

Minutes of the Meeting for the Halifax Conservation Commission January 11, 2022

Present at the Meeting: Kathy Evans, Edward Lane, Chris Hadorn & Kimberley King-Cavicchi.
Colleen Fiumara arrived at 7:10 and was present for the remainder of the meeting.

The Conservation Commission meeting opened at 7:00pm

7:00pm: 1 First Street: Tree Removal.

- Chair Evans asked if anyone was there for 1 First Street. Nobody was present for the discussion. Co-Chair Lane asked about the tree removal. Chair Evans explained some trees came down during a storm.

A motion was made to approve the removal of trees at 1 First Street.

Motion: Edward Lane

Second: Kimberley King-Cavicchi

ALL in favor

7:05pm: 47 White Island Road: Septic Repair.

- Joe Webby of Webby Engineering presented the septic plan for the septic system upgrade for the property 47 White Island Road that abuts Monponsett Pond. Mr. Webby stated they are within 100' of the top of the bank of the pond, they have their 50' & 100' buffer line. What they would like to do is install a title 5 septic system about 70' from the pond. The system is a secondary treatment system because it is required if we are less than 100' and this has been approved by the Board of Health. Co-Chair Lane asked where the system was located before. Mr. Webby replied that the cesspool was in the driveway.

A motion was made to approve the septic repair at 47 White Island Road.

Motion: Edward Lane

Second: Kimberley King-Cavicchi

ALL in favor

- While waiting for 7:10pm for the next appointment, Chair Evans asked the Board if anyone had gone by the property located at 224 River Street. There was a complaint about trees coming down. Co-Chair Lane replied that he could go by the property. Member King-Cavicchi replied she could go by the property on Thursday. Chair Evans commented that it appears to be a lot of stacked cut trees that she believes abuts the river. She doesn't know if they came down there or if they just cut somewhere else and just stacked them there. Co-Chair Lane asked if that was the yellow house and Chair Evans stated that it was. Co-Chair Lane commented that he believes about 2-years ago they got approval from Mosquito Control and cleared out that area for drainage. King said that she can talk to Ross from Mosquito Control tomorrow and get any reports that have been done; possibly it is just that the stacks are in the wrong spot.

7:10pm: 327 Wood Street: COC.

- The Meeting was opened by Chair Evans. Member Fiumara came in as the meeting was opened. Chair Evans asked if anyone had a chance to visit the site. Member King-Cavicchi is going to visit the site and then the committee can sign off. Chair Evans suggested making a motion to grant the COC pending the site visit.

A motion was made to approve the COC for 327 Wood St. with the condition that it is approved by the Conservation Members that look at it on Thursday.

