



HULL CONSERVATION COMMISSION

253 Atlantic Avenue, 2nd floor
Hull, MA 02045

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APPROVED – September 29, 2015

Members Present: Sheila Connor, Chair, Max Horn, Elizabeth Fish, Paul Paquin
Members Absent: Paul Epstein, Sean Bannen
Staff Present: Anne Herbst, Conservation Administrator
Sarah Clarren, Clerk

7:30 Call to order

Minutes: Upon a **motion** by M. Horn **2nd** by P. Paquin and a **vote** of 4-0;
It was **voted** to: Approve the Minutes of September 8, 2015
Upon a **motion** by M. Horn **2nd** by P. Paquin and a **vote** of 4-0;
It was **voted** to: Approve the Minutes of August 25, 2015

7:35 52 B Street Map 17/ Lot 25 (SE35-1287) Opening of a Public Hearing on the **Notice of Intent** filed by **Carol Adolph** for work described as **23' x 10' rear addition**.

Representatives: Carol Adolph (owner)

Abutters/Others: none present

Documents: "Exterior Elevations and Window Schedule (A-3)" ; "Building Sections (A-4)" – Jonathan Aprea – 7/24/2015

"Existing and Proposed Conditions Plan" – David G. Ray – 1/5/2015

Introduced: none

C. Adolph presented the project. Currently, there is a 23x10 uncovered deck on the back of the house. The plan is to enclose the deck and then build an attached, small deck. The foundation will be sonotubes.

- Upon a **motion** by M. Horn **2nd** by P. Paquin and a **vote** of 4-0;

It was **voted** to:

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

7:40 126 Atlantic Ave. Map 53/Lot 31 (SE35-1286) Opening of a Public Hearing on the **Notice of Intent** filed by **Peter Skiera** for work described as **28' x 33' paved driveway**.

Representatives: Peter Skiera (applicant)

Abutters/Others: Kerri Tirrell (128A Atlantic Avenue)

Documents: "126 Atlantic Avenue Driveway Plan" – 9/2/2015

Introduced: none

P. Skiera presented the project. During the winter, he experienced many issues with having a gravel driveway. Originally he wanted to pave his entire driveway, but due to his location and the possibility for a large amount of overwash, he decided to scale back and only pave one third of his driveway. K. Tirrell of 128A Atlantic Avenue noted that P. Skiera doesn't get too much overwash in his yard. Instead, water creeps up his existing gravel driveway and as it recedes towards the street, it takes gravel and sediment with it, which has led to the clogging of street drains. She stated that she believes that allowing P. Skiera to pave the bottom third of his driveway would alleviate drainage issues on the street.

The Commission examined the proposed paved area and questioned if there is a side-setback required with driveways, with the Building Department. P. Skiera agreed to check with the Building Department before starting work.

One Special Condition was added as follows:

S12. No work can begin until the Building Department has confirmed that the plans are compliant with zoning by-laws.

- Upon a **motion** by M. Horn **2nd** by P. Paquin and a **vote** of 4-0;
It was **voted** to:
Close the Public Hearing and **approve** the project. The Order of Conditions was **signed**.

7:50 149 Kenberma Rd., Map 23/ Lot 155 (SE35-1288) Opening of a Public Hearing on the Notice of Intent filed by **David Vance** for work described as **construct single family house**.

Representatives: David Vance (owner)

Abutters/Others: none present

Documents: "Site Plan for 149 Kenberma Street in Hull" – Paul J. Mirabato – 8/11/2015

Introduced: none

D. Vance introduced the project which consists of constructing a 2,300 sq foot single family home on pilings. The wooden pilings would be driven into the ground. The footprint of the proposed home is similar to that of the existing one with a few exceptions. The proposed house will not be as tall and it would be one foot further removed from the street than the former house. The first floor elevation would be just over 17', which would give the house 2 feet of freeboard. The house would be open underneath.

