



MEETING NOTICE POSTING & AGENDA

TOWN CLERK'S STAMP

TOWN OF HULL

Pursuant to MGL Chapter 30A, § 18-25 all Meeting Notices must be filed and time stamped in the Town Clerk's Office and posted at least **48 hours prior to the meeting** (excluding Saturdays, Sundays and Holidays). Please be mindful of the Town Clerk's business hours of operation and make the necessary arrangements to ensure this Notice is received and stamped in by the Town Clerk's Office and posted by at least **30 minutes** prior to the close of business on the day of filing.

Board or Committee	Select Board
Date & Time of Meeting	Wednesday, February 7th, 2024 at 7:00 pm
Meeting Location	Hull Town Hall, 253 Atlantic Ave
Requested By:	Jennifer Constable, Town Manager

AGENDA

APPOINTMENTS

7:00 Committee Charge Review and Updates:

- Beach Management Committee
- Hull Clean Energy Committee

DISCUSSION

1. Rules and Regulations for Consideration of Requests for Host Community Agreements
2. Additional All Alcohol Off-Premises Seasonal Licenses

APPROVALS

1. Zoning Referrals to Planning Board
 - MBTA Communities
 - Floodplain
 - ADU
2. Marie Pizziferri and Beth Stoloff, Residents, Brookline Ave Re: Request for Road Closure of Brookline Ave (from Kingsley Ave to Brockton Circle) on August 10, 2024 from 4:00 PM until 7:00 PM for a Block Party.

APPROVALS (continued)

- 3. McDevitt Enterprises, Inc. dba Jo's Nautical, 125 Main Street, Stephanie Aprea, Mgr. Re: (A) All Alcohol General on Premise; (B) Entertainment (Live, Jukebox, DJ, Karaoke) (CHANGE OF HOURS TO INCLUDE WEDNESDAYS FROM 4:30 PM UNTIL 1:00 AM).**
- 4. Armando Aguilar, Manager, 440 Nantasket Ave, Hull Knights of Columbus Re: One Day Liquor License on Sunday, February 18, 2024 from 1:00 pm to 5:00 pm for Baptism.**

CORRESPONDENCE

- 1. Philip Maloney, Member, Hull Historic District Commission, Re: Letter of Resignation.**

**HULL BOARD OF SELECTMEN
RULES AND REGULATIONS FOR CONSIDERATION OF REQUESTS FOR
HOST COMMUNITY AGREEMENTS**

1.00 Statement of Purpose and Scope of Authority

The Hull Board of Selectmen ("Board") adopts the following rules and regulations to establish a fair, thorough, and transparent process by which the Board will evaluate each request to enter into a Host Community Agreement with the Town of Hull pursuant to M.G.L. c. 94G to operate a Marijuana Establishment (ME) or Medical Marijuana Treatment Center (MTC).

The Board is authorized to oversee the "general direction and management of the property and affairs of the town in all matters not otherwise provided for by law or by this code" (Town of Hull Town Code/By-laws, Chapter 53 – 1 A), and by the Town of Hull Charter and the Board's general administrative and regulatory authority. Pursuant to M.G.L. c. 94G, Regulation of the Use and Distribution of Marijuana Not Medically Prescribed, the Selectmen are empowered to decide whether to enter into a Host Community Agreement with any "applicant" who has "proposed locating a marijuana establishment or a medical marijuana treatment center" in the Town of Hull. M.G.L. c. 94G, §§ 1, 3.

On February 12, 2018, during a Special Town Meeting, the Town voted to amend the General By-laws, prohibiting all Marijuana Establishments other than those limited to the "sale, distribution, manufacture or cultivation of marijuana for medical purposes if licensed in accordance with applicable law," and restricting the number of retail marijuana establishments to two. The rules and regulations set forth here complement the votes of Town Meeting, the General Bylaws and the Town's Zoning By-Law, and are consistent with c. 94G, § 3 ("Local Control"), which explicitly preserves local authority to establish "reasonable safeguards on the operation of marijuana establishments [that are] not in conflict with this chapter or [CCC] regulations" (c. 94G, § 3(a)); to "govern the time, place and manner of marijuana establishment operations" (§ 3(a)(1)); and to "restrict the licensed cultivation, processing and manufacturing of marijuana that is a public nuisance" (§ 3(a)(3)).

Implementing guidance issued by the Cannabis Control Commission also stresses the independent authority of local officials: "the [CCC] encourages municipalities to carefully consider the impact of the particular marijuana establishment proposed for a community, as well as benefits it may bring in local revenue and employment, when negotiating [an HCA]" (CCC's "Municipal Guidance" document) and to identify conditions and stipulations of responsibility between the municipality and the applicant (CCC's "Guidance on Host Community Agreements" document). CCC regulations reinforce local control: "[N]othing in 935 CMR 501.000 [CCC regulations concerning Medical Use of Marijuana] shall be construed to prohibit lawful local oversight and regulation, including fee requirements, that does not conflict or interfere with the operation of 935 CMR 501.000." "(1) Marijuana Establishments and Marijuana Establishment Agents shall comply with all local rules, regulations, ordinances, and bylaws." 935 CMR § 500.170. Any applicant for licensure of a Hull Site by the CCC must establish that it has executed a host community agreement with the Town of Hull, that the Town has accepted the Business's plans to mitigate, noise, odor, and comply with local ordinances and bylaws, and that the Business will comply with all local codes, ordinances and bylaws. (935 CMR § 500.101.)

The Board recognizes that any Business seeking to establish a Medical Marijuana Treatment Center (“MTC”) (the Hull bylaw refers to these facilities under the CCC’s prior designation, “Registered Marijuana Dispensaries”) will, if a Host Community Agreement is reached, undergo Special Permit and Site Plan review by the Hull Planning Board of the physical site, traffic circulation and compliance with Hull votes of town meeting, general bylaws and zoning bylaws, and review by the CCC of many aspects of the proposed operation. The Board must, however, conduct its own review before entering into any Host Community Agreement, to ensure that any proposed operation is appropriately located for the needs of the town; will have appropriate staff, facilities, operational plans, business plans and sufficient funding; and will operate with sufficient technical skill, business competence and financial reserves to ensure that the Town of Hull will not be required to cope with underperformance or closure of an inappropriately sited MTC, loss of jobs, inability to generate projected community impact fees, and cost to the town of dealing with a Marijuana Enterprise that faces loss of funding, bankruptcy or other threats to its operation.

The Board of Selectmen will evaluate all requests to enter into Host Community Agreements in a thorough, fair, and transparent manner, applying the requirements and standards set out in the following rules and rules and regulations. To assist the Board in analyzing the suitability of a Business that requests a Host Community Agreement, these rules and regulations also authorize the Board, pursuant to M.G.L. ch. 44, § 53G and the Town’s general regulatory authority, to require any Business seeking a Host Community Agreement to pay reasonable fees for the employment of outside consultants to advise the Board on any issue relevant to the Board’s review.

The Board retains the authority to suspend or modify, in its discretion, as circumstances may warrant, these Rules and Regulations. A failure by the Board to comply with the terms of these Rules and Regulations shall not affect the validity of any decision of the Board.

These Rules and Regulations are effective immediately upon adoption by the Board, and shall apply to all requests for HCAs, whether submitted prior to adoption of these Rules and Regulations or not.

2.00 Submission of HCA Requests to the Board

A Business requesting an HCA shall submit, completely and truthfully, the information specified below, and any additional information the Town may request.

