



## HULL CONSERVATION COMMISSION

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

Hull, MA 02045

Phone: 781-925-8102

Fax: 781-925-8509

### **TUESDAY, February 27, 2018 APPROVED** **Meeting held at Town Hall (253 Atlantic Avenue)**

**Members Present:** Sheila Connor, Chair, Sean Bannen, Elizabeth Fish, Paul Paquin, Lou Sorgi  
**Members Absent:** Paul Epstein, Chris Oliveri  
**Staff Present:** Chris Krahforst, Conservation Administrator, Sarah Clarren, Assistant Conservation Administrator  
**Minutes:** Upon a **motion** by L. Sorgi **2nd** by E. Fish and a **vote** of 5-0-1 (S. Bannen abstained);  
It was **voted** to: Approve the Minutes of February 13, 2018 as drafted.  
Upon a **motion** by S. Connor **2nd** by E. Fish and a **vote** of 6-0;  
It was **voted** to: Approve the Minutes of November 28, 2017 as drafted.

**7:30** Call to order

**7:35 121 Bay St., Map 33/Lot 100 (SE35-1368) Continuation** of a Public Hearing on the **Request to Amend the Order of Conditions** filed by **Beatrice Bergstrom** for work described as **amend plan to construct two-family home by increasing parking area by 128 sq. ft, recessing approved cantilevered porch into building, moving building 1' closer to street, and constructing two 67.5 sq. ft. porches with stairs.**

Representatives: Steven Bergstrom (representative)

Abutters/Others: none present

Documents: "Existing and Proposed Conditions Plan [annotated 2/27/18]" – David G. Ray – 2/27/18  
"Foundation Plan [A-0]" – Robert Therrien – 2/26/18

The hearing had been continued from the meeting on February 13<sup>th</sup>, 2018 because the applicant needed to provide information on the proposed grades and how they will be fixed post foundation removal, confirmation of where the driveway will drain, a new foundation plan, detail on if there will be an elevated stairway or a portion of elevated stairway on the left side of the building, and a side view of what is proposed to grade in order to provide clarity of the site.

S. Bergstrom stated that he provided the requested graphics and foundation drawing. He stated that the intent is to keep everything inside where the old footprint was.

S. Bergstrom stated that the revised plan shows that the rear of the driveway will be higher than the front of the driveways; the water will drain to the street. However, there are already drainage issues on Bay St., so he proposed capturing the water to minimize stormwater; the Commission determined that installation of a grate and drywell system would be acceptable, but a revised plan would need to be submitted.

S. Bergstrom stated that the removal of the existing foundation will coincide with the installation of the new foundation.

One Special Condition was added as follows:

S12. Prior to commencing any work, an updated "proposed conditions plan" stamped and signed by a certified land surveyor be submitted to the Conservation Department which reflect the following changes:

- The SW corner stairs towards the bay does not extend beyond the footprint of the foundation,
- The SE corner stairs towards the bay extends to the edge of the foundation footprint and remains outside the 10 foot buffer from the coastal bank,
- The driveways (4) will have a drywell and grate system to collect stormwater runoff from the driveways to minimize stormwater impacts to Bay Street,
- The correct dimensions of the driveways (NE side = 9'x23.5' feet; SW parking lots = 9'x21') are reflected in this updated proposed conditions plan.
- Upon a **motion** by P. Paquin **2nd** by L. Sorgi 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**.

**8:15 166 Cadish Ave., Map 13/Lot 046 (SE35-XXXX) Opening** of a Public Hearing on the **Notice of Intent** filed by **Mary Roche** for work described as **construct a new deck and covered porch, enclose**

**existing T Street side covered porch, reconstruct rear of house with new addition, construct entry stair, install two permeable paver walkways and a permeable paver driveway.**

Representatives: Mary Roche (owner); David G. Ray (surveyor); Bob Rose (architect)

Abutters/Others: none present

Documents: "Existing and Proposed Conditions Plan" – David G. Ray – 12/28/2017

"Addition and Renovations to the Residence" – Robert S. Rose – 12/22/2017

C. Krahforst noted that no DEP file number has been issued and therefore the Commission cannot vote on the project.

D. Ray presented the project. He stated that a small addition will be installed in the rear of the home. The current entrance to the home is on T Street, but with the addition of a porch on sonotubes, the entrance will be reconfigured to be off of Cadish Avenue. This reconfiguration will allow the home to appear more cohesive to other homes in the area. The home will be made FEMA compliant by filling in the basement, installing floodvents, and raising the utilities to the first floor. Floodvents will also be installed in the garage. The concrete driveway will be removed and replaced with a permeable driveway with a turnaround area. The concrete walkway for the existing entrance will be removed and a new permeable paver walkway will be constructed from Cadish Avenue to the new entrance. The small shed will be relocated. The Commission asked if the current driveway is wider than the proposed driveway, to which D. Ray said it is. C. Krahforst stated that the curbcut will need to be approved by the Police Department.

