



HULL CONSERVATION COMMISSION

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August 14, 2007

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

7:05pm Chair Connor called the meeting to order

Agenda Approved: Upon a **motion** by S. Das and **2nd** by J. Has and a **vote** of 4/0/0;
It was **voted** to:
Approve the Agenda for August 14, 2007.

Minutes: No Action

7:05pm Hull Shore Drive, Map 27/Lot 54 & Nantasket Avenue, Map 37/Lot 10 (SE35-1015) Continuation of a Public Hearing on the Notice of Intent filed by Beacon Architectural Associates for worked described as renovations to the DCR Cook and Tivoli Comfort Stations.

Applicant: Bruce Thibodeau, DCR

Representative: J. Michael Sullivan, Beacon Architects

Mr. Thibodeau and Mr. Sullivan presented the project proposing renovations to the exterior of the Cook and Tivoli Comfort Stations that is intended to take place after Labor Day.

Tivoli work is to include removal of existing ramps and concrete slabs above grade and resurface concrete slabs to allow for handicap accessibility to the building and the surrounding area.

Cook work is to include replacing concrete surface at the rear of the building and a small ramp up to the side of the building to allow for handicap accessibility. At the front of the building the concrete will be removed and planting areas will be extended to the edge of the front entrances. A new sidewalk of pavers will replace existing concrete and three new planting areas will be constructed along the sidewalk. New handrails will also be installed.

- Upon a **motion** by S. Das and **2nd** by J. Hass and a **vote** of 5/0/1; F. Parker abstained

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**.

7:20pm Offshore Hull, east of Nantasket Beach, Opening of a public hearing on the Request for Determination of Applicability filed by the Hull Municipal Light Plant for work described as exploratory soil boring for the proposed Hull Offshore Wind Farm.

7:20pm Offshore Hull, east of Nantasket Beach, Opening of a public hearing on the Request for Determination of Applicability filed by the Hull Municipal Light Plant for work described as exploratory soil vibrocores and benthic grab samples for the proposed Hull Offshore Wind Farm.

Applicant: John MacLeod, Hull Municipal Light Plant

Representatives: Stephanie Banks, P.E. James Cleveland, P.E. (GZA Environmental, Inc.- borings), Charlotte Cogswell, John Ryther, Andy Spilane (CR Environmental, Inc. – cores)

Abutters/Others: Chris Manning, Michael Mello, Jr. , Peter Mahoney, T McDuff, Keith Connolly

Due to the similarities in the two projects for the proposed Hull Offshore Wind Farm, both projects were opened at the same time. The purpose of these projects is to collect exploratory information for the possible location of Offshore Windmills. The exact location for boring and vibrocores is not yet determined. Preliminary geophysical surveys will be completed prior to any work being done on these projects. The geophysical survey will locate any possible obstructions on the ocean floor that may require relocation of the boring or core sampling. Additionally, location of fishing equipment will be noted.

Stephanie Banks presented information along with photographs of the boat that will be used in the exploratory soil boring activities. The proposed work site is below the ocean water in the area of Hardings Ledge within a 2.7 mile area. It is anticipated that work would take place for 3 to 5 days, 24 hours a day. The proposal calls for drilling up to 10 borings. The borings are drilled into the ocean floor with a 6 inch drill operated from a 63 foot by 30 foot liftboat with three hydraulical legs. Each leg is 24 inches in diameter with a 12 ft by 8 foot pad at the base. It is proposed that the work begin as soon after Labor Day as possible.

John Ryther of CR Environmental, Inc. explained the process for the core and grab sampling. This process will allow for information to be gathered for use in determining the location of submarine cable routes that would extend from shore to the wind turbines. Again, the exact locations will be determined after geophysical data has been compiled. It is proposed to collect 12, 10 foot long cores and a benthic grab will be done at each core site. It is estimated that the collection rate will be 6 per day for 2/3 days. Coring at each location is estimated to take 1 hour. The Vibrocore is 3 inches in diameter. The Benthic grab sampler foot print is approximately 4 square inches and will be inserted into the sand at a depth of 6 inches. The work will be completed using two boats. The sampling will take place on one and the other will be used for stabilizing the work boat. It was stated that testing will not take place where fishing equipment is located. Disturbance to the bottom of the ocean is minimal and sampling holes will fill themselves in.

Several local lobstermen expressed their concern about this project. They are specifically concerned about the time of year and location for this work to be completed. This time and location is prime for their lobster activity and businesses. They are also concerned about loss of equipment.

