



## HULL CONSERVATION COMMISSION

253 Atlantic Avenue, 2<sup>nd</sup> floor  
Hull, MA 02045

Phone: 781-925-8102

Fax: 781-925-8509

### APPROVED – December 13, 2016

**Members Present:** Sheila Connor, Chair, Paul Epstein, Elizabeth Fish, Lou Sorgi, Sean Bannen

**Members Absent:** Paul Paquin

**Staff Present:** Chris Krahforst, Conservation Administrator

**Staff Absent:** Sarah Clarren, Conservation Assistant

**Minutes:** Upon a **motion** by S. Bannen **2nd** by P. Epstein and a **vote** of 5-0;  
It was **voted** to: Approve the Minutes of September 22, 2016 as amended  
Upon a **motion** by P. Epstein **2nd** by S. Bannen and a **vote** of 5-0;  
It was **voted** to: Approve the Minutes of October 25, 2016 as amended

**7:30** Call to order

**7:35 161 Beach Ave., Map 19/Lot 066 Opening** of a Public Hearing on the **Request for Determination of Applicability** filed by **Frank Frazier** for work described as **construct fence**.

Representatives: Frank Frazier (owner)

Abutters/Others: none present

Documents: "Existing and Proposed Conditions Plan (annotated) – David G. Ray – n.d.

F. Frazier stated that he constructed the fence after previous Conservation Administrator said that it would be okay. The Commission stated that any work on the ground on his property falls under the Wetlands Protection Act and therefore needs to come before the Commission. The Commission stated that because the fence will allow water to flow through, it is acceptable. The Commission reminded F. Frazier that he should call before doing anything on the ground on his property.

- Upon a **motion** by P. Epstein **2nd** by S. Bannen and a **vote** of 5-0;

It was **voted** to:

**Close** the Public Hearing and **issue** a Negative Determination of Applicability. The Determination of Applicability was **signed**.

F. Frazier then asked to discuss the lattice that he installed on his deck. He stated that he had received a call from S. Clarren and then a letter from the Conservation Department stating that it is a violation of his open Order of Conditions. The Commission stated that C. Krahforst will be communicating with him regarding this issue and it cannot be discussed at this time because there is a full agenda.

**7:48 673 & 675 Nantasket Ave., Map 18/Lots 63 & 64 (SE35-1343) Opening** of a Public Hearing on the **Notice of Intent** filed by **Richard Tibbetts** for work described as **demo building**.

Representatives: Rick Tibbetts (owner)

Abutters/Others: Jeff Millen (5 Q St)

Documents: "Existing Conditions Plan" – Brendan P. Sullivan – 01/18/2016

R. Tibbetts stated that the project will just demolish the existing building. Eventually, a building will be proposed, but they will file a new NOI when plans are finalized. J. Millen (5 Q St.) stated that he is in favor of the project.

One Special Condition was added as follows:

S12. Debris from demolition must be properly disposed outside of the Town of Hull.

- Upon a **motion** by P. Epstein **2nd** by S. Bannen and a **vote** of 5-0;

It was **voted** to:

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

**7:55 36 Clifton Ave., Map 31/Lot 003 (SE35-1345) Opening** of a Public Hearing on the **Notice of Intent** filed by **Raymond Delmonico** for work described as **demo existing home and construct of a new single-family home**.

Representatives: Raymond Delmonico (owner); David Ray (representative)

Abutters/Others: Sandra Genoa (220 Nantasket Rd.)

Documents: "Existing and Proposed Conditions Plan (annotated) – David G. Ray – 11/29/2016  
"New Construction (A1 Progress Print)" – Roger O. Hoit – 11/28/2016

D. Ray presented the proposed project. The project will involve removing the large impervious driveway and patio and a new home will be constructed. A three car garage is also proposed. The foundation will be FEMA compliant and have 6 flood vents. The first floor will be 3.9' above the floodzone.

A small pool is proposed along the existing seawall and a permeable paver patio will surround the pool. As per building code, a fence will be installed around the pool. S. Clarren expressed concern about the close proximity of the pool to the seawall. D. Ray stated that a pool will have no impact on the stability of the seawall.

S. Clarren expressed concern about the new lot coverage. D. Ray said that it is a large home and garage, but there is already a lot of impervious surface on the lot. He stated that there will be lawn on either side of the home which will be better than the existing conditions. D. Ray then stated that the homeowner is considering installing a rainwater collection system which could be installed under the patio. The Commission then suggested that downspouts lead into drywells to allow for water infiltration. D. Ray responded that it is more likely that the rainwater collection system would be installed because then the homeowners could use the water during each dry season. S. Genoa asked if construction of the home would impact her view of the bay. D. Ray stated that it would not.

- Upon a **motion** by P. Epstein **2nd** by S. Bannen and a **vote** of 5-0;  
It was **voted** to:

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

**8:10 99 Bay St., Map 35/Lot 027 (SE35-1337) Continuation** of a Public Hearing on the **Notice of Intent** filed by **Robert Carr** for work described as **construction of new 2.5 story single family home**.