Motion: Kimberley King-Cavicchi

Second: Coleen Fiumara

All in Favor

- While waiting to begin the 7:15 schedule discussion, Chair Evans said that there was a complaint about 699 Plymouth St. cutting trees within the wetlands. Evans can drive by this location and look. Member King-Cavicchi said she believes it is a valid complaint as she lives near it; it is a swampy area that is often dry in the Spring or after a nice, hot summer but it does go into the swamp.
- Also discussed before the 7:15 scheduled discussion was the signatures needed on the OOC for the Pine St. bridge project. The OOC was approved at the previous meeting but wasn't signed. The order was signed by Co-Chair Lane, Member Fiumara, Chair Evans and Member Hadorn.
- While waiting for the 7:15 scheduled discussion, Chair Evans asked for comments from the River St. Solar Farm. A member from the Solar Farm, Rob Grant with River St. Associates and Kozhaya Nessralla were present to discuss amending the project. The project is currently an existing permitted project on lot 1B River St., sister project to the existing solar field on River St. The OOC is currently active on the project. Since approval in 2018, there have been some new incentives that have become available in the solar development area. There is now an encouraged program to co-locate agricultural uses and solar uses on the same parcels. In addition to the co-located project, the developer is creating a farm plan which would result in a slight reduction in the project footprint with less panels than originally proposed as well as a reduction in the pervious area. The project is not yet approved but they are looking for suggestions on what the commission would like to see as the state farm plan approval will be coming out in February and construction is slated to start in the early Spring. Mr. Grant explained that the program is intended to keep farmland from being bought up and used for solar purposes alone. The existing plan for stationary panels would change the mounting structure that the panels are set on. The new panels would be elevated in the air about 10 feet and would be a motorized system that would allow the panels to track the sun and move. Using this tracking system would allow the original approved footprint from 2018 to be maintained. There would be no new resource area impact, it would remain in the original limit of work and would be a reduction in the previously approved pervious area and overall reduction in impact area. The OOC references the original plan and from an OOC perspective there are no new impacts proposed. At this time, Mr. Grant and the Solar Company are asking the Commission what they would need to do to maintain a valid OOC should the farm plan and agricultural project be deemed feasible. Member King-Cavicchi asked if they had registered under Brad Mitchell at the Farm Bureau. Mr. Nessralla indicated that at this time, the project does not fall under Mr. Mitchell's purview; currently it is under the USDA, then moves to MDAR and only after its approval will move to the Farm Bureau. Member King-Cavicchi asked if there are any studies that have been done as she is concerned with growing crops for consumption under solar panels. Mr. Grant explained that there are extensive studies that have been done by UMass Amherst regarding Agrivoltaics. Member King-Cavicchi asked if taxes paid on the property will go up as a result. Mr. Nessralla said for land covered under 61A exemption,

the taxes would change as adding solar panels changes the use of the land to commercial. Mr. Nessralla would be a renter on the property that is already zoned as commercial, so his specific 61A status for his land would not change. Chair Evans scheduled a hearing for March 8, 2022 at 7:00pm for possible changes to the existing OOC at Lot 1B, River St. Member King-Cavicchi will be the point person to directly convey updates weekly, in absence of a ConCom Secretary.

7:15pm: Storm Water Management Discussion/Updates:

- Chair Evans opened the discussion on stormwater updates at 7:28pm. Sara Melvin and Cambria from the EPA were present to discuss the updates. Ms. Melvin explained that the Stormwater Bylaw was implemented in 2019 and the regulations to support the bylaw were implemented in Spring of 2021. Updates now need to be submitted in time to vote at Town Meeting 2022. The difference between what is in the bylaw and what is in the regulations is: The actual Bylaw controls the negative impacts of Stormwater from construction, undeveloped and redeveloped sites. Any Bylaw changes must be made at the Town Meeting. Regulations include what is a requirement for submittal and approval under MS4 (Stormwater Bylaw) permit and only require a public meeting to be changed.
 - Most bylaws have a severability clause. Ms. Melvin suggests adding that into the bylaw. All members were in favor.
 - Currently the bylaw only applies to sites with land disturbance on 1 acre or greater lots. As Monponsett Pond has a phosphorous problem there is a suggestion that something be added about land draining directly to Monponsett Pond. Suggestion made by Member King-Cavicchi and by Chair Evans to also apply the regulation to an existing property within the watershed (to maintain consistency) that is less than one acre. Ms. Melvin suggested something on the lines of giving smaller projects a choice of items that they could implement to become in compliance with the MS4 permit, i.e.: rain barrels, rain guards, green roof etc. Ms. Melvin will work up the specific wording and submit it to the commission for approval. All members were in favor.
 - The definition of new and redevelopment need to change so both match the definition contained in the MS4 bylaw. All members were in favor.
 - Stormwater Authority is currently in the bylaw as the Conservation Commission. Ms. Melvin suggested moving that to a regulation if the commission thought that the authority may eventually change. Member King-Cavicchi felt that it should be kept in the bylaws. All members were in favor.
 - The one-acre threshold is currently in the bylaw. Ms. Melvin suggested changing it to a regulation so that it could be easily changed. Chair Evans asked that the one-acre requirement remain in the bylaw with provisions for smaller lots within the watershed to be listed in the regulations. All members were in favor.
 - The application of biosolids triggers the need for a stormwater permit. It is not typically covered by the Conservation Commission, normally the BOH handles it. Ms. Melvin asked if the commission would like biosolids added to ConCom's prevue. Chair Evans suggested that it remain in the bylaw as being covered by the Board of Health Agent. Ms. Melvin will confirm with Health Agent Valery. Also, regarding the biosolids, current wording states the need for a permit but states exemption if you have obtained other state permits. Ms. Melvin recommends updating to be more explicit; requiring direct approval from Conservation only after review of submitted state permits. All members were in favor.
 - In the regulations, public hearing notice should remain 14 days for any regulation changes. All members were in favor.
 - Currently the Bylaw references the latest DEP Stormwater handbook. When a new version of the handbook comes out, the Commission will be bound to whatever comes out. Ms. Melvin suggests moving this from the bylaws into the regulations so that it can be changed easily if needed. All members were in favor.

