



HULL CONSERVATION COMMISSION

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September 12, 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 9/12/06
- Minutes:** Upon a **motion** by P. Paquin and **2nd** by S. Das and a **vote** of 6/0/0;
It was voted to: **Approve** the Minutes of 7/11/2006 as amended.
- Upon a **motion** by P. Paquin and **2nd** by J. Hass and a **vote** of 6/0/0;
It was voted to: **Approve** the Minutes of 8/22/2006.
- Bills:** **Approved and signed by All.**
- 7:50pm** **In the vicinity of 9 Moreland Avenue, Map 36/Lot 22 and 23 (SE35-974)** Opening of a Public Hearing on the Notice of Intent filed by the Hull Department of Public Works for work described as construct a storm drain and 3 catch basins.

Applicant: Marc Fournier DPW

Representative: Joe Shea, engineer for Woodard and Curran

Abutters/Others: Dawn Desley, Raymond Desley, Karen Tomlinson, Geraldine Cerilli, Richard Head, Joe _____

Marc Fournier presented the plans for the Town to install a new 12" diameter storm drain line from the north side of Moreland Avenue in a southerly direction across the road, continuing between #7 and #9 Moreland Avenue and out through the seawall. Catch basins will be installed on this drain line on each side of Moreland Avenue and on the drain line in the backyard of 9 Moreland Avenue approximately 30' from the inside face of the seawall. The property owner of 9 Moreland Ave has agreed to maintain this storm drain. The proposal calls for utilizing PVC drain piping with a "T" on the seaward side of the discharge pipe that will be capped with flapper valves. The two discharge valves will allow the flow of water to go to the sides and directly onto the revetment. This will reduce the effects on the sea grass and current vegetation. The valves will open and close based on back pressure during a storm event and should prevent seawater from entering the drain line during storm events. The new drain line will significantly reduce flooding problems in this area and will enable this portion of the neighborhood to be drained in one tide cycle during flood tides. It currently takes many days for this area to drain, and in some flooding events the area must be pumped out by the Hull

Works. The affected property owners will grant easements to the Town to complete the work.

The Commission questioned whether this plan would also solve the flooding issues during a heavy rainstorm. Mr. Fournier stated that it should and explained that the system, being PVC, is easier to repair and maintain over time. The valves will open with any amount of back pressure.

The Commission questioned the possibility of debris clogging the end of the "T" section at the discharge. Mr. Fournier stated that screens will be placed in catch basins and at the end of the pipe. The Commission also questioned the need for installing a catch basin on someone's property. Mr. Fournier explained that this plan is to capture water from 2 low spots, the street and the rear of the properties. In response to installing catch basins on private property, a Commissioner stated that if the town has been granted an easement, then in return, does not feel that it is inappropriate to get something back in return. It also allows access to clean the pipe further down the line.

The Commission questioned how much below grade the pipe would be installed? Mr. Fournier stated that it would probably be a couple of feet down and because he is using PVC, feels that there will be enough soil that there should be no problems with the pipe being damaged due to being close to the surface. Mr. Fournier explained that final depths would be determined after locating all other existing utilities.

The Commission is concerned about the elevation that the pipes will be discharging at, as well as the velocity of flow. They questioned if a box type of discharge would be better. Mr. Fournier explained that further engineering will be completed and final elevations will be noted. He also stated that he is trying to build systems that can be sustained by his staff. The box type of discharge would require more maintenance.

An abutter stated that she presently has a catch basin on her property. When the tide is high, the water comes up through the basin, which is also corroded. Mr. Fournier advised abutter to contact his office. Another abutter stated the he also has a metal pipe with a flapper valve that is corroded. The tide enters it at 12 ft.

More engineering is needed and new plans will be submitted.

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

It was voted to:

Continue the Public Hearing to September 26, 2006 at a time to be determined.

8:10pm In the vicinity of 102 Spring Street, nearest Map 06/Lot41 (SE35-976) Opening of a Public Hearing on the Notice of Intent filed by the Hull Department of Public Works for work described as construct a headwall and replace a storm drain.

