall. Mooney: There was a revetment in that location prior to construction of the Seawall. The contractor removed the revetment and we replaced it under the emergency repair project. Ahl: Where is this project with respect to the funding process? Mooney: The damage to the wall at 22 (Gun Rock) is in with FEMA for mitigation funding. We are asking for mitigation money to raise that area to the higher elevation. There are grant programs that come out

this spring which we will look into as well. These grants are looking for shovel-ready projects. Conover: When you rebuilt the seawall you brought in large rocks. Are you just limiting this to repair and replace of the wall? Packard: We are not bringing in large armor stone. Mooney: This wall is being built on ledge. CK shares correspondence to the Commission from Corina Harper, 22 Gun Rock Ave. with the Commission. CK asks the Commission if this is too late for the Commission to consider (Correspondence was received by the Dept. earlier that afternoon. (Meeting paused while letter is read on screen by Commission and attendees.) CK: The Town has easement that allows the project access in the area addressed in the Harper Letter. CK shares easement language from Harper's attorney from a previous non-compliance issue in 2017). Harper notes that the project doesn't accurately show the building at 20 Gun Rock. Harper letter raises issue of ownership and requests any damages from the project are corrected. CK: It is in the narrative. Clean up of the beach after work is done. Commission: Will restoration be done to address the abutters concerns? Mooney: We require the area to be cleaned daily, nothing stored on the seaward side, and will work with the home owners to (document) the conditions of the project area before construction.

Motion to issue an Order of Conditions with the special conditions that the disturbed areas be returned to their natural state, existing hardscaped areas (in the right-of-way) will be removed, no heavy equipment or supplies to be stockpiled on the seaward side of the seawall by SC, 2nd by TB. Roll call: PP-aye, TB-aye, SC-aye.

7:31 Lou Sorgi returns

- d. **20 U Street. Map 13/Lot 007 (SE35-1733) Opening** of a Public Hearing on the **Notice of Intent** filed by **Paul Feldman** for work described as: **Install above-ground pool, separate deck addition (6'x8')**. **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 (Depth = 2')**. **Site visits done:** 12/12.

Representatives: Paul Feldman
Abutters/Others: none
Documents: proposed plan

Feldman describes above project: includes installing a 13'x8' pool and expand the deck area by 6'x8'. The pool will be lifted above the floodplain and it is a cartridge filtered system.

Motion to issue an Order of Conditions with the special conditions that during emptying, water is to be removed off site and all pool equipment stored above the flood zone by LS, 2nd by SC. Roll call: TB-aye, SC-aye, LS-aye, PP-aye.

- e. **71 Warfield Ave. Map 24/Lot 076 (SE35-1738) Opening** of a Public Hearing on the **Notice of Intent** filed by **Gary Stilphen** for work described as: **24'x24' garage 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**. **Site visits done:** 12/12.

Representatives: Gary Stilphen
Abutters/Others: None
Documents: Proposed Plan

Stilphen presents above project as a 2 car garage with master suite above. Commission: The lot lines are confusing but I see they bought the lot next door. Where will the driveway be? Stilphen: We will have to apply for the driveway. (It is not part of this NOI.)

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

- f. **Hampton Circle Playground 0 Moreland Ave. Map 36/Lot 048 (SE35-1734) Opening** of a Public Hearing on the **Notice of Intent** filed by **Town of Hull** for work described as: **Improvements to Existing Playground**. **Abutter Notification:** proof provided. **Resource Areas: 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). **Within ACEC**. **Site visits done:** 12/12.
Urn by LS

Representatives: Chris Dilorio, Laura Krause, Elise Tripp
Abutters/Others: Beth Chapman, 8A Moreland Ave.; Jen Porcaro 17 Moreland Ave., Valerie Caulfield, 13 Moreland Ave., Dan Gaffney, 16 Standish Rd.
Documents: Proposed plans, photos,

