



HULL CONSERVATION COMMISSION

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February 13, 2007

Members Present: Sheila Connor, Chair, Sarah Das, Vice Chair (arrived 8:00), John Meschino, Judie Hass, Frank Parker, Paul Paquin

Members Not Present: Jim Reineck,

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

7:35 pm Chair Connor called the meeting to order

Agenda Approved: Upon a **motion** by J. Hass and **2nd** by F. Parker and a **vote** of 5/0/0;
It was **voted** to:
Approve the Agenda for 2/13/07 as amended.

Minutes: Upon a **motion** by P. Paquin and **2nd** by J. Hass and a **vote** of 5/0/0;
It was **voted** to:
Approve the Minutes of 12/12/06 as amended.

Upon a **motion** by P. Paquin and **2nd** by S. Connor and a **vote** of 5/0/0;
It was **voted** to:
Approve the Minutes of 1/23/07 as amended.

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

7:50pm **Unnamed road on the WBZ Dike, Map 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 repair or replace existing tidegate.

M. Fournier presented the project explaining that his request is to repair the tide gate that has been stuck in the same position for a number of years. The "door" for the gate will be closed at the same height as the current gate while the work takes place. After repair, the gate will be placed in the same position it was in prior to repair. If the DPW wants to make the gate operational at a future date, an operations manual must be presented to the Commission.

The Commission requested that the DPW take measurements that indicate the current size of the opening to allow for an accurate placement of the gate after repair. The Commission also requested that the DPW take measurements of the water level at a 9.5 ft tide and a 12 ft tide.

- Upon a **motion** by P. Paquin and **2nd** by J. Hass 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**.

8:05pm **14 Lynn Ave, Map 22/Lot 063 (SE35-986)**, Continuation of a Public Hearing on the Notice of Intent filed by Gerald Nirenberg for work described as demolish existing home and construct a new single family home.

Representatives: Joshua Bowes, Douglas Hurst
Abutters: Peg & Ted Chaput

Mr. Bowes submitted revised plans that indicate an addition of a spot grade where it was previously thought that water would travel off the west side of the site to a neighboring property. Additionally, Mr. Bowes indicated that there is an increase of .05% to the slope of the swale that begins at the east side of the house. This was done as a result of regrading and the creation of a depression to intercept and contain water from the site ensuring that runoff from a typical storm event will be transported within the property and not directed to neighboring properties. A clarification of a spot grade along the street clarifies that water in the street will flow towards the catch basin on the east side of the property.

The Abutters asked if an answer concerning possible asbestos was received. Mr. Hurst stated that there was in fact asbestos shingles and arrangements have been made for removal and disposal from a licensed environmental firm. A special condition will be added that states that any hazardous materials (asbestos) will be disposed of outside of the Town of Hull.

The Abutters asked if dewatering would be necessary during construction of the foundation. Mr. Bowes does not believe it will be necessary. The plan states that work will be done according to the tides. However, if it is necessary, water will be filtered and directed to the catch basin in the street.

The Commission will add a special condition that all excavation work will be done during days when the high tide is lower than 9.5'. If dewatering is necessary the contractor is to contact the Conservation Administrator in advance.

- Upon a **motion** by P. Paquin and **2nd** by F. Parker 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**.

8:20pm 2-4 A Street, Map 18/Lot 150 (SE35-955) Opening of a Public Hearing on the Request to Amend the Order Conditions filed by Folsom Development Corporation for work described as modification of the floating breakwater float.

Representative: Susan Nilson, P.E.

The amendment for this project involves a modification of the floating breakwater design from a concrete float that was designed as a 10 ft wide by 4.1-foot draft, to a timber float that will be 12 foot wide by 3.9-foot draft. These changes are being made due to a new construction source. Timber for the floats will be greenheart wood. Additionally, all piles will be moved to the interior of the floats. The pile spacing has been changed from an average of 23 to 25 feet to 27 to 30 feet. All floats will be constructed with totally encapsulated foam.

The Commission had already forwarded the proposed changes for peer review and the Consultant (OCC) takes no exception to the changes and all questions and comments have been satisfactorily answered.

Ms. Nilson added that some of the debris on site has been removed. Also Chapter 91 and ACOE permits are in the process and should be received very soon.

- 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**.

8:35pm 58 Clifton Ave, Map 32/Lot 067 (SE35-xxx) Opening of a Public Hearing on the Notice of Intent filed by William Kroen for work described as raze existing home and construct a new single-family home.

Representative: Sean McCarthy
Abutters: Leonard & Carol Markowitz, Paulet Kirley

Mr. McCarthy presented the plans for the project that include razing the existing home and construction of a new single-family home. The existing deck with a concrete pad below it and the existing driveway will be removed. There will be approximately a 600 sq ft increase of impervious area. To mitigate this, all roof runoff will drain into two proposed drywells. Two swales will be created to drain water toward the back of the site as is now the case.

