



## HULL CONSERVATION COMMISSION

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

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**May 14, 2013**

**Members Present:** Sheila Connor, Chair, Paul Paquin, John Meschino, Paul Epstein, Max Horn, Elizabeth Fish

**Members Not Present:** Sean Bannen

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

**7:30pm** Chair Connor called the meeting to order

**Minutes:** Upon a **motion** by M. Horn and **2nd** by P. Epstein and a **vote** of 6/0/0;  
It was **voted** to: Approve the Minutes of April 23, 2013

**7:40pm** 119 Atlantic Avenue, Map 53/Lot 105; **Opening** of a Public Hearing on the Request for Determination of Applicability filed by Donna Fitzgerald for work described as rebuild deck and stairs.

Owner/Applicant: Donna Fitzgerald

Abutters/Others: Craig Koehler

Documents: Deck Plan – Proposed dated 4/22/2013

Ms. Fitzgerald presented the project that is to include rebuilding and expanding the existing deck and stairs. Ten sonotubes will be installed.

- 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 **issue** a negative Determination of Applicability. The Determination of Applicability was **signed**.

**7:45pm** 113 Beach Avenue, Map 21/Lot 048; **Opening** of a Public Hearing on the Request for Determination of Applicability filed by Barry Samuels for work described as install footings for deck.

Representative: K.N. Srinivasa

Documents: Proposed Deck to Existing Building – stamped 5/1/2013

Mr. Srinivasa presented the project that is to include installation of four (4) sonotubes within the existing platform. Mr. Srinivasa stated that he was required by the Building Department to decrease the size of the second floor deck and will submit new plans.

- 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 **issue** a negative Determination of Applicability. The Determination of Applicability was **signed**.

**7:55pm** 1 Breakers Lane, Map 12/Lot 073 (SE35-1215) **Continuation** of a Public Hearing on the Notice of Intent filed by Gerald Smith for work described as vegetate coastal bank.

This project was presented at the Public Hearing on April 23, 2013. It was continued due to no number being issued by the DEP.

A Special Condition was added as follows:

- A drywell to capture roof runoff may be installed. The drywell location shall be no further from the house than ten feet from the rear deck.
- 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**.

**7:55pm** Alsada Road, Map 43/Lot 083 (SE35-1214) **Continuation** of a Public Hearing on the Notice of Intent filed by Peter Comrack for work described as construct single family home, driveway & access.

Representatives: David Ray, Brian McCarthy

Abutters/Others: Frank Coyman, Nick Convery

Documents: Proposed Conditions Plan – Nantasket Survey Engineering, LLC – Revised 5/09/2013

Existing Conditions Plan – Nantasket Survey Engineering, LLC – Revised 5/09/2013

Foundation Plan: Westchester Modular Homes, Inc – 3/16/2013

J. Meschino submitted certification that he listened to an audio recording of the previous meeting of April 23, 2013.

Mr. Ray had submitted revised plans as requested adding the locations of test borings, eliminating the location of the coastal bank off of the site and indicating the spot grade percentages for the coastal bank delineation.

Regarding the Commission's request to provide alternatives for the location of the proposed home, Mr. Ray stated that the possible alternatives would be:

1. Not build
2. Change the design of the house
3. Apply for a variance from the ZBA

Mr. Ray stated that he did not think that it was appropriate for the Commission to ask the Applicant to apply for a variance to relocate the home as the proposed deck will place 43 square feet in the Riverfront Area and is cantilevered off the ground will not alter the resource area. Mr. McCarthy stated that moving the home forward on the lot would give more backyard area to possibly damage. Mr. Ray also stated that he does not believe that the deck being 19' off the ground will cast a shadow on existing vegetation. There is no proposed use for the area under the deck. Mr. Ray stated that there will be minimal fill on the site. The existing grades will be the same after construction.

The Commission expressed concern for possible damage to the existing vegetation during construction and from future use by the homeowner. An Abutter expressed concern regarding runoff from the street onto his property. Mr. Ray stated that they are not proposing to change any direction of the existing drainage.

Special Conditions were added as follows:

- Erosion control must be installed no further than 5 feet from the rear of the foundation as located on the Plan of Record. No activity of any kind, including storage of equipment, placement of staging, removal of vegetation, or any construction activity is permitted downslope of the erosion control barriers. No work can commence before markers for the rear corners of the foundation as located on the Plan of Record are installed and the erosion control barrier is approved by the Conservation Administrator.
- The entire area of the property that lies to the east (downslope) of a line that runs across the property along the rear of the foundation, as located on the Plan of Record, must remain undisturbed and in its natural state in perpetuity. 4" by 4" wooden posts must be permanently installed and maintained along this line on both sides of the dwelling and affixed with a wetlands resource area marker as provided by

the Conservation Commission. The Commission must approve the wetlands resource area markers. This condition is ongoing and will not expire at the end of three years.

- 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**.

### **Request for Certificate of Compliance**

1 Clifton Ave – P. Epstein motion, M. Horn 2<sup>nd</sup>, vote 6/0/0; CoC issued

### **New Business:**

**Elect officers:** J. Meschino motion, E. Fish 2<sup>nd</sup>, vote 6/0/0 to elect S. Connor as Chair  
S. Connor motion, E. Fish 2<sup>nd</sup>, vote 6/0/0 to elect M. Horn as Vice Chair

### **Update on DEP beach site visit**

The DEP and representatives from Rep. Bradley's office met with residents regarding the rocks on the north end of the beach. The residents were told that the DEP's letter of 2007 indicating their opinion on what may be done on the beach still stands.

### **DCR issues: sidewalks, seawall, COC's**

The DCR will be meeting with the Selectmen at their next meeting to discuss emergency repairs necessary for a 150' stretch of seawall adjacent to the Mary Jeanette Murray Bathhouse. The DCR has also been working on removing and replacing sidewalks with no permit. They have submitted an after-the-fact filing. The DCR will also be working toward requesting Certificates of Compliance for outstanding Orders.

### **Montana Avenue Site**

A request for an extension of an Order of Conditions was previously denied by the Commission because it was not timely. The administrator informed the Commission that the permit was extended when all permits were extended by state law and is still valid.

### **N. Truro conservation land trespass**

A cement post has recently been installed in the boat ramp on conservation land by an unknown person. The DPW will remove it. Additionally, there is once again parking by a neighbor on the Town owned conservation land; A. Herbst will follow up.

### **R St. violation update**

J. Stigliani was unable to attend the meeting as requested to discuss the DPW's actions while entering the beach at R. Street. The Commission will be kept up to date and the DPW Director understands the DPW will be required to restore the area.

**5 X St. EO** P. Epstein motion, M. Horn 2<sup>nd</sup>, vote 6/0/0 to issue and Enforcement Order for work done without a permit.

### **Allerton lagoon seawall Emergency Order**

Anne Herbst has issued an Emergency Certification to the Town of Hull for repair of the seawall opposite the Allerton Lagoon. The wall is at risk of failure. A temporary stone ramp for access will be constructed and removed when work is complete.

### **64 Holbrook update**

Work on the revetment is not yet complete. Green Environmental shut down work on the project due to the method of work.

**9:20pm** Upon a **motion** by M. Horn and **2nd** by E. Fish and a **vote** of 6/0/0;  
It was **voted** to: Adjourn