The preliminary geophysical surveys will be completed before the next meeting, as this work does not require any permitting. The applicant indicated that after information is compiled and the exact location where work is to take place is determined, the areas would be marked clearly and the lobstermen will be notified. An offer was made to the lobstermen to have a representative on the boat while work is being conducted. Due to their work schedules, this offer was declined. It was also agreed that communication will be improved between the Applicant and the lobstermen.

- Upon a **motion** by S. Das and **2nd** by P. Paquin and a **vote** of 6/0/0;
It was **voted** to:

Continue the Public Hearing on offshore soil borings to 8/28/2007, at a time to be determined

- Upon a **motion** by S. Das and 2nd by P. Paquin and a **vote** of 6/0/0;
It was **voted** to:
Continue the Public Hearing on offshore vibrocores and benthic grab samples to 8/28/2007, at a time to be determined

8:20pm Nantasket Avenue (DCR Beach,) Map 37/Lot 10 (SE35-980), Opening of a Public Hearing on request to amend Orders of Conditions filed by the Department of Conservation and Recreation for work described as handicap access improvements.

Applicant: Mike Galvin

Representative: Craig Wood, Berger Associates

Mr. Galvin presented the project requesting to increase the width of three (3) handicap access ramps from 6 ft wide to 10 ft wide. This increase would allow a bobcat to access the ramps for cleaning purposes. All materials cleared by the bobcat would then be dumped over the side of the ramp back onto the beach. Additionally, it was requested that the plans for ADA Ramp No. 2 be modified to change the direction of the ramp from facing the south to the north.

- Upon a **motion** by J. Hass 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 Amended Order of Conditions was **signed**.

8:25pm Nantasket Avenue, Map 27/Lot 34-36, Map 33/Lot 9, 10, 67 (NE35-998)
Continuation of a Public Hearing on the Notice of Intent filed by Nantasket Beachfront Condominiums LLC for work described as four condominium buildings with associated parking stormwater management and open space parkland.

Applicant: Stuart Bornstein

Representatives: Chris Lucas, Don Rose, (Coler & Colantonio), David O'Connor (The Cecil Group) Peter Rosen (Geotechnical Planner), David Kellem, Paul Revere (Attorneys) Ed Mackay, (Holly Mgmt) Richard Pizzi – Not signed in

Abutters/Others: Beatrice Sloan, Helen Weiser, Phyliss Aucoin, Dianne Campbell, Jacqueline Chase, Walter Introne, Jr., Cornelius Kane, Jr., Mary Carpenter, Vernon Wood

John Roberge, P. E. - Consultant for the Commission

S. Connor gave a brief update of the status of the project at this time.

Jim Reineck presented a Certification Statement that he listened to the audiotape of the Public Hearing from May 1, 2007 that was added to the file.

Mr. Roberge updated the Commission as to the status of his review of the submissions focusing on the concern for and depth of potential scour resulting from the submitted design. Mr. Roberge is comfortable with the design plans for installing the piers to a depth of 8 feet below grade. Mr. Roberge feels that with the piers being 8 feet deep, the footings will be well below the depth of potential scour.

The Commission had requested that the Applicant provide calculations that indicate the amount of scour that will occur and where that material would end up for each pier, and all piers, the elevator enclosure, for each alternative and the impact of scour on the asphalt pad for the driveway and handicap parking. Mr. Pizzi stated that he did not have the information

and that he was unaware that it was requested. Ms. Herbst referred to a letter that specifically listed the items requested.

Mr. Pizzi asked Mr. Roberge what he would suggest if they were trying to mitigate the amount of scour that would occur, both the depth and the aerial extent and how much material would be moved. Mr. Roberge replied that he has had great success with a near surface thin stone-contained small gabion mattress stretched out over 6 to 8 feet around the footing. Mr. Pizzi then asked if pavers were provided, would that be about equivalent? Mr. Roberge stated that he has seen pavers be blown away. Mr. Pizzi asked if it would create some protection. Mr. Roberge stated unless they were anchored, you would see the pavers pop up with the impact of the waves. But Mr. Roberge did agree that it would significantly reduce the amount and depth of scour. Mr. Bornstein spoke of a paver that is used on the Cape that weighs about 10 or 11 pounds that is made for drainage and interlocks together. Mr. Roberge stated that it would be the foundation for the pavers that would be lost and allow for a paver system to fail. Mr. Bornstein explained the installation process. Mr. Roberge stated that he believes that the Army Corps of Engineers has literature regarding pavers and their reaction to waves. Mr. Revere stated that the Applicant would provide information to the Commission.

Mr. Bornstein stated that at the next meeting, he would have a sample paver and perhaps a demonstration of the installation, and that Mr. Pizzi would have the information that has been requested.

