



HULL CONSERVATION COMMISSION

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November 27, 2012

Members Present: Sheila Connor, Chair, Paul Paquin, John Meschino, Paul Epstein, Max Horn, Sean Bannen

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

7:30pm Chair Connor called the meeting to order

Minutes: No Action

7:40pm 7 Weston Street Map 19/Lot 12 (SE35-xxxx) Opening of a Public Hearing on the Notice of Intent filed by Linda Nathan for work described as construction of 179 square foot addition.

Owner/Applicant: Linda Nathan, Ben Capone

Documents: Plot Plan – James McGrath, PLS – dated
Arch4D Proposed Plans Sheet A2.2

Mr. Capone presented the project that is to include construction of an addition over the existing driveway. The foundation will be concrete blocks. There are no changes to the driveway being proposed. A Special Condition will be added that the coastal dune in this location is not significant to the interests of flood control and storm damage protection.

The DEP has not yet issued a number for this project.

- Upon a **motion** by P. Epstein and **2nd** by M. Horn and a **vote** of 6/0/0;

It was **voted** to:

Continue the Public Hearing to December 11, 2012 at a time to be determined.

P. Paquin Recused himself

7:47pm 49 Edgewater Road Map 29/Lot 15 (SE35-xxxx) Opening of a Public Hearing on the Notice of Intent filed by Ron Zimmerman for work described as stone patio, lawn and stone wall.

Owner/Applicant: Adam Russo

Representative: Jim Pavlik

Abutters/Others: David Ray

Documents: Site Plan – Outback Engineering – Revision – 11/20/2012
Photographs – 10/10/12 (2), 11/27/2012

Mr. Russo and Mr. Pavlik presented the project for work that was started without first filing a Notice of Intent that resulted in an Enforcement Order being issued.

The project would include reducing the size of the pea-stone/gravel driveway and planting a lawn area. A permeable paver patio would also be constructed. The plan calls for removing a timber (telephone pole) wall and replacing it with a stone wall at the top of the coastal bank. Mr. Russo also wishes to move the existing fence and add to it.

The Commission reviewed photographs taken on 10/10/12 when the cease and desist order was given on site. In comparing those photos to one taken on 11/27/2012, it appears that additional work was done after the cease and desist order was given. Mr. Russo indicated he had not done additional work and said that he would provide pictures to support his contention that no new paver stones had been added.

Mr. Russo stated that when he currently enters and exits his driveway, the gravel spills over onto the bank. The plan indicates that the gravel driveway is 10 feet off the top of the coastal bank. Mr. Pavlik indicated that the plan would be corrected to show the current location of the gravel.

The Commission asked how close to the top of the coastal bank would work take place. Mr. Pavlik stated within a couple of feet. When asked what type of machinery would be used, Mr. Pavlik stated a small bobcat. Mr. Pavlik added that the work can be completed by hand. The Commission is concerned with the stability of the coastal bank and what effects the proposed work will have on the bank. Mr. Russo was advised that the burden is on the applicant to show that his project will not damage the coastal bank.

The Commission expressed concern that the plans presented do not reflect the actual existing conditions. Mr. Russo was advised to revise the plans to include actual existing conditions present prior to unpermitted work. The plans should also show dimensions of proposed work, the height of proposed wall, the material to be used, and submit a construction sequence plan. Mr. Russo was also advised that the proposed use of stone dust under the pavers means they would not be pervious as indicated in the plans submitted.

Mr. Ray, speaking as an abutter stated that he was pleased that the Commission was addressing issues pertaining to the coastal bank. Although not in the Commission's review of the project, he expressed displeasure that Mr. Russo had planted a wall of arborvitaes in the public way.

The DEP has not yet issued a number for this project.

- Upon a **motion** by P. Epstein and **2nd** by M. Horn and a **vote** of 5/0/0;

It was **voted** to:

Continue the Public Hearing to December 11, 2012 at a time to be determined.

P. Paquin returned

8:25pm 138½ Atlantic Avenue Map 52/Lot 59 (SE35-1188) Continuation of a Public Hearing on the Notice of Intent filed by Kevin St. George for work described as relocate and elevate structure on piles.

Documents: Plot Plan – Crowell Engineering – dated Revision November 8, 2012

This project was presented at a previous meeting and was continued at the request of the Applicant while they project was before the ZBA. A new plan was submitted for the project that indicated that the existing deck on the rear of the property will be reused when the home is relocated.

A Special Condition was added as follows:

- The Commission finds that the property is located on a coastal dune. The building must be built in compliance with building code requirements for building on a coastal dune. No enclosure may be constructed around the pilings.

- Upon a **motion** by P. Epstein and **2nd** by M. Horn and a **vote** of 6/0/0;

It was **voted** to:

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

Discussion – 64 Holbrook – Paul Gratta, Glen Ferguson

Mr. Ferguson reviewed the correspondence from Green Environmental dated November 27, 2012. The letter included confirmation of the subsurface soil conditions at the site where test pits had recently been done. It is the opinion of Green Environmental that the revetment is structurally sound and that the construction of a proposed home will have no adverse impact on the performance of the revetment.

The Green Environmental correspondence was signed by two Professional Engineers as well as Mr. Ferguson, however not stamped by either of the Engineers. Mr. Ferguson will forward a copy that will be stamped by the Engineers.

Mr. Ferguson will work with Mr. Gratta on the outstanding work on the revetment such as removing the work that was placed on the abutting property, as well as the work in the southern ten feet of the property, adding the cobble transition and the sand nourishment. A copy of the Special Conditions will be forwarded to Mr. Ferguson. Mr. Gratta agreed not to proceed until Mr. Ferguson gives him the go ahead.

Other Business:

The Commission reviewed a potential violation on Atlantic Avenue and concluded that no action was necessary.

The Commission received the schedule for reappointments to take place on Tuesday, December 04, 2012 at the Selectmen's Meeting.

The Commission discussed the possible use of funds for survey work necessary for future permitting of the Phipps Street entrance to the beach. A. Herbst will conduct research for this future project.

A. Herbst informed the Commission that she had written an article that will be published in the Hull Times.

9:10pm Upon a **motion** by S. Bannen and **2nd** by M. Horn and a **vote** of 6/0/0;
It was **voted** to: Adjourn