



HULL CONSERVATION COMMISSION

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May 1, 2007

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 at the Senior Housing Community Room

Agenda Approved: Upon a **motion** by J. Meschino and **2nd** by S. Das and a **vote** of 6/0/0;
It was **voted** to:

Approve the Agenda for May 1, 2007.

Minutes: No Action

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

7:35pm **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, Holly Management

Representatives: Chris Lucas, Coler and Colantonio (C&C), Don Rose, C&C, Richard Pizzi, GeoTechnical Consultants, Inc., Tom Satkevich, McNamara/Salvia, Inc., Attorney Paul Revere, Ed Mackay, Holly Management, David O'Connor, Landscape Architect, Peter Rosen, Coastal Geologist

Abutters/Others: Beatrice Sloan, Helen Weiser, Mary Carpenter, Phyliss Aucoin, Jan Scullane, Caryn Mastrangelo, Marlene Earl, Vernon Wood, Robert Olick, Attorney Neil Kane, Jacqueline Chase, Harriett Thorp, Liz Fuller, Hull Times

David Nyman, ENSR Corporation, Consultant for the Hull Conservation Commission

F. Parker submitted a certification for the file that he has reviewed the video recording of the missed hearing held on February 27, 2007

Mr. Nyman reviewed items contained in his letter dated April 25, 2007 to the Commission that was also forwarded to the Applicant for response. This letter is in response to items previously of concern after review of the project and an update of ENSR letter dated March 22, 2007.

As indicated in ENSR's correspondence there are still disagreements with the resource areas of the site. Mr. Nyman suggested that all resource areas be defined and indicated on the plans for both the Oceanside and Bayside sites. As noted in previous correspondence, ENSR, CZM and DEP consider the resource areas on the Oceanside to consist of a Barrier Beach consisting of Coastal Beach and Coastal Dune even though the dune may be degraded. The performance standards should be flood control and storm damage prevention. The Applicant continues to assert that the project is not located within a regulated coastal dune.

ENSR also recommended that the Applicant address the long term care and cost of maintenance of the species planted in the parkland and surrounding areas. ENSR also recommended that black locust be removed from the list of plants since this species is now on the list of prohibited plants. A revised planting plan should be provided.

Mr. Lucas stated that while meeting with DEP and Coastal Zone Management in 2004, it was agreed with DEP and CZM that whether or not it is called a coastal dune, the Applicant would honor the performance standards related to coastal storm flowage and damage on the site. DEP is aware of that and has accepted that through this process.

The Commission would like to have proper delineation on plans as they will be the final record. The Commission would like plans that reflect what the Commission believes to be true, that it is a coastal dune.

Mr. Revere added that the site is a barrier beach. He referred to the question: is the dune a hill, ridge or mound and stated that many people call it a depression. Mr. Revere referred to the Kline Decision where the DEP stated that in order for a dune to be a dune, it must look like one and function like one. He added that this parking lot isn't really a hill, ridge or mound and does not function as a dune.

The Commission stated that they had reviewed the Kline Decision and does not feel that it is the same kind of situation. It was pointed out that the word "here" related specifically to the site of the Kline decision. It does not refer to all sites.

Mr. Revere suggested that the Commission make a finding that the project is on a coastal dune and, even though it is not designated as such on the plans, add that to the order of conditions.

The Commission asked again, if it is that simple, why can't it be indicated on the plans? It was pointed out that the DEP took the position that this site is a dune, after they made the Kline decision. The Commission added that if the site was not mowed or did not have cars parked on it, the sand would accumulate very quickly and in a few years you have a dune.

Mr. Nyman indicated that although the foundation system has been changed, the applicant has not provided an alternative analysis and is requested to do so, including calculations indicating scour protection and amounts of scour for each design.

Mr. Nyman stated that the Applicant has designed the buildings as if they were in a v-zone and has submitted a certification that states that the foundation meets the requirements of FEMA. Mr. Nyman stated, that not being a structural engineer, he cannot comment on that issue and suggests that the Commission have a structural engineer review that portion of the project.

The Applicant has agreed to have the project go out to a peer review by a Structural Engineer.

The Applicant has modified the design for the stairs going from the ground level to the first floor to remove the risers, however it is not clear in the plans that the risers have been removed. The Applicant said they will correct the plans.

Mr. Pizzi presented the plans for the buildings' foundation that began with a description of the geology of the site. Fourteen borings were used for soil evaluations. The site specific evaluations indicated the depths of glacial till that is below the sand surface.

