



HULL CONSERVATION COMMISSION

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October 10, 2006

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

Members Not Present:

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

7:35pm Chair Connor called the meeting to order

Agenda Approved: Upon a **motion** by S. Das and **2nd** by F. Parker and a **vote** of 6/0/0;
It was voted to: **Approve** the Agenda for 10/10/06 as amended

Minutes: Upon a **motion** by J. Meschino and **2nd** by J. Hass and a **vote** of 6/0/0;
It was voted to: **Approve** the Minutes of 9/26/06 as amended

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

7:45pm **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.

Representative: Joe Shea

Mr. Shea presented the plans for the project. The project calls for using an existing catch basin in front of 102 Spring St. to discharge into a previously placed discharge pipe. The discharge pipe was installed and was placed too far into the beach. The plan calls for cutting back the drainpipe below the sidewalk and attaching a long radius sweep pipe that will discharge into the revetment.

The Commission questioned if the new drainpipe would be exposed? Mr. Shea explained that the pipe will be covered and will be constructed so that it may also be driven over. The outfall will be directly into the stone revetment. Any stones moved will be replaced and re-worked to stabilize the revetment and the beach.

The Commission questioned if this plan complies with the storm water management regulations. Mr. Shea explained that there is an oil and water, and solids separator in the catch basin.

The Commission requested that special conditions that 1) the catch basin shall have the capacity to provide oil and water, and solids separation, or to be retrofitted for such purpose in the future and 2) The applicant shall photograph the outfall location before installation and annually for three years. The applicant shall inspect the location periodically during rainfall events. If erosion is occurring at the outfall the Commission must be notified and applicant will appear before the Commission to propose an appropriate solution.

§ Upon a **motion** by P. Paquin and **2nd** by S. Das and a **vote** of 7/0/0;

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**.

8:05pm 26 Meade Avenue, Map 51/Lot 92, Opening of a Public Hearing on the Request for Determination of Applicability filed by James Kennedy for work described as sonotubes for a deck.

Applicant/Owner: James Kennedy

Mr. Kennedy presented the project that includes relocating brick footings. The Commission conducted a site visit on October 3, 2006, no issues were found.

§ Upon a **motion** by J. Hass and **2nd** by S. Das and a **vote** of 7/0/0;

It was voted to:

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

8:07pm 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: Steve Buckley

Representatives: Stan Humphries, Robert Hannigan, Bill Burbank

Abutters/Others: Sally Anastos, Sheila Sullivan, Josephine Sullivan, Vernon Wood, Jan Scullane, Pam Collins, Phyllis Aucoin (not signed in)

Mr. Humphries began the hearing by updating the Commission on the four remaining outstanding issues, revised grading plan, provided notations and a cross section of what is now called drain recharge areas, the landscaping has been changed and includes more details of plants and soil types and erosion and sediment control during construction.

Mr. Humphries noted that a notation was made on the Erosion and Sediment Control plans to "disregard all references to rain gardens, beds and benches as these were previously proposed landscape features. They are not relevant to the plan for short term erosion and sediment control".

Mr. Hannigan provided comments in response to ENSR's Review Letters of September 11, 2006, September 15, 2006 and an email dated September 26, 2006.

In response to a request from ENSR, Mr. Hannigan stated that when the municipal drain is replaced, the new drain will be placed at a slope of ½ %; the area will be immediately back-filled, graded and sodded. A notation was made on the plans.

Mr. Hannigan provided additional details of the construction of the recharge areas on the plans.

Mr. Hannigan modified the cross sections and details for the flow dissipaters on the plans.

Each drain area previously named rain garden has been changed to drain recharge area.

Additionally, the plans for the municipal drainpipe have been changed to show that the pipe extends to daylight to match the topography of the site.

Mr. Hannigan reviewed the calculations used for each of the recharge areas. The design includes volumes greater than the required capacity for recharge areas. The Commission asked if there was a reason for over engineering the recharge areas. Does this result in a need for additional fill? Mr. Hannigan explained that they are actually bringing in sand to replace what is now on site; they will be carving out the area, which results in a net effect of less fill.

The Commission questioned the planned construction of the splash pad for the outflow of the municipal drainpipe. Is it smooth or will it be able to break up the velocity of water? Mr. Hannigan explained that the stones would be approximately 18 inches in diameter. The wall will be 7 ½ feet long and 4 feet wide. The Commission discussed the size of the municipal drainpipe. Would this 12" pipe be capable of handling all of the flow from the catch basins? Mr. Hannigan stated that it is possible that up to 6 catch basins will drain into the pipe and this pipe can handle the capacity of water. The pipe will be approximately 165 feet long. Mr. Hannigan stated that they did review the pitch of the drainpipe and the possibility of increasing it however it is designed for outflow directly for the catch basin that they are rebuilding and it is not possible to increase the pitch. He feels that the current design is an improvement over what is there.

Mr. Buckley stated that he intended to work with the Town Department of Public Works on the portion of the project that includes construction and installation of the new municipal drainpipe that will go through his property.

The Commission asked if information was provided as to the percolation rate in the recharge areas? Mr. Hannigan confirmed that they have provided it. The Commission questioned a statement by ENSR that the drainage recharge areas may be too dry for the proposed plantings. Mr. Hannigan felt that that comment was when the recharge areas were being designed as "rain gardens". The Commission asked how long the water would be ponding in the recharge area. Mr. Hannigan stated that it would not be long; the volume going in is small compared to the size of the recharge area. It would be similar to drainage for a lawn.

The Commission asked if the plans indicated the height of first floor? Mr. Hannigan stated that the slab elevation is 12 ½ feet for the garage and the slab is 1 foot thick.