- 1) The name of the Business and documentation of its registration to do business in Massachusetts.
- 2) Documentary proof of notice as specified below that the Business intends to request a Host Community Agreement with the Town of Hull.

The notice shall state:

- a. The name of the individuals and entities who intend to request the HCA;
- b. The address of the site where the Business proposes to operate;

- c. The type of Marijuana Establishment or Medical Marijuana Treatment Center the Business proposes for the site.

Notice shall be provided as follows:

- a. by publication in a newspaper of general circulation in Hull once in each of two successive weeks, the first publication to be not less than fourteen days before submission of the HCA request;
 - b. by prepaid mail to abutters, owners of land directly opposite on any public or private street or way, and abutters to the abutters within three hundred feet of the property line of the petitioner as they appear on the most recent applicable tax list.
- 3) Resumes, including employment history, for every manager, director, member, employee, executive and volunteer.
 - 4) Identification of every Person, Entity or Close Associate with a 10% or greater equity interest or voting interest, or the Right to control the Business. (*See* definitions in 935 CMR § 501.002.)
 - 5) For Businesses that seek to function as Marijuana Treatment Centers (“MTCs”), proof of current MTC agent registration cards issued by the CCC pursuant to 935 CMR § 501.030 for the individuals in ¶ 2.
 - 6) Documentation specifying the site in Hull at which the Business seeks to operate, including metes and bounds description of property and all buildings, accessory buildings, storage containers and other structures or equipment to be used outside buildings and accessory buildings at the site (the “Hull Site”).
 - 7) Documentation fully detailing the Business’s ownership of, or the terms and duration of any other legal right to use, the Hull Site.
 - 8) The identity of all current employees of the Business who have experience in cannabis product design, cannabis cultivation, cannabis processing, cannabis marketing, cannabis distribution, cannabis sales and cannabis dispensing, and the specific experience of each employee;
 - 9) A statement of the planned scope of the Business’s operation at the Hull Site, including the License Classes for which it will apply, the products, if any it seeks permission to produce, and the cultivation tier, if any, the Business foresees at maximum production if cultivation is permitted by the Board.
 - 10) A statement of the projected revenues and expenses of the operation at the Hull Site, including revenues and expenses expected for each type of product the Business may seek permission to manufacture at the site, revenues and expenses for each type of product to be purchased from other producers, and revenues and expenses from each type of product to be sold to other businesses if the Business seeks permission to do so, all as may be permitted by the Board.
 - 11) A statement of all other locations at which the Business or its Affiliates plan to operate an MTC or Marijuana Establishment.
 - 12) A statement of the Business’s experience in the marijuana industry, including length and scope of experience in the specific types of operation proposed for the Hull Site;
 - 13) An analysis of the public need for an MTC at the Hull Site which takes into account the demand for MTC services by medical marijuana patients in Hull and surrounding communities, and the current and projected number of MTCs in Hull and surrounding communities.

- 14) The Business's Security plan, prepared by a qualified specialist acceptable to the Board, including a description of proposed or current security measures;
- 15) The Business's Traffic plan, prepared by a qualified specialist acceptable to the Board, demonstrating anticipated traffic impacts and the feasibility of mitigation;
- 16) The Business's plan for ensuring that no odors or noise associated with its operations will be detectable outside the buildings on the Hull Site.

3.00 Board Evaluation of HCA Requests

The Board will notify the Business within a reasonable time after submission, but in any event within 30 days,¹ whether its request for an HCA contains the information required by Section 2.00, above. Once the Business's submissions contain the information specified in Section 2.00, the Board will proceed with evaluation of the request. Nothing shall preclude the Board from requesting additional information.

Evaluation Standards: The Board will determine whether, and on what terms, to enter into a Host Community Agreement with the Business according to the following discretionary criteria:

- a. The demonstrated suitability and direct experience of the Business's personnel in the specific forms of cannabis cultivation, processing, marketing, sales and dispensing planned for the Hull Site, as well as the personnel's experience in the scope of operations planned for the Hull site;
- b. The depth of detail and the extent of evidentiary support in the business plan and the Business's demonstration of financial resources;
- c. The proximity of the Hull Site to other similar facilities, the extent to which the proposed operation at the Hull Site meets the needs of Hull and neighboring communities for similar facilities, and the extent to which the location of the Hull Site meets the geographic distribution needs of patients in Hull and neighboring communities;
- d. The impact of the Business's operation on Hull infrastructure, facilities, services, resources, neighborhoods and public areas;
- e. The adequacy of the Business's plans to prevent odors and noise;
- f. The adequacy of the Business's security plan and its ability to eliminate negative impacts on neighborhood.

Expert Consultants: The Board's evaluation may require retention of one or more consultants to advise the Board at the Business's expense, as authorized by M.G.L. ch. 44, § 53G and the general regulatory authority of the town. The Board will notify the Business within a reasonable time after the information required by Section 2.00 has been submitted, but within 30 days in any event,² of the identity of any consultants it has chosen, the issues on which it will

¹ This deadline and all others stated in these Rules and Regulations may be extended by agreement between the Selectmen and the Business or, with advance notice of seven (7) days, by the Selectmen. Failure to meet any deadline in these rules and regulations shall in no event constitute constructive agreement to a Host Community Agreement.

² See Footnote 1.

seek the consultant's opinions, and the consultant's fees. The Board reserves the right to retain under this section additional consultants as the evaluation process proceeds. All consultants will be asked to provide their opinions expeditiously in written reports, which will be shared with the Business.

Consultation With Other Boards, Agencies, Officials and Entities: In evaluating the request for an HCA, the Board may seek the opinions of other state and municipal boards, agencies, authorities and officials, and the opinions of persons and entities with experience relevant to the pending HCA request.

Discretionary Meeting or Meetings With Business During Board Evaluation: Within 45 days after receiving all consultants' reports,³ the Board may, at its discretion, conduct a meeting or meetings with representatives of the Business and the public to discuss whether the Board will enter into an HCA and, if so, the terms of an HCA. The Board will provide members of the public the opportunity to express their views at one or more of any such meetings the Board chooses, in its discretion, to convene.

Board Conclusions Concerning HCA: No later than 45 days⁴ after the last of any discretionary meetings with the Business and the public to assist the Board's evaluation, or, if no discretionary meetings are held, within 45 days of receipt of the final consultant report,⁵ the Board shall meet to consider whether it is willing to enter into an HCA and to decide the essential terms and conditions the Town would require in the requested HCA.

Final Drafting and Execution of HCA If the Board decides that it is willing to enter into an HCA, and has chosen the essential terms it will require in an HCA, it shall notify the Business of the required terms. The Business shall, within 15 days of this notification,⁶ inform the Board of any terms it wishes to include in an HCA. The Board shall meet to consider the Business's proposed terms and any additional terms or modifications the Board requires, and shall notify the Business within 15 days⁷ of its decision on additional or modified terms. Upon final agreement, the parties shall execute the Host Community Agreement.

If the parties are unable to reach agreement, the Board will send the Business written confirmation that its request for an HCA has been denied.

Adopted: September 23, 2020

³ See Footnote 1.

⁴ See Footnote 1.

⁵ See Footnote 1.

⁶ See Footnote 1.

⁷ See Footnote 1.

