



HULL CONSERVATION COMMISSION

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June 23, 2009

Members Present: Sheila Connor, Chair, Judie Hass, Vice Chair, John Meschino, Paul Paquin, Paul Epstein, Max Horn

Members Not Present: Jim Reineck

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

7:30pm Chair Connor called the meeting to order

Minutes: Upon a **motion** by J. Hass and **2nd** by J. Meschino and a vote of 6/0/0;
It was **voted** to:
Approve the Minutes of June 9, 2009 as amended.

7:44pm North Truro St., Map 47/Lot 22 (SE35-1065) Continuation of a public hearing on the Notice of Intent filed by William Horne for work described as single family home and driveway.
The Applicant requested a continuance to July 14, 2009.

- Upon a **motion** by J. Meschino and 2nd by M. Horn and a **vote** of 6/0/0;
It was **voted** to:
Continue the Public Hearing to July 14, 2009 at a time to be determined.

7:50pm Rockland Circle and Dump Access Road, Map 43/Lot 001 and Map 38/Lot 044 (SE35-1082) Continuation of a public hearing on the Notice of Intent filed by Two A Realty Trust and Town of Hull for work described as grading and drainage improvements.

Owner/Applicant: Ernesto Caparrotta, Phil Lemnios, James Lampke

Representative: Lenore White

S. Connor signed a statement that she had listened to an audio recording of the hearing missed on 6/9/09.

At the previous meeting, Ms. White was requested to provide scientific data supporting her statements that the salt marsh area between her current delineation and the high tide line does not support any of the interests of the Act. It is up to the Applicant to provide evidence to overcome the presumption that salt marshes protect each interest as defined in the Wetlands Protection Act (WPA). Ms. White stated that she was unable to find any evidence to overcome the presumption and therefore did not submit any new information. It is her opinion that the salt marsh does not play a role in any aspect of the WPA. When asked by the Commission if the other changes (delineate salt marsh area, delineate coastal bank) requested by their Consultant had been made to the plans. Ms. White replied that no new plans were being submitted.

Ms. Herbst read the pertinent information regarding presumption from the Wetlands Protection Act Regulations.

It is the Applicant's opinion that this site is unique in that it has been filled and altered over the years. Ms. White stated that she is not going to change her delineation of 7.57 as she feels that is the accurate elevation

for the highest tide based on information from NOAA. Ms. White also suggested the possibility of installing a flapper valve at the end of the discharge pipe that empties into the Weir River. This would eliminate salt water from entering back onto the site. The Commission stated that installing the flapper valve would alter the salt marsh area and therefore be in violation of the WPA.

- Upon a **motion** by J. Meschino and 2nd by P. Paquin and a **vote** of 6/0/0;
It was **voted** to:
Continue the Public Hearing to July 14, 2009 at a time to be determined.

9:05pm 62 Pt. Allerton Avenue, Map 10/Lot 57 (SE35-1086) Opening of a public hearing on the Notice of Intent filed by Thomas Albert for work described as garage with a deck above and driveway.
Owner/Applicant: Dolores Shelley, Sandra Smith
Representatives: Thomas Albert, Tim Donovan, Paul Bonarrigo

Mr. Albert presented the plans for the project to include removal of an existing carport and replacing with a garage constructed on a concrete slab with a 2 foot continuous concrete footing system. Steel columns will be anchored at the base of the footing system. There will be breakaway panels to allow for any floodwaters to flow through. Mr. Albert drew the location of the driveway on the plans. A small amount of fill will be necessary in the front of the proposed garage to allow for the driveway and garage entrance to be level.

The Commission discussed the possibility of utilizing pavers for the driveway surface. The Applicants were concerned about plowing the pavers and opted for an asphalt driveway.

- Upon a **motion** by J. Meschino and **2nd** by M. Horn 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**.

9:35pm 73 Manomet Avenue, Map 23/Lot 115 (SE35-1085) Opening of a public hearing on the Notice of Intent filed by Kenneth Kaplan for work described as driveway and sonotubes for shed.
Owner/Applicant: Kenneth Kaplan, Donna Kaplan
Abutters/Others: Bill Costello, Adam Brodsky

Mr. Kaplan presented the plans for placement of a 12 foot by 8 foot shed in the land to the rear of his home beyond the old railroad bed. Due to the location, the shed must be placed on four sonotubes to anchor the shed in place.

Mr. Kaplan also presented plans for the construction of a driveway; 24 feet wide at the curb, 40 feet wide at its longest point and 31 feet wide at the shortest point. The driveway would be four feet off of the side of the home. There is an existing concrete walkway with a drain. The driveway will be pitched to drain into the street. The driveway was hand drawn on plans used for a mortgage inspection and were not to scale.

Mr. Brodsky, representing an abutter, expressed concern about redirecting water to neighboring properties in addition to adding to Mr. Kaplan's existing flooding problems. Mr. Brodsky also expressed concern about the location of the driveway with respect to property lines. He asked the Commission to request a more detailed plan that would also contain construction methods and the design of the pitch. Mr. Kaplan felt that the construction company would be able to provide this information. The Commission recommended that Mr. Kaplan provide a plan that would indicate property markers and more detail.

Mr. Kaplan withdrew the construction of the driveway from his Notice of Intent, therefore only permitting of the shed remained.

- Upon a **motion** by P. Paquin 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**.

J. Meschino recused himself.

9:50pm Weir River Woods, Map 47/Lots 230, 250, 300, 400, Opening of a public hearing on the Request for Determination of Applicability filed by the Town of Hull for work described as maintain walking paths.

Representative for the Hull Land Conservation Trust: John Meschino

Mr. Meschino discussed the project with the Commission requesting to maintain the walking paths. This would involve trimming and clearing brush and debris from the existing walking paths. There will be no heavy equipment used for this project.

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

J. Meschino returned

9:55pm 49 Edgewater Road, Map 29/Lot 15 (SE35-1063) Continuation of a public hearing on the Notice of Intent filed by Adam Russo for work described as addition to a single family home.

The Applicant requested a continuance for 4 months.

- Upon a **motion** by J. Hass and **2nd** by S. Connor and a **vote** of 6/0/0;
It was **voted** to:
Continue the Public Hearing for 4 months at a time to be determined.

Requests for Certificate of Compliance:

125 Atlantic Avenue – J. Meschino motion, J. Hass 2nd, vote 6/0/0 - signed

15 Mount Pleasant Avenue – J. Hass motion, S. Connor 2nd, vote 6/0/0 - signed

58 J Street – J. Hass motion, S. Connor 2nd, vote 6/0/0 - signed

10:15pm J. Hass motion, 2nd by S. Connor and a **vote** of 6/0/0; **voted** to Adjourn