



## HULL CONSERVATION COMMISSION

253 Atlantic Avenue, 2<sup>nd</sup> floor

Hull, MA 02045

Phone: 781-925-8102

Fax: 781-925-8509

**TUESDAY, August 27, 2019**

**Members Present:** Paul Paquin, Chair, Sean Bannen, Lou Sorgi, Jennifer Stone, Tammy Best  
**Members Absent:** Paul Epstein, Brendan Kilroe  
**Staff Present:** Chris Krahforst, Conservation Administrator; Sarah Clarren, Conservation Assistant  
**Minutes:** Upon a **motion** by S. Bannen **2nd** by T. Best and a **vote** of 5-0;  
It was **voted** to: Approve the Minutes of August 13, 2019 as amended.  
It was **voted** to: Approve the Minutes of July 9, 2019 as amended.  
06/11/2019 – prepared, but not reviewed.

**7:30** Call to order

S. Bannen read aloud the charges of the Conservation Commission.

P. Paquin arrived at 7:34PM.

**7:35 90 Atlantic Ave., Map 53/Lot 053. Opening** of a Public Hearing on the **Request for Determination of Applicability** filed by **Jon and Roberta Norton** for work described as **remove existing landscape timbers and replace with block and stone veneer, granite cap, and landscaping.**

Representatives: Roberta and John Norton; Jared [last name unknown] (Contractor)

Abutters/Others: no one spoke

Documents: "Landscape Layout" – May 2019

R. Norton stated that they want to replace landscaping timbers, as they are leaning towards driveway. Want to replace with block wall and stone veneer. New wall will be the same size in regards to height, depth, and location. C. Krahforst requested that before the wall is replaced, a photo should be provided to the Commission showing the depth of the existing wall. The Commission added that the wall cannot be deeper than its preexisting condition

Upon a **motion** by S. Bannen **2nd** by T. Best and a **vote** of 5-0;

It was **voted** to:

**Close** the Public Hearing and **issue** a Negative Determination of Applicability; the Determination of Applicability was **signed**.

**7:43 71 Highland Ave., Map 05/Lot 077. Opening** of a Public Hearing on the **Request for Determination of Applicability** filed by **Florence Wurzel** for work described as **after-the-fact installation of French drain, bubbler, and catch basin to collect and infiltrate roof runoff.**

Representatives: None present

Abutters/Others: no one spoke

Documents: "Catch Basin Location" – n.d.

C. Krahforst said that one issue is to confirm that the bubbler was installed on the applicant's property. He stated that he received an email that had been forwarded from the applicant by the owner of 73 Highland Avenue. The email was read aloud for the record.

Upon a **motion** by S. Bannen **2nd** by J. Stone and a **vote** of 5-0;

It was **voted** to:

**Close** the Public Hearing and **issue** a Negative Determination of Applicability; the Determination of Applicability was **signed**.

**7:48 18 V St. Map 12/Lot 098. Opening** of a Public Hearing on the **Request for Determination of Applicability** filed by **Matthew and Chelsea Accetta** for work described as **after-the-fact removal of asphalt driveway and replace with permeable pavers.**

Representatives: Matthew Accetta

Abutters/Others: No one spoke

Documents: "Mortgage Inspection Plan – 9/25/2018"

The Commission reviewed the plan and questioned if the proposed work is on Town property or not. M. Accetta said that the driveway was concrete which was removed and replaced with permeable pavers. He annotated the Plan to show the driveway on his property. M. Accetta added that he also removed and replaced the fence. Annotated

Upon a **motion** by S. Bannen **2nd** by T. Best and a **vote** of 5-0;

It was **voted** to:

**Close** the Public Hearing and **issue** a Negative Determination of Applicability; the Determination of Applicability was **signed**.

The Commission noted that an RDA should be filed for the fence and the filing should be accompanied with a surveyed plan. C. Krahforst expressed concern regarding the uncertainty of lot lines, but the Commission did not reconsider the motion.

