



HULL CONSERVATION COMMISSION

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September 26, 2006

Members Present: Sheila Connor, Chair, Sarah Das, Vice Chair, John Meschino, Judie Hass, Jim Reineck, Paul Paquin

Members Not Present: Frank Parker

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

7:34pm Vice Chair Das 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 9/26/2006

Minutes: Upon a **motion** by J. Hass and **2nd** by P. Paquin and a **vote** of 6/0/0;
It was voted to: **Approve** the Minutes of 9/12/06 as amended.

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

7:50pm **In the vicinity of 9 Moreland Avenue, Map 36/Lot 22 and 23 (SE35-xxx)**
Continuation 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
Representative: Joseph Shea
Abutters/Others: Raymond Desley, Dawn Desley, Richard Head, Karen Tomlinson

Mr. Fournier submitted revised plans to the Commission. The discharge pipe will have the "T" at the end of the pipe to allow discharge to the sides versus straight out avoid erosion. The Commission questioned if rocks in the revetment would be moved. Mr. Fournier stated that some would be moved during the construction and then placed back to prevent erosion.

The Commission questioned the status of the easements. Mr. Fournier is still working with Town Counsel on this issue. The easements will be for construction and on-going maintenance. When asked when the work would begin, Mr. Fournier stated that after the easements are obtained, the project will go out for bid.

The Commission is concerned about possible erosion where the pipe exits the seawall. A special condition will be added that Mr. Fournier take photographs of that area prior to the start of the project and after construction. The area will be evaluated on an ongoing basis by the DPW for any changes or malfunctions with the drains and pipes.

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

8:00pm In the vicinity of 102 Spring Street, nearest Map 06/Lot41 (SE35-976)

Continuation 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.

The Applicant requested a continuance.

§ 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 10/10/06, at a time to be determined

8:03pm In the vicinity of 887 Nantasket Avenue, nearest Map 11/Lot 10 (SE35-xxx)

Continuation 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

Abutters/Others: Lisa Gould Mahoney, Rick Marcellas (did not sign in)

Mr. Fournier and Mr. Shea presented revised plans for the project. Mr. Shea also submitted a narrative summary dated September 22, 2006. The revisions indicate a reduction in the length of the wall from 125 feet down to 100 feet. After review of the slope of the embankment, they feel that the remainder of the embankment does not pose a risk to the roadway and therefore a new wall is not necessary. Detailed plans of the wall termination were provided as well as details on the work to be completed on and around the base of the wall.

The Commission asked why the embankment failed. Mr. Fournier and Mr. Shea believe that the excessive rain, the fill, pitch of the slope, drain pipes from 887 Nantasket and the poor make up of the soil were all contributing factors.

The Commission questioned the size and capacity of the drain pipes. Mr. Shea explained that laying the pipes at the proper angles will allow for effective draining.

The Commission questioned how the work would be done. The embankment will be cut back approximately three (3) feet to allow the angle to be re-worked to a 1 to 1 slope. The Commission also asked if there were intentions of doing additional drain work. Mr. Fournier stated that if they could easily locate french drains in the embankment, they would be connected to the catch basins.

The Commission questioned the vegetation plan, and why the use of willow tubings. Mr. Shea indicated that this plant will stabilize the area quickly. The willows will grow to approximately three (3) feet and will be located behind the swale.

An abutter asked if she could add fill to her property. The Commission questioned the possibility of moving the fill removed and adding it to the abutter's property. Mr. Shea indicated that this would not be possible because it again would change the slope of the embankment. The Commission clarified that areas within 100 feet of the Coastal Bank would require a permit for adding fill.

An abutter believes that a French drain on his property and past digging of trenches by the Town caused the failure. He would also like work done on his property.

A special condition will be added that any materials removed from the site shall be handled in an environmentally safe manner and disposed of outside of the Town of Hull.

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

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**.

8:45pm In the vicinity of 102 Spring Street, Map 06/Lot 41, Continuation 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.

Withdrawn by applicant

The Commission noted that some work has been done in this area that would have been covered by the above requested RDA and NOI. The work should not have been done in advance of the issuance of permits. The NOI for SE35-976 will have to cover the work already done. Any work that would not have been permitted will have to be repaired.

8:50pm 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

Representatives: Stan Humphries, Robert Hannigan

Abutters/Others: Karen Tomlinson, Phyliss Aucoin, Sally Anastos, Jay Sullivan, Denis Anastos, Pam Collins, Don Ritz, Sheila Sullivan, Vernon Wood, Jan Scullane

Mr. Humphries and Mr. Hannigan presented the project with revised plans for drainage and stormwater management. The Commission asked how much and where will fill be placed. Mr. Humphries stated that the fill would cover approximately $\frac{1}{4}$ of an acre, 2 $\frac{1}{2}$ feet deep. The fill would be placed in the courtyard area, around storm water structures and up to the garages. Originally the plan called for fill that came out almost to the end of the property line that the building would have rested on. This change has resulted in eliminating $\frac{3}{4}$ of the original plan for fill.