Applicant: Marc Fournier

Representative: Joseph Shea, Woodard and Curran

Abutters/ Others: Patrick Finn

Mr. Fournier and Mr. Shea presented the project that will replace a storm drain line that drains two catch basins to Hingham Bay. The DPW will install a new 10" PVC drain line from an existing catch basin through a new headwall at the westerly end of the existing revetment on the south side of Spring Street, to replace the failed clay discharge pipe in the beach. Place a 12" deep layer of coarse stone extending the width of the headwall and 6' onto the beach to prevent erosion. Project construction will be completed in one day. Erosion control measures will be instituted during construction.

This new drain line will significantly reduce flooding problems in this section of the Spring St. neighborhood, improve public safety, and prevent flooding in local homes.

The current project called for abandoning one catch basin on one side of the street and a discharge pipe that used to flow out onto the beach and connect the remaining drain near 102 Spring St, across the street, back to some other drains. It has been proven in some very heavy rain events that the basin nearest to 102 Spring surcharges and does not have the capacity. There are currently too many drains tied into the nearest discharge pipe, so adding the additional drain would not solve the problem. It is planned to construct a headwall that gets reconnected to a new pipe and to put rip rap under the headwall to prevent beach erosion. This will create enough flow at that corner to get the water off the road. Concern about icing.

The Commission asked Mr. Fournier why he was seeking a permit for work that was permitted and is faulty. Mr. Fournier wanted to get the permitting process started and plans to go back to seek funds from Chapter 90 money.

The Commission asked Mr. Fournier if he had checked the storm water regulations concerning placement of the discharge pipe. Mr. Fournier had contacted CZM, and Woodard & Curran. No one knows of any Phase II requirement about placement. They all felt it was fine to work it out with the Commission. The Commission is concerned about people using the Beach. Could the pipe be under the mean high water level? Mr. Fournier can change the location to either side of the existing wall. Not submitted in the current plans, is a design that would be similar to a leaching box. Even though this would require more maintenance, it may be a good site to try it.

An abutter stated that he feels that the design of the current project at this location is suitable and that since the road has not received the final paving, the project should wait. He also spoke about the original design for this project. Mr. Fournier and his engineer will revisit.

The Commission has asked that Mr. Fournier submit final plans when it has been determined exactly how and what work will be done.

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

It was voted to:

Continue the Public Hearing to September 26, 2006 at a time to be determined.

8:30pm In the vicinity of 887 Nantasket Avenue, nearest Map 11/Lot 10 (SE35-975)

Opening of a Public Hearing on the Notice of Intent filed by the Hull Department of Public Works for work described as construct a retaining wall, catch basin and storm drain.

Applicant: Marc Fournier

Representative: Joseph Shea, Woodard and Curran

Abutters/Others: Lisa Gould Mahoney, Helen Gould, Joy Augenster, Alan Stuart, Richard Marcella

Mr. Shea presented the plans for this project. The existing embankment collapsed after a global slope failure caused by incomplete drainpipe layouts and an aggressive slope.

This project includes construction of a retaining wall along Fitzpatrick Way on the southerly edge of 887 Nantasket Ave. The retaining wall will be 135' feet in length and approximately 6 feet high. The wall will be set on a bed of crushed gravel and the swale in front of the wall will be regraded and filled with crushed gravel to improve drainage. The wall will be constructed on the landward side of Fitzpatrick Way approximately 55 feet from the seawall and coastal bank.

the rear of the wall will be graded from the top back edge of the wall up to the edge of the yard at 887 Nantasket Ave. The homeowner will be responsible for landscaping this bank.

The project also includes installation of a new 12" diameter storm drain line from the north side of Fitzpatrick Way near the southwesterly corner of 887 Nantasket Avenue in a south-southwesterly direction across the road out through the seawall. A catch basin will be installed on northern end of this drain line in the swale on the northern side of Fitzpatrick Way. The catch basin and storm drain line are in the buffer to the Coastal Bank. The outfall pipe will be located within a large stone revetment. The outfall to the drain line is in the Coastal Bank and Land Subject to Coastal Storm Flowage (FEMA A3). Erosion control procedures will be in place during the construction period.

