



HULL CONSERVATION COMMISSION

253 Atlantic Avenue, 2nd floor
Hull, MA 02045

Phone: 781-925-8102

Fax: 781-925-8509

March 14, 2006

Members Present: Sheila Connor, Chair, John Meschino,
Judie Hass, Jim Reineck, Frank Parker

Members Not Present: Sarah Das, Vice Chair

Staff Present: Anne Herbst, Conservation Administrator
Ellen Barone, Clerk

7:35pm Chair Connor called the meeting to order

Agenda Approved: Upon a **motion** by J. Meschino and **2nd** by J. Hass and a **vote** of 4/0/0;

It was voted to: **Approve** the Agenda for 3/14/2006

Minutes: Upon a **motion** by J. Reineck and **2nd** by J. Meschino and a **vote** of 4/0/0;

It was voted to: **Approve** the Minutes of February 28, 2006 as amended.

Bills: **Approved and signed** by All.

7:40pm 69 D Street, Map 17/Lot 98 (NE35-xxx) Opening of a public hearing on the Notice of Intent filed by John Boyd for work described as repair of existing front porch support system by the installation of 20-inch wide pier system, installation of front stone steps and landing, and installation of a drywell system for roof runoff.

Representative: John Boyd

Mr. Boyd presented the plans for the project. While performing other repairs to the home, it was discovered that the porch was constructed on an 8 inch vertical concrete block beam that was in disrepair. The existing downspouts were installed to drain directly into the ground that added to the degradation of the concrete beam. Mr. Boyd would like to construct a 20-inch wide pier system of concrete that will be poured to a depth of four feet. The wooden steps will be replaced with stone. Two drywells will be constructed to catch roof run-off.

The Commission questioned if the new foundation would be subject to being constructed as a flow through structure. Any openings in the front of the new foundation would only direct the flow of water to the existing house foundation under the porch. Mr. Boyd explained that the sides of the porch would remain as they are now, however will be shingled. A site visit was conducted and no issues were found.

§ Upon a **motion** by J. Meschino and **2nd** by J. Hass and a **vote** of 4/0/0;

It was voted to:

Close the Public Hearing, **approve** the project and to **discuss** the Draft Order of Conditions. The Order of Conditions was **signed**.

7:55pm 2-4 A Street, Map 18/Lot 150 (NE35-xxx) Opening of a public hearing on the Notice of Intent filed by Folsom Development Corporation for work described as reconfiguring and expanding existing marina facilities including a wave attenuator, floating dock system, access ramps, steel bulkhead, travel lift piers, walkway and site improvements to the parking area.

Applicant: Robert Folsom

Representative: Lawrence Kellem, Jeffrey Oakes, Susan Nilson

Abutters/Others: Phil Donohue, Sr., Carol Donohue

Ms. Nilson of CLE Engineering, Inc. presented the project. The project calls for replacement of the existing wave attenuator with a new concrete attenuator that they feel will be better suited for this location. This will add more protection for the slips located behind it. In order to access the new slips, they will be replacing the existing fixed timber pier with a series of a ramp and float system. The design was completed to have adequate depth throughout designed to be consistent with DEP and ACOE standards to allow for a two -foot minimum below the bottom of the float. This design has considerably more than that. The long ramp will allow for easy access to the float system and meets handicap access criteria. The fixed pier will be removed and replaced with a series of ramps down to fixed floats that will be pile supported. Other components include relocating the travel lift piers. Two timber piled supported piers would be constructed to go out over the water at the north end of the property for easier access. A steel bulkhead which would be a sheet pile section along with rip rap that will support the travel lift and access pier will be installed. Another bulkhead would be constructed at the previous location of the travel lift pit that will no longer be in use. This will provide an area that will be used as part of the storm water management system. A public walkway will be provided along the top of the coastal revetment that is consistent with DEP Chapter 91 requirements. This includes and 8 foot wide walkway over the existing revetment. The parking area will be regraded slightly and repaved. The storm water system has been designed that complies with the best management practices of the DEP. Deep hooded sumps at three locations will be installed. A deep hooded sump is a catch basin that will allow separation of sediments and water. Permits will be applied for through all of the state and federal agencies that are required.

There will only be one underground fuel tank on site. A former diesel tank was removed. Parking is shown as boat storage and parking that is on a lot across the site. The Commission questioned the height of the proposed floats. The total overall height will be approximately 5 ½ feet with 16 inches exposed out of the water. The floats will stay 2 to 3 feet off of the bottom.

