



HULL CONSERVATION COMMISSION

253 Atlantic Avenue, 2nd floor
Hull, MA 02045

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July 9, 2013

Members Present: Paul Paquin, Paul Epstein, Max Horn, Sean Bannen, Elizabeth Fish

Members Not Present: Sheila Connor, John Meschino

Staff Present: Anne Herbst, Conservation Administrator

7:30pm Vice-Chair M. Horn called the meeting to order

7:40 62 L Street, Map 15/Lot 107; Opening of a Public Hearing on the Request for Determination of Applicability filed by Sandra Fromm for work described as repave driveway and front area, add cobblestone and garden bed in front area.

Documents: Plot plan, 62 L Street, Hull, MA

Owner/applicant: Sandra Fromm

Ms. Fromm presented the project that is an after-the-fact filing for repaving the driveway and front walk area. The front walk area is not yet completed and will include pavers and small garden area. The Conservation Administrator reported receiving an anonymous phone complaint claiming that since the re-paving was done water is shedding to the railroad bed and causing large puddles there. Ms. Fromm stated that the driveway is pitched to the road and that the puddles are a long standing problem caused by poor maintenance and location of the storm drains. Ms. Fromm stated that the contractor still needs to apply the final binder coat. She agreed to ask the contractor if a small lip can be added along the edge of the driveway to further contain any runoff.

- Upon a **motion** by Paul Epstein and **2nd** by Sean Bannen and a **vote** of 5-0;
It was **voted** to:

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

7:47 184 Atlantic Avenue, Map 52/Lot 15; Opening of a Public Hearing on the Request for Determination of Applicability filed by Barbara Barry for work described as replace deck footings and repair concrete.

Documents: Plan: 184 Atlantic Avenue, view from beach, four photographs

Owner/applicant: Barbara Barry

Abutters/others: Michael J. Barry, Maureen Malley

Ms. Barry presented the project to repair damage from this winter's storms. The applicant proposes to replace two footings that support a walkway that runs along the back of the house. In addition the applicant proposes to repair damage to a wall under the walkway by re-pointing it. The work will be done by hand and utilize 18" sonotubes.

- Upon a **motion** by Paul Epstein and **2nd** by Sean Bannen and a **vote** of 5-0;
It was **voted** to:

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

7:55 Atlantic Ave, Map 54/Lot 040 (SE35- 1219) Continuation of a Public Hearing on the Notice of Intent filed by Dana Sceviour for work described as construct single family home.

The applicant submitted an email requesting a continuance to the next meeting.

- Upon a **motion** by Paul Epstein and **2nd** by Sean Bannen and a **vote** of 5-0;
It was **voted** to:
Continue the Public Hearing to July 23, 2013 at a time to be determined.

8:00 35 Rockaway Avenue Map 43, Lot 62 (SE35-1220) Continuation of a Public Hearing on the Notice of Intent filed by Edward & Judy LeNormand for work described as single family residence and driveway.

New Documents: house cross section, McNichols Mater Catalog cover page, driveway and wetlands replication plan

Owner/applicant: Edward LeNormand

Abutters/others: Alan Marks, Joanne Marks, Mrs. Marks, Donald Monceiviez, Robert Boarden, Bernard Nunn

Sean Bannen provided a written statement that he listened to the tape of the previous hearing for this property.

The applicant said that he did not yet have final drawings; they will be provided at a later date. The applicant did provide the following updates: he investigated the driveway grate on Beach Avenue and spoke with the manufacturer. He reported that the manufacturer did not recommend that grate, but did recommend another, but the applicant expressed reservations about the practicality of having an open grate for the only access to the property. As an alternative, he proposed deepening the current wetland area and adding new wetland area on the property. The Commission expressed concern about the replication possibilities, noting that the applicant's representative had suggested there were not viable options on the property. The Commission further expressed concern that deepening the current wetland area would not be beneficial. The idea of a walkway along the grate was discussed.

The applicant indicated that the garage will be at elevation 10' and the first floor at elevation 16', but that final elevations will be provided on the updated site plan. He said that his representative Steve Ivas is looking into the question of whether there is a coastal bank on the property. Surveyors will return to the property as Mr. Ivas reflagged it so that they can locate the 2 missing flags. He provided a cross-section view of the proposed house, noting that he had created it using GIS and that it is an approximation. He indicated that he had walked the property and could not see other properties from the rear of his property. The applicant stated that he expects average grade for the house to be 16.5. He expects the first floor elevation to be not lower than 13' and not higher than 16'. He provided information on the square footage of the house and property setbacks. The Commission once again noted that issues relating to views and the elevation of the house and setbacks are not within the purview of the Wetlands Protection Act.

Mr. LeNormand expects the sewer will have gravity flow. He relayed that Mr. Ivas indicated it will be permissible to route roof runoff to the wetland area. The applicant spoke with a ledge removal company that visited the site and said they expected it would be a relatively easy job based on the ledge material on site. The applicant estimated that approximately 115 cubic yards of ledge would need to be removed. The Commission reminded the applicant that a detailed construction plan would be needed to assure that no damage to the wetlands would take place during construction.

Abutters and others raised the following issues: the drainage pipe regularly fills and causes flooding at the corner of Rockaway and the Dump Access Rd.; the DPW has not been responsive about keeping it clean. Jack hammering of ledge will be a headache. The house is 5 feet from the BVW and the driveway is directly adjacent to the BVW; this is not protective of the BVW. The size of the house should be scaled down because of its proximity, and drainage impacts to the BVW. Concerns were raised about the stability of the slope above the house, views, and impacts of ledge removal on adjacent properties. Attorney Nunn suggested that 10.55 e in the regulations says work shall not negatively impact the ACEC. He said that as a limited project the applicant must try to get access from another property. The applicant re-stated that he had spoken to the Town Manager about buying the adjacent property and was told it isn't currently for sale. Mr. Nunn argued that the equipment needed to remove ledge and build the home will damage the wetlands. He urged the

Commission to require as much wetlands replication as possible Mr. Nunn cited 10.53., 3, e as restricting what the applicant can do because the project is in an ACEC.

The applicant requested a continuance to August 27, 2013.

- Upon a **motion** by Paul Epstein and **2nd** by Sean Bannen and a **vote** of 5-0;
It was **voted** to:
Continue the Public Hearing to August 27, 2013 at a time to be determined.

Requests for Certificates of Compliance

29 Reef Point - P. Epstein **Motion**, S. Bannen **2nd**, vote 5/0/0; CoC **issued**

9:10 pm Upon a **motion** by P. Epstein and **2nd** by S. Bannen and a **vote** of 5-0; it was **voted** to: Adjourn