The Commission asked how the basement will be filled in. D. Ray stated that gravel will be filled to match the outside grade. He added that once the work is completed, there will be two feet of freeboard.

C. Krahforst noted that the lot coverage is substantially increasing. M. Roche stated that most of the increase is due to the proposed porch in the front. C. Krahforst then noted that the lot coverage increase does not include the proposed permeable surfaces. D. Ray noted that walkways are not considered lot coverage and are considered open space. D. Ray added that in many other towns, if walkways are proposed, it still counts as open space. He added that the project is still before the Zoning Board of Appeals. D. Ray stated that the lot is relatively small and therefore any work seems like a large increase in lot coverage.

C. Krahforst asked if trees will be removed for the proposed work, to which M. Roche said that one has been removed for the driveway expansion, but no other trees will be removed. The Commission asked if any plantings are proposed, to which M. Roche said hydrangeas may be planted in the front, but nothing is proposed at this time.

- Upon a **motion** by P. Paquin **2nd** by L. Sorgi and a **vote** of 5-0;

It was **voted** to:

**Continue** the Public Hearing to March 13, 2018 at a time TBD.

**8:25 215 Nantasket Ave., Map 37/Lot 008 (SE35-1403) Continuation of a Public Hearing on the Notice of Intent filed by the Department of Conservation and Recreation for work described as construct 14.6' x 32' materials shed.**

Representatives: Susan Kane (representative)

Abutters/Others: none present

S. Kane said that proof of mailing has been submitted. C. Krahforst stated that the stormwater report that had been submitted to the office is not sufficient for the site. S. Kane stated that she will work with R. Lowell to get the required information submitted.

- Upon a **motion** by P. Paquin **2nd** by L. Sorgi and a **vote** of 5-0;

It was **voted** to:

**Continue** the Public Hearing to March 13, 2018 at a time TBD.

**8:30 Peddocks Island, Map 61 (SE35-1401) Continuation of a Public Hearing on the Notice of Intent filed by the Department of Conservation and Recreation for work described as installation of 71 moorings on northwestern side of island.**

Representatives: Susan Kane (DCR); Chris Stillman (APEX); Rosetta Wilson (DCR); Michael Driscoll (DCR)

Abutters/Others: none present

Documents: "Peddocks Island Mooring Locations (Sheet 4 and 5) – John B. McAllister – July 2017

"Mooring Cross Sections" – John B. McAllister – July 2017

"Boston Conservation Commission Minutes" – 5/17/17, 4/19/17, 5/3/17

"Boston Conservation Commission Order of Conditions (006-1514)" 5/26/2017

S. Connor stated that she spoke with Paul Sneeringer (ACOE) who informed her that during the ACOE permitting process, the former cottage owners were notified of the project.

M. Driscoll reintroduced the project. He stated that the proposed moorings would be permanent. Each mooring would have winter sticks put on the mooring balls and the mooring gear would be inspected periodically. He added that the DCR is currently in the process of obtaining a launch boat which would assist bringing boaters to the island. S. Kane noted that the launch boat will mostly be used at Georges and Spectacle Island. M. Driscoll then stated that reservations for using the moorings would be online through a permitting service called DACWA. S. Kane stated that the DACWA for each island will be different. She added that she has been working with K. Bornheim on the rules which will be included with Peddocks' DACWA, as he will have to help enforce them. She added that if boaters are not following the rules, they will no longer be able to reserve a mooring. C. Krahforst stated that he was under the impression that K. Bornheim, Harbormaster, will not be policing the moorings. S. Kane stated that the area is within K. Bornheim's jurisdiction, so he can help determine what is in the DACWA. If there is a policing issue, 911 will be called.

M. Driscoll stated that the majority of moorings will be installed in Perry's Cove. He stated that moorings will not be located in Portuguese Cove where there is eelgrass present. The Commission noted that at the last meeting, a dinghy area was proposed in an area where there was eelgrass. S. Kane stated that was an error. She stated that the idea is that most boaters that will be using the moorings have their own dinghies to get to the island. There will be a designated area for the boaters' dinghys to be stored while they are on-island; this will be overseen by DCR staff. The Commission noted that the located for this designated dingy area is in close proximity to eelgrass and is the furthest point possible from the path to the restrooms. C. Stillman stated that the area was chosen through conversing with cottage dwellers, but it could be moved. The Commission asked if there was any plan to continue with eelgrass restoration, to which there was no known answer.