**8:05 9 Central Ave., Map 18/Lot 037. (SE35-1503) Opening** of a Public Hearing on the **Notice of Intent** filed by **Alan Cardoos** for work described as **enclose existing deck; construct 225 sq ft deck**.

Representatives: Alan Cardoos

Abutters/Others: no one spoke

Documents: "Proposed Work: Enclose Existing Rear Deck & add New Rear Deck as shown" –CCR Associates, Inc – 8/6/19  
"Hand drawn footing, framing, and Deck Plans" – n.d.

A. Cardoos presented the project as described above. He stated that in order to enclose the existing deck, the work will need to go before the ZBA, but he wanted to file the entire project as one filing before the Commission.

A Commissioner questioned if there will be a runoff issue, but noted the enclosed area is 17' from abutter. The Commissioner then suggested that drywells be installed for the gutters. A. Cardoos says there is stone around the home to allow for water infiltration, but agreed to a drywell on northside of property.

One Special Condition was added as follows:

- 1) Any gutters draining to the north side property from the house is to be directed into a drywell which shall be maintained for proper drainage in perpetuity. This condition is ongoing and will not expire at the end of three years.
- Upon a **motion** by S. Bannen **2nd** by T. Best and a **vote** of 5-0;  
It was **voted** to:  
**Close** the Public Hearing and **approve** the Order of Conditions. The Order of Conditions was **signed**.

**8:12 Corner of Cadish Ave and E St. Map 16. Opening** of a Public Hearing on the **Request for Determination of Applicability** filed by **Town of Hull DPW** for work described as **install catch basin to collect and infiltrate road stormwater**.

Representatives: C. Krahforst, Conservation Administrator

Abutters/Others: no one spoke

Documents: "Locus" – n.d.  
"Work Area Map" – n.d.

C. Krahforst presented the proposed project as described above. He stated that abutters are experiencing flooding and water is pooling in the road. The DPW is proposing to install an infiltration catchbasin. A Commissioner asked what maintenance would be involved, to which C. Krahforst said that the DPW is tasked with maintaining it and they have a dedicated truck and team.

Upon a **motion** by S. Bannen **2nd** by J. Stone and a **vote** of 5-0;

It was **voted** to:

**Close** the Public Hearing and **issue** a Negative Determination of Applicability; the Determination of Applicability was **signed**.

**8:16 6 Gunrock Ave., Map52/Lot 062. Opening** of a Public Hearing on the **Request for Determination of Applicability** filed by **John Driscoll** for work described as **remove existing concrete retaining wall, not to be replaced**.

Representatives: John Driscoll; Lisa Swanson (landscape architect)

Abutters/Others: Tim Conway (unknown); William and Mary Germaine (4 Gunrock Ave); Dan Jancaterino (2 Atlantic Ave)

Documents: "Building As-Built Plan [annotated]" –Nantasket Survey Engineering, LLC – 7/2811, last rev. 8/3/11

J. Driscoll presented the project as described above. He stated that the existing retaining wall serves no purpose and causes channeling of water. He stated that he would like to remove it and not replace it. A Commissioner noted

that a portion of the retaining wall is on Town property and determined that portion could not be removed without permission from the Town.

B. Germaine of 4 Gunrock Ave said that the wall has been there for years and protects homes. He added that he believes that most water runs over and across 6 Gunrock Ave and the wall stops it. He then stated that he recently had his property surveyed and J. Driscoll placed landscaping on his property, to which J. Driscoll said that he has a survey showing otherwise. The Commission responded by stating that the hearing is not the forum for such a dispute.

The Commission said that regulations state that water should not be redirected, as channeling causes issues to natural resource areas. B. Germaine of 4 Gunrock Ave said that he has pictures showing that water flows into Straits Pond [pictures not provided at the hearing] and that the wall directs the water to Straits Pond. T. Conway of 4 Gunrock Avenue said that the wall has been in place for many years and doesn't know what will happen if it is removed. The Commission said that they are supportive of removing the wall from a conservation standpoint.