Representatives: Robert Carr (applicant); David Ray (representative); Stan Humphries (Coastal Geologist)

Abutters/Others: none present

Documents: "Existing and Proposed Conditions Plan (annotated) – David G. Ray – 11/28/2016  
"Structural Framing Plans" – Paul Bonarrigo – 10/24/2016

D. Ray presented the project. He stated that since the last hearing, a new plan has been provided. Changes from the originally submitted plan include the installation of two drywells. These drywells will be able to handle a 100 year storm event. Also, a permeable (shells or pavers) driveway will be installed at the front of the home and a berm will be installed around the parking spaces. Another change includes installing a gabion basket wall under the home to stabilize the coastal bank. Each gabion basket will be 6" deep, 12' long, 6' wide and will be filled with stone. The Commission asked how long the lifespan of the gabion basket is; D. Ray estimated it would be 100 years, especially if the baskets weren't traversed upon. The last change involves planting a 6' bearberry buffer around the home.

R. Carr then asked if he would be able to construct a wall along the rear and sides of his home. The Commission stated that the gabion baskets shouldn't be enclosed. R. Carr stated that he would be open to having there a gap between the bottom of the wall and the ground which would allow water to flow through. The Commission stated that nothing could be stored in that area, to which R. Carr agreed. He stated the only thing he would consider would be to hang a kayak from to the ceiling, to which the Commission agreed was permissible.

One Special Condition was added as follows:

S12. Although not stated on the plan, the Commission will allow construction of a fence that is elevated 8"-12" underneath the home. An access door/hatch to this area must be installed. Nothing can be stored on the gabion baskets and travel on the gabion baskets must be kept to a minimum. This condition is ongoing and does not expire after three years.

- Upon a **motion** by P. Epstein **2nd** by S. Bannen and a **vote** of 5-0;  
It was **voted** to:

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

**8:30 98 Salisbury St., Map 45/Lot 100 (SE35-1346) Opening** of a Public Hearing on the **Notice of Intent** filed by **Michael Aizenstadt** for work described as **construction of a new home**.

Representatives: Michael Aizenstadt (owner)

Abutters/Others: none present

Documents: "Existing and Proposed Conditions Plan (annotated) – David G. Ray – 11/29/2016

S. Humphries presented the proposed project. He stated that in the past, the Commission has permitted a home on the lot. The permit has since expired and a new footprint is now proposed. S. Humphries then stated all resource areas on the lot, which include land subject to coastal storm flowage, coastal bank, ACEC, and land subject to tidal action.

In order to delineate the coastal bank, D. Ray did five transects. Proposed stairs would lead from the top of the coastal bank down to a permeable paver patio and then down to the water. The project also involves constructing a seasonal float, which would need to be permitted through the Harbormaster. The Commission asked if the proposed patio would be on ledge; D. Ray said that they do not expect to hit ledge, but that an area would be evenly graded to provide a flat surface. A small retaining wall will surround the patio. The Commission asked how the wall would be installed; D. Ray stated that a trench will be dug and the wall would be built in the trench.

S. Humphries then stated that the access up to the main house would be within the 50' buffer to the coastal bank and that most of the home falls within the jurisdiction of the Commission. He stated that the path up to the house from the stairs would be fairly steep and would have a step or two where needed. The Commission asked if the path would be paved; S. Humphries said that it would not. He then said that there are a lot of invasive species on site. The invasive trees will be removed and a Commission approved seed mix will be used. S. Humphries stated that no formal landscape plan has been provided. The Commission stated that invasive species management must happen every few months if removal is the goal. S. Humphries agreed.

- Upon a **motion** by P. Epstein **2nd** by S. Bannen and a **vote** of 5-0;  
It was **voted** to:

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

**9:01 54, 56, 60, & 62 Holbrook Ave. and 0 Beacon Rd., Map 10/Lots 099, 100, 101, 102, 104 (SE35-1325) Continuation** of a Public Hearing on the **Notice of Intent** filed by **Jonathan Berit-Parkes** for work described as **install a 175' revetment above the high tide line and place 35 cy of annual nourishment**.

Representatives: Ryan and Jonathan Berit-Parkes (owners)

Abutters/Others: none present

Documents: "Proposed Plan and Sections" – Bourne Consulting Engineering – 11/29/2016

New: "Holbrook Ave – Hull [re-nourishment calcs.] – Bourne Consulting Engineering – 12/09/2016

J. Berit-Parkes stated that since the last hearing, new plans have been provided. These plans extend the revetment one home and the proposed revetment will now end on town land. J. Berit-Parkes stated that at a meeting with Town Manager Phil Lemnios, it was stated that this may be permissible; it would just need to be approved by the Board of Selectmen. The Commission asked about how the wall will tie into the existing, failing revetment at 64 Holbrook Ave.; J. Berit-Parkes stated that he is unsure and that his engineer is much more knowledgeable. J. Berit-Parkes then stated that new sand nourishment calculations have been provided; it is calculated that 45 cy of annual nourishment will need to occur. These calculations were then submitted.

