



## HULL CONSERVATION COMMISSION

253 Atlantic Avenue, 2<sup>nd</sup> floor  
Hull, MA 02045

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**December 30, 2008**

**Members Present:** Sheila Connor, Chair, Judie Hass, Vice Chair, John Meschino, Paul Epstein

**Members Not Present:** Jim Reineck, Paul Paquin, Max Horn

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

**7:38pm** Chair Connor called the meeting to order

**Minutes:** Upon a **motion** by J. Meschino and **2nd** by P. Epstein and a vote of 4/0/0;  
It was **voted** to:  
**Approve** the Minutes of December 9, 2008.

**7:45pm 197A Samoset Ave., Map 19/Lot 94 (SE35-1078),** Opening of a Public Hearing on the Notice of Intent filed by the Town of Hull for work described as provided ADA compliant parking, ramp and sidewalk.

Representative: Gene Raymond

Mr. Raymond presented the project on behalf of the Town. The work proposed is necessary to bring the Senior Center facility into compliance with the ADA laws for accessibility. The Center currently has two designated handicap parking spaces at the front of the building that are not ADA compliant.

The project would include providing four ADA van accessible parking spaces on the Lewis Street side of the property. The parking spaces would be asphalt. A paved walkway would be constructed along the side of the building out to the front entrance area. The existing lawn area would remain in between the areas designated for two parking spaces.

Additionally, a wooden ramp would be constructed at the rear entrance that would run along the rear of the building and turn to exit onto the paved walkway. Also at the rear of the building, new asphalt paving will be added in the area for the dumpster.

At the front of the building on Samoset Avenue, two parking spaces would be designated as reserved and a request will be made for a curb cut and renovation to the existing walkway between the two reserved spaces.

The Commission expressed concern about the amount of hardscape that will now be surrounding the building. The Commission asked Mr. Raymond to consider relocating two of the designated handicap accessible spaces to the rear of the building entering from Lewis Street on the far side of the current driveway. Mr. Raymond would consider this option.

A Special Condition will be added as follows:

- The applicant may change the location of the handicap parking spaces on Lewis Street provided that the total impervious area is not increased and a new plan identifying the change in location is provided to the Conservation Commission prior to beginning work.

- Upon a **motion** by J. Meschino and **2nd** by J. Hass and a **vote** of 4/0/0;

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**.

#### **Discussion** of Order of Conditions for 16 Burr Road

Owner Jennifer McCready and Representative John Cavanaro were in attendance to discuss the existing conditions found at the site during a recent site visit resulting from a Request for a Certificate of Compliance.

While on site, the Commission found that the driveway was not constructed according to the plans approved for the project and in fact extends into the 10-foot buffer to the coastal bank. Mr. Cavanaro stated that the decision to deviate from the plans was decided between the Owner and the Contractor performing the work.

As mitigation for the intrusion into the buffer zone, Mr. Cavanaro would like to propose additional vegetation and proposes a “trade off” for the driveway error pointing out that in some areas the driveway that was built is farther away from the coastal bank than approved plans call for.

The Commission has concern that the site of this property is not ideal for vegetation due to the wind and its openness to the elements. The Commission also has concern that the proposed “trade off” is not actually a “trade off” because the area Mr. Cavanaro refers to was outside of the 10-foot buffer. The original plans were reviewed thoroughly with specific guidelines relating to the buffer to the bank. Work was completed with no regard for the approved plans. If a so called “trade off” was to be made, a request for amendment would have been the appropriate means to accomplish the change.

The Commission will conduct another site visit to determine how this unauthorized work should be treated. Mr. Cavanaro will mark the pavement to indicate the approved area of construction to allow for better visualization.

#### **Requests for Certificate of Compliance:**

160 Manomet Avenue – S. Connor motion, J. Meschino 2<sup>nd</sup>, vote 4/0/0 - issued

670 Nantasket Avenue - S. Connor motion, J. Meschino 2<sup>nd</sup>, vote 4/0/0 - issued

#### **Other:**

Request for additional peer review for North Truro Rd. – The Commission reviewed the proposal from Environmental Consulting & Restoration, for additional services as requested by the applicant. The proposal was approved.

Approval of Enforcement Order for Mass Highway issued by A. Herbst for working at 7 Bay Street without a permit - S. Connor motion, J. Meschino 2<sup>nd</sup>, vote 4/0/0 - approved

**9:15pm** J. Meschino **motion**, **2nd** by J. Hass and a **vote** of 4/0/0; **voted** to Adjourn