S. Clarren arrived at 9PM.

S. Kane stated that due to the roughness of the seas by Peddocks, moorings are the most responsible and cost effective way to provide access to the island. She stated that the amount of use is currently unknown, but limited recreational boating access has been a constant complaint. The Commission expressed concern over the large amount of moorings proposed if there is no knowledge of actual demand for the moorings. M. Driscoll stated that it will be a phased approach; 22 moorings will be installed in the Spring and if there is heavy use of the moorings, the rest will be installed in the fall. The Commission asked how large of a vessel each mooring can serve, to which M. Driscoll said a 40' boat could use a mooring.

The Commission expressed concern that installation of such a large mooring field will push boaters who prefer to anchor in areas that will impact resource areas. S. Kane said that she thinks it is a limited number of boaters who anchor around Peddocks. The Commission noted that most people with a boat less than 26' do not have a restroom onboard and therefore, the moorings and designated dinghy area should be located as close to the path to the restrooms as possible. The Commission also stated that signs indicating location of eelgrass should be installed. The Commission noted that at the last hearing, members of the public expressed concern over the project and its impact on lobstering and fishing. C. Stillman of APEX stated that DMF doesn't consider the potential impact as a 'take' because lobsters and fish are prevalent elsewhere in the harbor. The Commission expressed concern over the number of moorings and stated that a usage report be provided.

Seven Special Conditions were added as follows:

S12. A usage report of the moorings must be provided to the Commission after the boating season ends (Columbus Day).

S13. A minimum of 2 signs must be installed in Portuguese Cove indicating the presence of eel grass and that no anchoring is allowed.

S14. No moorings can be installed where there is eelgrass.

S15. A designated dingy area is allowed in Perry Cove.

S16. Phase One, which will occur in spring 2018, will involve the installation of 22 moorings in the northeast section of the proposed mooring area.

S17. A sign must be installed indicating the direction of and distance to the restrooms.

S18. The DACWA (information which is provided via the online permitting system) must be provided to the Commission. The Commission has the right to require changes to the DACWA.

- Upon a **motion** by P. Paquin **2nd** by L. Sorgi 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**.

### **Certificate of Compliance Requests**

29 Beach Ave (SE35-1148) – P. Paquin **Motion**, L. Sorgi **2<sup>nd</sup>**, **vote** 5-0; CoC issued.

100 Clifton Ave (SE35-1317) – the Commission stated that during the site visit, there were areas where the vegetation was not established. The owners also constructed a stairway to the revetment which had not been permitted. The Commission determined an RDA should be submitted for the stairs. **No action**.

### **New Business**

Community Preservation Act Projects to be considered for CPA funds Discussion: The Commission briefly reviewed a list of potential projects that CPA funds could be used for.

Special/Standard Conditions Discussion: The Commission reviewed the existing special and standard conditions which are included with every Order of Conditions. It was determined that they should be condensed into a new 'Standard Conditions' page. S. Clarren and C. Krahforst will draft a new conditions page for the next meeting.

MACC Annual Conference: March 3<sup>rd</sup> – Final Reminder: S. Clarren gave a final reminder that the Annual Conservation Commission Conference would be on March 3<sup>rd</sup>.

Minor Modification 36 Cadish Ave: C. Krahforst relayed a request made by Alysha Perry, owner of 36 Cadish Avenue. A. Perry informed the Conservation Department that the elevations shown on the plan approved by the Commission were incorrect and therefore, trench drains will need to be installed along the driveway. S. Clarren noted that the proposed modification is not as minor as other modifications that have been approved by the Commission. She added that the proposed revised plan was completed by a different surveyor than the plan which was approved by the Commission. S. Clarren stated that when Orders of Conditions are issued, they state the Plan/s of Record. The Commission determined that the applicant should request to Amend the Order of Conditions.

Allerton Beach cobbles correspondence: C. Krahforst directed the Commission's attention to an email from Maxine Nash dated 2/27 which was in the meeting packet. Summarized, her email requested that large debris be removed prior to the storm and that rocks be removed from the beach. The Commission agreed that the DPW could remove the large debris. The Commission stated that property owners can maintain their property by removing cobble on their property and returning it to the beach, but no one can remove rocks from the beach without a permit. It was noted that in certain circumstances, if a health emergency is declared, than material can be removed from the beach once an Emergency Order is issued. C. Krahforst stated that he is trying to organize a pilot project in the area. The project would involve removing the rocks from the beach, creating a sand trench, and moving the rocks towards the high water mark. DEP has been involved and it appears that such a project may be allowed. He concluded by stating that because many of the owners in the area have beach lots, the town must obtain a temporary easement for such work. A Notice of Intent for said pilot project must be filed.

**10:53** Upon a **motion** by P. Paquin and **2nd** by L. Sorgi and a **vote** of 5-0;

It was **voted** to: Adjourn.