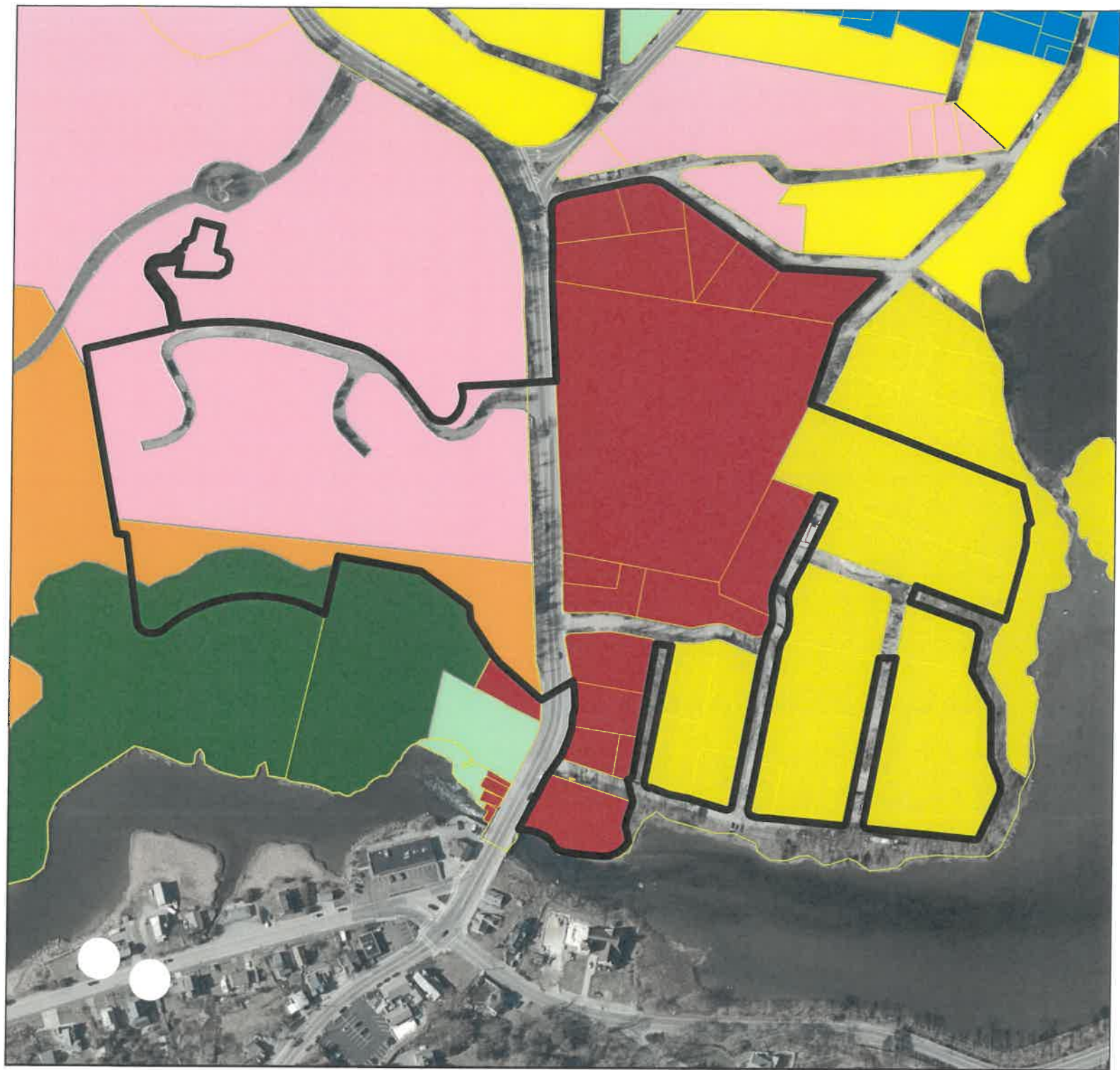
Approval #1

Article ??. To see if the Town will amend the Zoning Map as follows:

- 1. Expansion of Commercial Recreation C (CRC) district as shown**
- 2. Expansion of Commercial Recreation B (CRB) district as shown**
- 3. Expansion of Multi-Family B (MFB) district as shown**



MBTA Communities
District 1
Aerial - Existing Conditions

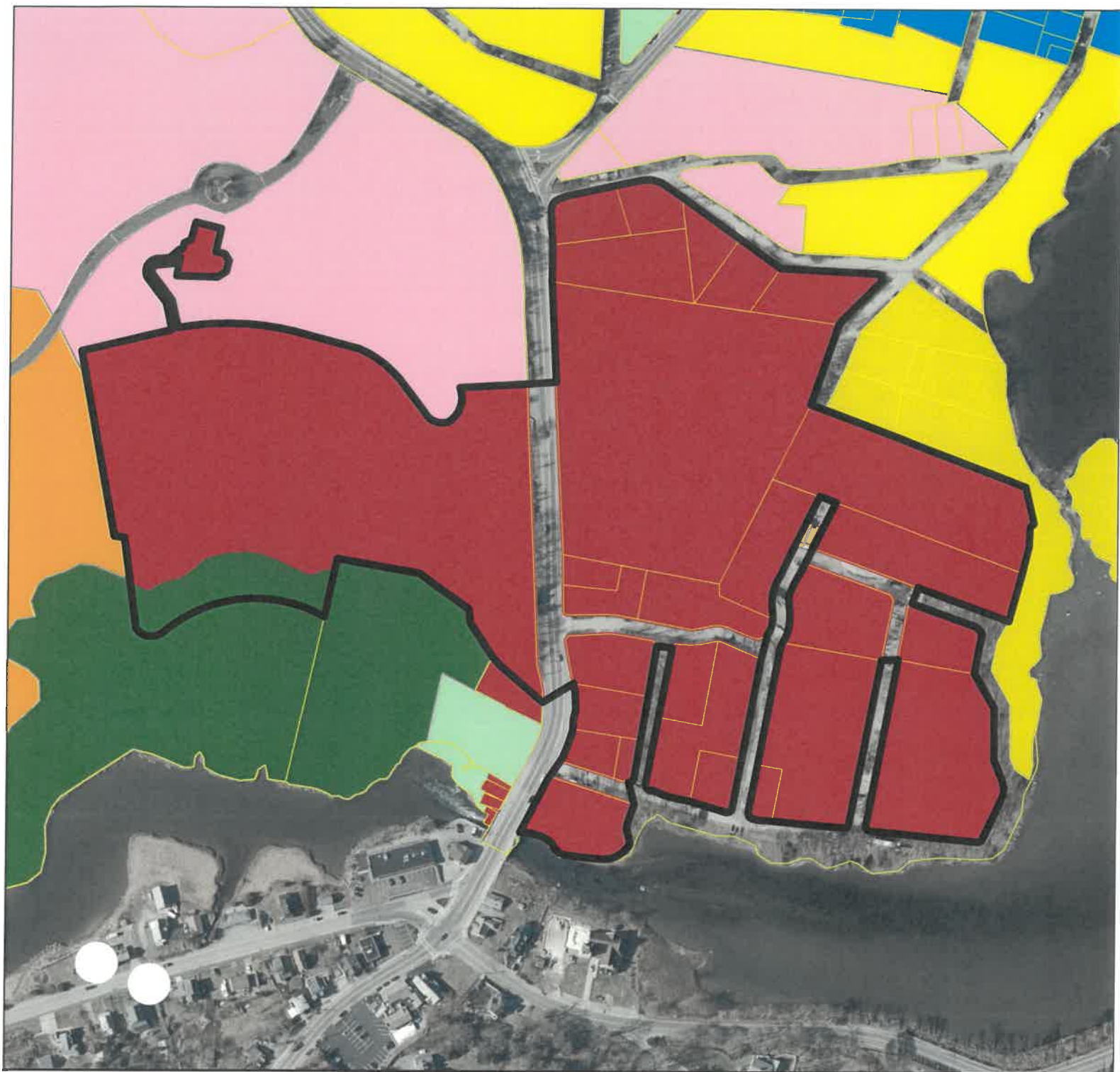


MBTA Communities District 1 Existing Zoning

ZONING

- SINGLE-FAMILY A
- SINGLE-FAMILY B
- SINGLE-FAMILY C
- MULTI-FAMILY A
- MULTI-FAMILY B
- TOWNHOUSE
- COMMERCIAL-REC-A
- COMMERCIAL-REC-B
- COMMERCIAL-REC-C
- BUSINESS

