



HULL CONSERVATION COMMISSION

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August 27, 2013

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

Staff Present: Anne Herbst, Conservation Administrator

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 7/0/0;
It was **voted** to: Approve the Minutes of June 11, 2013.

Upon a **motion** by P. Epstein and **2nd** by M. Horn and a **vote** of 7/0/0;
It was **voted** to: Approve the Minutes of August 13, 2013.

7:40 11 K Street, Map 14/Lot 061 (SE35- 1217) Opening of a Public Hearing on the Request to Amend Orders of Conditions filed by Jeffrey Schiffman for work described as adjust drainage plan for in-ground pool.

Representatives: Jeff Schiffman, Joe DiVito

Documents: Revised Plans – dated 8/27/2013 – 4 sheets

Mr. Schiffman and Mr. DiVito presented an amendment to the current plan. Mr. DiVito indicated that the original plan that would have graded the pavers toward the pool would not work properly. They told the Commission that much of the material on the property has been replaced with stone. The permeable pavers will slope toward the outside of the property. An 18" wide stone berm around the perimeter of the property will be constructed of ¾ and 3/8 inch stone. Mr. DiVito indicated that because of the porous pavers and the porous material beneath and adjacent to the pavers, rainwater will not be diverted to the neighboring properties.

A Special Condition, to replace the original S12, was added as follows:

- S12. The approved changes to the property cannot cause rain water to be directed off the property to neighboring properties. 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 7/0/0;
It was **voted** to:
Close the Public Hearing and **approve** the project. The Order of Conditions was **signed**.

John Meschino left the meeting.

7:50 5 X Street, Map 12/Lot 44 (SE35- 1224) Continuation of a Public Hearing on the Notice of Intent filed by Marvin Ziskin for work described as fill in and plant eroded area.

Representatives: Marvin Ziskin, Dottie Ziskin

Documents: Mortgage Inspection Plan – with notations

Mr. Ziskin presented an additional plan that locates the proposed work and the property boundaries. The Commission noted that flooding from coastal storms is likely in this location.

- 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**.

7:55 Spinnaker Island (SE35-1030) Opening of a Public Hearing on the Request to Amend Orders of Conditions filed by Phil Donahue for work described as change brand of proposed wave attenuators.
Representatives: David Ray, Nantasket Survey Engineering, Larry Hilliard, Phil Donohue
Documents: Proposed Breakwater Plan – Nantasket Survey Engineering – dated revised 8/13/2013
Product Information Sheets

Mr. Ray presented the change to the project. He described that the Yacht Club will continue to use 10 or 11 of the existing attenuators that are still in good shape. They have removed 12 attenuators and cleaned up the debris along the shoreline. The new attenuators are made of concrete and built by a company in Sweden. They will be delivered by barge to the yacht club.

- 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**.

8:05 119 Hampton Circle, Map 35/Lot 143 (SE35-1225) Continuation of a public hearing on the Notice of Intent filed by Boyd Fulton for work described as install 6' by 25' by 2' cement patio at front of home and 12' by 36' by 4' patio at rear of home.

Owner/Applicant: Boyd Fulton
Representatives: John Spink, Spink Design
Abutters: Chris and Mary Myers, Pamela and Richard Anderson, Eleanor Destito,
Documents: Exterior Work Access & Decks Plan – Spink Design – dated 8/27/2013

Mr. Spink presented redesigned plans. The new plans call for sonotubes for wood decks in the front and rear of the house and for 5 sets of stairwells. The plans for solid cement patios in the front and rear of the property were removed. Abutters expressed continuing concerns that fill material has been brought on to the property.

A Special Condition was added as follows:

- S12. No work on this project can commence before the contours and spot grades of the property are the same height shown on the "Proposed Site Plan at 119 Hampton Circle" dated 4/5/2010 that is the plan of record for project SE35-1110. The applicant shall provide a stamped, survey plan showing the grades on the property have been returned to those reflected on the 4/5/2010 plan. The plan shall include spot grades in the same location as the 4/5/2010 plan. Work can only commence after the Conservation Commission, or their designee, concurs that the grades on the property are the same as the 4/5/2010 plan.
- 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**.

John Meschino returned to the meeting.

8:25 18 and 23 Harborview Road, Map 57/Lot 8; Continuation of a Public Hearing on the Request for Determination of Applicability filed by James and Ruth Block for work described as trim and remove trees.

The Applicant requested a continuance.

- Upon a **motion** by P. Epstein and **2nd** by M. Horn and a **vote** of 7/0/0;
It was **voted** to:
Continue the Public Hearing to September 10, 2013 at a time to be determined.

8:25 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 requested a continuance.