The Commission questioned whether this new pier would affect navigation to the Town owned pier. The applicant was advised to use the north end A Street pier as a limit and not to go beyond that by the Harbormaster. The Commission pointed out that the A Street pier is used primarily for swimming. The applicant stated that the Town has posted a sign that swimming is allowed only on one side of the pier which has been enforced on a regular basis. The Commission questioned the means of anchoring for the attenuator. The attenuator will be anchored with steel pipe piles and the main float and timber piles for the slips. The Commission questioned what wave action the system was designed to withstand. The system was designed for a 4.8 foot wave and 60 mile sustained winds with all of the boats with winds from the west. The boats will be removed by October 15. The Commission's concern is what effect the winds would have on what is left after the boats are removed. The applicant will provide more information on the wind studies.

The Commission questioned what would be done with the abandoned dock structures that are currently under water. The Owner stated that they would be removed. The Commission questioned what the floats are be filled with. The current design is for encapsulated polystyrene. The Applicant will look for other designs.

P. Paquin asked if boats would be stored on the property. Some boats will be stored in the parking area. Where will docks be stored? The docks will remain in the water utilizing a bubbling system around the docks to prevent the water from freezing. What process will be used to allow for run-off from washing boats? There will be a catch basin at the travel lift that will be pitched to allow for draining into a deep hooded sump for treatment. All details have been provided in the narrative as well as the storm water management plan.

§ Upon a **motion** by J. Hass and **2nd** by J. Meschino and a **vote** of 4/0/1; (F. Parker abstained)

It was voted to:

Submit the project for peer review.

§ Upon a **motion** by J. Hass and **2nd** by J. Reineck and a **vote** of 5/0/0;

It was voted to:

Continue the Public Hearing to April 11, 2006 at a time to be determined.

8:30pm 98 Salisbury Street, Map 45/Lot 100 (NE35-932) Continuation of a public hearing on the Notice of Intent filed by RJB Development Corp. for work described as the construction of a new single family dwelling including driveway and utilities.

Representatives: Robert Crawford, Robert Burwick

A new plan was submitted to indicate that a notch in the corner of the house was made to address the issue of the 10 ft buffer zone. The foundation plans were submitted although they read "preliminary" a notation was made to indicate that they will become the plan of record.

§ Upon a **motion** by J. Meschino and **2nd** by J. Hass and a **vote** of 5/0/0;

It was voted to:

Close the Public Hearing, **approve** the project and to **discuss** the Draft Order of Conditions. The Order of Conditions was **signed**.

8:35pm 7 Bay Street, Map 37/Lot 2 Opening of a public Hearing on the Request for Determination of Applicability filed by Steven J. Buckley for work described as 13-14 soil borings outside of the buffer to the coastal bank.

Applicant: Steven Buckley

Representative: Stan Humphries

Mr. Humphries presented a complete plan of the site. The project includes using 13 sites for test borings that would be completed over a three day period. Each boring would go 8 to 15 feet below the surface. A row of staked hay bales will be laid along the buffer zone.

The Commission questioned the boundaries of the property. They questioned the location of the filled land. According to the applicant, only a small amount of the land was filled in the 1930's. The testing is being done to determine what type of foundation must be used for construction. Mr. Humphries stated that there is a Chapter 91 license in existence for the property that was issued in 1933. P. Paquin questioned the location covered by the Chapter 91 license. Mr. Humphries pointed out on the plan. The Chapter 91 license is not necessary for the current application in front of the Commission.

The Commission thanked the applicant for suggesting the use of hay bales however will not require that they be used. A full size plan of the land will be submitted to A. Herbst for the file.

§ Upon a **motion** by J. Meschino and **2nd** by J. Hass and a **vote** of 5/0/0;

It was voted to:

Close the Public Hearing, and **issue** a **negative** Determination of Applicability. The Determination of Applicability was **signed**.

8:50pm 53 Edgewater Road, Map 29/Lot 18 (NE35-xxx) Opening of a public hearing on the Notice of Intent filed by Farouk Youssef for work described as installing footings for the construction of a garage and front deck, demolition and reconstruction of a single family home on an existing concrete foundation and adding a frost wall for the new garage on the street side.

Applicant: Farouk Youssef

Abutters: Brad & Tricia Williams

This Notice of Intent is being filed due to the fact that the previous filing did not clearly define the project to include demolition and reconstruction of the single family home.