- CONSERVATION
- PUBLIC-OPEN-SPACE
- WATER
- WATERFRONT-DISTRICT
- NBOD
- <all other values>



MBTA Communities District 1 Proposed Zoning

ZONING

- SINGLE-FAMILY A
- SINGLE-FAMILY B
- SINGLE-FAMILY C
- MULTI-FAMILY A
- MULTI-FAMILY B
- TOWNHOUSE
- COMMERCIAL-REC-A
- COMMERCIAL-REC-B
- COMMERCIAL-REC-C
- BUSINESS

- CONSERVATION
- PUBLIC-OPEN-SPACE
- WATER
- WATERFRONT-DISTRICT
- NBOD
- <all other values>



MBTA Communities
District 2
Aerial - Existing Conditions



MBTA Communities District 2 Existing Zoning

ZONING

- SINGLE-FAMILY A
- SINGLE-FAMILY B
- SINGLE-FAMILY C
- MULTI-FAMILY A
- MULTI-FAMILY B
- TOWNHOUSE
- COMMERCIAL-REC-A
- COMMERCIAL-REC-B
- COMMERCIAL-REC-C
- BUSINESS

- CONSERVATION
- PUBLIC-OPEN-SPACE
- WATER
- WATERFRONT-DISTRICT
- NBOD
- <all other values>



MBTA Communities District 2 Proposed Zoning

ZONING

- SINGLE-FAMILY A
- SINGLE-FAMILY B
- SINGLE-FAMILY C
- MULTI-FAMILY A
- MULTI-FAMILY B
- TOWNHOUSE
- COMMERCIAL-REC-A
- COMMERCIAL-REC-B
- COMMERCIAL-REC-C
- BUSINESS

- CONSERVATION
- PUBLIC-OPEN-SPACE
- WATER
- WATERFRONT-DISTRICT
- NBOD
- <all other values>



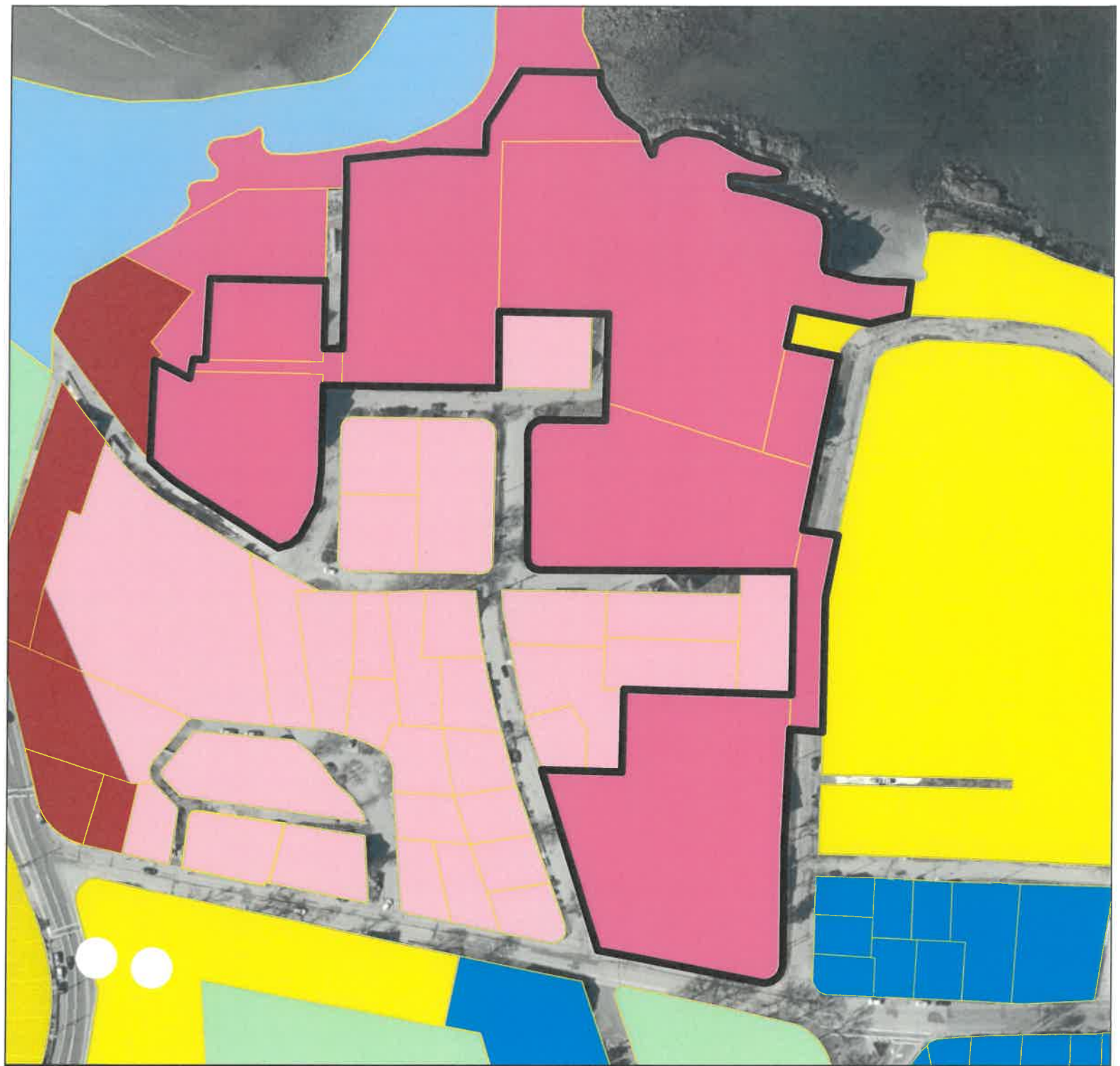
MBTA Communities
District 3
Aerial - Existing Conditions



MBTA Communities District 3 Existing Zoning

- ZONING

 - SINGLE-FAMILY A
 - SINGLE-FAMILY B
 - SINGLE-FAMILY C
 - MULTI-FAMILY A
 - MULTI-FAMILY B
 - TOWNHOUSE
 - COMMERCIAL-REC-A
 - COMMERCIAL-REC-B
 - COMMERCIAL-REC-C
 - BUSINESS
- CONSERVATION
 - PUBLIC-OPEN-SPACE
 - WATER
 - WATERFRONT-DISTRICT
 - NBOD
 - <all other values>



MBTA Communities District 3 Proposed Zoning

ZONING

- SINGLE-FAMILY A
- SINGLE-FAMILY B
- SINGLE-FAMILY C
- MULTI-FAMILY A
- MULTI-FAMILY B
- TOWNHOUSE
- COMMERCIAL-REC-A
- COMMERCIAL-REC-B
- COMMERCIAL-REC-C
- BUSINESS

- CONSERVATION
- PUBLIC-OPEN-SPACE
- WATER
- WATERFRONT-DISTRICT
- NBOD
- <all other values>

§ 410-3.8 Floodplain District.

