



HULL CONSERVATION COMMISSION

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December 11, 2012

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

Members Not Present:

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

7:30pm Chair Connor called the meeting to order

Minutes: Upon a **motion** by P. Epstein and **2nd** by M. Horn and a **vote** of 6/0/0;
It was **voted** to: **Approve** the Minutes of November 13, 2012 as amended

Upon a **motion** by P. Epstein and **2nd** by M. Horn and a **vote** of 6/0/0;
It was **voted** to: **Approve** the Minutes of November 27, 2012

7:40pm 32 Reef Point Map 54/Lot 14 (SE35-1202) Opening of a Public Hearing on the Notice of Intent filed by William Devine for work described as rebuild sewer line.

Owner/Applicant: William Devine

Representative: David Ray

Contractor: Joe DiVito

Abutter/Other: Scott Berry

Documents: Site Plan – SLB Group, LLC – dated 11/19/2012
Site Details – SLB Group, LLC – dated 11/19/2012

Mr. Ray presented the project that is to include relocating an existing sewer line with new manhole covers. The new line will be 25 feet off the coastal bank at its closest point. The existing pipe will be abandoned in its current location approximately 7 1/2 feet deep. The new pipe will be at a depth of 6 feet.

An abutter, Scott Berry expressed concern about erosion over the bank and to the coastal bank. Mr. Ray stated that there is a plan for a hay bale line and a planting plan in place. Mr. Berry inquired about the type of soil on the property. Mr. DiVito and Mr. Ray stated that they believe that it is glacial till. Mr. Berry stated that he dug out his basement area and found a large rock that he believes is ledge. Mr. DiVito stated that he has not encountered ledge in this area, and if found, the ledge will be chipped away for a trench, the pipe will be laid and covered over.

After a brief discussion about the possibility of test pits being completed to determine the type of soil, the Commission determined that soil testing prior to work beginning would not be necessary as there was a plan in place if ledge was found. Mr. Ray indicated while the work was being done, the soils could be identified for any future project on the site.

A Special Condition was added as follows:

- If it is not possible to establish the seeding because cold weather, the contractor will notify the Conservation Administrator. In that case, the contractor must install an erosion control matt until

seeding can take place. The erosion control barriers should not be removed until the Conservation Administrator confirms that the site has been stabilized.

- 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**.

8:15pm 100 Main Street Map 3/Lot 15 (SE35-1203) Opening of a Public Hearing on the Notice of Intent filed by Paul McCann for work described as addition to a single family home.

Owner/Applicant: Paul & Patricia McCann

Representative: David Ray

Documents: Existing & Proposed Conditions Plan – Nantasket Survey Engineering – dated 11/21/2012
Foundation Plan – Vaisey Architects – dated 11/19/2012

Mr. McCann and Mr. Ray presented the project that is to include construction of an addition on the rear of the home. The addition will be constructed on a full foundation wall and will include flow through flood vents.

- 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**.

8:22pm 161 Beach Avenue Map 19/Lot 66 (SE35-1204) Opening of a Public Hearing on the Notice of Intent filed by Frank Frazier for work described as single family home with pervious driveway and parking area and dune nourishment and vegetation.

Owner/Applicant: Frank Frazier

Representative: David Ray

Abutters/Others: Reina Gaber, Susan Gaber, Roberta Balduzzi

Documents: Existing & Proposed Conditions Plan – Nantasket Survey Engineering – dated 11/21/2012
Plot Plan, Building Sections – Robert Therrien, Architect
LEC Environmental NOI and project narrative – dated 11/28/2012

Mr. Ray presented the project that is to include construction of a single family home on a driven pile foundation system. The utilities will all run through the driveway that will be finished with a pervious surface of crushed shells. The driveway will extend to the rear of the home and under the home for parking area no further than 20'. All work will be done from the rear of the lot to ensure that no damage is done to the existing secondary dune on the site.

The Commission discussed the need for strict protection of the dune and existing vegetation on the site. The work area must be well defined with all access to the site being only through the driveway. The dune must be allowed to migrate on the site as was referenced in LEC's Project Narrative (pg. 4). "With time and the occurrence of any landward dune migration, parking areas under the dwelling may need to be reconfigured or lost. Therefore, project will not have an adverse effect on the dune's ability to move landward and laterally." The decking materials shall allow for sunlight to pass through allow the beachgrass to continue to grow.