- Section 6, 7, 8 and # consist of only details (procedures, management plan, inspection details, operation, and maintenance plans) and are usually only contained in the regulations, not the bylaws. Ms. Melvin suggests removing these sections from the bylaw and keeping them entirely in the regulations. All members were in favor.
- All discussed changes will be submitted by email to Conservation Members by the end of the week. Members will review and submit any questions by the end of next week. Ms. Melvin will plan a tentative return to the January 25, 2022 Conservation Commission meeting for a final discussion. All members were in favor.
- Cambria discussed the implementation of an application form for a stormwater permit and an easy way for a resident to know if they need to apply. Member King-Cavicchi suggested an educational sheet to give to other departments so they would know to refer an applicant to Conservation. Member Hadorn asked for fees to be listed on the application form, education sheet and/or website. All members were in favor.

Discussions/Actions to be taken:

- 224 River Street: Trees being cut near river.
- 699 Plymouth Street: Trees Being Cut in Wetlands.
- Pine Street Bridge OOC Signatures:
- River Street Solar Farm:

Review Interoffice Mail: *(Looking for any comments, questions, or concerns the Conservation Commissions might have on this property/project)*

- None discussed.

Approval of Meeting Minutes:

- None to approve.

Bills:

- Halifax Reporter \$90.00

A motion was made to approve payment of \$90.00 to Halifax Reporter

Motion: Ed Lane

Second: Coleen Fiumara

ALL IN FAVOR

Permits:

- N/A

Mail received:

- N/A


Open Comments:

- Member King-Cavicchi suggested an article for a PT Conservation Agent on Town Meeting. She feels that the demands are becoming necessary for a licensed person to do certain inspections.
- Member King-Cavicchi suggested drafting a letter to discuss in executive session regarding employee shortages that exist in the commission without an agent and secretary.
- Chair Evans stated that both items could be discussed further at the next meeting.

8:37 p.m. – Motion to Adjourn:
Motion: Ed Lane
Second: Kim King-Cavicchi
ALL IN FAVOR

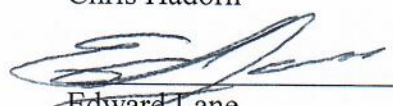
Respectfully typed and submitted by:
Kendra Kelly for the
Conservation Commission

Approved Date: 5/9/23



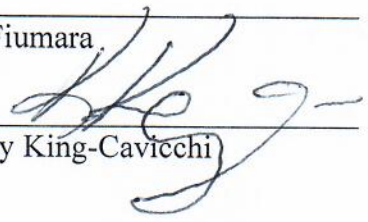
Kathy Evans

Chris Hadorn



Edward Lane

Colleen Fiumara



Kimberley King-Cavicchi

Next Meeting: January 25, 2022.