Mr. Youssef presented a new plan indicating that the proposed deck had been modified to be only 3 feet wide. This change removes the need for a Chapter 91 License. As previously stated, the new construction of the garage will not be attached to the house. It will be built on footings with a metal deck on top. The bottom area will be open. The existing home will be demolished down to the existing concrete foundation. The new home will be constructed on the same footprint. There will be no digging on the property for any foundation system.

The Commission questioned the size of the lot and what percentage of lot coverage would be used. A. Herbst was requested to verify with zoning the lot coverage was allowable. Mr. Youssef stated that he did not need to apply for any variances. The Commission questioned how the runoff from the roof and garage and the new concrete slab would be handled. Mr. Youssef felt that it would be the same as is there now. The Commission is concerned that new impervious areas are being added and there will be additional run-off from the garage. Mr. Youssef stated that there would be an edge at the side of his property to keep the water from draining on the town right of way.

Mr. Youssef stated that he would install dry wells to handle the run-off. Mr. Youssef wanted to have a condition added to cover the installation of the dry wells. Mr. Youssef as a Registered Architect wanted to give the engineering solution at this time, by making the notations and explained that he would be putting his license on the line in stating that he would be in jeopardy professionally if he did not follow the plan as noted. F. Parker was not comfortable with this and considered any changes being made by Mr. Youssef would be a conflict of interest since he is the Applicant. The Commission has requested that Mr. Youssef submit a new engineered plan indicating the dry wells.

The Abutters questioned why they received two different Notices of Intent. The reason was explained that the Commission requested the new Notice.

P. Paquin questioned whether the new home would need to comply with all FEMA regulations including a different foundation system. Mr. Yousseff explained that the first level would remain open to allow for water to flow through. The existing foundation is being used, therefore no changes would be necessary.

§ Upon a **motion** by S. Connor and **2nd** by J. Meschino and a **vote** of 5/0/0;
It was voted to:

Continue the Public Hearing to March 28, 2006, at a time to be determined

9:20pm 509 Nantasket Avenue, Map 26/Lot 168 and 184 (NE35-xxx) Opening of a public hearing on the Notice of Intent filed by Girolamo Taverna for work described as three residential units and 5,000 square feet of commercial space with parking underneath.

Applicant: Girolamo Taverna

Mr. Taverna presented the project that includes construction of three residential units and 5,000 square feet of commercial space with parking underneath. The front grade of the site will be elevated 3 or 4 steps to allow for parking and storage. The construction of the building does not fall within jurisdiction of the Conservation Commission. The parking area will be paved. The Commission's concerns are with the drainage of the paved parking area.

F. Parker questioned if there were any special protections or claims on the site related to the neighboring post office. Mr. Taverna will investigate. P. Paquin cautioned the Applicant about also keeping water from entering his site from abutting properties.

§ Upon a **motion** by J. Hass and **2nd** by J. Reineck and a **vote** of 5/0/0;

It was voted to:

Submit the project for peer review.

§ Upon a **motion** by J. Hass and **2nd** by S. Connor and a **vote** of 5/0/0;

It was voted to:

Continue the Public Hearing to April 11, 2006 at a time to be determined.

9:30pm 68 Main Street, Map 3/Lot 26 Opening of a public Hearing on the Request for Determination of Applicability filed by Christopher Whelan for work described as 22 by 14 foot deck supported by 8 sonotubes.

Applicant: Christopher Whelan

Mr. Whelan presented his project to construct a deck on the rear of his home with a staircase. The deck would be supported by 8 sonotubes. A site visit was conducted and there were no issues found.

§ Upon a **motion** by J. Meschino and **2nd** by J. Hass and a **vote** of 5/0/0;

It was voted to:

Close the Public Hearing, and **issue a negative** Determination of Applicability. The Determination of Applicability was **signed**.

9:35pm 123A/125 Atlantic Avenue, Map 53/ Lots 17A & 18 Continuation of a public hearing on the Notice of Intent filed by Marc Fournier and for work described as installation of permeable pavers for a driveway.

A planting plan was submitted to the Commission as requested. Mr. Fournier was not in attendance. The Commission feels that the Applicant should be present to discuss the plan. The hearing will be continued to 3/28/2006.

9:36pm 63 Highland Avenue, Map 5/Lot 75 (NE35-930) Continuation of a public hearing on the Notice of Intent filed by Steven Clancy for work described as a pier, ramp, float and wave break for recreational boating.

