



## HULL CONSERVATION COMMISSION

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

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**June 12, 2012**

**Members Present:** John Meschino, Paul Epstein, Max Horn, Sean Bannen

**Members Not Present:** Sheila Connor, Paul Paquin

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

**7:58pm** Max Horn called the meeting to order

**Minutes:** Upon a **motion** by M. Horn and **2nd** by J. Meschino and a **vote** of 4/0/0;  
It was **voted** to: Approve the Minutes of May 29, 2012

**7:58pm 48 George Washington Boulevard Maps 37/Lot 07 (SE35-xxxx) Opening** of a Public Hearing on the Notice of Intent filed by the Town of Hull for work described as maintenance dredging on the north and south sides of Nantasket Pier.

Owner/Applicant: Kurt Bornheim

Representative: Chris Morris

Documents: Proposed Dredge Plan – Apex Companies, LLC – Sheets 2-10 – dated 4/21/12

Mr. Morris presented the project that is to include dredging approximately 8,000 cubic yards of material from the area immediately surrounding the Nantasket Pier. The area to be dredged has been divided into two areas. Area 1, located on the north side of the pier will be dredged to -6 feet mean low water. Area 2, located at the end of the pier and south side of the pier will be dredged to -9 mean low water. Both areas will include a 1 foot over dredge. Materials removed will be disposed of off shore in Massachusetts Bay as approved by the Corps of Engineers. There will be no work in the Weir River ACEC. The project will also include the removal of some abandoned pilings.

In response to the Commissions questions regarding the possibility that material is not disposed at the approved site, Mr. Morris stated that the ACOE requires either silent inspectors or a “dump coordinator” on the vessels that are transporting the materials to the disposal site. There are very strict regulations to be followed and very steep penalties for failure to do so. Mr. Morris stated that there will be some construction monitoring during the dredging. A dredge survey will be done after the project is complete.

Mr. Morris stated that the Time of Year (TOY) for dredging that was laid out by the Division of Marine Fisheries (DMF) is from June 15 through January 15. Dredging is not allowed from January 15 to June 15 in order to protect winter flounder. J. Meschino questioned the TOY laid out as it relates to the spawning of flounder; he explained that these dates are not the proper dates to protect winter flounder. Mr. Morris stated the restrictions come from DMF but that dredging is not scheduled to begin before October.

The DEP had not issued a number as of this meeting.

- Upon a **motion** by P. Epstein and **2nd** by M. Horn and a **vote** of 4/0/0;  
It was **voted** to:  
**Continue** the Public Hearing to June 26, 2012 at a time to be determined.

**8:17pm 4-18 Gun Rock and 112-138 Atlantic Avenue, Map 52 and 53, various lots, Opening** of a Public Hearing on the Request for Determination of Applicability filed by the Town of Hull for work described as reposition material, moved by storms, to support the Atlantic Avenue seawall.

Owner/Applicant: Joe Stigliani

Abutters/Others: William O'Brien, Marie Tobin, Jim O'Sullivan, Richard Coyle, Bill Oliver, Denise Coyle

Documents: Project Narrative – 5/30/2012

Mr. Stigliani presented the project that is to include repositioning materials up against the seawall after it has been displaced by storms. Repositioning the materials against the wall should also aid in supporting the seawall. No new materials may be brought in. The work will be done by a front end loader. No work will take place on the ocean side of the wall.

In response to an abutter, Mr. Stigliani stated that material would generally be moved straight back to the wall and not moved from one property to another.

Conditions will be added as follows:

Prior approval for the scope and timing of work must be given by the Conservation Department if work is proposed more than 48 hours after a storm. Notification will be given ASAP when work takes place within 48 hours of a storm. No work beyond that needed to return overwash material to the seawall is permitted.

- Upon a **motion** by P. Epstein and **2nd** by M. Horn and a **vote** of 4/0/0;

It was **voted** to:

**Close** the Public Hearing, and **issue** a negative Determination of Applicability. The Determination of Applicability was **signed**.

**8:50pm 237 Beach Avenue Map 17/Lot 184 (SE35-1181) Continuation** of a Public Hearing on the Notice of Intent filed by Joseph Smith for work described as walkway, patios and parking areas using pavers and gravel.

Owner/Applicant: Joseph Smith

Documents: 237 Beach Ave Landscape Plan, June 11, 2012

P. Epstein submitted certification that he had reviewed an audio recording of the previous public hearing on May 29, 2012.

