



HULL CONSERVATION COMMISSION

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APPROVED – November 25, 2014

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

Members Not Present:

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

7:30pm Chair Connor called the meeting to order

Minutes: Upon a **motion** by P. Epstein **2nd** by M. Horn and a **vote** of 6/0/0;
It was **voted** to: Approve the Minutes of November 13, 2014

7:35pm 810-814 Nantasket Ave., Map 13, Lots 031 & 032 (SE35-1218) Opening of a Public Hearing on the Request to Amend Orders of Condition filed by Vinny Harte, Wellspring Multi Service Center for work described as changes in landscaping.

Owner/Applicant: Vinny Harte

Representative: David Ray

Abutters/Others: Nancy Plotkin, Barbara Meschino, J. Meschino

Documents: Proposed Conditions Plan – Nantasket Survey Engineering – revised 8/29/2013

Mr. Ray presented the amended project that is to include the addition of a screened concrete pad for dumpsters and a permeable paver service area at the left rear of the existing building. The plans also call for the addition of three permeable paver sitting areas with landscaped areas in between at the front of the existing building and the new addition. Curbing at the sidewalk will remain the same when new concrete sidewalks are poured.

In answer to abutters' questions, Mr. Harte stated that trees on the house lot that impede the view for traffic will be removed.

- Upon a **motion** by P. Epstein **2nd** by M. Horn and a **vote** of 6/0/0;
It was **voted** to:
Close the Public Hearing and **approve** the project. The Amended Order of Conditions was **signed**.

7:45pm Burr Rd., Map 51/Lot 113 (SE35-1245) Continuation of a Public Hearing on the Notice of Intent filed by Jeffrey Pinkus for work described as construct single family home.

Owner/Applicant: Jeffrey Pinkus

Representative: Stan Humphries

Abutters/Others: Michael Collins, Paul Mahoney, Robin Mahoney, T. Collins, R. Lacey, Jim Kennedy, Tim O'Connor, Klaus Gensheimer, Sal Vento, Rick Kaughman, Pam Coffman, Bob McCarthy, Michael Domina, Fred White, Jan White, Jennifer McCready, Scott & Peggy Daniels

Documents: Proposed Conditions Plan – Nantasket Survey Engineering – 10/06/2014

Supplemental Information – LEC Environmental – 11/24/2014

Partial copies of survey plans submitted by Michael Collins

Mr. Humphries provided supplemental information regarding the delineation and function of the coastal bank on the site. He agrees with the coastal bank delineation as shown on the proposed plans. Mr. Humphries explained that the coastal bank consists of ledge and bedrock and therefore does not supply sediment to the coastal beach. There is a small grassy loam area on the site. Mr. Humphries stated that this coastal bank functions as a vertical buffer and therefore the stability of the coastal bank must be protected. The work will include constructing 28 concrete columns that will be pinned, drilled, epoxied and formed on top of the bank. He does not foresee any instability caused to the coastal bank

It was confirmed that the plans call for 2' by 2' columns. The Commission asked what affect the columns would have on the stability of the loam area of the bank considering scouring and rainfall. Mr. Humphries stated that there would be a negligible impact due to scouring. The Commission asked if wave action hitting the underside of the house and the pillars would erode the sediment at the top of the bank and what would happen to the road and vegetation on top. Mr. Humphries stated that the four piles located in that area may cause wave reflection. He thinks that there is sufficient distance from the road that even with the loss of the material around the columns, it would not destabilize or put the road in jeopardy. Concerning waves hitting the house, Mr. Humphries stated that if the house is built to comply with FEMA, it doesn't get wet. The Commission asked if having a house there would exacerbate waves across the road or will it not change anything. Mr. Humphries stated that he believed there would be more dampening of wave impacts because of the piles serving as an obstruction prior to the wave action getting to the road. Ms. Herbst asked how deep the sediment is above the ledge and bedrock. Mr. Humphries stated that it was not known. Ms. Herbst stated that whether the ledge is buried two feet vs. eight feet under the loam could affect the stability of the bank. Mr. Humphries stated that there would be a loss of sediment at the top if a 100 year storm occurred bringing the water up to elevation 36 regardless of whether a structure is there. There is enough space in between the piles and assuming that the piles are pinned properly to the ledge, the erosive action of those waves on the sediment on the top of the bank is not going to be measured or the loss calculated. The loss of sediment cannot be calculated. Ms. Herbst stated that the regulations don't say it has to be a significant source, just a sediment source. If we are talking about the potential of erosion in a 100 year storm, does that call into question the statement that the bank isn't a sediment source? Mr. Humphries stated that looking at the entire area and the contribution the bank would have to adjacent beaches, dunes and barrier beaches, it's negligible.