Representative: Jeffrey Oakes

The Commission reviewed correspondence submitted by Ocean and Coastal Consultant's provided as a technical peer review in addition to a letter of response to the comments submitted by CLE Engineering.

Mr. Oakes briefly discussed the changes made as a result of the peer review. The Commission questioned if the depth of the bottom of the wave attenuator had been changed. Mr. Oakes stated that at the lowest point of the bottom will be higher than the 1 ½ foot minimum.

The Commission questioned why the details of the design were indicated by a colleague and were not indicated on this project. The design details were presented to OCC for their review. Mr. Oakes referenced the CLE correspondence that stated that this structure could withstand sustained winds of 50 mph. The Commission questioned the issuance of a Chapter 91 License. A new License will be applied for after the Order of Conditions is issued.

The Commission discussed the Special Conditions that would be included in the Order of Conditions:

- § No work will begin prior to receiving ACOE and Chapter 91 License
- § Floats will be stored off site for the winter
- § Proper measures shall be taken to prevent any excess grout or concrete from entering the Bay. All excess concrete will be removed from the site.
- § There will be a ¾" gap between planks. (a notation was made on the plans)
- § There will be no jetting of piles
- § The Commission must be notified of the relocation of any piles
- § Solar powered flashing lights must be installed on the wave break
- § Construction material shall be specified as marine grade
- § There will be no use of concrete encapsulated polystyrene

P. Paquin questioned if there would be any polystyrene filler used. Mr. Oakes stated that they would be using concrete structures.

- § Upon a **motion** by S. Connor and 2nd by J. Hass and a **vote** of 4/0/1; (F. Parker abstained)

It was voted to:

Close the Public Hearing, **approve** the project and to **include** the Special Conditions as discussed and shown above. The Order of Conditions was **signed**.

63 Highland Ave. review of outstanding Enforcement Orders – Mr. Oakes submitted a pre-seeded straw matt to be used for erosion control. Mr. Oakes should notify the Commission when the erosion control work has been completed.

10:00pm 351 Beach Ave, Map 12, Lot 75 (NE35-###) Continuation of a public hearing on the Notice of Intent filed by Daniel Lehan for work described as repair seawall, construct patio, reconstruct driveway, walkway and stairs.

Applicant: Daniel Lehan

Abutter/Other: Kevin Bulman

The Commission reviewed a letter submitted by Paul Halkiotis as a follow up to the public hearing on February 28, 2006. Mr. Bulman explained the letter. The existing patio will be removed by June 30, 2006. On an annual basis, the decking system should be installed after May 1 and removed by September 30th. The deck panels will be stored for the winter in a secure indoor location. The specific materials and actual design have not yet been determined. However material will most likely be trex.

The Commission will add a condition stating that there must be ½ inch gap between planks. A notation was made on the hand drawn plan submitted.

- § Upon a **motion** by J. Meschino and 2nd by J. Reineck and a **vote** of 5/0/0;

It was voted to:

Close the Public Hearing, **approve** the project and to **include** the Special Condition as discussed and shown above. The Order of Conditions was **signed**.

Other Business:

- § Schedule a site visit for 16 Manomet
- § Approve EO for 17A Gunrock – within 60 days remove wall, remove footings or if footings for fence will be kept, must submit application to Commission – EO signed
- § Emergency Order for dredging at Pemberton Pier commuter float – state approval received, Army Corps is pending. Emergency Order signed. Work will not begin until approval from Army Corps is received.
- § Nantasket dune update – 18 openings have been filled
- § Annual Report due 3/31/06 – would like Commission's comments
- § Would like help planting dune grass on newly closed openings on Saturday March 25 at 9:00. Also remember that the regular beach planting will take place on Sunday. It would be nice if Commissioners made an appearance.
- § Moreland Road will be on the site visit list. A new letter of complaint was received.

- § P. Paquin wanted the word "extends" added to the meeting minutes as clarification for 53 Edgewater. Will be done.

- § F. Parker would like verification that Farouk Youssef's license is current.

- § There was a brief discussion about whether the Commission could insist that an Engineer accompany an Applicant. The Commission cannot mandate this.

10:40pm Upon a motion by J. Hass and 2nd by J. Meschino and a vote of 5/0/0;
It was voted to adjourn.

Note: Citizen P. Paquin was present for the entire meeting.