M. Germaine of 4 Gunrock Ave. said that the wall must have been installed by the Town as it is so well engineered. J. Driscoll asked if it was possible to find out who installed the wall. B. Germaine of 4 Gunrock Ave said that his house isn't on stilts and will therefore be damaged by the removal of the wall, to which the Commission stated that they encourage elevating homes in flood zones.

Prior to moving forward on the application, a Commissioner requested the following information 1) a survey from the applicant, 2) a survey from the abutter, and 3) guidance from the Town on if the Town portion of wall could be removed.

- Upon a **motion** by S. Bannen **2nd** by J. Stone and a **vote** of 5-0;

It was **voted** to:

**Continue** the Public Hearing to September 24, 2019 at a time TBD.

**8:42 4 Atlantic Ave., Map 55/Lot 007 (SE35-1502) Continuation** of a Public Hearing on the **Notice of Intent** filed by **Patricia DiTullio** for work described as **remove and replace existing wall bordering property adjacent to 2 Atlantic Ave, and landscape work.**

Representatives: Lisa Swanson (Landscape Designer)

Abutters/Others: Daniel Jancaterino (2 Atlantic Avenue)

Documents: "Site Plan" – Grady Consulting, LLC – 7/6/2016  
"Landscaping Plan" – Lisa Swanson – n.d.

L. Swanson said that since the last hearing, a revised plan was submitted. The revised plan shows a concrete wall that runs from the existing pillar on the street, 63' in. The wall would be 1.5' above grade, 1' wide, and a 2' footing below grade. The rest of the length to the seawall would include a boulder delineation. L. Swanson read aloud an email from P. Lemnios which advises that the permitting process from the Commission be completed prior to obtaining approval from the Selectmen. C. Krahforst noted that the proposed project would have a slight improvement to the resource areas. A Commissioner asked how large boulders are, to which L. Swanson said they do not know. A Commissioner expressed concern over large boulders (4' diameter), as they are more significant than what is there currently. The Commission said that boulders could not be stacked; it must be a single-tiered wall. C. Krahforst said that given the resource areas, DEP allows for in-kind replacement or of some sort vegetated berm. D. Jancaterino of 2 Atlantic Avenue said that a vegetated berm would not survive in the area because of the water. S. Clarren provided picture of small boulder landscaping which the Commission approved at a nearby property. L. Swanson said that the boulders would be similar to size; D. Jancaterino added that the boulders would be partially buried onsite and they would be longer than the neighboring property. He stated that the wall would need to have some sort of base to keep it in place.

D. Jancaterino said that the pre-existing conditions had a railroad tie wall up to the seawall. A Commissioner said that the railroad ties were not significantly buried. Instead, there had been fill which has since been removed, that made the portion of railroad ties closest to the seawall at grade to the seawall. A Commissioner said that they cannot permit fill, nor a larger wall than what was there pre-existing. The Commission said that the replacement wall must be built on the grade that is currently onsite and the wall cannot be cemented and/or with stone dust. The Commission said that rocks should be 100 pounds or less and shall be 2' x 3' x 3' rocks. L. Swanson said that switch grass is proposed at the end of the wall, closest to the seawall. The Commission said that the switch grass is on Town property and would need to be approved by the Selectmen.

Four Special Conditions were added as follows:

- 1) Beginning from the Atlantic Ave side, the cement portion of the proposed wall is limited to 63' long, by 1' wide.

- 2) The remaining portion of the proposed wall towards the ocean and existing seawall shall be made of boulders, ranging in size from 2x3x3 to 3x3x3, and shall be placed as a single-tier; no stacking.
  - 3) A portion of the existing wall was located on Town property. No work on that portion of the proposed wall (placement of boulders and vegetation) can be built until permission is received from the Town and recorded in Conservation Department files.
  - 4) All vegetation used as part of the wall shall be of species known to be drought and salt tolerant.
- Upon a **motion** by S. Bannen **2nd** by T. Best and a **vote** of 5-0;  
It was **voted** to:

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

One Commissioner advised against the project.

