



## HULL CONSERVATION COMMISSION

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**November 27, 2007**

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

**Members Not Present:**

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

**7:33pm** Chair Connor called the meeting to order

**Agenda Approved:** Upon a **motion** by S. Das and **2<sup>nd</sup>** by J. Reineck and a **vote** of 4/0/0;  
It was **voted** to:  
**Approve** the Agenda for November 27, 2007.

**Minutes:** Upon a **motion** by P. Paquin and **2<sup>nd</sup>** by J. Hass and a **vote** of 6/0/0;  
It was **voted** to:  
**Approve** the Minutes of November 13, 2007 as amended.

**7:45pm** **50 George Washington Blvd., Map 37/Lot 6A, (SE35-1031)** Continuation of a Public Hearing on the Notice of Intent filed by James O'Brien for work described as addition to existing building and stormwater drainage improvements.

Applicant: James O'Brien  
Representative: Joe Freeman, Daylor Consulting

Mr. Freeman submitted new plans indicating the addition of tide flex valves as requested. The outfall pipes will extend approximately 3 ½ feet out from the wall. Additionally, the outfall pipe at the southwesterly side has been raised to a higher elevation. There will be 100 square feet of riprap added below this outfall.

The Commission raised concern about possible damage to the flex valve due to ice.

A Special Condition will be added that any work requiring a Chapter 91 license not be done prior to obtaining it.

- Upon a **motion** by P. Paquin and **2<sup>nd</sup>** by J. Hass and a **vote** of 5/0/1 (J. Meschino 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**.

**7:50pm** **Seawall Boulevard revetment, (SE35-1026)** Continuation of a Public Hearing on the Notice of Intent filed by the Department of Conservation and Recreation for work described as repair of the existing revetment from 67 to 79 Point Allerton Ave. and expansion of the revetment from 79 Point Allerton Ave. to 64 Holbrook Ave.

Applicant: Kevin Mooney, DCR,  
Representative: Russell Titmuss, Bourne Consulting Engineering  
Abutters/Others: Tom Callahan, Esq., J. Gerson Bloch

P. Paquin submitted a statement for the record that he has listened to the audio tape of the public hearing on October 23, 2007 for which he was absent.

The Commission received a letter dated November 20, 2007 from Bourne Consulting detailing comments and responses that were raised during the MEPA review process and the issues raised at the subsequent meeting held with CZM and A. Herbst on November 5, 2007.

Mr. Titmuss presented new plans with revisions based on the review process and previous meetings. As a result of CZM's concern with the sharp curve and erosion at the curve/corner in the wall due to the steepness of the revetment in this area, the plan was modified to achieve a 1 to 2 slope. The toe will be held as proposed which would relocate the top of the revetment into the current lot at 79 Pt. Allerton. It is possible that this may necessitate the home being relocated on the lot. As proposed, the house is located 10 feet away from the top of the wall.

Mr. Titmuss indicated that in the area of the proposed cobble berm the contours have been straightened or smoothed out to cover a larger area and that the bank will be armored at the location of 64 Holbrook Rd. As mitigation, it is their intent to provide 2,000 cubic yards of sand as a cover over the cobbles. The sand will be 2 feet deep at the top of the berm and taper down to approximately 1 foot deep and meet the adjacent existing berm. The 2,000 cubic yards is the estimated volume over a 40 year period that would have come out of the area they propose to armor. Forty years is the intended life of the proposed revetment.

The Commission asked if the new larger size of the cobble field would require a change in the size of the cobble proposed. Mr. Titmuss that the proposal was not changed.

The Commission asked what the current incline of the wall is. Mr. Titmuss responded that it is currently 1 to 1.5. Mr. Mooney expressed that the new plan calls for a change going from 1 to 2 slope that will encroach upon private property and a building that would need to be relocated. Mr. Mooney said he has asked state agencies if the plan could extend further seaward with the toe and was told no, so that the extension would have to be done landward.

The Commission asked how long they expect the sand to last. Mr. Mooney responded that he had no way to tell. The Commission asked if there was a plan to replace the sand if washed away. Mr. Mooney stated that there should be a maintenance and monitoring plan for the project.

The Commission asked how tall the wall behind the revetment would be. Mr. Titmuss explained that the wall would extend 2 feet higher and its purpose is to provide another way to trap the overwash behind the apron and send it back the way it came.

The Commission asked for clarification of their intent to use smaller stones for the shallower slope of the revetment. Mr. Mooney stated that the less steep slope allows use of smaller stone, however more stones would be needed and that is a cost factor.