An Abutter expressed concern with drainage flooding their property. The Commission does not believe that there will be any change as a result of the proposed construction.

The Applicant and Abutters were informed that the area noted on the site plan as a 2' path through the dune is not to be used as a beach access point. Access to the beach is to be through the Adams Street town-maintained opening.

Special Conditions were added as follows:

- There shall be no disturbance to the areas that contain beachgrass as identified on the Existing and Proposed Conditions plan (11/21/12 Nantasket Survey Engineering). The only exceptions are the insertion of pilings, and activity that has been approved within the proposed driveway. Prohibited

disturbances include, but are not limited to, walking, construction, storage of materials, and placement of equipment. To protect this area, snow fence shall be installed at the eastern edge of the proposed house and along the driveway and road as directed by the Conservation Administrator. An additional haybale/silt fence line will be installed at the western edge of the beach grass area. If work in the beachgrass area below the proposed house is required, the applicant must obtain prior approval from the Conservation Administrator and install scaffolding or alternate approved measures to protect the beach grass. All work on the house must be conducted from the rear (west) of the house.

- All vehicles, deliveries and equipment may access the site through the driveway only. Utilities for the house must be located within the proposed driveway.
- Crushed shells are the material permitted for use in the driveway and parking area. The parking area may extend no further than twenty feet under the house as measured from the rear (western) edge of the proposed house. The crushed shells may not extend into the area identified as beach grass on the approved Existing and Proposed Conditions plan dated 11/21/12.
- The dune must be allowed to migrate freely. This condition is ongoing and will not expire at the end of three years.
- The deck material must allow 40% sunlight to pass through in order to encourage the survival of the beach grass beneath the proposed house.
- 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 5/1/0; further discussion took place relating to concern with shading of vegetation from the solid material of the deck.
- Upon a **motion** by S. Connor for reconsideration of the previous vote 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**.

P. Paquin recused himself

9:37pm 49 Edgewater Road Map 29/Lot 15 (SE35-1200) Continuation of a Public Hearing on the Notice of Intent filed by Ron Zimmerman for work described as stone patio, lawn and stone wall.

Applicant: Ron Zimmerman

Representative: James Pavlik

Abutters/Others: Jeanne Paquin

Documents: Site Plan – Outback Engineering – dated 12/11/2012

Correspondence – Outback Engineering – dated 12/11/2012

Photos (2 electronic) – will be printed for file

Mr. Pavlik and Mr. Zimmerman presented new plans for this project. The plan calls for removing an existing timber pole wall on the coastal bank and replacing it with a stone wall. A stone patio sloped away from the coastal bank is also proposed to be constructed adjacent to the stone wall. The Commission expressed concern that work has taken place and is proposed to take place on and adjacent to a coastal bank that is already eroding. Mr. Zimmerman stated that if the existing timber pole wall remains in place, it will eventually rot away and the bank would become unstable.

The Commission discussed the overall lack of concern pertaining to the coastal bank. There is a shed on the top of the bank that was not permitted, there are also assorted materials being stored on the top of the bank. The pea stone extends further than what the Commission had previously approved. The Commission would like to see a vegetated buffer at the top of the bank. Mr. Zimmerman stated that the bank is vegetated with

perennials and that other planting was done that did not last. The Commission suggested that plants with a good root system be planted that would help to stabilize the bank and to keep people off of it.

- Upon a **motion** by M. Horn and **2nd** by S. Connor and a **vote** of 5/0/0;
It was **voted** to:
Continue the Public Hearing to January 8, 2013 at a time to be determined.

P. Paquin returned

10:30pm 7 Weston Street Map 19/Lot 12 (SE35-1201) Continuation of a Public Hearing on the Notice of Intent filed by Linda Nathan for work described as construction of 179 square foot addition. This project was presented at a previous meeting and was continued for lack of a DEP project number.

A special condition was added as follows:

- The Conservation Commission finds that the coastal dune in this location is not significant to the interests of flood control and storm damage protection.
- 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**.

Other Business:

The Commission was provided a copy of the proposed Budget for Fiscal Year 14.

The Commission was informed that construction would be beginning soon at 7 Bay Street.

64 Holbrook update – the Commission was updated on plans for compliance with the enforcement order at this location.

10:45pm Upon a **motion** by M. Horn and **2nd** by S. Bannen and a **vote** of 6/0/0;
It was **voted** to: Adjourn