Mr. Lucas submitted the information of where any materials from scour would go and presented his plans, stating that materials would maintain on site. For the Beachfront property, (Bldg. #2) indicating the elevation in the velocity zone as 19, and along Nantasket Avenue as 14, 16, and 17 any materials moved would flow to the low point of the site where the drainage systems will trap it. Mr. Roberge has reviewed this material and stated that Mr. Lucas has expressed a reasonable professional opinion. There was a brief discussion relating to the accuracy of the FEMA mapping at this site. Mr. Roberge stated that as the site is mapped today, the design requirements have been met.

Mr. Bornstein asked Mr. Roberge if they were to use pavers, would that just about eliminate any scour around the piers, and the garage. Mr. Roberge stated that he believed that that would mitigate the scour. Mr. Bornstein wished to go on record as stating that they would like to put pavers under the building and therefore the scour question would go away. Mr. Roberge stated that the size and material that would be used would still need to be reviewed. The Commission suggested that if the Applicant was coming forward with the intent to use pavers that they provide information about wave action. Mr. Bornstein agreed to have that next time.

An Abutter questioned the information previously mentioned relating to the mapping and zone definitions and that the Building was not designed to meet the requirements. Ms. Herbst stated that the Applicant has now redesigned the building as if it were entirely in a velocity zone even though the FEMA maps indicate that it is not in a v-zone.

D. Connor, Landscape Architect presented new plans for planting that did not include all of the changes requested by the Commission. The Commission had asked for additional plantings along the beachfront to slow the flow of water. Referring to the previous meeting minutes, the Commission had requested that a continuous vegetated buffer be along the ocean side walkway and also along Nantasket Avenue. Mr. Connor presented plans that indicated an increase of vegetation for screening along the front of the building, along Samoset Ave and on the south side next to the Town parking lot. Mr. Connor will submit new plans.

In response to a previous question by an abutter, Mr. Rose presented a cross section of the Bay Street building indicating the curb opening on the proposed plans shows a decrease in elevation than what currently exists. There is no plan to raise the grade to change the flow of water that will flow down Bay Street.

The Commission had requested information pertaining to the relocation of vehicles in a storm event. Mr. David Kellem provided the Commission with a substantial list of potential parking areas that would not only provide enough parking for the occupants of this project but many other residents as well. Mr. Kellem will provide language that is currently being used at another condominium in town that could be incorporated in the Operations and Maintenance Plan.

Mr. Bornstein requested a short list of what should be provided at the next meeting. It was discussed that not all members would be at the next meeting and to allow for proper review time, the September 11 meeting would be best. Ms. Herbst stated that any information must be submitted in time for review.

Ms. Herbst responded to a previous request by abutters that it is not in the Commissions' jurisdiction to require the state's new greenhouse policy gas be considered for this project.

Ms. Herbst will work together with Mr. Lucas on all of the outstanding issues. Mr. Bornstein will supply the Commission of a list of sites where the pavers have been installed. The Commission stated that they did not feel it was necessary to have a man demonstrate the paver installation at the next meeting, however sample pavers and manufacturers specification could be useful.

An Abutter asked if the question of pollution on the site relating to a former gas station has been addressed. Mr. Bornstein stated that soil borings have been taken and did not indicate any pollution. The Abutter stated that he thought that there was an oil company and a gas station in the area of the proposed park. It was suggested that if the abutter had the location or information, he should pass it along. It was stated that there would be little excavation being done in the park area. The staff will review the file for pictures and the boring logs for additional information and do research.

- Upon a **motion** by P. Paquin and **2nd** by F. Parker and a **vote** of 7/0/0;
It was **voted** to:
Continue the Public Hearing to 9/11/2007, at a time to be determined

J. Meschino arrived at 9:10

F. Parker left at 9:55

9:55pm 121 Bay Street, Map 33/Lot 100 (SE35-982), Opening of a Public Hearing on a request to amend Orders of Conditions filed by Beatrice Bergstrom for work described as deck, walkway and landscaping.

Applicant: Beatrice Bergstrom

Ms. Bergstrom presented the project to include construction 3 ft x 10 ft deck leading to a 18 ft long wooden walkway at the rear of the home. A stone walkway at the side of the home is also proposed. The area in the rear of the new addition that was disturbed by construction will be finished with a pea stone surface. All work will be completed outside of the 10 ft. setback area.

- Upon a **motion** by J. Hass 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 Amended Order of Conditions was **signed**.

10:00pm 88 Atlantic Avenue, Map 53/Lot 054, (SE35-969) Continuation of a Public Hearing on the request to amend Orders of Conditions filed by Ellen Dawson for work described as increasing the size of a proposed deck.