The Commission asked where the high point of the fill would be. Mr. Hannigan indicated that the high points will be along the edge of the structure and along the plane of the driveway. This was done to capture all of the stormwater that will fall on the paved area. Various swales and rain gardens will be constructed to handle roof runoff and stormwater from the pave areas. The water will be captured and treated in the stormceptor then eventually discharged into the rain gardens.

The Commission questioned why the need for different types of basins and the locations. Mr. Hannigan explained that water from the paved areas requires more treatment than roof runoff. The Commission is concerned about the overwash coming across from the ocean and what affect the building and the fill will have on the direction of the flow.

The Commission asked what the reason for brining in fill is. Mr. Humphries stated that it was to allow the occupants to not be flooded in a 100-year storm. Mr. Hannigan stated that it was necessary to allow for the drainage systems to be constructed and to provide access to the garages.

The Commission questioned the need for a Chapter 91 license. It was stated that the building would be located out of the Chapter 91 jurisdiction.

stioned the term and the construction of the rain gardens; are they really rain gardens or retention/detention basins. The Applicant was requested to provide further detail of the construction and use of the "rain gardens"

An abutter expressed concern about ice and snow build up along Bay St, the potential for gas and oil leaking into the bay from the garages, and whether the "rain gardens" hold water that mosquitoes could breed in.

The Commission identified outstanding concerns that still need to be addressed from the peer review conducted by Dave Nyman.

§ 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 10/10/06, at a time to be determined

10:30pm 12 Moreland Avenue, Map 36/Lot 49 (SE35-xxx) Opening of a Public Hearing on the Notice of Intent filed by Karen Tomlinson for work described as elevate the existing home above the 100-year flood plain.

Applicant: Karen Tomlinson

Representative: Sean McCarthy

Mr. McCarthy presented the plans to lift the house off of the existing foundation and add four (4) rows of block to allow the top of the foundation to be at elevation 11.56. The new foundation will have flow through panels.

The Commission conducted a site visit on 9/19/2006. As a result, Mr. McCarthy was requested to change his plans to relocate the hay bale line to a location as close to the home as possible. The plan was changed. The Commission also requested that Mr. McCarthy make a notation on the plans stating that "except for the built environment, the lot is vegetated wetland" which he did. Additionally, a special condition will be added stating that all construction materials will be stock piled on the driveway at the side of the home.

Two letters of support were received from abutters.

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

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**.

10:40pm 7 Hampton Circle, Map 36/Lot 31, Opening of a Public Hearing on the Request for Determination of Applicability filed by Robert Rose for work described as footings for front and back porches.

Applicant: Robert Rose

This was an after the fact filing in response to an Enforcement Order. The existing footings had sunk after flooding issues. The Commission conducted a site visit on September 19, 2006 and found no issues.

§ Upon a **motion** by P. Paquin 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**.

met Avenue, Map 21/Lot 55, Opening of a Public Hearing on the

Request for Determination of Applicability filed by Barbara Colvin for work described as new driveway.

Applicant: Barbara Colvin and Lawrence Kellem

This was an after the fact filing in response to an Enforcement Order. The Commission conducted a site visit on September 19, 2006 and found no issues.

§ Upon a **motion** by P. Paquin 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**.

10:50pm Presentation from the Design Review Board

Mr. Don Ritz of the Design Review Board attended the meeting to explain the duties of the Design Review Board and to ask the Commission to include the Board where possible. He would a member of the Commission to attend a meeting of the Design Review Board. It was explained to Mr. Ritz that the Commission could only discuss the projects before them in a public meeting forum. The main point that Mr. Ritz wanted to make was that he would like to see more communication between all of the boards and commissions in town.

11:00pm 31 Touraine Avenue, Map 22/Lot 47 (SE35-xxx) Continuation of a Public Hearing on the Notice of Intent filed by Robert Breen for work described as lift existing house and add a garage.

Project was reviewed at the 9/12/06 meeting, were waiting for DEP # that has now been assigned.

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

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**.

11:02pm 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 #

§ 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 10/10/06, at a time to be determined

11:03pm 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 S. Das and **2nd** by J. Hass and a **vote** of 6/0/0;

It was **voted** to:

Continue the Public Hearing to 10/10/06, at a time to be determined

Req for CoC- 57 Hampton Circle –P. Paquin motion S. Connor **2nd**, vote - 6/0/0 signed

Req for CoC- 236 & 225 Nantasket Rd-S. Connor motion J. Meschino **2nd**, vote 6/0/0 signed

Other Discussion

A discussion was held pertaining the permitting work on Town Right of Ways. P. Paquin suggested that if this was going to happen, there should be a way to notify the public who use the Right of Ways. Recent work has changed access for people who for instance now have to carry a kayak up and over a wall that was built on a Right of Way. It was recommended that NOI or RDAs for work in public access ways be posted in local newspapers.

As a follow up to a previous discussion pertaining to the change in process for RDA's it was noted that A. Herbst does retain a copy of the sign-off form from the Building Department.

11:12pm Upon a **motion** by S. Connor and **2nd** by P. Paquin and a **vote** of 6/0/0;
It was voted to: Adjourn the meeting.