The Commission then reviewed the two price proposals for the requested peer review of the project. The Commission discussed the importance of having a representative of the Commission on-site during various important stages of construction to ensure compliance with final plans, if the project is approved; this was not identified and priced by either price proposal. J. and R. Berit-Parkes requested that the peer review move as efficiently as possible and stated they would approve the firm that the Commission prefers, subject to timing.

- Upon a **motion** by P. Epstein **2nd** by S. Bannen and a **vote** of 5-0;  
It was **voted** to:

**Approve** the price proposal submitted by CLE Engineering, subject to timing and oversight approval from the homeowners.

- Upon a **motion** by S. Bannen **2nd** by L. Sorgi and a **vote** of 5-0;  
It was **voted** to:

**Continue** the Public Hearing until the peer review has been completed.

**9:40 Brockton Cir., Map 24/Lot 106 (SE35-1344) Opening** of a Public Hearing on the **Notice of Intent** filed by **Jim Dow** for work described as **drainage swale maintenance**.

Representatives: Chris Krahforst (representative)

Abutters/Others: none present

Documents: "Drainage Swale" – n.d.

C. Krahforst presented the proposed project. He stated that the Commission has approved the project before, but that permit has since expired.

- Upon a **motion** by P. Epstein **2nd** by S. Bannen and a **vote** of 5-0;

It was **voted** to:

**issue** a negative Determination of Applicability. The Determination of Applicability was **signed**.

*P. Epstein recused himself*

**9:44 24 Warren St., Map 23/Lot 130 Opening** of a Public Hearing on the **Request for Determination of Applicability** filed by **Paul Epstein** for work described as **remove existing concrete slab and construct 15x10 stone patio in front of home**.

Representatives: Paul Epstein (owner)

Abutters/Others: none present

Documents: "24 Warren St Patio" – n.d.

P. Epstein presented the proposed project. He stated that currently, there is a submerged concrete patio in front of the old staircase. This will be removed and a pervious brick patio will be built in its place. No stone dust will be used.

- Upon a **motion** by S. Bannen **2nd** by L. Sorgi and a **vote** of 4-0;

It was **voted** to:

**Close** the Public Hearing and **issue** a Negative Determination of Applicability. The Determination of Applicability was **signed**.

*P. Epstein returned*

### **Certificate of Compliance Requests**

**28 Orleans St. (SE35-1265)** – David, Theresa and Dan Rouleau were present to discuss the deviations from the Plan of Record. The Plan of Record was annotated, then signed and dated. – P. Epstein **Motion**, S. Bannen **2nd**, vote 5-0; CoC **issued**.

**8A S St (SE35-1295)** – During a site-visit, it was discovered that there were deviations to the Plan of Record which had not come before the Commission. A representative or homeowner should come in to discuss the changes and annotate the plan. **Not approved**.

### **New Business**

**Gas Main Relay Project on Nantasket Avenue:** C. Krahforst stated that the Conservation Department had received notice of a National Grid project on Nantasket Avenue. Because the work is work on a gas service, it is exempt from the Wetlands Protection Act. The Commission reviewed the provided information about the project and expressed concern that the provided locus is incorrect. C. Krahforst will speak with National Grid and provide an update at the next hearing.

**Holbrook Ave/Beacon St vegetation dumping:** S. Clarren informed the Commission that she had received an anonymous tip that vegetation was being dumped on the coastal bank on a town-owned parcel. After investigating she spoke with a landscaper and homeowner who agreed to cease and desist.

**9 Moreland, re-issue EC:** C. Krahforst informed the Commission that a second Emergency Certification needs to be issued for 9 Moreland Rd.

**Railroad Bed, N – W Streets:** C. Krahforst stated that the DPW will be submitting an RDA to fill in potholes along the railroad bed. He stated that it would be worth elevating the railroad bed due to sea level rise. He will follow up with the Town Manager.

**476 Nantasket Ave. Paving:** S. Clarren stated that 476 Nantasket Ave. would like to re-pave their pre-existing asphalt driveway. Although the property is in the Commission's jurisdiction, it is maintenance work on an existing driveway; no grade changes or enlarging is proposed. The Commission agreed that no Conservation permit is needed.

**35 Rockaway Ave. EO Issued by DEP:** S. Clarren informed the Commission that DEP has issued an Enforcement Order on 35 Rockaway Ave. Because DEP issued a Superseding Order of Conditions on the property, DEP will be enforcing the Order.

**10:20** Upon a **motion** by P. Epstein and **2nd** by S. Bannen and a **vote** of 5-0;

It was **voted** to: Adjourn