



HULL CONSERVATION COMMISSION

253 Atlantic Avenue, 2nd floor
Hull, MA 02045

Phone: 781-925-8102

Fax: 781-925-8509

September 10, 2013

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

Members Not Present: John Meschino

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 August 27, 2013

7:40pm 125 Atlantic Avenue violation

Owner: Steve & Doreen Smith

Attendees: Bill Oliver, Augie Stratoti, Bill Caldwell

Documents: Photographs of existing conditions and from previous owner

Steve and Doreen Smith were present at the meeting to discuss work done on their property without a permit following the winter storms. Photographs of the property that were taken by the previous owner were shown to illustrate changes to the property. The Smiths contend that they believed that they were allowed to restore their property following the storms without the need for a permit. It appears that work on the property included replacing an area of pavers, installation of curbing on one side of the driveway, and new grass area. Of concern to the Commission is the placement of ¾" grey blue stone in the driveway that leads to Straits Pond. The area in which the stone was placed is an area that receives storm overflow that flows into the Pond.

The Owners were advised that in the future no work may be conducted on their property or to the swale without first checking with the Conservation Department regarding the need for a permit.

The Owner must remove all of the ¾" blue stone gravel no later than October 10. If a northeast storm that may cause overflow is forecast in the next month, the stone must be removed in advance of the storm.

- Upon a **motion** by P. Epstein and **2nd** by M. Horn and a **vote** of 6/0/0;
It was **voted** to: Issue an Enforcement Order

8:10pm T Street, adjacent to 817 Nantasket Avenue, Opening of a Public Hearing on the Request for Determination of Applicability filed by Daley and Wanzer, Inc. for work described as repair and replace 5' by 100' section of asphalt.

Owner/Applicant: Herbert Fleck

Documents: Photographs of work

Mr. Fleck presented the project that is an after-the-fact filing for excavating and repaving an area on T Street without a permit. Mr. Fleck was advised that since the project is finished the silt sock should be removed from the storm drain.

- 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**.

E. Fish recused herself

8:19pm Adjacent to River's Edge Road and Gatehouse Lane, Map 42/Lot 100 (SE35- 1226) Opening of a Public Hearing on the Notice of Intent filed by Hall Estate Condominium for work described as restoration of area where vegetation was removed.

Representative: Steve Ivas, Ivas Environmental

Abutters/Others: Richard Moscatelli, Diane Watson, Janice Chandler, Michael O'Connor,

Documents: Planting Plan – Ivas Environmental – dated 8/23/2013

Ruth Perry email to A. Herbst dated 9/14/2013

Mr. Ivas presented the project to restore vegetation that was removed from the buffer zone. Mr. Ivas stated that they will plant 10 trees to replace the 8 trees that were removed. There is no work proposed below elevation 12. Existing invasive species will be removed by hand. The Commission expressed concern that there was no plan for replacing the invasive species that will be removed.

The Commission also noted that there has been an increased amount of planting of gardens. Mr. Ivas agreed, Mr. Moscatelli stated that the owner has had a garden for years however it is expanding. Mr. Ivas suggested that the Commission add as a condition that there must be a barrier between the garden and the rest of the area. The Commission added that the signs on posts should serve that purpose. Four posts with signs indicating the Wetlands Area will be installed in the area that has been cleared.

S. Connor read an email from Ruth Perry expressing her concern with the removal of vegetation and the type of vegetation that was proposed as replacements. S. Connor offered to provide native milkweed and joe pye plants for their use. Mr. Ivas agreed to substitute the proposed staghorn sumac and black cherry with black oak.

Special Conditions were added as follows:

- The landscaper must meet with the Conservation Administrator on site before commencing work.
- Black oak will be substituted for all of the staghorn sumac and one or more of the black cherry as identified on "Figure 4 – Planting Plan – Hall Estate – Hull.
- The work approved in this Order of Conditions must be completed by November 1, 2013.

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

It was **voted** to:

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

E. Fish returned

8:40pm 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.