There would be no asphalt. Instead, permeable pavers or crushed shells will be used. D. Vance annotated the Plan to reflect the paver/shell area. D. Vance then went on to say that any fencing installed would have 50% void space.

Two Special Conditions were added as follows:

S12. The fence must have 50% void space to in order not to deflect stormwater flow.

S13. The Commission finds that the property is located on a coastal dune. The building must be built in compliance with building code requirements for building on a coastal dune. No enclosure may be constructed around the pilings.

- Upon a **motion** by M. Horn **2nd** by P. Paquin and a **vote** of 4-0;
It was **voted** to:
Close the Public Hearing and **approve** the project. The Order of Conditions was **signed**.

7:58 9 Montana Avenue, Map 51, Lot 1 (SE35-847) Continuation of a Public Hearing on the Request to Amend Orders of Conditions filed by **Thomas and Susan Hagstrom** for work described as **amend landscaping plan**.

Representatives: Thomas and Susan Hagstrom (owners); Amy Martin (landscaper)

Abutters/Others: none present

Documents: "Site Plan to Accompany Amended OoC, Proposed Conditions" – John Cavanaro – 3/3/2014

"Landscape Master Plan" – Amy Martin – 9/15/2015

Introduced: "Letter explaining compliance with OoC" – Amy Martin – 9/15/2015

"Special Conditions for NE 35-847 from OoC" – 3/12/2015

S. Connor stated that although she had recused herself in previous hearings for the project, she is unbiased on the project, so remained in order to maintain a quorum.

The Commission reviewed an email from A. Martin regarding the Special Conditions from the project. The original Order of Conditions was issued 10 years ago and some special conditions are no longer feasible. In the email, A. Martin explained how the owners propose to meet each condition or why they are unable to be meet aspects of the conditions.

The plan indicates that there is crushed stone in a few areas. A. Martin said that this was brought in during construction to allow for traction. The stone will now be replaced with sod. The plans were so annotated. The plans were also annotated to show an additional area of erosion control.

Additionally, three dead wild cherry trees are to be replaced with a single cedar tree.

In the lower plain area, no mow fescue grass seed will be planted. When the Commission asked how the existing vegetation would be removed, A. Martin responded by saying herbicide. The Commission mentioned that round-up herbicide won't be effective this time of year, so it was determined that vegetation should be removed by hand. Any invasive species will be scooped out and the land will be returned to the same grade.

The Commission modified previous conditions related to landscaping. Special conditions 16 through 19 were adopted as follows:

S16. Vegetation of the Coastal Bank and the ten foot buffer to the Coastal Bank shall be in compliance with the "Landscape Master Plan, dated September 15, 2015. Prior to the issuance of a Certificate of Compliance, the vegetation must be sufficiently established (all plantings shall survive one winter season) to provide stabilization of the bank and the ten-foot vegetated buffer.

S17. The stability of the Coastal Bank and ten-foot buffer to the bank shall be maintained. This condition is ongoing and will not expire at the end of three years.

S18. There shall be no disposal of yard waste and/or any other type of debris on the Coastal Bank and/or into the Salt Marsh and/or onto the Coastal Beach. This condition is ongoing and will not expire at the end of three years.

S19. No heavy equipment is permitted on the coastal bank.

- Upon a **motion** by M. Horn **2nd** by P. 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**.

8:31 202 N. Truro St. Map 47/ Lot 36 (SE35-1285) Opening of a Public Hearing on the **Notice of Intent** filed by **James Headley** for work described as **construct 75 ft. of block wall along coastal bank**.

A. Herbst updated the Commission regarding concerns that parts of the plan appear to be inaccurate. It appears that some work is proposed on neighboring town land. It may also be that the block wall is not appropriate for this location. The homeowner has been apprised of the concerns. James Headley requested a continuance of the hearing to 10/13.

- Upon a **motion** by M. Horn **2nd** by P. Paquin and a **vote** of 4-0;

It was **voted** to:

Continue the Public Hearing to 10/13/15 at a time to be determined.