Dilorio presents the above project: Reconstruct the Hampton Circle Playground. The community voted to fund through Community Preservation Act (CPA) in 2020. BETA design created the plan for this environment. Krause (of BETA): This project is located an ACEC and went through MEPA review of which we have received the Secretary's MEPA Certificate which stated no further environmental review is necessary. This project is in an area of (frequent) flooding. DPW asked for some minor changes to the proposed drainage. Tripp reviews existing conditions. The area in yellow is about 0.36 acres in an ACEA in a base flood elevation of 10' and thus in LSCSF, just north of the project is a wetland. There was a prior playground structure there that was damaged. The existing basketball area is outside of the project scope and not to be addressed by this project. We propose to add 2 parking spaces. There is a lot of hard-packed soil and sparse grass in the area. At the side there is an elevation of 6'-7' it slopes down to elevation 4'-5'. We will use the existing slope and grades. We will retain the existing storm basin. We changed the location of some infiltration areas. The parking area and walkway will be ADA-complaint with asphalt and jungle gym poured-in-place permeable area. The swing set area will either be pour in place or a wood fiber safety surfacing. We propose infiltration trenches along the parking area, in the middle of the playground and behind the swing set to help infiltrate the roadway stormwater runoff. We are proposing a C-shaped infiltration trench in an existing low spot. All permanent impact from the project is 1579 ft². Play structure will be a durable structure and at a higher grade to help minimize stormwater ponding. Grading plan shown. Stormwater Report shows no increase to flow rates. Planting plan is shown: trees proposed to provide shading and to seed the area with a salt tolerant vegetation. Commission: Is work proposed to include work in Moreland Ave? Tripp: It does not include work on Moreland Ave. Commission: Is the proposed materials salt resistant? Trip: I don't know about salt intolerance but it is an improvement over the traditional wood structure. Dilorio: Premier Park is aware of the (salt) conditions and the structures are not to be made of wood. Commission: Will raising the grade as proposed impact ADA-accessibility? Tripp: the walkways will be designed to be ADA-compliant. Commission: Was there any consideration to raise the whole area above the floodplain? Dilorio: No, that would be a massive up taking. We know that there is a climate-adaptation planning underway. That may be where that solution may be explored. Commission: Can you detail to us the infiltration ditches. Are these ditches? Tripp: The stormwater infiltration system will be pea-stone trenches. Commission asked about meeting stormwater standards? Increase in impervious surface but a decrease in peak rate due to the vegetation being planned. Chapman: The previous playground structure was not made of wood. During the summer, people park along the park. Is the fence line being moved closer to the road? Dilorio: The fence along the ADA space will change, the rest of the fence will remain as is. Chapman: People will be sad to lose the spot. Chapman: Are the swings staying? Tripp: Yes, the swings are staying. Chapman: There is ponding at 12 Moreland and upwell from a storm drain at high tide and it doesn't catch rain when the rain falls. Is there a possibility if neighbors get together to do something about the basketball court? Commission: It is always possible. Porcaro: I appreciate this project. The play structure was made of metal and it rusted out. We had a meeting about the flooding. It is possible that we're wasting the town's money and this should be tabled until we complete the problem with the seawall. I get rain, coastal, and underground flooding. If the play structure is raised, will more water get into (my) house as a result of this project? Commission: No, if water can come in and then it can go out. Dilorio: It won't displace any more water, stormwater (management) will be improved. Coastal flooding will be the same. Chapman: I would like to see using the park land area evaluated to see if it is necessary to alleviate flooding problems in the area. Commission: The town has decided to go forward. Caulfield: Any lighting being considered: solar or motion? Dilorio: We considered this, but no lighting is proposed because we don't want people using it late at night. Caulfield: Have you considered closing each side of the fences for children safety? Dilorio: There are many rules around fencing at playgrounds. There is an existing fence. Caulfield: It is just a chain-link fence and doesn't have a gate. A gate would be beneficial. What will parking look like? Is it permit parking? Dilorio: It is 2 handicap spots. It is a requirement. Caulfield: What about a water bubbler (drink water): Dilorio: I can check into it. Commission: It isn't in the project being proposed tonight. Gaffney: Using playground for 25 years; we have been disappointed that it had been gone. This is a solid plan for the place. The state models indicate that there is 1% chance of flooding per year. It will be used the other 364 days a year.