Mr. Pizzi presented the column spacing that will be under the building and serve as a foundation. The columns are approximately 20 inches squared (cross section area is 400 sq. inches). He stated that what sticks up above the ground is a very small projection and allows

the water to flow through and isn't much affected by the wind and wave action. The columns are supported by large footings that will be attached to the glacial till with depths below grade of 6 to 8 feet. Mr. Pizzi stated that several types of footings were reviewed. There was a calculation presented for only one type of foundation system that indicated the amount of scour. It had been requested that calculations be presented for several designs and how they impact not only the integrity of the structure but also how the different designs impact the resource area: these were not provided.

Mr. Pizzi stated that there was no difference in scour in any of the different foundation types. The Commission requested to see the calculations.

The Commission then asked why is it then that FEMA suggests piles rather than piers. Mr. Pizzi stated that this is not a typical barrier beach in that due to the proximity of drumlins, it would be too difficult to drive the piles. The Commission asked that calculations be done using piles. Mr. Pizzi stated that in all cases whatever the foundation type is, the column that comes up from that foundation up through the zone that could potentially be subject to scour is all the same so there is only one calculation to be made because that cross section is the same for every alternative. The Commission is still concerned that both DEP and CZM have continuously raised the same question that the Commission has. Mr. Pizzi stated that the maximum amount of scour equals 2 times the width of the element used. The Commission holds to its position that the request to present the calculations for alternative analysis has not been completed.

The Commission read the Foundation Design Alternatives portion of the FEIR Certificate dated 6/2/06 from the Commonwealth of Mass Executive Office of Environmental Affairs as reinforcement of the Commission's request for alternative analysis.

The Commission is concerned about the additional scour around the lobby and elevator structures and requests calculations for scour on these areas as well.

The Commission asked what the distance between piers is. Mr. Pizzi stated 27 feet. The Commission asked if you have 27 feet between each pier and you have a 10 ft wide scour envelope around each pier, aren't you pretty much eroding the entire subsurface below. Mr. Pizzi stated that you would potentially be eroding a large percentage of the building footprint, however not at great depth. The Commission requested that the Applicant provide analysis for a group of piers.

The Commission requested that the Applicant estimate the maximum volume that would erode, and what happens to material and how scour will impact paved areas. (handicap parking)

The Commission is concerned with the number of parking spaces. The Applicant is using a calculation of 2.2 cars per unit. The Commission must determine what effect the number of parking spaces will have on the resource area. The Applicant stated that they have already reduced 50 parking spaces from the plan. The parking spaces will be gravel except for the handicap spaces.

The Commission has requested that a continuous vegetated buffer be along the Oceanside walkway and also along Nantasket Ave. Mr. O'Connor, Landscape Architect stated that this can be done.

Abutters/Others

An Abutter stated that he has witnessed removal of storm over wash and maintenance to the site and feels if left alone, it would become a dune.

An abutter stated that there have been three significant storms that have washed stones and debris onto the property that were removed.

Mr. Kane suggested that the Commission consider the wisdom of making a finding in the Order of Conditions, that the site includes a dune.

Mr. Cornelius Kane, Attorney submitted a letter to the Commission requesting that the Commission consider including the requirements for Greenhouse Gas Emissions to this project.

J. Scullane submitted photos of the site that were taken after the recent April storm.

An abutter is concerned that parking from gravel areas will end up in the street after a storm.

An abutter questioned what would be done with the cars during a storm. Concern was also expressed about fluids from cars going into the bay during an overwash event. The Commission will request that this information is added to the Operations and Maintenance Plan.

An abutter is concerned about flooding on Nantasket Ave and crossing over onto Water Street and Bay Street. Has any elevation changes been made to curbs or driveways? The Applicant stated that there will be no additional water going toward Bay Street than is going there now. Mr. Rose will confirm. The Commission requests a cross section indicating the flow of water.

- 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 6/12/2007, at a time to be determined

F. Parker Left

9:30pm 16 Burr Road, Map 51/Lot 89, (SE35-1000), Continuation of a Public Hearing on the Notice of Intent filed by Robert Lacy for work described as remove current house and rebuild with an addition.

Applicant: Robert Lacy

Abutters/Others: Ed Smith, Frank & Eileen Furey

Mr. Lacy submitted new plans that indicate that he has contacted the utility company will move the telephone pole that will allow for the driveway to be relocated 10 ft off of the coastal bank.

- Upon a **motion** by P. Paquin and **2nd** by J. Hass and a **vote** of 5/0/0;
It was **voted** to:
Continue the Public Hearing to 5/22/2007, at a time to be determined

81 Bay Street - Enforcement order for a concrete block installed on the beach without any permits

- Upon a **motion** by S. Das and **2nd** by J. Hass and a **vote** of 5/0/0;
It was **voted** to:
Issue an Enforcement Order

10:15pm S. Das motion, 2nd by J. Hass and a vote of 5/0/0; voted to Adjourn