



HULL CONSERVATION COMMISSION

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June 27, 2006

- Members Present:** Sheila Connor, Chair, Sarah Das, Vice Chair, John Meschino, Judie Hass, Frank Parker, Paul Paquin
- Members Not Present:** Jim Reineck
- Staff Present:** Anne Herbst, Conservation Administrator
Ellen Barone, Clerk
- 7:30pm** Chair Connor called the meeting to order
- Agenda Approved:** Upon a **motion** by S. Das and **2nd** by J. Hass and a **vote** of 5/0/0;
It was voted to: **Approve** the Agenda for 6/27/06 as amended
- Minutes:** Upon a **motion** by J. Hass and **2nd** by J. Meschino and a **vote** of 5/0/0;
It was voted to: **Approve** the Minutes of June 13, 2006 as amended.
- Bills:** **Approved and signed** by All.

7:40pm 125 Edgewater Road, Map 30/Lot 18, Opening of a public hearing on the Request for Determination of Applicability filed by Sush Prusty for work described as replace deck using 8 sonotubes.

Applicant not ready to proceed. Requested a continuance.

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

It was voted to:

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

P. Paquin Arrived

7:50pm 828 Nantasket Avenue, Map 12/Lot 92, Opening of a public hearing on the Request for Determination of Applicability filed by Jean Marcinkewich for work described as a 12' by 16' deck.

Mr. Marcinkewich presented the plans for the project.

The Commission conducted a site visit and questioned the Applicant's intentions regarding existing stairs and platform above the stairs.

Mr. Marcinkewich made a notation on the plans that the stairs would be removed and that area would be part of the new deck.

§ Upon a **motion** by J. Meschino and **2nd** by F. Parker and a **vote** of 6/0/0;

It was voted to:

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

Street, Map 26/Lot 90, Opening of a public hearing on the Request for Determination of Applicability filed by Richard Hulverson for work described as replace front porch and stairs with enclosed porch.

Applicant: Richard Hulverson

Mr. Hulverson presented plans for the project and submitted a new plan indicating the exact location that the porch would be built.

A site visit was conducted by the Commission at which time they questioned the location of the proposed porch shown on the plans in relation to the house. There were no other concerns.

§ Upon a **motion** by J. Meschino and **2nd** by P. Paquin and a **vote** of 6/0/0;
It was voted to:

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

7:57pm 7 Bay Street, Map 34/Lot 2 (NE35-960), Continuation of a Public Hearing on the Notice of Intent filed by Steven Buckley for work described as demolition of an existing building and construction of two multi-family buildings with associated parking, filling, grading and stormwater management.

Applicant: Steven Buckley

Representative: Stan Humphries

Abutters/Others: Dennis Anastos, Anne Lane, P. Collins, Sally Anastos, Phylliss Aucoin, Mary Carpenter

Consultant for the Commission: David Nyman, ENSR Corp.

Mr. Humphries opened his presentation stating that Mr. Hannigan, the other engineer on the project has not had the opportunity to address comments made by ENSR specifically concerning stormwater management.

Mr. Nyman stated that the Applicant has completed their design as if the site were in an AO Zone as suggested by the Commission due to the historical flooding issues. Because the site is not in a velocity zone, wave action from the ocean is not a factor.

The Commission is concerned that the placement of fill and design of the buildings will change the existing drainage and intensity of water flow on the site and deflect it around the buildings and could increase the flow to surrounding properties and onto Bay Street.

Mr. Nyman indicated that the plans appear to be compliant with FEMA regulations for an AO Zone however they do not address the redirection of the flow of water. Mr. Nyman as well as the Commission would like the applicant to consider designing the buildings on pilings or have a flow through lower level. The Commission is concerned that with the amount of proposed openings to allow water to flow through, the building will not keep water from being redirected towards the street and neighbors. Mr. Humphries suggested that plans for fill and vegetation will slow down the speed of the water. Mr. Nyman suggested that given the much reduced space for the water to travel to the bay, evidence is needed to show that water will not be deflected towards the street and abutters.

Mr. Nyman feels that a storm management plan can be designed to handle the flow of water on this site. This would include treating storm water prior to discharge. The plan should also accomplish some infiltration on site and some allowance to drain into the river. The Commission questioned the use of swales. As Mr. Hannigan, the engineer responsible for the stormwater management portion of the project was not in attendance, the issues will be revisited in more depth at the next meeting.

The Commission is also concerned with materials such as landscaping materials and tenant belongings being swept into the ACEC during a flood event.

An Abutter presented a picture of the site that was flooded after a heavy rainstorm in April of 2006. The Abutters are concerned with the area that has been filled in the past. Mr. Humphries stated that there will be no building on filled land. Abutters questioned where the cars will go during a storm/flood situation. Mr. Humphries stated that they can remain the garages. Abutters are also concerned about the additional traffic that will be entering the road and the intersection.

§ Upon a **motion** by P. Paquin and **2nd** by J. Hass and a **vote** of 6/0/0;
It was voted to:

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

8:55pm 56 Holbrook Street, Map 10/Lot 100 (SE35-965) Continuation of a public hearing on the Notice of Intent filed by Dennis Riley for work described as replace footings and foundation under porch.