This new drain line will significantly reduce flooding problems on this portion of Fitzpatrick Way. The existing catch basins on Fitzpatrick Way are 400' apart, and this section of road floods frequently causing public safety issues because much of the runoff from Nantasket Avenue also flows into this area. The new catch basin and storm drain line will enable this portion of Fitzpatrick Way to drain more quickly and improve public safety in this area.

The Commission asked what the new wall would be constructed of. The new wall will be keyed concrete block wall. The Commission also asked if the angle of the slope should be reduced.

The agreement of the homeowners to do the plantings is between the DPW and the homeowners. The wall is on Town property; the replanting is on private property.

An abutter asked how the wall will be terminated. Mr. Fournier explained that it would be a gradual step down.

Abutters indicated that they are concerned about future erosion and feel that the wall should be built for all properties. Mr. Fournier explained that the reason the wall is being built at this location is to protect the roadway.

An abutter stated that the Owner of the property brought fill in which changed the slope. Abutters don't feel that the Town should be paying for this repair work to be done.

The Commission requested that final plans be submitted as well as a planting plan.

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

It was voted to:

Continue the Public Hearing to September 26, 2006 at a time to be determined.

9:00pm Unnamed road on the WBZ dike, Map 26/Lot 30, Opening of a Public Hearing on the Request for Determination of Applicability filed by the Hull Department of Public Works for work described as footings for 2 park benches.

Applicant: Marc Fournier

Mr. Fournier presented the plans that will be part of an Eagle Scout project.

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

nity of 102 Spring Street, Map 06/Map 41, Opening of a Public Hearing on the Request for Determination of Applicability filed by the Hull Department of Public Works for work described as replace a storm drain line and reinstall a catch basin in Spring Street.

- § Upon a **motion** by J. Hass and **2nd** by J. Meschino and a **vote** of 6/0/0;
It was voted to:
Continue the Public Hearing to September 26, 2006 at a time to be determined.

9:03pm 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

Abutters/others: Sally Anastos, Pam Collins, Marci Adams, Phyllis Aucoin

Mr. Buckley advised the Commission that he has submitted new plans that call for one building containing 11 units. The new design is a result of the zoning decision. It is anticipated that 2 ½ feet of fill will be brought in to the courtyard area. There will be no fill under the buildings. The engineers are still working out the final plans and have a few conflicting opinions with the site plan and drainage issues.

The Engineers are reviewing overwash conditions, sediment floor bay, and location of piping.

A. Herbst summarized the differences between ENSR and Mr. Buckley's engineer concerning the overwash and heights of the bay. There may not be documentation to prove how the overwash from the ocean will effect this site. It may come down to prior history at the site.

An abutter questioned the location of the garages and is concerned about items stored in the garages entering the Bay. Ms. Collins submitted a photo of the area, for the file.

- § Upon a **motion** by P. Paquin and **2nd** by S. Das and a **vote** of 6/0/0;
It was voted to:
Continue the Public Hearing to September 26, 2006 at a time to be determined.

F. Parker left

9:25pm 39 Manomet Avenue, Map 25/Lot 106, Opening of a Public Hearing on the Request for Determination of Applicability filed by Girolamo Taverna for work described as two footings for front landing and stairs.

Applicant: Girolamo Taverna

Mr. Taverna presented the plans. The landing and stairs are already in, there is also a concrete pad underneath the stairs. A site visit was conducted on 9/7/2006 and no issues were found.

- § Upon a **motion** by J. Meschino and **2nd** by S. Das 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**.

9:27pm 42 D Street, Map 16/Lot 216, Opening of a Public Hearing on the Request for Determination of Applicability filed by Linda Murphy for work described as build front and side porches and add a gravel driveway.

Applicant: Linda Murphy

Ms. Murphy presented the plans. Ms. Murphy is waiting for approval for the front porch, which will not meet current set back regulations. A site visit was conducted on 9/7/2006 and no issues were found.

- § Upon a **motion** by S. Das 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**.