The Commission asked who told the DCR that they could not go further seaward with the toe. Mr. Mooney responded that it was CZM because CZM believes that it would cause greater impacts on the resource area.

An Abutter asked how far the toe would need to be moved seaward so as not to impact the property at 79 Pt. Allerton. Mr. Titmuss stated that the toe would extend an additional ten feet over a wide area of the revetment.

Mr. Callahan, representative for an abutter, expressed concern for the homeowner of 79 Pt. Allerton and would like both the current proposal and the previous proposal submitted by DCR to be reviewed.

- Upon a **motion** by P. Paquin and **2<sup>nd</sup>** by J. Reineck and a **vote** of 6/0/0;

It was **voted** to:

Submit the project for peer review and **Continue** the Public Hearing to January 22, 2008, at a time to be determined.

**8:35pm 3 James Ave., Map 05/Lot 86, (SE35-xxx)** Opening of a Public Hearing on Notice of Intent filed by Bradford Selland for work described as raze and reconstruct a single family home.

Representative: Paul Mirabito, Ross Engineering  
Abutter/Other: Don Ritz, Hull Historical Commission

Mr. Mirabito presented the project that includes demolishing the existing home and constructing a new home. The plans for the new home include cutting into the coastal bank to construct a concrete patio. It is planned that the elevation of the patio will be at 21 and the top of the coastal bank is at elevation 24. Part of the structure will also be located in the coastal bank. The basement will be constructed at elevation 21 in an area where the top of the coastal bank is at elevation 22. Additionally, footings will be constructed in the coastal bank for support of the first floor living space.

The Commission is very concerned with the plans to cut into the coastal bank and the construction of a concrete patio. The Commission feels that cutting 3 feet into the bank will have an adverse effect relating to the stabilization of the bank. Mr. Mirabito feels that placing a concrete patio on the bank will help to keep it stable. The Commission indicated that if the plans call for a final placement of the patio at 3 feet into the bank, the actual construction would incorporate a greater area of disturbance to the bank.

The Commission made some suggestions to Mr. Mirabito for better placement of the home on the lot such as moving the house further off of the coastal bank and/or perhaps building the home on an angle.

Mr. Mirabito was advised that he must submit a fully engineered foundation plan and will submit revised plans based on comments from the Commission.

This project is still before the Zoning Board. Mr. Ritz spoke for the Historical Commission stating that the Commission has not yet reviewed this project.

- Upon a **motion** by P. Paquin and **2<sup>nd</sup>** by S. Das and a **vote** of 6/0/0;  
It was **voted** to:  
**Continue** the Public Hearing to January 8, 2008, at a time to be determined.

J. Meschino recused (he is an abutter)

**9:20pm 317 Beach Ave., Map 13/Lot 55, (SE35-xxx)** Opening of a Public Hearing on Notice of Intent filed by Kevin Karlberg for work described as raze and reconstruct a two-family home.

Owner: Kevin Karlberg, Jim Stearns, Donna Stearns  
Representatives: Don Ritz, Architect, David G. Ray, PLS  
Abutters/Others: Pam McGrath, Jim Dobis, Henry Farland

Mr. Ray presented the engineering portion of the project that includes demolishing an existing home that contains a full foundation/basement. The project calls for a driven pile foundation system with a first floor elevation at 24. The existing basement contains a large amount of sand and some of the concrete foundation is visible. The existing concrete that is in poor condition on the site will be broken up and removed from the site. The area currently the basement will be filled in to match the current grade. The new 2 family home will have a full roof leader drainage system that will enter into drywells.

Mr. Ritz presented the architectural portion of the project that includes installation of pavers in several areas on the site as well as the planting plan. The areas under the home and the garage floors are proposed to be pitched concrete slabs and the driveway is proposed to be concrete pitched slabs. The foundation system will be wooden driven piles. There will be break away panels for the garage spaces. Entrance to the garages and driveways is planned via access through a berm along the railroad bed. Mr. Ritz's plan indicated that the areas under porches, decks, stairs and the courtyard are proposed to contain pavers. Additionally, the side landscaped areas call for flag stone with some plantings. At the western end of the property, it is proposed to construct eight stone piers for support of purgolas.

The Applicant would also like to add a 2 foot high stone wall on top of the existing concrete wall. From the plans, it appears that the existing concrete wall is not on the property of the Applicant. The Applicant is also proposing to remove the concrete patio in front of the wall and replace with pavers. This patio also appears to be outside of the property lines. Therefore, the Commission can not permit work without the Owner's permission.

The Commission is concerned with the large area of concrete proposed in a Velocity zone, the amount of pavers proposed and the use of flag stones.

