



## HULL CONSERVATION COMMISSION

253 Atlantic Avenue, 2<sup>nd</sup> floor  
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**July 8, 2014**

**Members Present:** Paul Paquin, Paul Epstein, Max Horn, Elizabeth Fish

**Members Not Present:** Sheila Connor, Sean Bannen

**Staff Present:** Anne Herbst, Conservation Administrator

**7:30 pm** Max Horn called the meeting to order

The Conservation Administrator provided status updates on a variety of issues including piping plovers on Nantasket Beach, dune fire on July 4<sup>th</sup> at K St., Crescent Beach revetment grant and work at Sunset Marina and Spinnaker Marina. Updates were also provided for potential enforcement or other concerns at Spring St., Sunset Ave, Beach Ave, Salisbury St, Bay St., and Harborview Rd.

**7:40 pm Atlantic Ave, Map 54/Lot 040 (SE35-1219) Opening** of a Public Hearing on the Request to Amend Orders of Conditions filed by Dana Sceviour for work described as eliminate garage doors and reduce proposed fill.

Owner/Applicant: John Spink, Kathleen and Nick Anderson, Dana Sceviour

Abutters/Others: Alexander and Lorraine Davis

Mr. Spink described the proposed change to the plan. They wish to delete the garage in order to create more living space. They will reduce the amount of fill originally proposed and create open parking underneath the house utilizing pavers set on sand or stone.

- Upon a **motion** by Paul Epstein **2nd** by Paul Paquin and a **vote** of 4-0;

It was **voted** to:

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

**7:50 pm 36 Summit Ave., Map 54/Lot 020 (SE35-XXX) Opening** of a Public Hearing on the Notice of Intent filed by George Taran for worked described as install stairs to beach.

Owner/Applicant: George Taran,

Abutters/Others: Andy and Cyndie Glutting, David Dempsey, Theresa Kinni, Jan Gannon, Alexander and Lorraine Davis

Mr. Taran described a project to attach an aluminum set of stairs to the bottom of the existing wooden stairs. The aluminum stairway will provide access down to the beach. The aluminum stairway will be pulled up in the winter to avoid damage from coastal winter storms. This application includes the existing wooden stairs that had not previously been permitted. At the time of the hearing, the DEP had not issued a permit number. The Commission indicated they had no issues with the project.

- Upon a **motion** by Paul Epstein **2nd** by Paul Paquin and a **vote** of 4-0;

It was **voted** to:

**Continue** the Public Hearing to 7/22/14 at a time to be determined.

**8:00 pm 1 Dighton Street**, discussion of a violation issued by the Conservation Administrator for unpermitted filling on a coastal bank.

Owners: Matt Reilly, Kathleen O'Brien  
Others: Mark Hendrickson, Alexander and Lorraine Davis

Administrator Herbst explained she sent an enforcement order for filling and the installation of timbers on the coastal bank. No permit for the activity was requested or given. There is also an unresolved enforcement order for installing a driveway without a permit. Another enforcement order for constructing a parking space on the abutting conservation land owned by the Conservation Commission had been resolved previously. Ms. O'Brien said the driveway has been there for more than thirty years. It was pointed out that the driveway is not shown on a property survey that was done much more recently (2008). The Commission noted that, as part of their site visit, they also observed a deck and a set of stairs that lead to a float. Matt Reilly indicated that he recently rebuilt his father's float that had been there for years. The Commission pointed out that all of those items are not on 1 Dighton Street, but rather on the abutting Conservation Commission land. The Commission noted that they do not allow private building on town conservation land.

In discussing the recent timbers and fill installed on the property, Mr. Reilly stated that the town cut down limbs from a tree and the tree started leaning toward his house, so he cut it down. There was a drop on his property toward the coastal bank. He filled it and added timbers because it was a safety issue for his young children. Mr. Hendrickson stated that the bank had been eroding for years and this is an improvement. Ms. O'Brien stated that cars driving too fast are an additional safety hazard for her grandchildren.

The Commission stated that in this coastal location the Commission should be consulted before doing work. Mr. Reilly acknowledged his error and said that he will, in the future, contact the Conservation Commission first. The Commission explained that they do not allow filling on a coastal bank. It was also pointed out that part of the timbers and fill are on town property within the road layout. The Commission expressed that an alternative safety solution needs to be found that does not violate the Wetlands Protection Act.

The Commission also discussed the unresolved driveway enforcement order. Ms. Herbst stated that it appears that the driveway may not be on the coastal bank, despite the delineation provided by Nantasket Survey Engineering. The Commission can review this, but if the driveway is not on the coastal bank it may be possible to resolve that issue by locating the driveway on the property survey and getting the proper approvals from the Hull DPW and Police.

The Commission suggested that Mr. Reilly consult with a professional to seek alternative solutions that would satisfy his safety concerns and the requirements of the Wetlands Protection Act. The enforcement order requires that a restoration plan be filed by July 22<sup>nd</sup>. The Commission agreed to extend that deadline an additional two weeks in order to allow Mr. Reilly time to seek advice on an acceptable solution.

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

**68 Salisbury** The Conservation Administrator informed the Commission that the DEP issued a license for the geothermal unit on this property.

- Upon a **motion** by Paul Paquin **2nd** by Paul Epstein and a **vote** of 4-0; it was voted to:  
Approve the Certificate of Compliance.

### **1 Dighton Street**

- Upon a **motion** by Paul Epstein **2nd** by Max Horn and a **vote** of 4-0;  
It was **voted** to:  
**Affirm** the Enforcement Order issued by Administrator Herbst

### **259 Beach Avenue**

- Upon a **motion** by Paul Epstein **2nd** by Paul Paquin and a **vote** of 4-0;  
It was **voted** to:  
**Affirm** the Enforcement Order issued by Administrator Herbst

**9:05 pm** Upon a **motion** by Max Horn **2nd** by Paul Epstein and a **vote** of 4-0;  
It was **voted** to: Adjourn