**9:34 27 Beach Ave., Map 23/Lot 004 (SE35-1474) Continuation** of a Public Hearing on the **Notice of Intent** filed by **Athanasios Mitropoulos** for work described as **relocate existing wall to property boundaries**.  
**The applicant has requested a continuance until Sept. 24, 2019 at a time TBD.**

- Upon a **motion** by S. Bannen **2nd** by J. Stone and a **vote** of 5-0;  
It was **voted** to:

**Continue** the Public Hearing to September 24, 2019 at a time TBD.

### **Certificate of Compliance Requests**

118 Cadish Ave SE35-1482: – S. Bannen **Motion**, T. Best **2nd**, **vote** 5-0; CoC issued.

67 Hampton Cir. SE35-1332: – S. Bannen **Motion**, T. Best **2nd**, **vote** 5-0; CoC issued.

### **Continued and New Business**

Karen Gravina, removal of invasive species, coastal bank – K. Gravina of 69 Park Ave was present. She stated that she has conducted invasive species removal at Wyola and Rockview Rd. The Commission noted that from a Conservation standpoint, removing invasive species is good, but given that it is Town property, approval must be granted by the Town Manager/DPW.

Crescent Beach Seawall update: Kevin Mooney was present to provide an update to the project. He discussed including stone buttresses on the landward side of the wall along three sections. He said that the work would not be done until October. The Commission determined that an Amendment to the Order of Conditions needs to be requested.

Conservation Memo to TM re: ExteNet Telecommunications: C. Krahforst stated that he followed up on the Commission's recommendations and submitted a memo to the Town Manager and cc'd the Light Plant. S. Green requested and reviewed a copy of the Memo. She said that B St pole is actually #56. S. Green said during the hearing before the Selectmen that the poles are going to be removed and replaced. She then said that Pole #10 is a support pole and she thinks it will be bigger than pre-existing conditions. She said that the Selectmen denied the project, but believes ExteNet will be submitting another application. The Commission said it is a utility exemption, unless it is substantially different. S. Green expressed concern about potential indirect effects on Piping Plovers because of the noise and questioned if that came under the Commission's purview, to which the Commission said perhaps. The Commission said that they defer to the Division of Natural Heritage regarding Piping Plovers. The Commission said that if evidence is provided showing that there would be an effect on a resource area or Piping Plovers, that may be addressed at that time.

(new) South Shore Climate Resilience Network – Thursday 9/26 – 9-11AM in Norwell Town Hall: No further discussion.

(new) Abutter notification: A Commissioner suggested that all applications before the Commission require abutter notification, to which S. Clarren said that a bylaw is needed to require anything above and beyond the Wetlands Protection Act.

(new) Floats: A Commissioner said that float owners who leave it in the water all winter impacts resource areas. Krahforst said that Harbormaster has annual permits that have that information on it.

### **Violations and Compliance issues**

125 Main St, EO: C. Krahforst stated that he has provided the violator who placed a building on the coastal beach without a permit with multiple compliance letters, but no restorative action has been taken. The Commission reviewed two Enforcement Orders; 1) – S. Bannen **Motion**, J. Stone **2nd**, **vote** 5-0; issue Enforcement Order to Town of Hull. 2) – S. Bannen **Motion**, J. Stone **2nd**, **vote** 5-0; issue Enforcement Order to Michael McDevitt.

169 Beach Ave.: C. Krahforst stated that a public hearing regarding the property will be on 9/24.

1062 Nantasket Ave: C. Krahforst stated that the property owner is waiting on survey to be completed.

**10:44** Upon a **motion** by S. Bannen and **2nd** by J. Stone and a **vote** of 6-0;  
It was **voted** to: Adjourn.