

# Hull Board of Selectmen

## Minutes

**December 1, 2015**

The meeting of the Hull Board of Selectmen was called to order at 7:30 p.m. on Tuesday evening, December 1, 2015, at the Hull Municipal Building, 253 Atlantic Ave., Hull, Massachusetts.

Present: John C. Brannan, Chair; Domenico Sestito, Vice-Chair; Christopher Mitchell, Clerk; John D. Reilly, Jr., Member; and Kevin Richardson, Member. Also present were; James Lampke; Town Counsel and Acting Town Manager and Catherine Goldhammer, recording secretary. Philip E. Lemnios, Town Manager, was absent due to being on medical leave.

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### APPOINTMENTS

#### Beach Management Committee presentation

Beach Management Committee members Rhoda Kanet, Paul Epstein, Peter Larsen, David MacDougall, and Rob Gilman gave a presentation to the selectmen. The following were some of the points made during the presentation; the full text is available on the town website.

- The committee consists of the above listed members as well as Conservation Administrator Anne Herbst, and Selectman Reilly as a representative of the Board of Selectmen. (Mitchell is the alternate.) The committee meets monthly and also holds a summer forum in order to accommodate summer residents.
- The committee's mission is to maximize both public access and storm protection. This often requires a balancing of conflicting needs between the two.
- The committee works closely with the Conservation Commission, the Town Manager, Town Counsel, the DCR, town department heads and citizen groups.
- Illegal dune openings are commonly created by property owners in several places during the summer. These affect parts of the dune many feet to either side, and allow storms to wash away the seagrass and sand. Legal dune openings are created at regular intervals and in such a fashion as to minimize damage to the dune. Catching the culprits is very difficult as they often operate during the night.

In addition, Gilman explained that moderate coastal storms are increasing in number. Storms that used to be 20-year storms are now common occurrences.

Epstein encouraged the selectmen to take action in regard to the DCR seawall, which he said is too far seaward and should be moved about 40' back. He stated that the wall will soon cause flooding to the businesses on Nantasket Ave. and will ultimately have disastrous effects to the town. He said that the Army Corp of Engineers made the same statement decades ago, and the situation has deteriorated since then. Epstein said that Representative Bradley and Senator Hedlund have expressed willingness to assist, if the selectmen request it of them.

The committee also requested that the selectmen take action to see that illegal dune openings are filled immediately rather than waiting until the end of the summer.

The board made the following motions:

<b>Motion</b>	Reilly	Motion that the board set as a policy that any illegal dune openings that the town is notified about should be filled in as soon as possible, within 24 hours if possible.

<b>Second</b>	Brannan	
<b>Vote</b>	Unanimous	

<b>Motion</b>	Reilly	Move that the board reappoint the three public members of the Beach Management Committee to terms expiring in 2018.
<b>Second</b>	Richardson	
<b>Vote</b>	Unanimous	

Reilly further recommended that the board take the potential addition of an alternate member of the Beach Management under consideration.

#### **Fort Revere discussion**

The selectmen revisited the subject of the fort and its condition, as well as the DCR's response to the town's request that the DCR take possession of the land parcels as defined in the 1998 land swap agreement and subsequent legislation.

Reilly said Senator Robert Hedlund is willing to give a letter to the Governor asking him to review the DCR's decision. Reilly also suggested that the town approach the federal government regarding the matter, as the fort is an area of historical importance and approximately 200 French soldiers from the Revolutionary War died there and are buried at the site. Reilly also said that a second flag pole, for the French flag, should be placed at the site.

Sestito credited the DCR for the trust fund, but also noted that it has disappointed the town in many ways over the years. As graffiti continues to be a problem at the site, he said that the DCR's Susan Kane is willing to meet with town officials to come up with a graffiti management plan.

Richardson asked about getting bids so that the table at the top of the tower can be moved. Mitchell asked if it would make sense to reestablish the Fort Revere Committee. Resident Rhoda Kanet suggested exploring the idea of taking possession of the whole area and creating a large group of volunteers to help maintain it.

Brannan asked the selectmen to send him points that could be included in a letter to the Governor and said that he would begin to write it. Resident Pat Finn suggested that inviting the Governor to the rededication next July might be an incentive for the state to act.

#### **Railroad bed licensing policy discussion**

[Note: Richardson recused himself from the discussion and left the meeting for this discussion.]

