



HULL CONSERVATION COMMISSION

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January 8, 2008

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

Members Not Present:

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

7:55pm Chair Connor called the meeting to order

Agenda Approved: Upon a **motion** by S. Das and **2nd** by P. Epstein and a **vote** of 7/0/0;
It was **voted** to:
Approve the Agenda for January 8, 2008.

Minutes: Upon a **motion** by S. Connor and **2nd** by P. Paquin and a vote of 7/0/0;
It was **voted** to:
Approve the Minutes of December 11, 2007.

7:55pm Discussion regarding use of Conservation Funds to develop an open space plan.

Regina Burke and Scott Plympton of the Hull Land Conservation Trust reviewed the Open Space Plan Articles that they would like to submit for the 2008 Annual Town Meeting. The discussion centered on the request that funds to pay for the Open Space and Recreation Plan be appropriated from the Conservation Commission Fund. The Commission has supported the idea, however would like more information regarding the cost of paying a Consultant. They do not want to support an article with no fixed appropriation amount. The Commission also questioned if funds could be appropriated from other departments or accounts. It was also noted that at the present time, there is no Town Planner. It was the Town Planner who coordinated the efforts to produce the previous Open Space Plan.

The Commission also feels that the size of the proposed Open Space and Recreation Planning (OSRP) Committee may include too many people to function properly.

Ms. Burke and Mr. Plympton were attending the meeting on behalf of Judeth VanHamm and will bring back the Commissions suggestions/questions and submit further information to the Commission.

8:15pm 3 James Ave., Map 05/Lot 86, (SE35-1032) Continuation of a Public Hearing on Notice of Intent filed by Bradford Selland for work described as raze and reconstruct a single family home. The Applicant requested a continuance.

- Upon a **motion** by J. Hass and 2nd by P. Paquin and a **vote** of 7/0/0;
It was **voted** to:
Continue the Public Hearing to January 22, 2008 at a time to be determined

J. Meschino recused himself.

8:15pm 317 Beach Ave., Map 13/Lot 55, (SE35-1036) Continuation of a Public Hearing on Notice of Intent filed by Kevin Karlberg for work described as raze and reconstruct a two-family home.

Applicant: Kevin Karlberg

Representative: Don Ritz

Mr. Ritz has proposed changes to the project that include using frangible concrete in 4' x 4' x 4" sections for paving in the parking areas. The surface for the storage areas and driveway would be crushed stone. Permeable pavers are proposed for the outdoor patio areas and the courtyard.

Mr. Ritz cited several FEMA regulations and his interpretation of the FEMA regulations to support his design. The Commission pointed out that they are charged with following the regulations in the Wetlands Protection Act.

Relating to the use of permeable pavers, the Commission informed Mr. Ritz, that at the current time, the DEP has appealed 2 Conservation Commission decisions allowing the use of pavers and the Commission is waiting for direction from the DEP as to their use in a velocity zone. The Commission will bring Mr. Ritz's plans for the project to a training session that they are attending for possible input from other State Agencies.

Mr. Karlberg discussed additional possible changes that they would be willing to make, such as constructing a deck on 2 foot high pilings where pavers were previously proposed.

It was determined that the Commission would research further about the use of pavers for this project and reply to the applicant with a direction to move forward in. Mr. Ritz would need to submit new plans with any changes being made to the project.

- Upon a **motion** by P. Paquin and 2nd by S. Das and a **vote** of 5/0/1; (P. Epstein abstained)

It was **voted** to:

Continue the Public Hearing to January 22, 2008 at a time to be determined

J. Meschino returned

9:00pm Dellawanda Rd., Map 13/Lot 55, (SE35-1037) Continuation of a Public Hearing on Notice of Intent filed by Steve Mahoney for work described as construct a single family home.

Applicant: Steve Mahoney

Representative: Jason Scott

Environmental Consultant: Robert J. Ingram, PH.D.

