



## HULL CONSERVATION COMMISSION

253 Atlantic Avenue, 2<sup>nd</sup> floor

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**TUESDAY, June 27, 2017**

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

**Members Absent:** Elizabeth Fish

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

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

**Minutes:** No minutes

**7:30** Call to order

**7:35 62 J Street, Map 15/Lot 072 (SE35-1339). Opening** of a Public Hearing on the **Request to Amend the Order of Conditions** filed by **Brian Davis** for work described as **replacing asphalt driveway with crushed stone, replace impervious walkway with permeable pavers, and create a 2<sup>nd</sup> permeable driveway.**

Representatives: Brian Davis; Bill doyle

Abutters/Others: none present

Documents: "Site As-Built Plan" – David G. Ray – 6/28/2017

B. Davis presented the proposed project, which is an after the fact filing. He stated that the patio in the back is not permeable, but had thought that because the driveway had been converted from asphalt to a pervious surface, on-site conditions were better than they were previously and therefore he didn't have to return. The Commission stated that any work on the ground may require a permit and therefore, before any work commences, one should always contact the Conservation Department. B. Davis agreed. He stated that overall, 1,426 sq ft of impervious surfaces were removed from the site and 380 sq. ft. were added. The Commission determined that the site has less impervious surface on it than in the past.

One Special Condition was added as follows:

S12. An as-built plan must be provided.

- 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 23 Beach Ave., Map 27/Lot 009 (SE35-1355). Opening** on the **Request to Amend the Order of Conditions** filed by **Anne Barrett** for work described as **change design of previously permitted deck.**

Representatives: Gary Stilphen; Rebecca Hein

Abutters/Others: none present

Documents: "23 Beach Ave (Sheets A2.1)" – 30 E Design – May 2017

G. Stilphen presented the proposed project which is a design change; the footprint of what was permitted does not change. The Commission noted that all previous Special Conditions will remain in the Amended Order.

Six Special Conditions were added as follows:

S12. The outdoor shower must be removed.

S13. The area underneath the deck and stairs must remain open. No storage is permitted underneath the stairs; nothing can obstruct the water from flowing from the ocean to the home. This condition is ongoing and will not expire at the end of three years.

S14. The dune shall not be impacted by construction or through the use of the deck and stairs. During construction, no walking is permitted on the dune. The dune cannot be used as storage space. The dune shall

not be impacted by construction nor by use of the deck and stairs post-construction. There can be no human or material contact on the dune. This condition is ongoing and will not expire at the end of three years.

S15. No snow storage can be located underneath the deck or on the dune. This condition is ongoing and will not expire at the end of three years.

S16. The commission will install permanent markers to indicate that the dune is a resource area and cannot be disturbed. This condition is ongoing and will not expire at the end of three years.

S17. Cleanup of overwash sand after storms and/or winter season must follow guidance outlined in Hull's Beach Management Plan which states that the sand must be returned to dune. Any vegetated portion of the dune cannot be cutback or forced seaward because of storm cleanup, even if vegetated dune has established itself on concrete pad. This condition is ongoing and will not expire at the end of 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**.

**8:00 4 Atlantic Ave., Map 55/Lot 007 (SE35-1371) Opening** of a Public Hearing on the **Notice of Intent** filed by **K & E Construction** for work described as **raze existing single family dwelling and construct single family home.**

Representatives: Kevin Grady

Abutters/Others: C. Anne Murray (1 Summit Ave)

Documents: "Site Plan" – Kevin S. Grady – 07/06/2016

"[Photos (5)]" – n.d.

K. Grady presented the proposed project. He stated that the lot was previously developed and a single-family home was constructed in 1956. The applicant wants to demolish the home and construct a new single family home. The resources on site include barrier beach, coastal bank (seawall), and a coastal dune. K. Grady said that it is considered a coastal dune because it is located on a barrier beach. Currently, the site is fully developed, but the home will be rebuilt on a cement pile-foundation. The impervious surfaces (driveway, concrete pad, and home) onsite will decrease from approximately 3,000 sq ft to approximately 1,400 sq ft; the decrease in impervious surfaces will allow the dune to migrate. Grades post construction will match pre construction.

The Commission asked if the home is connected to Town sewer, to which K. Grady said it is not and is therefore part of the application. He added that the property owner did receive approval from the Sewer Department to tie into the Town line in the past. The Commission asked if there is a cesspool onsite, to which K. Grady said that any septic system would be pumped and filled. The Commission noted that a septic system has not been noted on the plans and will need to be annotated. The Commission asked why a pumper-grinder is shown on the plan, to which K. Grady said that it is needed because the sewer line the home will be connected to is not a full-sized sewer line and the line would connect to the manhole on Summit Ave (higher elevation).