Owner/Applicant: Edward & Judy LeNormand

Representative: Steve Ivas, Ivas Environmental

Abutters/Others: Joanne Marks, Alan Marks, Don Moncevicz (not signed in)

Documents: Site Plan of Land – Perkins Engineering, Inc. – dated 8/26/2013

Foundation Plan S1, S2 – Edward John LeNormand, Reg. Str. Eng. – dated 8/22/2013

Construction Sequence – August 27, 2013

Correspondence – Ivas Environmental – dated 9/02/2013

S. Connor and E. Fish submitted certification that they listened to an audio recording for a hearing that they missed.

Mr. Ivas listed the submissions that have been made since the last hearing including: construction sequence, approximate site profile, structural plans, new site plan, profile of center line of driveway. Mr. Ivas reviewed the items in his correspondence to the Commission dated September 2, 2013 which included requested information and additional details regarding various elements of the project and responses to questions raised by Mr. Moncevicz.

The Commission asked what the material of the temporary access would be. Mr. Ivas stated that it would be as is existing at this time. The access will be over the culvert which will be replaced as part of the project. If the culvert fails it will be replaced right away.

Erosion control will be in the form of 12" silt sacs filled with compost. The crossing over the wetlands will be constructed with two 4' wide sections of concrete at each side with a 4' wide open grate in the center. The open grate will provide for stormwater to flow through as well as allow sunlight to infiltrate to allow vegetation to grow. The wetlands area below will be excavated and the depth increased on the east and west sides to increase flood storage. Roof runoff will be directed to drainage pipes that will direct the water into the wetlands. Utilities will run underground under the culvert.

In response to Mr. Moncevicz's comments regarding a coastal bank on the site. Mr. Ivas agreed that there is a coastal bank on the site and stated that it is made up of ledge. Mr. Ivas stated there is no function for flood control with the ledge; there are no lower elevations behind the ledge that are being protected. Because the bank is ledge; the foundation for the home will provide the same function. The coastal bank does not provide any sediment to a coastal beach, dune or barrier beach and does not erode in response to wave action since it is a solid ledge. Mr. Ivas stated that the proposed project will not destabilize the coastal bank.

Mrs. Marks presented two photographs of ledge on the property that showed the formation of ice and questioned whether it is caused by a spring weeping or surface runoff. She expressed the concern that the project will cause increased flooding to her property. Mr. Marks added that the chipping of ledge will damage his windows.

Mr. Moncevicz expressed concerns with the removal of trees on the site as well as the size of the proposed home and its closeness to the adjacent properties. Mr. Moncevicz was again informed that the issues pertaining to zoning and the size of the home did not fall under the Commission's jurisdiction.

Special Conditions were added as follows:

- The downspouts and any drainage from the house leading to the wetlands must have velocity dissipaters.
- Parking over the open grate on the driveway is not allowed. This condition is ongoing and will not expire at the end of three years.
- The plantings for the drainage and wetlands area shall include a wetlands seed mix, inkberry, common winterberry, northern arrowwood and pussy willow. The planting must be completed as soon as practicable to prevent erosion and siltation of downstream areas. The wetlands plants must be monitored and maintained. This condition is ongoing and will not expire at the end of three years.
- The project cannot result in the directing of additional storm runoff to neighboring properties.
- 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**.

8:00 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.

Owner/Applicant: James Block (Owner for 18 Harborview is the Town of Hull)

Documents: Existing Conditions Plan – Nantasket Survey Engineering – dated 9/03/2013

A site plan of existing conditions was reviewed that indicated the location of the buffer to the coastal bank as well as property lines. The Commission expressed concern with the removal of one specific tree and requested that it be pruned instead of removed. The Commission requested that trees scheduled for removal or trimming be painted versus tagged to avoid any misunderstanding of what trees are included in the project. As some of the proposed work is on property owned by the Town of Hull, permission must be granted by the Town.

Special Conditions were added as follows:

- No work can commence on town property before written approval is received from the Town of Hull.
- A. Herbst shall be present when the work is being started.
- 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**.

10:30pm 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.

Neither the Applicant nor his Representative was present at the meeting and no request to continue was received on behalf of the Applicant.

- 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 October 8, 2013 at a time to be determined.

Requests for Certificate of Compliance

64 K Street - P. Epstein **Motion**, M. Horn **2nd**, vote 6/0/0; CoC **issued**

927 Nantasket Avenue – No Action

New Business:

Ken Kaplan – The Commission received copies of e-mails from Kenneth Kaplan to A. Herbst and others with the subject “complaint” regarding his views on issues relative to use of the former railroad bed. The Commission will review them and schedule a discussion at a later date.

10:40pm Upon a **motion** by P. Epstein and **2nd** by M. Horn and a **vote** of 6/0/0;
It was **voted** to: Adjourn