8:35 77 Edgewater Rd. Map 29/Lot 28 (SE35-1289) Opening of a Public Hearing on the **Notice of Intent** filed by **Jennifer Hession** for work described **replace railroad tie wall with landscaping stone**.

Representatives: Jennifer and Michael Hession

Abutters/Others: none present

Documents: "Site Plan of Land" – Peter G. Hoyt – 8/25/2015

Introduced: none

M. Hession introduced the after the fact filing. Originally, there was an existing railroad tie wall separating the grass and beach. The wall had metal, rusting spikes on it, so he started to replace the existing wall with a free stacked, 18" stone wall. Some soil was placed to keep the wall in grade with the sod in the backyard. Additionally, M. Hession did move some beach, but it was reused to fill a hole by the drain near the Hession's property. The Commission stated that the drain is supposed to be maintained by the DPW and needs large stones and/or boulders to minimize erosion.

The Commission asked if before work commenced, was the beach and sod at a different grade. J. Hession said in her lifetime, there has always been a step down when going from the sod to the beach. The Commission noted that a natural sand berm on the beach appears to stop at their property. The Commission then asked if the Hession's have been, or are removing berm, which cannot be done. J. Hession said they are not. The Commission recommended that a filter fabric be placed between soil and the stone so the

soil won't erode onto the beach. Additionally, in order to stabilize the beach, the Commission suggested planting eel grass or beach lavender.

One Special Condition was added as follows:

S12. Filter fabric must be installed along the length of the wall to keep yard material from entering the tidelands.

- Upon a **motion** by M. Horn **2nd** by P. Paquin and a **vote** of 4-0;
It was **voted** to:
Close the Public Hearing and **approve** the project. The Order of Conditions was **signed**.

9:00 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**.

Jeffrey Pinkus requested a continuance of the hearing to 10/13.

- Upon a **motion** by M. Horn **2nd** by P. Paquin and a **vote** of 4-0;
It was **voted** to:
Continue the Public Hearing to 10/13/15 at a time to be determined.

9:01 1 Clifton Ave., Map 31/Lot 64 (SE35-1280) Continuation of a Public Hearing on the **Notice of Intent** filed by **Thomas Burns** for work described as **extend previously permitted wall 5' to the south, excavate 15" x 7' x 28' of dirt to place removable permeable mats, and install privacy board on the east**.

A. Herbst presented a peer review proposal from Bourne Engineering. The Commission voted to accept the proposal.

- Upon a **motion** by M. Horn **2nd** by P. Paquin and a **vote** of 4-0;
It was **voted** to:
Continue the Public Hearing to 10/13/15 at a time to be determined.

Request for Certificate of Compliance

27 B Street – M. Horn **Motion**, P. Paquin **2nd**, vote 4-0; CoC **issued**.

47 Beach Avenue (#770) – M. Horn **Motion**, P. Paquin **2nd**, vote 4-0; CoC **issued**.

New Business:

Discuss public lands committee – A. Herbst updated the Commission on a plan to establish a public lands committee to identify, map, and provide recommendations for next steps for the public lands throughout Hull.

October 6th Selectmen – The Selectman are meeting on October 6th. The Conservation Department and Commission will be presenting an update on their work.

19-21 Burr Rd. update, appeal, mark plan – When 19/21 Burr Road (35-1281) was approved on 9/29/2015, the plan was not marked to show that the Commission did not approve the delineation of the coastal bank. This had been discussed at each meeting of 19/21 Burr Rd.; A. Herbst marked the plan accordingly. A. Herbst also informed the Commission of an appeal on the project.

1 Dighton question – 1 Dighton Avenue has asked if he can place pavers within the retaining wall that was permitted on 7/15/2015. The Commission requested that a plan showing the location of the pavers be provided by the applicant.

47 Beach Avenue (#1021) – A Certificate of Compliance has been requested. The owner acknowledges that work beyond what was permitted has been done. A plan describing the work will be provided to the Commission.