The Commission noted that the proposed home location is not in a flood zone, but it is on a dune. The Commission discussed the building code of building on a dune, as the proposed plan of a cement pile-foundation is not dune complaint. K. Grady noted that there is a manicured lawn on the property, so it's not functioning as a dune. A member of the Commission stated that although there may be a manicured lawn, sand has been noted at the front of the property. If it is a dune, then a driven piling system is required. S. Clarren then noted that earlier in the hearing, K. Grady noted that by elevating the home and removing impervious surfaces, the dune would be allowed to migrate more than its current condition, therefore improving conditions on-site. A paved driveway and a slab foundation (at ele. 11.3') basement are also proposed. Construction will not impact the stability of the seawall. The Commission expressed concern about the functionality of the dune and requested a coastal geologist examine the site, to which K. Grady agreed.

C. Anne Murray of 1 Summit Ave. stated that the property should be in a flood zone. She then expressed concern of the new home connecting into the existing, potentially strained sewer pipe. She then expressed concern that by raising the home, it will create more flooding for her. The Commission stated that the Sewer Department will approve or deny the connection. The Commission then stated that homes in the area should be raised to allow water to flow naturally and to reduce channelization. C. Anne Murray then presented pictures

of the property after severe storms. She then asked if a driven pile system will affect the hydrology and if any hydrology analysis was conducted, to which the Commission said no.

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

**Continue** the Public Hearing to June 27, 2017 at a time TBD.

L. Sorgi recused himself.

**8:47 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**.

Representatives: none present

Abutters/Others: Paul and Robin Mahoney (21 Burr Rd); Michael and Tracy Collins (19 Burr Rd); Rick Kaufman (6 Seaview Ave); Robert Lacy and Jen McCready (16 Burr Rd); Pamela Coffman (41 Valley Beach Ave)

Documents: none reviewed

S. Connor, Chair, noted that the last hearing on the project had been nearly a year ago and the information that had been requested by the Commission had still not been provided. Therefore, the Commission can vote to deny the Order of Conditions and close the hearing. M. Collins asked what would happen if the project is re-filed, to which S. Connor said the Commission will not speculate.

- Upon a **motion** by P. Epstein **2nd** by S. Bannen and a **vote** of 4-0;  
It was **voted** to:

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

L. Sorgi returned.

### **Certificate of Compliance Requests**

62 J Street (SE35-1339) – S. Bannen **Motion**, L. Sorgi **2<sup>nd</sup>**, **vote** 5-0; CoC issued.

415 Newport Ave (SE35-1342) – Jeff Hassett present. S. Bannen **Motion**, L. Sorgi **2<sup>nd</sup>**, **vote** 5-0; CoC issued.

87 Hampton Circle (SE35-1326) – P. Epstein **Motion**, S. Bannen **2<sup>nd</sup>**, **vote** 5-0; CoC issued.

### **New Business**

**67 Newport Road-minor amendment request:** S. Clarren informed the Commission of two changes proposed by the applicants. The Commission determined that the request was minor in nature and would not impact the resource areas. – S. Bannen **Motion**, L. Sorgi **2<sup>nd</sup>**, **vote** 5-0; approve the minor amendment.

**Community Preservation Commission (CPC) appointment:** Paquin **Motion**, S. Bannen **2<sup>nd</sup>**, **vote** 5-0 to appoint L. Sorgi as the Commission's representative for the CPC.

**Site Visits:** S. Clarren noted that site visits should be rescheduled. The Commission agreed to conduct site visits on Thursday, July 6<sup>th</sup> at 9am.

**Conflict of Interest/Open Meeting Law:** S. Clarren reminded the Commission that they need to complete a Conflict of Interest 'exam' online and submit documentation to the Town Clerk. The Commissioners also need to review the Open Meeting Law materials. Lastly, all Boards/Commissions have received Town emails and should only use them for Town-business going forward.

**Violation – Edgewater Road:** S. Clarren stated that she had received an anonymous tip regarding unpermitted work. A small pipe had been replaced. S. Clarren informed the homeowner that work on the property will likely require a permit and to always check with the Conservation Department prior to starting work. No Enforcement Order was issued, but S. Clarren will draft a letter requiring the disturbed area to be re-vegetated. If any unpermitted work happens on-site again, an Enforcement Order will be issued.

**Quarterly Report:** S. Clarren stated that Quarterly Reports are due. The Commission granted her administrative approval to draft and submit it to the Board of Selectmen.

- 9:39** Upon a **motion** by P. Paquin and **2nd** by L. Sorgi and a **vote** of 5-0;  
It was **voted** to: Adjourn