Ms. Herbst stated that the revised plans showed a change in elevation in some areas up to 5 feet; the elevation is now shown to be 5 feet lower in the area at the top of the coastal bank. One of the effects is that the plans show the ramp will hit the bank at an elevation of 34 feet which on the previous plan appeared to be the height of the bank. Now the bank is shown as elevation 29, so either 5 feet of fill would be needed, or they would need an extremely steep ramp coming up to the house and the same is true for the stairs. It appears you would need 22 stairs, which would put them into the roadway. The Commission explained to Mr. Humphries that they had trouble interpreting the previous plan; it didn't seem to reflect what they were seeing on the site. Ms. Herbst stated that the revised plan seems to better reflect what is on site however there are still questions pertaining to the line of the coastal bank that require an explanation in addition as well as an explanation of how the error in elevations happened. Mr. Humphries stated that the surveyor and engineer would have to address these issues. Mr. Humphries stated that a section plan could be provided for the coastal bank delineation. He added that he was not sure that the actual line for the coastal bank makes any difference since the entire project is in the coastal bank. Rather, the stability of the bank is the question. The Commission asked if the vegetated portion of the bank could be maintained; is there a plan to keep the vegetation? Mr. Humphries stated that there could be mitigating measures taken.

An abutter asked questions that pertained to the setbacks and was advised that that was a zoning issue and not that of the Commission.

R. Mahoney submitted a photograph of the lot that was taken during a storm in 2013 in addition to copies of video and photographs of various storms on a DVD. Ms. Mahoney stated that she had spoken to a coastal geologist, John O'Connell regarding her concern about the increasing velocity and wave action due to the home and feels that the home would increase the dangers to their homes. She also expressed her concern that the project could damage or threaten the road.

Mr. Collins asked how the Commission determines the accuracy of the property lines. He submitted copies of portions of multiple plans that are at variance with each other and questioned the property line. It is his opinion that these indicate a discrepancy with the plans as presented. As two of the plans were provided by David Ray the Commission will ask Mr. Ray to provide an explanation of the discrepancies between his two plans..

Mr. Mahoney asked what permits are needed for the prevention of pollution. Is there a permit for the sewer connection and is the sewer issue a Conservation issue? Ms. Herbst stated that knowing how the sewer will be attached to the house and knowing that it will attach to the house in a way that does not cause damage to the bank is a Conservation issue. Ms. Herbst stated that the question Mr. Mahoney has raised regarding whether or not Mr. Pinkus has permission to connect to sewer is not a Conservation issue.

Ms. McCarthy stated that she had video on her phone from a recent storm that she would like to share. She was advised that anything that is presented at the meeting would need to be in a format that is available for the public to access.

The Commission requested that the Applicant provide the Commission with a clarification regarding the difference in surveys, the depth of the bedrock under the loam, the design of the house regarding the stairs and driveway ramp, the coastal bank location and plan elevation accuracy issues, and the method and location of utility connections.

- Upon a **motion** by P. Epstein **2nd** by M. Horn and a **vote** of 6/0/0;

It was **voted** to:

Continue the Public Hearing to January 27, 2015 at a time to be determined.

Requests for Certificates of Compliance

87 Hampton Circle – P. Epstein **motion**; M. Horn **2nd**; **vote** 6/0/0, CoC **signed**

New Business:

Spinnaker RDA follow up – The landscaper doing the work cut more vegetation than was allowed with their permit. A. Herbst will work with them on a restoration plan.

7 Bay Street condominium project Certificate of Compliance inspection is scheduled for 12/2/2014.

Stony Beach revetment work has begun. A. Herbst will visit the site to verify that the surface is not smooth, in compliance with the Orders of Conditions.

8:55pm Upon a **motion** by P. Epstein **2nd** by M. Horn and a **vote** of 6/0/0;

It was **voted** to: Adjourn