Mr. Smith submitted a new plan indicating the location and type of materials to be used. The proposed walkway on the side of the home has been removed from the project. Nicolock Premium Paving Stones will be used for the front walkway. Flagstone will be used for the patio area and the areas surrounding the parking spaces. There will be no change in elevation to the patio area. Steps will be constructed to provide the transition. Compacted septic sand will be used as the base for pavers and flagstone. Stones will be spaced 2" – 3" to allow water to drain. Joints will be filled with 3/8" rounded native peastone. The parking spaces will be of 3/4" native peastone gravel.

- Upon a **motion** by P. Epstein and **2nd** by M. Horn and a **vote** of 4/0/0;

It was **voted** to:

**Close** the Public Hearing and **approve** the project. The Order of Conditions was **signed**.

**8:55pm 40 Gun Rock Avenue, Map 52/Lot 009, Opening** of Public Hearing on the Request for Determination of Applicability filed by Robert Malinowski for work described as replace deck and footings.

Applicant/Contractor: Robert Malinowski

Owner: Thomas Curran, Charles Goodspeed

Abutters/Others: Dana Goodspeed, Jason Curran (not signed in)

Documents: Photographs submitted by T. Curran, Hand drawn plans by R. Malinowski

Mr. Malinowski and Mr. Thomas Curran presented the project. The project was originally filed as a request to install four concrete footings necessary for rebuilding the rear porch. Mr. Curran has requested to change the project to constructing a new wall, filling the void with gravel and then covering with a 6" concrete slab. After much discussion it was determined that the existing wall may be re-faced on the inside with no increase in height. Four concrete footings will be constructed. The void will be filled with gravel with no concrete slab. Mr. Malinowski indicated the changes on the plans.

A Condition will be added as follows:

The approved work includes the following only: replace 4 brick footings with concrete footings in same location, face existing concrete wall with 6" concrete, wall not to exceed height of existing wall, back fill void area with gravel.

- Upon a **motion** by P. Epstein and **2nd** by M. Horn and a **vote** of 4/0/0;

It was **voted** to:

**Close** the Public Hearing, and **issue** a negative Determination of Applicability. The Determination of Applicability was **signed**.

**9:25pm 98 Salisbury Street, Map 45/Lot 100 (SE35-1184)** Opening of a public hearing on the Notice of Intent filed by RJB Development Corp. for work described as the construction of a new single family dwelling including utilities and site grading.

Owner/Applicant: Bob Burwick

Representative: Greg Morse

Documents: Proposed Site Plan – Morse Engineering Co – Revised 6/12/2012

Mr. Morse presented the project that is to include construction of a new single family home in the buffer to a coastal bank. Work for utilities was completed under a previous Order of Conditions. There will be a deck constructed on sono tubes. A small excavator will be used to backfill around the foundation at rear of the house. The Commission expressed concern about work being done near the top of the coastal bank. The erosion control will be moved closer to the foundation at the right rear corner of the home. A silt fence will be provided along the straw wattle. Mr. Morse indicated the changes on the Site Plan.

- Upon a **motion** by P. Epstein and **2nd** by M. Horn and a **vote** of 4/0/0;

It was **voted** to:

**Close** the Public Hearing and **approve** the project. The Order of Conditions was **signed**.

**9:40pm 1048 Nantasket Ave., Map 8/Lot 015 (SE35-1167)** Opening of a Public Hearing on the Request to Amend Orders of Conditions filed by Christie Smith for work described as new deck.

The Applicant requested a continuance.

- Upon a **motion** by P. Epstein and **2nd** by M. Horn and a **vote** of 4/0/0;

It was **voted** to:

**Continue** the Public Hearing to June 26, 2012 at a time to be determined.

### Requests for Certificates of Compliance

**1 Clifton** - The Commission will conduct a site visit prior to the next meeting to view digging on the coastal bank.

**98 Salisbury** – P. Epstein Motion, M. Horn 2<sup>nd</sup>, vote 4/0/0; Partial CoC issued for utility work

**301 Nantasket Ave** - P. Epstein Motion, M. Horn 2<sup>nd</sup>, vote 4/0/0; CoC issued

### New Business

A. Herbst discussed purchasing small wetlands signs that could be easily attached to posts to identify Wetlands and Conservation areas. The Commission approved the purchase.

The Commission discussed the violation on the sewer replacement project. As part of the necessary restoration, loam was added on the beach where sediment matching the existing should have been used. A. Herbst has issued an Enforcement Order to remove the loam, restore the area and install erosion control.

- Upon a **motion** by P. Epstein and **2nd** by M. Horn and a **vote** of 4/0/0;  
It was **voted** to: Affirm the Enforcement Order

**9:55pm** Upon a **motion** by M. Horn and **2nd** by J. Meschino a **vote** of 4/0/0;  
It was **voted** to: Adjourn