An abutter is pleased that something is planned for this property. Another abutter expressed concern with the use of concrete under the house.

The DEP has not issued a number for this project.

- Upon a **motion** by P. Paquin and **2<sup>nd</sup>** by J. Reineck and a **vote** of 5/0/0;  
It was **voted** to:  
**Continue** the Public Hearing to January 8, 2008, at a time to be determined.

J. Meschino returned

**10:10pm Dellawanda Rd., Map 13/Lot 55, (SE35-xxx)** Opening of a Public Hearing on Notice of Intent filed by Steve Mahoney for work described as construct a single family home.

Owner: Steve Mahoney  
Representative: David Ray, PLS  
Abutters/Others: Frances Goldie, Paul Hiltz, Carol Balquist

Mr. Ray presented the project to construct a single-family home on a vacant lot. The proposed house would be constructed five feet away from the ten-foot buffer to the coastal bank. The entire property falls in the Riverfront area although the lot was established prior to the Riverfront Act. A silt fence and hay bale line would be set 10 feet off of the coastal bank and all vegetation would remain natural, as it exists today.

The project calls for a five foot wide cantilevered deck at the back of the house. A full drywell system has been planned. All roof drains will lead directly into the drywells as will the roadway system that collects water in front of the planned garage.

A. Herbst reviewed the requirements of the Riverfront Act. The proposal should leave a 100 foot vegetated buffer between the project and the riverfront. Mr. Ray stated that they have already asked for a variance and feels that they have moved the home as much as possible. Due to building department regulations, there is a requirement that two off street parking spaces must exist. There is also a question as to the interpretation of exactly where the top of the coastal bank is located. Further review of the regulations will be done.

The Commission suggested possibly rotating the house or relocating closer to the road.

An abutter is concerned about the placement of a utility pole. Mr. Mahoney stated that it would be moved to the edge of his property.

The DEP has not yet issued a number.

- Upon a **motion** by J. Hass and **2<sup>nd</sup>** by J. Meschino and a **vote** of 6/0/0;  
It was **voted** to:  
**Continue** the Public Hearing to January 8, 2008, at a time to be determined.

**10:40pm North Truro Road, Map 47/Lot 36 (SE35-1027)** Continuation of a Public Hearing on the Notice of Intent filed by Frank Dell'Appa for work described as construct a single family home.

Representative: Steve Bjorkland

J. Hass and P. Paquin submitted a statement for the record that they have listened to the audio tape of the public hearing on October 23, 2007 for which they were absent.

A discussion was held pertaining to the location of the coastal bank. The plan calls for construction of a deck that will require two footings to be pinned to the coastal bank. The Applicant has proposed placing the foundation of the house close to the top of the coastal bank.

Possible alternatives were discussed such as decreasing the size of the home and perhaps utilizing a grade beam. This project is still pending completion of a peer review.

- Upon a **motion** by P. Paquin and **2<sup>nd</sup>** by S. Das and a **vote** of 6/0/0;  
It was **voted** to:  
**Continue** the Public Hearing to December 11, 2007, at a time to be determined.

**11:15pm 1046 Nantasket Ave, Map 08/Lot 016, (SE35-1033)** Continuation of a Public Hearing on Notice of Intent filed by John White for work described as demolish existing house and construct new home.

Hearing was continued from November 13, 2007. There was no DEP number. Number since received.

Special Coniditions added as follows:

- The stairwell under the house must be of an open construction.
- No installation of impervious material is approved with this Order of Conditions.
- The open area under the house may not be used for storage. This condition is ongoing and will not expire at the end of three years.
- Upon a **motion** by J. Das and **2<sup>nd</sup>** 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**.

**11:16pm 35 Manomet Ave, Map 25/Lot 104, (SE35-1016)** Continuation of a Public Hearing on the Notice of Intent filed by Carson Lu-Marques for work described as repair and restore existing garage and expand by 5 ft, 3 in.

Project still in review by Zoning

- Upon a **motion** by P. Paquin and **2<sup>nd</sup>** by S. Das and a **vote** of 6/0/0;  
It was **voted** to:  
**Continue** the Public Hearing to December 11, 2007, at a time to be determined

**Request for Certificate of Compliance:**

937 Nantasket Avenue - J. Meschino **motion**, **2<sup>nd</sup>** by S. Connor and a **vote** of 6/0/0; CoC **signed**

**Enforcement Order:** 4 Moreland Road – pavers installed, no permit - **Signed**

**11:37pm** J. Hass **motion**, **2<sup>nd</sup>** by J. Reineck and a **vote** of 6/0/0; **voted** to Adjourn.