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

- g. **71 Highland Ave. Map 05/Lot 077 (SE35-1736) Opening** of a Public Hearing on the **Notice of Intent** filed by **Heather MacDonald** for work described as: **Home addition, to include ~560 ft² garage, 67 ft² breezeway, add 150 ft² pergola, multi-level decks. Abutter Notification:** proof provided.

Resource Areas: Buffer to a Coastal Bank (storm damage protection, flood control, wildlife habitat; **FEMA X Zone Site visits done:** 12/12.

Representatives: Eric Doherty
Abutters/Others: None
Documents: Proposed Plan

Doherty represents above project consisting of a small garage, breezeway, pergola, and deck on the back side on the house. Commission: There is a wood retaining wall in the current existing conditions plan; there isn't a retaining wall in the proposed plan. Doherty: It's only 8"x8' wall. It's very small and the deck would go over it. Commission: You are not proposing to change any grades or bring in any fill? What is in the back on the proposed foundation? Dougherty: It will be a higher wall. No fill will be brought in. Commissioner: The seawall seems to be scored out or removed, Doherty: It does seem sparse. Commissioner: Is anything going on down there? Doherty: It does look sparsely vegetated. We haven't touched the area and don't plan to.

Motion to issue an Order of Conditions with the special conditions that grades are not to be changed, no fill be brought in or removed, and no grade change to the *back* area adjacent to the garage by LS, 2nd by SC. Roll call: TB-aye, SC-aye, LS-aye, PP-aye.

- h. **66 Manomet Ave. Map 25/Lot 014 (SE35-1737) Opening** of a Public Hearing on the **Notice of Intent** filed by **Heather MacDonald** for work described as: **Install deck & footings. Abutter Notification:** proof provided. **Resource Areas: 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:** 12/12.

Representatives: Eric Doherty
Abutters/Others: none
Documents: Proposed Plan

Doherty represents the above project which includes existing Deck, install 4 footings under the deck to support the 2nd & 3rd story decks.

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

3. Requests for Certificates of Compliance

- a. 3 E Street (SE35-1684)
Commission: Was the wooden deck on the ground underneath part of a previous order of conditions? Can we mark it (on the plan) as unknown permit? CK: The wooden deck was existing. The fence was permitted.
Motion to issue a Certificate of Compliance by LS, 2nd by SC. Roll call: LS-aye, PP-aye, TB-aye, SC-aye.
- b. 118 Cadish Ave. (SE35-1532)
CK: This project was before the commission as an administrative review. Plan was amended as requested by the Commission. Motion to issue a Certificate of Compliance by LS, 2nd by SC. Roll call: PP-aye, TB-aye, SC-aye, LS-aye.

4. Continued & New Business

- a. Schedule of Deadlines and Meetings (Jan-Jun, 2023)
Motion to adopt the Schedule of Deadlines & Meeting by LS. 2nd by SC. Roll call: SC-aye, LS-aye, PP-aye, TB-aye.
- b. DEP SOoC: SE35-1703 (18 Manomet Ave) DEP upheld the Commission's decision.

5. Violations & Compliance

- a. 51 F St- a Non-Compliance letter went out. They installed a driveway without a permit
- b. 175 GW Bld. Storm Drain issue, a 2nd Non-compliance letter sent. Drain is extended into the neighbor's property.

8:39 Adjourn

Motion to adjourn by LS and affirm my thanks to everyone's hard work, 2nd by SC. Roll call: LS-aye, PP-aye, TB-aye, SC-aye.