Mr. Scott introduced Mr. Ingram who was requested to prepare an analysis of the Riverfront Area impacts and alternatives as required by the Wetlands Protection Act for this project. Mr. Ingram presented his analysis that was added to the file. It was the professional opinion of Mr. Ingram that this project as currently proposed represents the best practical alternative for this site and that the project can and should be permitted by the Commission.

The Commission questioned the placement of the hay bale line on the plans that fell below the area noted as undisturbed. Mr. Scott drew a new hay bale line marked on the Plan of Record that serves to mark the limit of work for this project. A Special Condition will be added as follows:

- The entire area of the property that lies to the south and east of the hay bale line must remain undisturbed and in it's natural state in perpetuity. This condition is ongoing and will not expire at the end of three years.

- Upon a **motion** by P. Paquin and **2nd** by J. Hass and a **vote** of 6/0/1 (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**.

J. Reineck left the room

9:30pm 196 Atlantic Ave., Map 51/Lot 031, (SE35-1035) Continuation of a Public Hearing on Notice of Intent filed by Jimmy Connelly for work described as raise house and install foundation.

The Applicant was not present at the meeting however did submit revised plans indicating the proper elevations and indicating that the small concrete wall will be removed. The Applicant is awaiting Town approval to conduct work on the existing front porch that is situated on Town property and therefore has requested a continuance.

- Upon a **motion** by P. Paquin and **2nd** by J. Hass and a **vote** of 6/0/0;
It was **voted** to:
Continue the Public Hearing to January 22, 2008 at a time to be determined

J. Reineck returned

9:30pm 163A Atlantic Ave., Map 52/Lot 048, (SE35-1034) Continuation of a Public Hearing on Notice of Intent filed by John Greenleaf for work described as raze existing house and construct new home.

Representative: Sean Barry, P.E.

Mr. Barry presented revised plans for the project that indicated that the house was relocated on the lot to allow a 10 foot buffer to the bank of Straits Pond as requested by the Commission. The hay bale line was also adjusted and indicated on the plans.

A Special Condition will be added as follows:

- All demolition materials will be removed from the property and legally disposed of outside of the Town of Hull.
- Upon a **motion** by P. Paquin and **2nd** by P. Epstein and a **vote** of 5/0/2 (S. Das, J. Hass 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**.

Discussion of violation at 9 Moreland:

Owner: Leo Marino

Abutters/Others: Dawn & Raymond Desley, Richard Head

This discussion was held to determine if Mr. Marino had satisfied requests from the Commission that were the result of an Enforcement Order. The Enforcement Order required Mr. Marino to remove any fill that was brought onto his property and return the elevations to those indicated pre-construction. Ms. Herbst presented current photographs of the property and current plans indicating current elevations on the property. The only questionable area is that where work was done by the Town to install a new drainpipe to alleviate flooding in the entire neighborhood. There is a small amount of clay that has settled at the top of the materials covering the pipe that will be removed by the Town.

- Upon a **motion** by J. Meschino and **2nd** by S. Connor and a **vote** of 7/0/0;
It was **voted** that Mr. Marino has satisfied the issues brought forth through the Enforcement Order.

Discussion of Spinnaker Island wave attenuator site visit – as an update to previous discussions, the Commission was advised that all damaged sections of the wave attenuator have been removed.

Request for extension of Order of Conditions for 0 Montana Avenue – S. Das **motion, 2nd** by J. Meschino and a **vote** of 6/0/0; **Signed.** (S. Connor recused)

Election of Officers:

J. Hass **motion, to re-elect S. Connor as Chair, 2nd** J. Meschino; **Vote** 7/0/0

S. Connor **motion, to elect J. Hass as Vice Chair, 2nd** P. Paquin; **Vote** 7/0/0

J. Hass **motion** to support and recommend that A. Herbst receive a salary increase to a minimum of \$60,000 for fiscal year 2009 and that increased amount may be allocated from the Wetlands Filing Fees if necessary, **2nd** J. Meschino; **Vote** 7/0/0

10:45pm J. Meschino **motion, 2nd** by J. Hass and a **vote** of 7/0/0; **voted** to Adjourn