The Commission questioned if the proposed plantings would be uprooted during flooding and/or storm related events and end up as a pollutant in the bay?

Mr. Burbank, the landscape architect, presented the plans for landscaping:

- § His involvement in the project was to his client to provide a site that when planted would sustain itself under normal weather conditions and would provide the applicant and the community with a visual asset for people who want to live in the town of Hull.
- § Mr. Burbank also feels that the area is one of the least attractive sites in the Town. According to Mr. Burbank, the abundance of plant material that is being suggested on this plan calls for very little commercial plants. Most of the ground will be covered with grasses that can basically grow in sand. The purpose of that is to provide ground cover so that wind and rain and normal storm events will leave the ground plate covered with a growing rooted material that will help to sustain the erosion control of the property.
- § The trees shown are 11 evergreen, 10 deciduous trees. It is likely in a storm event that they may disappear, but it is possible that the trees will be able to grow to their potential and will be able to sustain storms.

pressed concern that if the trees would leave the site and enter the bay, then doesn't that mean the fill will do the same? What can be done to mitigate bringing in the fill? The Commission would prefer that no fill be brought onto the site.

The Commission asked whether consideration was given to building a retention pond behind the building. Mr. Humphries believes that they have taken into consideration many possible alternatives and presented successfully to ENSR the plan we have and he believes that ENSR is satisfied with the design. The primary reason for the fill is for the collection of stormwater. Certain requirements for storm water management must be met. In order to meet that criteria, runoff from the paved areas must be collected and treated and a certain amount must be recharged back to the ground. In order to build a retention pond, the bottom of the pond must be 2 feet above ground water. You would then need to build up the sides, which would actually require more fill. The same process of treating the water would be necessary.

The Commission asked if other storm water drainage options had been considered that would not require the same degree of fill. Mr. Humphries stated that there are alternatives, but they would come with other trade offs. The Commission and the Applicant discussed various alternatives to the fill proposed.

The Commission is also concerned that adding fill would divert water to the abutter. Mr. Hannigan explained that the maximum elevation where the fill will be is 10 ½ and the elevation at the curb and sidewalk is, 12, 11, 10.9, etc. Any fill on the site is actually at a lower elevation than at the front of the site.

Mr. Hannigan began to show an illustration indicating the path and heights of the flow of the water. Ms. Herbst cautioned Mr. Hannigan about showing material that was not made available for review by ENSR and had subsequently withdrawn from the file by the applicant. Mr. Hannigan continued to explain that the widening expanse of area for the water to flow after the constriction of the two buildings east of the site, combined with lessening velocity due to friction would address the Commission's concern about off-site storm damage in overflow situations. Ms. Herbst informed the Commission that they should keep in mind that the applicant declined to submit the material for review by ENSR.

The Commission asked if the driveway areas could be designed with a new material that would allow the water to infiltrate into the ground. Mr. Hannigan explained that it is necessary for them to collect and treat the water.

An abutter questioned the Commission's role in mandating what type of building goes on the site for example could the Commission tell the applicant that they must build a smaller one. The Chair explained the role of the Commission.

An abutter asked if you can build on filled land? The applicant has a Chapter 91 License that covers previously filled land. The Applicant does not plan to build on filled land as delineated in that license. The Commission will discuss requesting a Chapter 91 license or a letter stating that one is not necessary in a special condition.

An abutter expressed concerned about household waste that may be stored in garages or the storage area.

An abutter questioned if pollutants from the site would pose a threat to the clam beds. Mr. Humphries explained that storm water will be treated on site prior to any discharge.

§ Upon a **motion** by F. Parker to **deny** the project on the weight of the evidence that this does not fulfill the conditions of the applicable laws and regulations that we are held to carry out, **2nd** by J. Meschino

It was **voted** of **4/3/0** (F. Parker, J. Meschino, P. Paquin, J. Reineck - in favor of motion) (S. Connor, S. Das, J. Hass – against the motion)

It was **voted** to **deny** the project.

9:45pm 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 DEP #

§ Upon a **motion** by J. Hass and **2nd** by S. Das and a **vote** of 7/0/0;

It was **voted** to:

Continue the Public Hearing to 10/24/2006, at a time to be determined

9:46pm 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 DEP #

§ Upon a **motion** by J. Hass and **2nd** by S. Das and a **vote** of 7/0/0;

It was **voted** to:

Continue the Public Hearing to 10/24/2006, at a time to be determined

Request for a Certificate of Compliance: 40 Duck Lane – denied due to lack of compliance with conditions concerning vegetation of the wetlands area and buffer.

Issues/Discussion by Commission:

A. Herbst presented the Commission with a handout containing instructions for applicants who have received an Order of Conditions. The Commission agreed to use the handout in upcoming meetings.

The Staff discussed the need for a temporary person to aid in filing and data base work. S. Connor has tried to be assigned a graduate student without success. The Commission requested the Conservation Administrator to make sure that there are no town employment issues, and agreed to pursue hiring an intern.

December meeting schedule: S. Das, F. Parker will not be available December 26, 2006. More discussion will follow.

A. Herbst will draft an RDA for the DPW (and sewer) for routine work.

Updates:

Gun Rock – going to court on October 24 for tickets

A. Herbst provided an update on beach issues. Additionally, a letter has been drafted and forwarded to the Selectmen for signatures relating to the restoration of dunes/parking lots.

Cadish Ave seawall project – not completed according to the plans, many residents have complained that the wall is now on their property. The slope and location will also be investigated.

10:05pm Upon a **motion** by P. Paquin and **2nd** by S. Connor and a **vote** of 6/0/0;
It was voted to: Adjourn the meeting