A.

The Floodplain District is herein established as an overlay district. The District includes all special flood hazard areas designated on the Town's Flood Insurance Rate Map (FIRM) issued by the Federal Emergency Management Agency for the administration of the National Flood Insurance Program, dated 7/17/2012. These maps indicate the 1%-chance regulatory floodplain. The exact boundaries of the District shall be defined by the 1%-chance base flood elevations shown on the Plymouth County FIRM and further defined by the Plymouth County Flood Insurance Study (FIS) report dated 7/6/2021. The effective FIRM and FIS report are incorporated herein by reference and are on file with the Town Clerk, Planning Board, Building Official, and Climate Adaptation & Conservation Dept.

B.

Use Regulations: The use regulations governing the Floodplain District of Hull are in § 410-4.2. Floodplain District use and development regulations, of these zoning Bylaws. Important state regulations concerning floodplain areas are referenced therein.

§ 410-4.2. Floodplain District use and development.

A. The purpose of the Floodplain Overlay District is to:

- 1) Ensure public safety through reducing the threats to life and personal injury.
- 2) Eliminate new hazards to emergency response officials.
- 3) Prevent the occurrence of public emergencies resulting from water quality, contamination, and pollution due to flooding.
- 4) Avoid the loss of utility services which if damaged by flooding would disrupt or shut down the utility network and impact regions of the community beyond the site of flooding.
- 5) Eliminate costs associated with the response and cleanup of flooding conditions.
- 6) Reduce damage to public and private property resulting from flooding waters.
- 7) Preserve the natural flood control characteristics and the flood storage capacity of the floodplain.
- 8) Minimize potential loss of life, destruction of property, and environmental damage resulting from the projected impacts of a warming climate, including extreme rain events and relative sea level rise.

B. Designation of Floodplain Administrator

The Town of Hull hereby designates the position of Climate Adaptation and Conservation Director to be the official floodplain administrator for the Town.

C. Permit Requirements

The Town of Hull requires a permit for all proposed construction or other development in the floodplain overlay district, including new construction or changes to existing buildings, placement of manufactured homes, placement of agricultural facilities, fences, sheds, storage facilities or

drilling, mining, paving and any other development that might increase flooding or adversely impact flood risks to other properties.

Hull's permit review process includes the requirement that the applicant obtain all local, state and federal permits that will be necessary in order to carry out the proposed development in the floodplain overlay district. The applicant must acquire all necessary permits, and must demonstrate that all necessary permits have been acquired.

- (1) All development in the district, including structural and non-structural activities, whether permitted by right, by special permit or by variance, must be in compliance with Chapter 131, Section 40 of the Massachusetts General Laws and with the following:
 - (a) Sections of the Massachusetts State Building Code (780 CMR) which address floodplain and coastal high hazard areas;
 - (b) Wetlands Protection Regulations, Department of Environmental Protection (DEP) (currently 310 CMR 10.00);
 - (c) Inland Wetlands Restriction, DEP (currently 310 CMR 13.00);
 - (d) Coastal Wetlands Restriction, DEP (currently 310 CMR 12.00);
 - (e) Minimum Requirements for the Subsurface Disposal of Sanitary Sewage, DEP (currently 310 CMR 15, Title 5);

Permit applicants in the Floodplain Overlay District shall identify future flood risk including the projected frequency and depth of flooding as shown on the Hull's MC-FRM "2.4 Foot Sea Level Rise" map dated 05/19/2022, and on the "1.2 Foot Sea Level Rise Flood Depth" map dated 05/19/2022, or the most current version of the MC-FRM (or latest state-adopted projection models), on file with the Town Clerk, Building Official, Planning Board, and Department of Climate Adaptation and Conservation. Applications shall include (1) a narrative, on a form designated by the Town, describing proposed methods to minimize future flood impacts to the property and surrounding areas, and (2) include on site plans delineation of the 2.4 Foot Sea Level Rise contours. The future flood risk maps and GIS data layers are for planning purposes. Building Code flood resistant regulations apply only to the FEMA FIRMs.

E. Floodway Encroachment

In Zones A, A1-30, and AE, along watercourses that have not had a regulatory floodway designated, the best available Federal, State, local, or other floodway data shall be used to prohibit encroachments in floodways which would result in any increase in flood levels within the community during the occurrence of the base flood discharge.

In Zones A1-30 and AE, along watercourses that have a regulatory floodway designated on the Town's FIRM encroachments are prohibited, including fill, new construction, substantial improvements, and other development within the adopted regulatory floodway unless it has been demonstrated through hydrologic and hydraulic analyses performed in accordance with standard engineering practice that the proposed encroachment would not result in any increase in flood levels within the community during the occurrence of the base flood discharge.

F. Unnumbered A Zones

In A Zones, in the absence of FEMA BFE data and floodway data, the building department will obtain, review and reasonably utilize base flood elevation and floodway data available from a Federal, State, or other source as criteria for requiring new construction, substantial improvements, or other development in Zone A as the basis for elevating residential structures to or above base flood level, for floodproofing or elevating nonresidential structures to or above base flood level, and for prohibiting encroachments in floodways.

G. AO and AH zones drainage requirements

Within Zones AO and AH on the FIRM, adequate drainage paths must be provided around structures on slopes, to guide floodwaters around and away from proposed structures.

H. Subdivision proposals

All subdivision proposals and development proposals in the floodplain overlay district shall be reviewed to assure that:

- (a) Such proposals minimize flood damage.
- (b) Public utilities and facilities are located & constructed so as to minimize or eliminate flood damage.
- (c) Adequate drainage is provided to reduce exposure to flood hazards.

When proposing subdivisions or other developments in the Federal Floodplain District greater than 50 lots or 5 acres (whichever is less), the applicant must provide technical data to determine base flood elevations for each developable parcel shown on the design plans.

I. Recreational vehicles

In A1-30, AH, AE Zones, V1-30, VE, and V Zones, all recreational vehicles to be placed on a site must be elevated and anchored in accordance with the zone's regulations for foundation and elevation requirements or be on the site for less than 180 consecutive days or be fully licensed and highway ready.

J. Protection of dunes

Man-made Alteration of sand dunes within the Zone VE which would increase potential flood damage are is prohibited.

All new construction within Zone VE must be located landward of the reach of mean high tide.

K. Watercourse alterations

In a riverine situation, the Climate Adaptation and Conservation Director shall notify the following of any alteration or relocation of a watercourse:

- Adjacent Communities, especially upstream and downstream
- Bordering States, if affected
- NFIP State Coordinator
Massachusetts Department of Conservation and Recreation
- NFIP Program Specialist
Federal Emergency Management Agency, Region I

L. Requirement to Submit New Technical Data

If the Town acquires data that changes the base flood elevation in the FEMA mapped Special Flood Hazard Areas, the Town will use its best efforts, within 6 months, to notify FEMA of these changes by submitting the technical or scientific data that supports the change(s.) Notification shall be submitted to:

- NFIP State Coordinator
Massachusetts Department of Conservation and Recreation
- NFIP Program Specialist
Federal Emergency Management Agency, Region I

M. Variances to building code floodplain standards

The Town will request from the State Building Code Appeals Board a written and/or audible copy of the portion of the hearing related to the variance, and will maintain this record in the community's files.