9:30pm 223 Beach Avenue, Map 17/Lot 154, Opening of a Public Hearing on the Request for Determination of Applicability filed by Philip Furman for work described as sonotubes for front and side porches.

Applicant: Philip Furman, Michelle Furman

Mr. Furman presented the plans. A site visit was conducted on 9/5/2006 and no issues were found.

- § 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**.

9:33pm 34 Lafayette Road, Map 3/Lot 102, Opening of a Public Hearing on the Request for Determination of Applicability filed by Sharon Prehn for work described as remove concrete slab and pour footings for house.

Applicant: Sharon Prehn

Ms. Prehn presented the plans. A site visit was conducted on 9/5/2006 and no issues were found.

- § Upon a **motion** by P. Paquin and **2nd** by S. Das 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 66 Manomet Avenue, Map 25/Lot 14, Opening of a Public Hearing on the Request for Determination of Applicability filed by Todd Sandler for work described as sonotubes for a deck.

Applicant: Todd Sandler

Mr. Sandler presented the plans. A site visit was conducted on 9/7/2006 and no issues were found.

- § Upon a **motion** by P. Paquin and **2nd** by S. Das 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**.

h Avenue, Map 12/Lot 76, Opening of a Public Hearing on the Request for Determination of Applicability filed by Tami Guiney for work described as sonotubes for a deck.

Applicant: Tami Guiney

Ms. Guiney presented the plans. A site visit was conducted on 9/7/2006 and no issues were found.

§ Upon a **motion** by S. Das 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**.

9:40pm 31 Touraine Avenue, Map 22/Lot 47 (SE35-973) Opening of a Public Hearing on the Notice of Intent filed by Robert Breen for work described as lift existing house and add a garage.

Applicant: Robert Breen

Representative: David Ray

Mr. Ray presented the plans for the project to include raising the existing house, and constructing a FEMA compliant foundation. The garage will be at the first floor level. The Commission questioned the structural integrity of the home. Mr. Breen stated that the structure is sound. The Commission asked if Mr. Breen has plans to remove shingles, as they are asbestos. Mr. Breen has no intention of removing the shingles. The Commission had no concerns.

We are awaiting a number from the DEP.

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

It was voted to:

Continue the Public Hearing to September 26, 2006 at a time to be determined.

Withdrawn 52 Salisbury Street, Map 45/Lot 116 and 121 (SE35-963) Opening of a public hearing on the Request to Amend Orders of Conditions filed by Heritage Management Company for work described as construction of a single family home.

9:45pm 321 Beach Avenue, discussion of a **Notice of Violation**

A Notice of Violation was issued to Charles Steinberg on August 16, 2006 after receiving a complaint that dune vegetation was destroyed and removed. Mr. Steinberg stated this activity was done without his knowledge. The Commission explained that the vegetation is there for protection of the dune and must not be removed. Mr. Steinberg has agreed to replant *rosa ragosa*, it is expected that the beach grass will recover.

10:00pm 42A State Park Road, Map 12/Lot 092 (SE35-XXX), Continuation of a Public Hearing on the Notice of Intent filed by F.E.S. Realty, LLC for work described as construction of a grease trap, removal and construction of stairs, installation of concrete pads.

Waiting for assignment of DEP #

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

It was voted to:

Continue the Public Hearing to 9/26/06, at a time to be determined

10:02pm **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 access ways to Nantasket Beach.

Waiting for assignment of DEP #

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

It was voted to:

Continue the Public Hearing to 9/26/06, at a time to be determined

Request for Certificate of Compliance:225 and 236 Nantasket Rd. NE35-830 – No Action, haven't received required letter from the engineer for the project.

Issues/Discussion by Commission:

S. Connor presented a summary describing of the work of the Commission.

A Herbst proposed that a RDA not be required for sonotubes and small related concrete pads for projects that are in "A" zones and that are not in any other resource area or buffer (other than a barrier beach). In all cases Anne will visit the site to see if there are any other issues. The Commission agreed.

10:30pm Upon a **motion** by S. Das and **2nd** by J. Meschino and a **vote** of 5/0/0;

It was voted to:

Adjourn the meeting.