There are plans to construct a 3 foot wide staircase down the coastal bank that would connect to existing concrete pads at the top and bottom of the bank. The Commission has requested to see engineering plans of the proposed stairs. The Commission also questions the stability of the concrete pads. The Commission would like the Applicant to attempt to construct the stairs as one run. The design should also take into the consideration that the stair should be as open as possible and high enough as to not destroy the vegetation.

The Commission questioned the distance of the drywell to the top of the coastal bank. Mr. McCarthy stated that is was between 12 to 13 ft to the edge of the bank. The Commission asked if it could be moved to the front of the property to alleviate any possible damage to the bank. Mr. McCarthy will move it and make the changes on the plans.

The Commission asked about a pile of debris that was on the east side at the top of the coastal bank. It appeared that it may have been placed there to fill in a depression that could have been caused by water flow. Mr. McCarthy was unaware but will investigate. The Commission will look at again.

An Abutter asked what the distance of the deck is to the top of the bank. Mr. McCarthy stated there is a 10 ft. setback as required. The Abutter also asked what the distance from house to top of bank is. Mr. McCarthy stated that it is 24 feet.

The Commission made mention that the vegetation is changing in the area of the existing rip rap. Some of the vegetation consists of woody type plants that if left alone may become tree type plants. It is recommended that these be cut back.

- 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 to 3/13/07, at a time to be determined

9:05pm 160 Manomet Ave, Map 19/Lot 056 (SE35-xxx) Opening of a Public Hearing on the Notice of Intent filed by Frank Marchione for work described as addition to a single-family home.

Representative: David Ray, PLS
Owner: Frank Marchione
Abutters: Ron & Donna O'Keefe, Barbara & John Cavoore

The home currently has a second floor deck on the rear of the house, and a deck to the right of the house when looking from the street. This proposal calls for removal of both decks and construction of additions in their place. A portion of the side deck will remain and run

continuous to the rear addition. A FEMA compliant foundation is planned that will be concrete and will include a flow through system. The existing footprint will remain the same.

The Commission questioned about the status of concrete currently under the decks. Mr. Ray stated that it will be removed. The Commission questioned how roof runoff would be handled. Mr. Ray stated that the Applicant plans to continue the roof line with gutters and downspouts. To alleviate any runoff draining toward the property lines, Mr. Ray added two drywells to the plans and initialed same.

The Abutters that were present stated that they had no objection to the plans for this project and were pleased that the work would be done.

Chair Connor read a letter from an abutter that was unable to attend the meeting that has been entered into the record. The abutter expressed concerns of water being directed onto their property thereby causing additional flooding.

- 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 Order of Conditions was **signed**.

9:25pm 113 Edgewater Rd, Map 30/Lot 013 (SE35-xxx) Opening of a Public Hearing on the Notice of Intent filed by John Patterson for work described as addition to a single-family home.

Owner: John & Suzie Patterson

Mr. Patterson presented the plans that include removal of an existing room and replacement with a new addition to include a concrete poured foundation. The bottom level will be a storage area.

Waiting for DEP#

- Upon a **motion** by P. Paquin and **2nd** by J. Meschino and a **vote** of 6/0/0;
It was **voted** to:
Continue the Public Hearing to 2/27/07, at a time to be determined

9:35pm 367 Beach Ave, Map 12/Map 051 Opening of a Public Hearing on the Request for Determination of Applicability filed by Bruce Molemi for work described as construction of a deck to include 4 sonotubes.

This was an after the fact filing. The Commission conducted a site visit and found no issues.

- 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**.

F. Parker left the meeting

9:36pm 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 #. Final information has been submitted to DEP.

- Upon a **motion** by P. Paquin and **2nd** by S. Connor and a **vote** of 6/0/0;
It was **voted** to:
Continue the Public Hearing to 2/27/07 at a time to be determined

Request for a Certificate of Compliance: 5 F St. - P. Paquin motion J. Hass **2nd**, 6/0/0 - signed

Issues/Discussion by Commission:

The Commission discussed the current Beach Management plan and suggestion for an updated version.

The Commission discussed possible Town land that might be transferred to the care and custody of the Conservation Commission.

10:45pm S. Das left the meeting

The Commission reviewed a decision by the Department of Environmental Protection regarding the determination of mean high water in Hull. The Commission agreed that, based on the document, mean high water should be delineated at 5.1 NGVD 29.

10:55pm J. Meschino **motion**, **2nd** by J. Hass and a **vote** of 5/0/0; **voted** to Adjourn