The Town shall also issue a letter to the property owner regarding potential impacts to the annual premiums for the flood insurance policy covering that property, in writing over the signature of a community official that (i) the issuance of a variance to construct a structure below the base flood level will result in increased premium rates for flood insurance up to amounts as high as \$25 for \$100 of insurance coverage and (ii) such construction below the base flood level increases risks to life and property.

Such notification shall be maintained with the record of all variance actions for the referenced development in the floodplain overlay district.

N. Variances to local Zoning Ordinances related to community compliance with the National Flood Insurance Program (NFIP)

A variance from these floodplain ordinances must meet the requirements set out by State law and may only be granted if: 1) Good and sufficient cause and exceptional non-financial hardship exist; 2) the variance will not result in additional threats to public safety, extraordinary public expense, or fraud of the public; and 3) the variance is the minimum action necessary to afford relief.

O. Abrogation and Greater Restriction

The floodplain management regulations found in this Floodplain Overlay District shall take precedence over any less restrictive conflicting Zoning Ordinance provision.

P. Disclaimer of Liability

The degree of flood protection required by this ordinance is considered reasonable but does not imply total flood protection.

Q. Severability

If any section, provision, or portion of this ordinance is deemed to be unconstitutional or invalid by a court, the remainder of the ordinance shall be effective.

R. Definitions

AREA OF SPECIAL FLOOD HAZARD — Is the land in the floodplain within a community subject to a 1% or greater chance of flooding in any given year. The area may be designated as Zone A, AO, AH, A1-30, AE, A99, V1-30, VE or V.

BASE FLOOD — Means the flood having a 1% chance of being equaled or exceeded in

any given year.

COASTAL HIGH HAZARD AREA — Means an area of special flood hazard extending from offshore to the inland limit of a primary frontal dune along an open coast and any other area subject to high velocity wave action from storms or seismic sources. The area is designated on a FIRM as Zone V, V1-30, VE.

DEVELOPMENT means any man-made change to improved or unimproved real estate, including but not limited to building or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations or storage of equipment or materials. [US Code of Federal Regulations, Title 44, Part 59]

FLOOD INSURANCE RATE MAP (FIRM) — means an official map of a community on which FEMA has delineated both the areas of special flood hazard and the risk premium zones applicable to the community.

FLOOD INSURANCE STUDY — means an examination, evaluation and determination of flood hazards, and if appropriate, corresponding water surface elevations or an examination, evaluation and determination of flood-related erosion hazards.

FLOODWAY. The channel of the river, creek or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height. [Base Code, Chapter 2, Section 202]

FUNCTIONALLY DEPENDENT USE means a use which cannot perform its intended purpose unless it is located or carried out in close proximity to water. The term includes only docking facilities, port facilities that are necessary for the loading and unloading of cargo or passengers, and ship building and ship repair facilities, but does not include long-term storage or related manufacturing facilities. [US Code of Federal Regulations, Title 44, Part 59] Also [Referenced Standard ASCE 24-14]

HIGHEST ADJACENT GRADE means the highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure. [US Code of Federal Regulations, Title 44, Part 59]

HISTORIC STRUCTURE means any structure that is:

- (a) Listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;
- (b) Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;
- (c) Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of the Interior; or
- (d) Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either:

- (1) By an approved state program as determined by the Secretary of the Interior or
- (2) Directly by the Secretary of the Interior in states without approved programs.

[US Code of Federal Regulations, Title 44, Part 59]

NEW CONSTRUCTION. Structures for which the start of construction commenced on or after the effective date of the first floodplain management code, regulation, ordinance, or standard adopted by the authority having jurisdiction, including any subsequent improvements to such structures. *New construction includes work determined to be substantial improvement.* [Referenced Standard ASCE 24-14]

RECREATIONAL VEHICLE means a vehicle which is:

- (a) Built on a single chassis;
- (b) 400 square feet or less when measured at the largest horizontal projection;
- (c) Designed to be self-propelled or permanently towable by a light duty truck; and
- (d) Designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

[US Code of Federal Regulations, Title 44, Part 59]

REGULATORY FLOODWAY - see FLOODWAY.

SPECIAL FLOOD HAZARD AREA. The land area subject to flood hazards and shown on a Flood Insurance Rate Map or other flood hazard map as Zone A, AE, A1-30, A99, AR, AO, AH, V, VO, VE or V1-30. [Base Code, Chapter 2, Section 202]

START OF CONSTRUCTION. The date of issuance for new construction and substantial improvements to existing structures, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement or other improvement is within 180 days after the date of issuance. The actual start of construction means the first placement of permanent construction of a building (including a manufactured home) on a site, such as the pouring of a slab or footings, installation of pilings or construction of columns.

Permanent construction does not include land preparation (such as clearing, excavation, grading or filling), the installation of streets or walkways, excavation for a basement, footings, piers or foundations, the erection of temporary forms or the installation of accessory buildings such as garages or sheds not occupied as dwelling units or not part of the main building. For a substantial improvement, the actual "start of construction" means the first alteration of any wall, ceiling, floor or other structural part of a building, whether or not that alteration affects the external dimensions of the building. [Base Code, Chapter 2, Section 202]

STRUCTURE means, for floodplain management purposes, a walled and roofed building, including a gas or liquid storage tank that is principally above ground, as well as a building, other than a gas or liquid storage tank that is principally above ground and affixed to a permanent site, as well as a manufactured home on foundation. For the latter purpose, the term includes a building while in the course of construction, alteration or repair, but does not include building materials or supplies intended for use in such construction alteration or repair, unless such materials or supplies are within an enclosed building on the premises.

SUBSTANTIAL DAMAGE. Damage of any origin sustained by a structure whereby the cost of restoring the structure to its before-damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred.

SUBSTANTIAL IMPROVEMENT. Any repair, reconstruction, rehabilitation, addition or improvement of a building or structure, the cost of which equals or exceeds 50 percent of the market value of the structure before the improvement or repair is started. If the structure has sustained substantial

damage, any repairs are considered substantial improvement regardless of the actual repair work performed. The term does not, however, include either:

1. Any project for improvement of a building required to correct existing health, sanitary or safety code violations identified by the building official and that are the minimum necessary to assure safe living conditions.
2. Any alteration of a historic structure provided that the alteration will not preclude the structure's continued designation as a historic structure. [Base Code Section 1612.2]

SUBSTANTIAL REPAIR OF A FOUNDATION. When work to repair or replace a foundation results in the repair or replacement of a portion of the foundation with a perimeter along the base of the foundation that equals or exceeds 50% of the perimeter of the base of the foundation measured in linear feet, or repair or replacement of 50% of the piles, columns or piers of a pile, column or pier supported foundation, the building official shall determine it to be substantial repair of a foundation. Applications determined by the building official to constitute substantial repair of a foundation shall require all existing portions of the entire building or structure to meet the requirements of 780 CMR. [As amended by MA in 9th Edition BC]

VARIANCE means a grant of relief by a community from the terms of a flood plain management regulation. [US Code of Federal Regulations, Title 44, Part 59]

VIOLATION means the failure of a structure or other development to be fully compliant with the community's flood plain management regulations. A structure or other development without the elevation certificate, other certifications, or other evidence of compliance required in §60.3(b)(5), (c)(4), (c)(10), (d)(3), (e)(2), (e)(4), or (e)(5) is presumed to be in violation until such time as that documentation is provided. [US Code of Federal Regulations, Title 44, Part 59]

ZONE AE — Means area of special flood hazard with water surface elevations determined.

ZONE AO — Means area of special flood hazards having shallow water depths and/or unpredictable flow paths between (1) and (3) ft. (Velocity flow may be evident; such flooding is characterized by ponding or sheet flow.)