Regarding issuing licenses for the public use of the railroad bed, Lampke said that it had been the policy of the board since about the 1930s to allow people to use the portion of the bed adjacent to their property if it was not

being used by the town. The process includes making a request to the town; supplying a plan; and the town conducting an inspection of the area. He said that the board has historically approved these requests and issues a license, which has a number of conditions. The agreement is then recorded at the Registry of Deeds. The license is transferable and runs with the land. The agreement can be rescinded by the Board of Selectmen at any time. He also noted that if residents were not using the bed, the town would most likely have to clean it up and maintain it, so there is an upside for the town as well in allows abutters to maintain it.

Brannan said that there are about 240 homes abutting the bed. He noted that utilities that currently run under the dune may be moved to the railroad bed.

Reilly brought up the possibility of charging a licensing fee that is renewable each year and suggested finding out how many homes were using the bed. Mitchell recommended sending a notice to all abutters stating that if they are using the bed and do not have an agreement, they should contact the Board of Selectmen. Kanet said that most people have no idea that they are using it.

Resident Kenneth Kaplan said that the town is not protected if there is no license. He also said that he has seen cleaning and other service trucks dumping fluids on the bed and that he has reported this.

## **CORRESPONDENCE**

### **Email from Christopher Olivieri regarding appointment to the Conservation Commission.**

Former Selectman Olivieri wrote to request appointment to the Conservation Commission. He will be scheduled for an interview with the board.

### **Information from David Carlon regarding airplane noise forum**

Carlon sent information and invited those concerned to attend a forum with Congressman Stephen Lynch and the FAA on December 3, at the Milton High School.

## **APPOINTMENTS**

### **Richardson returned to the meeting.**

#### **Board and Committee Appointments**

<b>Motion</b>	Reilly	Motion to appoint Robert Bisson and Diane Flynn to the Historic District Commission for terms ending in 2017 (Bisson) and 2018 (Flynn)
<b>Second</b>	Richardson	
<b>Vote</b>	Unanimous	

<b>Motion</b>	Richardson	Motion to appoint Richard Manewal to the Canine Control Committee for a one-year term
<b>Second</b>	Mitchell	

<b>Vote</b>	Unanimous	

Following a motion by Richardson, seconded by Mitchell, to appoint Ed Burke to the War Memorial Commission, Reilly made a substitute motion to appoint John Silva. Following a split vote on the substitute motion, Reilly moved to reconsider so that the vote could be unanimous. The votes were as follows:

<b>Motion</b>	Richardson	Motion to appoint Ed Burke to the War Memorial Commission
<b>Second</b>	Mitchell	
<b>Vote</b>	No vote	[See substitute motion]

<b>Motion</b>	Reilly	Motion to appoint John Silva to the War Memorial Commission
<b>Second</b>	Sestito	
<b>Vote</b>	Approved	Reilly – Aye Sestito – Aye Brannan – Aye Richardson – Nay Mitchell – Nay

<b>Motion</b>	Reilly	Motion to reconsider the vote to appoint John Silva and make it unanimous
<b>Second</b>	Sestito	
<b>Vote</b>	Unanimous	

<b>Motion</b>	Reilly	Motion to appoint Dr. John Silva to the War Memorial Commission. [Note: Term to be verified.]
<b>Second</b>	Sestito	

<b>Vote</b>	Unanimous	
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In addition, the selectmen decided to ask the applicants who applied for appointment to the Conservation Commission earlier in the year to come in for new interviews. New applicant Christopher Olivieri will also be invited in for an interview.

Applicants to the Land Use Committee will also be scheduled for interviews.

### **NEW BUSINESS**

Reilly thanked all of those involved in the Thanksgiving bonfire for their good work and asked that a letter be sent to them thanking them for their service in that event.

Richardson commended Wellspring for their successfully remodeled building.

Mitchell noted that there appear to be some scheduling problems with the 714 bus route and its coordination with the ferry arrivals. Sestito said that the bus is scheduled at both ends of its route and this sometimes creates problems. He said that this used to be a frequent occurrence, but now is rare. The matter will be looked into.

Sestito thanked Congressman Lynch for his attendance at the Hull High School Thanksgiving Day game.

Lampke reported that Town Manager Lemnios' surgery went well.

Reilly asked if the board would look at their schedule in January and leave some dates open so that the Capital Outlay Committee could meet at a later hour. He said that the next Capital Outlay Committee meeting will be on December 15.

The meeting was adjourned at 10:20 p.m. The board will meet again on Tuesday, December 8, 2015.

*Recorded by Catherine Goldhammer*

Approved by:

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### **Documents**

The following documents were included in the Board of Selectmen's packets or were presented during the meeting and are available in the Board of Selectmen's office upon request:

- Board of Selectmen agenda and added agenda for December 1, 2015
- Email from Christopher Olivieri regarding appointment to Conservation Commission
- Board and commission member and applicant lists
- Memo from James Lampke regarding railroad bed licensing policy