Applicant: Ellen Dawson

Ms. Dawson presented the project that proposed increasing the size of the deck in the rear of the home from a 3.5 ft x 10 ft with stairs to a 28 ft wide, 12 ft off the house. The area below the deck is a concrete slab that remains from the previous home that was demolished. The Commission cautioned Ms. Dawson about the condition of the seawall. They suggested that it would be in her interest to do any repair work prior to construction of the deck.

- Upon a **motion** by J. Hass 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 Amended Order of Conditions was **signed**.

10:05pm 70 C St., Map 17/Lot 46 (SE35-1017) Opening of a Public Hearing on the Notice of Intent filed by Rebecca Binder for work described as Raze existing home and re-build.

Applicant: Rebecca Binder

Representative: David G. Ray, PLS

Mr. Ray presented the project proposing to raze the existing home and construct a new home with a FEMA compliant foundation with flow through vents. The new home will have an open foundation with gravel. There is a gutter and downspout system to handle any roof run-off. The plan calls for two (2) pervious parking spaces and a pervious walkway. The plans indicate that no paving will be done on the parking spaces.

A letter from an abutter was read for the file by S. Connor.

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

10:10pm 101 Packard Ave, Map 21/Lot 141, (SE35-1012) Continuation of a Public Hearing on the Notice of Intent filed by Thomas Rowan for work described as installation of an in-ground pool.

Applicant: Thomas Rowan

Representative: Jay Ross, Jay Jays Pools

This project was presented at the July 24, 2007. The DEP had not yet issued a number for the project. There was a question regarding the location of a sewer line brought up by an abutter at the previous meeting. Mr. Rowan presented a drawing of that location which will not interfere with the installation of the pool. Special Conditions will be added as follows:

- Hazardous materials (including pool supplies) shall be stored on shelves above the flood elevation. This condition is ongoing and will not expire at the end of three years.
- Except for backwashing, swimming pool water shall be properly disposed of off-site; no swimming pool water can be emptied into the ground. This condition is ongoing and will not expire at the end of three years.

- Upon a **motion** by J. Hass and **2nd** by J. Meschino and a **vote** of 5/0/1; S. Das abstained

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**.

10:25pm 367 Beach Ave, Map 12/Lot 051, (SE35-1011) Continuation of a Public Hearing on the Notice of Intent filed by Max Horn for work described as demolish existing single family home and construct a new home.

This project was presented at the July 24, 2007. The DEP had not yet issued a number for the project. A special condition will be added that the dry well will not be installed within 3 feet of the revetment.

- Upon a **motion** by J. Hass and **2nd** by J. Reineck and a **vote** of 5/0/1; S. Das abstained
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**.

10:29pm 13 ½- 15 Nantasket Ave, Map 41/Lot 013, (SE35-1013) Continuation of a Public Hearing on the Notice of Intent filed by John Riley for work described as demolish existing building and construct 25 ft. x 60 ft. commercial building.
The Applicant requested a continuance.

- Upon a **motion** by S. Das and **2nd** by J. Reineck and a **vote** of 6/0/0;
It was **voted** to:
Continue the Public Hearing to 8/28/2007, at a time to be determined

10:30pm 42 Gunrock Ave, Map 52/Lot 10, (SE35-1014) Continuation of a Public Hearing on the Notice of Intent filed by Idael Batista for work described as replace blacktop driveway with concrete and add paver stone areas.

This project was presented at the July 24, 2007. The DEP had not yet issued a number for the project. In addition, the Commission requested that the Applicant supply a sample paver for review that was submitted. At the previous hearing, the DEP had not yet issued a number. A special condition will be added that no stone dust may be used under the pavers.

- Upon a **motion** by J. Hass and **2nd** by J. Reineck and a **vote** of 5/0/1; S. Das abstained
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**.

10:35pm Nantasket Beach accessways from Phipps to X St. Opening of a public hearing on the Request for Determination of Applicability filed by the Town of Hull for work described as place sand over cobble at selected beach accessways.

A. Herbst presented the project that calls for placement of sand on Town accessways where there is cobble. This is an experimental maintenance project and work will be done by the Department of Public Works.

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

10:40pm 7 Bay Street Continuation of a public hearing on the Request for Determination of Applicability filed by the Town of Hull for work described as temporary excavation to find broken storm drain.

A. Herbst presented to project for the Department of Public Works who will perform the work to locate the end of the drain pipe going through this property and assess its condition.

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

Enforcement Order for 81 Bay Street - Signed by all

10:45pm P. Paquin **motion**, **2nd** by J. Meschino and a **vote** of 6/0/0; **voted** to Adjourn