- Upon a **motion** by P. Epstein and **2nd** by M. Horn and a **vote** of 7/0/0;
It was **voted** to:
Continue the Public Hearing to September 10, 2013 at a time to be determined.

8:25 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.
The Applicant requested a continuance.

- Upon a **motion** by P. Epstein and **2nd** by M. Horn and a **vote** of 7/0/0;
It was **voted** to:
Continue the Public Hearing to September 10, 2013 at a time to be determined.

8:30 N. Truro Street, nearest Map 47, Lot 22 (SE35-1216) Continuation of a Public Hearing on the Notice of Intent filed by William Horne for work described as extend roadway.

Owner/Applicant: William Horne

Representatives: Lenore White, Steve Bernstein, Daniel Armstrong, David Ray, Paul Gratta

Abutters, others: Kevin Conway, Kate and Lloyd Emery, Liz Parkes

Documents: Existing Condition Erosion Control & Demolition Plan – Strong Civil Design – dated 8/22/2013
Roadway Layout, Stormwater & Utility Plan - Strong Civil Design – dated 8/22/2013
Existing Conditions Plan – Nantasket Survey Engineering – dated 7/23/2013
Stormwater Engineering Report –Strong Civil Design – dated 8/13/2013

Elizabeth Fish and Sean Bannen signed certification that they listened to the audio tape of the hearing held on June 25, 2013.

Daniel Armstrong, of Strong Civil Design, presented the new proposal for extending the road and the associated stormwater treatment. He identified an area of N. Truro Rd. that is paved, but not visible because it is covered with soil. He reviewed the straw wattle and silt fence erosion control features and explained that the gravel areas are needed in order to provide enough space for a 40-foot vehicle to turn around. He described that the road will now be pitched to the west side rather than crowned in the middle. The grass swale on the east side of the road is designed to intercept clean runoff coming from the adjacent yard.

The Commission questioned whether the snow storage area would be adequate to contain the volume of snow being plowed to the dead end. The Commission also questioned whether the height of the berm between the snow storage area and retention area was high enough to contain the snow. Mr. Armstrong said he had not done a calculation of what the area could store or the amount of snow that might be plowed to the dead end. The Commission was concerned that the snow storage and spreader swale area are not separated, and that this could lead to pollutants being plowed into the treatment area as well as causing the swale to fail to function. Mr. Armstrong responded that although connected, the swale area is 6" lower than the snow storage area. The Commission also questioned how the swale could serve its purpose of settling out pollutants when the pipes are located at the bottom of the swale. Mr. Armstrong said he could look at redesigning to provide for sediment settling.

Mr. Armstrong described that this is an off-line system meaning that the retention area is designed to treat first flush of polluted stormwater, while subsequent stormwater will overtop from the "spreader swale and overflow" area. The Commission questioned whether any treatment is provided in the gravel areas where much of the

road runoff will drain. Mr. Armstrong said they could consider substituting a french drain or perforated pipe, although he indicated that an open channel collects more than a french drain.

Lenore White provided letters from Hull Police and Fire indicating that the roadway plan was acceptable for their purposes. A Commissioner asked about maximum high tide and whether the retention basin would be overtopped. Mr. Ray of Nantasket Survey engineering said that the maximum high tide is approximately 6.3 NAVD, which is lower than the top of the basin. A Commissioner asked what areas were defined as redevelopment and whether the whole area would be able to meet the stormwater standards for new development. Mr. Armstrong said he included the turnarounds in the redevelopment area because he feels it can qualify under the definition of a public improvement. He said the stormwater plan does meet the redevelopment standards and the new development standards as they have defined those areas, but could not meet the new development standards for the whole project for water quality, but they could for water recharge.

The Commission questioned how the project can be defined as a bioretention/pocket wetlands as the requirements for each are in conflict. A bioretention area requires 2 feet of separation from groundwater a pocket wetlands requires contact with groundwater. This proposal has neither. A bioretention area must be sized at 5-7% of the catchment area, a pocket wetland must treat an area of at least 1 acre and this catchment area is .1 of an acre. Mr. Armstrong responded that the bioretention area is approximately 5% of the catchment area. He said that there is no seasonal groundwater level at this location, rather there is only tidal groundwater fluctuation. He said that you need separation from groundwater to be able to infiltrate all of the water in the retention basin in a 72-hour period. In this area you will have a range from less than 2 feet of groundwater separation to more than 3-4 feet of groundwater separation twice a day. Recharge will be faster and slower depending on the groundwater level, but you will average more than 2 feet of separation. Lenore White stated that the stormwater regulations and guidance never took into consideration tidally influenced areas.