ZONE VE — means area of special flood hazards, with water surface elevations determined and with velocity, that is inundated by tidal floods (coastal high hazard area).

A variance from this FP Bylaw must meet the requirements set out by State law and may only be granted if a good and sufficient cause and exceptional non-financial hardship exist; 2) the variance will not result in additional threats to public safety, extraordinary public expense, or fraud or victimization of the public; and 3) the variance is the minimum action necessary to afford relief.

PROPOSED ADU BYLAW

Establish §410-3.2 A Permitted uses for Single-Family Residence Districts A, B and C
(8) Accessory Dwelling Units, subject to the requirements of Section 410-4.10 of this Zoning Bylaw.

Amend §410-5.1 Table 50, SF-A,B,C: Maximum number of dwelling units per lot =
1+ADU

Establish §410-4.10 ACCESSORY DWELLING UNITS

**A. PURPOSE: Consistent with MGL Chapter 358 of the Acts of 2020 Housing Choice and
Hull Housing Production Plan**

(1) Provide a limited number of Accessory Dwelling Units without adding to the number of buildings in the Town and without reducing open space in the Town or substantially altering the appearance of the principal dwelling, and to provide for a more efficient and economic use of existing housing stock by enabling homeowners of single family dwellings larger than required for their present needs, to share space and the burdens of homeownership, while also protecting the stability, property values, and residential character of the neighborhood.

(2) occupants who would qualify for an “Affordable Housing Unit” through income eligibility, with gross household income at or less than 80% of the Boston Metropolitan Area Median Income, with housing costs no more than 30% of gross household income.

(3) Enable the Town to monitor Accessory Dwelling Unit (ADU) construction for code compliance.

B. DEFINITIONS:

(1) An “Accessory Dwelling Unit” (ADU) is a self-contained housing unit incorporated within a single-family dwelling and clearly subordinate in size to the principal dwelling in a manner that maintains the character and structural appearance of a single-family dwelling consistent with the provisions of Section 410-4.10 and MGL Chapter 40A Section 1A Definition of “Accessory Dwelling Unit”.

(2) For the purposes of this Section 410-4.10, a “Family Member” shall be a person related to the owner by blood, adoption or marriage, and may also include domestic help and caregivers.

(3) A “Principal Dwelling” for the purposes of this Section 410-4.10 is a single-family dwelling exclusive of the area that constitutes the Accessory Dwelling Unit (ADU).

A single-family dwelling with an Accessory Dwelling Unit (ADU) should not be deemed to be a two-family dwelling.

C. DIMENSIONAL AND DESIGN REQUIREMENTS:

Any Permit for an Accessory Dwelling Unit (ADU) issued pursuant to this Section 410-4.10 shall be subject to, and shall incorporate the following conditions:

- (1) An Accessory Dwelling Unit shall not create any dimensional nonconformities.
- (2) An Accessory Dwelling Unit shall not be larger in floor area than $\frac{1}{2}$ the floor area of the principal dwelling or 900 square feet, whichever is smaller.
- (3) An Accessory Dwelling Unit shall not have more than two bedrooms.
- (4) An Accessory Dwelling Unit shall not create an undue burden on the neighborhood.
- (5) An Accessory Dwelling Unit shall not be metered separately from the principal dwelling for electric, gas, water, or sewer utilities serving the single-family dwelling.
- (6) The parking requirement for an ADU is two off-street parking spaces in addition to the minimum required two off-street parking spaces for a single-family dwelling, which shall be provided on the premises, as per Section 410-5.2.A. Table 55 Parking.
- (7) Any new entrance for the Accessory Dwelling Unit or the principal dwelling shall be located on the side or in the rear of the single-family dwelling, and all stairways to upper stories shall be enclosed within the exterior walls of the single-family dwelling, so as to be less visible from the street.
- (8) . Additional or modified landscaping, fences or other buffers may be necessary to protect abutting properties from potential negative visual or auditory impacts of the ADU.

D. GENERAL CONDITIONS

Any Permit for an Accessory Dwelling Unit (ADU) issued pursuant to this Section 410-4.10 shall be subject to, and shall incorporate the following conditions:

- (1) The owner shall submit an application for a building permit for an Accessory Dwelling Unit, along with building plans, and survey and site plans of the existing and proposed conditions, to the Building Commissioner for his review and approval, in order to ascertain whether the proposed ADU is in compliance with this zoning bylaw Section 410-4.10, and all code requirements for residential use.

The owner of the single-family dwelling shall occupy either the principal dwelling or the ADU as the owner's primary residence. Temporary absences of the owner for a period of not

E. GENERAL CONDITIONS

Any Permit for an Accessory Dwelling Unit (ADU) issued pursuant to this Section 410-4.10 shall be subject to, and shall incorporate the following conditions:

(2) The owner shall submit an application for a building permit for an Accessory Dwelling Unit, along with building plans, and survey and site plans of the existing and proposed conditions, to the Building Commissioner for his review and approval, in order to ascertain whether the proposed ADU is in compliance with this zoning bylaw Section 410-4.10, and all code requirements for residential use.

(3) The owner of the single-family dwelling shall occupy either the principal dwelling or the ADU as the owner's primary residence. Temporary absences of the owner for a period of not more than six months in the aggregate in any twelve- month period and active military service of the owner for any length of time shall not be deemed a violation of this requirement provided that the dwelling units may only be occupied by family members of the owner during the owner's absence.

(4) The owner shall recertify annually, by application for Board of Health Housing Code Division Certificates of Occupancy and comply with the rules and regulations of the Board of Health.

(5) The owner shall recertify annually, by submission of a notarized letter to the Building Commissioner: that the owner shall continue to occupy either the principal dwelling or the ADU as the owner's primary residence, except for bona fide temporary absence as provide above in subsection D(2).

(6) Upon the sale or other conveyance or transfer of a single-family dwelling which has been issued an ADU Permit, the new owner shall, within thirty (30) days of such transfer, submit a notarized letter to the Building Commissioner certifying that the owner will continue to occupy either the principal dwelling or the ADU as the owner's primary residence and comply with all conditions of the ADU Use, if the owner intends to maintain the ADU permit.

(7) Neither the principal dwelling nor the Accessory Dwelling Unit may be sold or otherwise conveyed or transferred separately from the other.

(8) An Accessory Dwelling Unit shall not be used for boarding and lodging, or other commercial use. An ADU may be rented for periods not shorter than 183 days at a time, and are prohibited from any use as rental units on a weekly or daily basis.

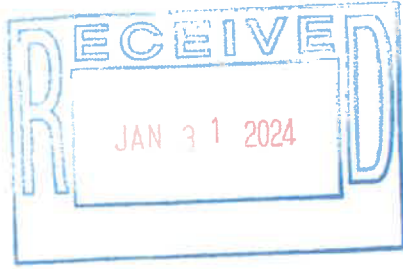
F. ELIGIBILITY REQUIREMENTS:

(1) As of the date that the application for a Permit for an Accessory Dwelling Unit is filed, the total number of ADU Permits shall not exceed 100, and ADU Permits shall be restricted to ten (10) per calendar year.

A Building Permit for an Accessory Dwelling Unit (ADU) may be issued via a special permit, provided that:

- (a) The premises is in compliance with all zoning requirements in this Section 410-4.10, including parking.