Applicant: Dennis Riley

Mr. Riley presented the Commission a letter from Neil J. Murphy Associates, Inc. dated June 27, 2006. The letter suggested that work on the coastal bank of the type proposed by Mr. Riley could likely be done successfully if executed carefully and by a competent contractor. The letter did not, however, specifically reference the proposed plans that Mr. Riley has submitted, nor does Mr. Riley's plans have an engineer's stamp. The letter also makes reference to Mr. Ben Arpino as being a highly recommended contractor. Mr. Riley also presented documentation from DFC Architectural Interiors indicating Mr. Riley's accomplishments.

Due to the complexity of work required on the coastal bank, the Commission has again requested that plans be submitted that are signed and stamped by a licensed engineer. The plans must indicate what work will be done and who will do it. They also requested a site plan.

§ Upon a **motion** by S. Das and **2nd** by J. Hass and a **vote** of 6/0/0;
It was voted to:

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

9:15pm 42A State Park Road, Map 12/Lot 92, Opening of a public hearing on the Request for Determination of Applicability filed by F.E.S. Realty Trust for work described as install an outdoor seasonal bar and removable decking.

Applicant: Frank Plotner
Representatives: Frank Amonte, Gregory Sullivan

Mr. Amonte presented plans for the project to install a seasonal bar and a removable deck at the rear of the existing building. The plans also reflect rebuilt stairs that were constructed without a permit. The Commission requested that the stairs be presented in an after the fact filing. The Commission also discussed the need for an NOI to be filed for the construction of a grease trap and concrete pad on this property.

§ Upon a **motion** by P. Paquin and **2nd** by J. Hass and a **vote** of 6/0/0;
It was voted to:

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

9:30pm 88 Atlantic Avenue, Map 53/Lot 54 (SE35-xxx), Opening of a Public Hearing on the Notice of Intent filed by Ellen Dawson for work described as demolition of an existing home and construction of a new single family home.

The Applicant has not notified abutters, **Continued** to 7:40 pm, July 11, 2006

9:30pm 52 Salisbury Street, Map 45/Lot 116 and 121 (SE35-963) Continuation of a public hearing on the Notice of Intent filed by Heritage Management Company for work described as construction of a single family home.

Applicant: Michael Glass
Representative: David G. Ray

The Commission reviewed a letter from Michael Glass of Heritage Management Company dated June 14, 2006 respectfully requesting that Commissioner P. Paquin recuse himself from this hearing and others involving Mr. Ferdinand J. Kiley. P. Paquin respectfully declined this request.

The wetlands delineation from a previous filing on this site from 1986 were reviewed. It was agreed that this information was out of date. The Commission agreed that they would recognize the new wetlands delineation completed for this application.

A discussion followed pertaining to the need for a Chapter 91 license for this project. A special Condition will be added that the applicant shall either provide the Commission with a Chapter 91 license or a determination that one is not needed prior to any work being done. P. Paquin expressed that he felt the Commission should not act until the Chapter 91 License was settled.

§ Upon a **motion** by J. Hass and **2nd** by S. Das and a **vote** of 4/2/0; (F. Parker, P. Paquin opposed)

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**.

S. Das left

10:05pm 17A Gun Rock Avenue, Discussion of an Enforcement Order.

A. Herbst presented a timeline of the events that have taken place to date regarding this issue.

Mr. Mason requested the discussion to provide new information to the Commission. Mr. Mason objected that he wasn't aware of meeting of September 27, 2005 and that he wasn't given the opportunity to provide more information. The Commission explained that these were not public hearings under the definition of the law. They further explained that they heard from both parties at different times. The Commission explained that they were persuaded by photographic evidence that a cement wall had replaced a chain link fence. A Commissioner also explained that an important issue is that the wall had been built without a permit and that it changed drainage patterns so as to flood a neighbor and therefore is not permissible. Mr. Mason argued that there had been a wall with a chain link fence on top of it previous to when he built the wall. The Commission reviewed the photos again and declined to make any change to their position concerning the Enforcement Order.

10.40pm In the vicinity of 6 Main Street, Opening of a public hearing on the Request for Determination of Applicability filed by Hull Sewer Commission for work described as repair sewer lines.

ted information submitted by E. Petrilak.

§ Upon a **motion** by J. Hass and **2nd** by J. Meschino 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**.

10:45pm Nantasket Avenue, Map 37/Lot 10 (SE35-xxx) Continuation of a public hearing on the **Notice of Intent** filed by **The Department of Conservation and Recreation** for work described as **placement of sand over rocks at accessways to Nantasket Beach**.

No action taken. Waiting for number from DEP.

Request for Certificate of Compliance for 145 Beach Avenue –J. Meschino motion, S. Connor **2nd**, Vote 5/0/0 – signed

Ratify Enforcement Order for 118 Cadish Avenue for wall being constructed without a permit – S. Connor motion, J. Hass **2nd** vote 5/0/0

A Commissioner questioned construction taking place at 55 Highland Ave. It is believed that there is an order of file. E. Barone will verify.

10:55pm J. Meschino motion, J. Hass **2nd**, vote 5/0/0 to **adjourn**.