The Commission asked how it will be possible to judge the project as he has described it. The proposal does not meet many of the standards for design and sizing for both bioretention basins and pocket wetlands. Mr. Armstrong responded that you will know if it's working if plants are established and if it does not have standing water. The Commission pointed out that these systems have many requirements for maintenance that were not included in the maintenance plan provided to the DPW and to the Commission. The only maintenance mentioned is for checking and clearing the pipes. Mr. Armstrong agreed that an updated maintenance plan is needed and stated that they could define it as its own system and determine the maintenance needed.

The Commission brought up that the pavement goes 5 feet beyond the parking area and asked if that was necessary. Mr. Armstrong said it was a standard distance, but if the homeowner would consider reducing it, the space could either be used for additional snow storage, or for a bigger retention area. The Commission stated that it would be helpful to know how much the current area can hold. It was questioned whether the sewer line needs to be installed at the end of the road. Mr. Armstrong stated that was the direction from the sewer department but they can check to see if that can be changed.

The Commission asked how they had factored in the reality that the retention area will be overtopped during storms into their designs. Ms. White said that they could use plants that are surviving there now. The Commission requested a plant list.

The Commission discussed the requested peer review. The applicant agreed that a peer review is necessary, but requested additional proposals in hopes of reducing the cost. The applicant and commission agreed that the following items will be addressed: snow storage calculation, provide detail on pipes and consider invert elevations, provide a maintenance plan, provide a plant list, address snow removal, consider gravel turning area designs, location of sewer line, and reduce roadway by 5 feet.

Mr. Conway said that 4-6 feet of snow are regularly plowed to the end of the dead end road. He questioned how the project could be an improvement since today material percolates through the soil, and with asphalt it will be directed closer to the wetlands. A Commissioner noted that he has seen signs of erosion on site and believes stormwater is currently directed to the wetlands. Mr. Conway asked if 100% of pollutants will be treated. Ms. White said they will meet the standard of 80% treatment. Mr. Conway questioned whether that

meets the ACEC standard. Several abutters raised concerns that the removal of the large maple tree will destabilize the property causing erosion. Mr. Conway asked the Commission to look at the marsh at low tide to observe that the marsh is eroding and calving off. He expressed concern that the project will accelerate this erosion and the land and possibly his land will become unstable.

Mr. Gratta said that he and DPW Director Joe Stigliani had done a quick calculation of the amount of snow that would be plowed in that area. He estimated that a 4" storm would create 20 yards of snow, which would shrink by 30% to 14 yards. He expressed the opinion that this amount could be contained in the proposed snow storage area. He indicated that Mr. Stigliani had no problem with the design of the road and of the project. Ms. Herbst confirmed that Mr. Stigliani reported the same to her. Ms. Connor pointed out that the full maintenance requirements for the project have not been provided to Mr. Stigliani. Mr. Armstrong stated that in his opinion, no matter how much detail you provide regarding the need for maintenance, things get skipped. He argued that the best system is a no maintenance system. Mr. Bernstein said that on commercial projects he had seen maintenance faithfully carried out. The Commission pointed out that this is not a commercial project but rather a small section of town road.

Mr. Ray explained the discrepancy in the survey plans provided by his firm and those provided by Neil Murphy. He indicated that he had provided a plan to Mr. Murphy that contained both correct and incorrect elevation labels. He said the incorrect elevation was provided by yet another surveyor. He stated that Mr. Murphy did not question him regarding the discrepancy in their plans. He further stated that he has rechecked the grades and stands by his current plan. The Commission expressed appreciation for the flagging of the wetlands area. It was noted however that the edge of roadway flags still appear to be inaccurate.

Mr. Horne said that he had asked the town manager for permission to scrape off the soil that covers the end of the road and was referred back to the Commission. Therefore he was asking the Commission for permission to undertake the work. Mr. Armstrong indicated that it wasn't necessary for that work to be done at this time, and that since that soil slows down stormwater flow, no work should be done until all of the work can be done. The Commission agreed to continue the meeting for 4 weeks to allow time for a peer review of the project.

- Upon a **motion** by P. Epstein and **2nd** by M. Horn and a **vote** of 7/0/0;
It was **voted** to:

Continue the Public Hearing to September 24, 2013 at a time to be determined.

10:30 201 Beach Avenue, Map 17/Lot 73 (SE35- 1223) Continuation of a Public Hearing on the Notice of Intent filed by Adam and Claudine Grossman for work described as walkway pavers.

This item had been continued because the DEP had not previously assigned a permit number.

- Upon a **motion** by P. Epstein and **2nd** by M. Horn and a **vote** of 7/0/0;
It was **voted** to:

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

10:40 pm Upon a **motion** by P. Epstein and **2nd** by M. Horn and a **vote** of 7/0/0;
It was **voted** to: Adjourn