- (b) The applicant shall be the owner of the premises and must submit a notarized affidavit certifying occupancy of either the principal dwelling or the ADU as the owner's primary residence immediately upon issuance of the Permit for an ADU.
- (c) The applicant shall submit a notarized affidavit certifying occupancy of either the principal dwelling or the ADU as a Housing unit for family members, or seniors aged 60 years or more, or occupants who would qualify for an "Affordable Housing Unit" through income eligibility, with gross household income at or less than 80% of the Boston Metropolitan Area Median Income, with housing costs no more than 30% of gross household income. (*Unless otherwise prohibited by a Federal or State agency under a financing or other subsidy program).



Approval # 2

Hull MA, 02045

January, 28, 2024

Select Board Town of Hull
253 Atlantic Avenue
Hull, MA 02045

To Select Board:

We are requesting permission/permit to sponsor a Block Party on August 10, 2024 on Brookline Avenue. We request to close Brookline Ave. from Kingsley Avenue to Brockton Circle on August 10 from 4pm-7pm.

All residences on Brookline Ave. are in agreement with the street closure and will participate in the Block Party. We estimate up to 50-75 people from the 10 residences.

We appreciate your consideration of this request.

Sincerely,


Marie Pizziferri


Beth Stoloff

Approval #3

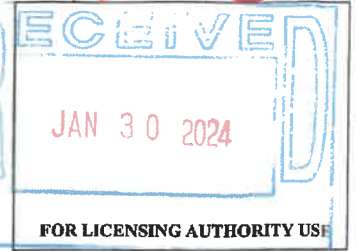
TOWN OF HULL

ALCOHOL LICENSE INFORMATION FORM

NEW ☐ RENEWAL ☐ TRANSFER ☐

AMENDMENT ☒

☐ CHANGE OF MANAGER (COM)*
☒ CHANGE OF HOURS (COH)
☐ ONE DAY
☐ OTHER



Full Legal Name of Business: McDevitt Enterprises Inc.

Business Name (dba) if different: Jo's Nautical Bar

FID of Licensee: Address of Premises: 125 Main St Hull Ma 02045

Phone Number of Premises: 508 468 5499

Business Email:

Business Mailing Address: ☐ Same as above

Owner of Business: Michael McDevitt & Stephanie Aprea

Manager of Record: Stephanie Aprea

Phone:

Residential Address :

*Proposed Manager (must file COM with ABCC):

Phone:

Residential Address :

Applicant's (authorized) Signature

Stephanie Aprea

Date:

1/30/24

By signing above you are verifying the accuracy of all information

License Class: ☒ Annual ☐ Seasonal ☐ One Da (1 + 1 Day[s])

TYPE OF LICENSE: (CHECK ONLY ONE)

☐ Club ☐ Package Store ☐ Veteran's Club ☒ General On Premise ☐ Restaurant
☐ Innholder ☐ Tavern ☐ Other (Specify)

LICENSE CATEGORY:

☒ All Alcohol ☐ Wine & Malt ☐ Malt Only ☐ Wine Only ☐ Wine & Malt with Cordials
☐ Other (please specify)

HOURS OF OPERATION - PLEASE READ CAREFULLY

☐ NO CHANGES TO HOURS OF OPERATION FROM LAST YEAR: *See Attached*

☒ REQUESTING CHANGE OF HOURS (complete ONLY if amending hours of operation from previous license period)

☐ SEE ATTACHED HOURS (CHANGE OF HOURS)

REQUESTING TO OPEN:

Mon: 10pm Tues: Wed: 4:30pm Thurs: 430 Fri: 430 Sat: 12:00pm Sun: 1200pm

REQUESTING TO CLOSE:

Mon: 1am Tues: Wed: 1am Thurs: 1am Fri: 1am Sat: 1am Sun: 1am

Seating Capacity: (if applicable) Indoor Outdoor Total

Occupancy Number: 80

Entertainment License: ☒ Yes ☐ No

Request for New Year's Eve Extension?

☐ YES

☐ NO

Hull Lic. No: A2024-4

LICENSE

ABCC 00006-GP-0554

ALCOHOLIC BEVERAGES

THE LICENSING BOARD OF

The TOWN of HULL, MASSACHUSETTS

HEREBY GRANTS A

GENERAL ON PREMISES LICENSE

License to Expose, Keep for Sale, and to Sell

ALL KINDS OF ALCOHOLIC BEVERAGES

TO BE DRUNK ON PREMISES

To: MCDEVITT ENTERPRISES, INC., DBA JO'S NAUTICAL
STEPHANIE APREA, MANAGER, 125 MAIN STREET

On the following described premises: a bar, lounge, west room, storage room, outside fenced patio, two entrances and exits in basement from 125 Main Street

This license is granted and accepted upon the express condition that the licensee shall, in all respects, conform to all the provisions of the Liquor Control Act, Chapter 138 of the General Laws, as amended, and any rules or regulations made thereunder by the licensing authorities. The license expires December 31, 2022, unless earlier suspended, cancelled or revoked.

IN TESTIMONY WHEREOF, the undersigned have hereunto affixed their official signatures this 1st day of January 2024.

The Amended Hours during which

Alcoholic Beverages may be sold are:

OPEN: 4:30pm Thursday and Friday

12:00pm Saturday and Sunday and Monday Holidays

CLOSE: 1 AM Thursday-Sunday and Monday Holidays

Unless otherwise advised by Licensing Authority

Greg Grey

Irwin Nesoff

Jason P. McCann

Brian S. McCarthy

Jerry Taverna

} Licensing
Authorities

Approval # 4



TOWN OF HULL
ALCOHOL LICENSE INFORMATION FORM

FOR LICENSING AUTHORITY USE

RECEIVED

FEB - 5 2024

☒ ONE DAY LICENSE 2.5.2024

Name To Appear on License: KNIGHTS OF COLUMBUS

Business Name (dba) if different: _____

FID of Licensee: _____ ABCC License Number: _____

Address of Premises: 440 NANTASKET AVE

Phone Number of Premises: 781-925-2700 Business Email: _____

Business Mailing Address: ☐ Same as above _____

Owner of Business: _____

Manager of Record: Armando AGGIE AGUIAR

Manager's Contact Phone: Cell Phone: _____ Home Phone: _____

Manager's Home Address: _____

Applicant's (authorized) Signature [Signature] DATE: 2.5.2024

By signing above you are verifying the accuracy of all information

LOCATION OF EVENT: 440 NANTASKET AVE

License Class: ☐ One Day (1 + 1 Day[s])

TYPE OF LICENSE: (CHECK ONLY ONE)

☐ Club ☐ Package Store ☐ Veteran's Club ☐ General On Premise ☐ Restaurant

☐ Innholder ☐ Tavern ☐ Other (Specify) NON-PROFIT SLC

LICENSE CATEGORY:

☒ All Alcohol ☐ Wine & Malt ☐ Malt Only ☐ Wine Only ☐ Wine & Malt with Cordials

☐ Other (please specify): _____

NATURE OF EVENT: BAPTISM

HOURS OF OPERATION: (INCLUDE SET UP AND TAKE DOWN TIME)

☐ MULTIPLE DAYS - SEE SECOND PAGE

Day of the Week: SUNDAY Date of the Event: FEB 18, 2024

Open Time: 1pm Close Time: 5pm

Seating Capacity: (if applicable) ☐ Indoor ☐ Outdoor ☐ Total

Occupancy Number: _____

Entertainment License: ☐ Yes ☐ No

Request for New Year's Eve
Extension?

☐ YES ☐ NO

Correspondence #1

Lori

I am no longer able to participate as a volunteer on the Historic District Commission. I was honored to be involved with the commission especially during the Covid pandemic.

Regards

Philip Maloney

