

# Minutes of the Meeting for the Halifax Conservation Commission May 23, 2023

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These minutes are an abstract of the Conservation Commission meeting held Tuesday, , 2023, which are on file with the Conservation Department and posted on the Town of Halifax website and Area58 Halifax's YouTube page.

**Present at the Meeting:** Kathy Evans, Chair, Edward Lane, Co-Chair, Kimberley King, Secretary,

**Absent:** Steve Goodman, Member.

Vice Chair Evans calls the Halifax Conservation Commission meeting into session, states members present and announces that the meeting is being recorded by Area 58 and can be viewed on YouTube.

**The Conservation Commission meeting opened at 7:00pm**

**Hearings begin at 7:00 PM:**

- **7:00pm: ANRAD Hearing: 111 River Street:** Rebecca Baptista, Silva Engineering (SEA) present.
  - To consider the Abbreviated Notice of Resource Area Delineation.
    - Silva Engineering updated the Board that the property was flagged/delineated in 2022.
    - The Board and Silva Engineering discussed the size of the property, location of solar field, endangered plant species, possible old style military equipment on property, potential contamination of old sludge and run-off.
    - The Board requested a peer review with Eco Systems Solutions.

**A motion to continue the hearing to Conservations 06/06/23 meeting at 7:10pm.**

**Motion:** Kimberley King

**Second:** Edward Lane

**ALL in Favor:** (3-0)

- **7:05pm: NOI Hearing: 22 Holmes Street:** Joe Webby, Webby Engineering and John Burris, owner in attendance.
  - To demolish the existing dwelling and construct a new single-family dwelling with associated site grading, within 100 feet of Monponsett Pond.
    - Webby Engineering presented the plan to demolish the existing dwelling and construct a new single-family dwelling with associated site grading, within 100 feet of Monponsett Pond.

- The Board, Webby Engineering and John Burris discussed the septic plan, Planning Board member comment/request to stay within the footprint of existing dwelling, Zoning Board 200' to pond By-Laws, staying within the original footprint and adding a garage, extending existing house outside the original footprint (but remaining 35' from pond), drive way servicing two properties, retaining wall, stairs to pond, pond erosion and state grants, submitting an amendment to the original NOI to include the retaining wall, stairs to pond and anything else to be done within the next 3-years. Return to Conservation with the amended NOI and updated plan.

**A motion to continue the hearing to Conservations 06/06/23 meeting at 7:15pm.**

**Motion:** Edward Lane

**Second:** Kimberley King

**ALL in Favor:** (3-0)

- **7:10pm: NOI Hearing Continued:** 0 Highland Circle & 69 Summit Street: Webby Engineering.
  - Proposal to construct a wetlands crossing to allow access to existing uplands and peer review (*Revision requested at 03/23/23 meeting from Peer Review by Eco System*) and Board site-visit update.

**A motion to continue the hearing to Conservations 06/20/23 meeting at 7:00pm.**

**Motion:** Edward Lane

**Second:** Kimberley King

**ALL in Favor:** (3-0)

- **7:15pm: NOI Hearing Continued:** 359 Plymouth Street: Grady Consulting – Fill and replicate 1,170SF of BVW for commercial purpose.
  - Eco Systems, Peer Review.
  - Stormwater Report: Requested by Kim King-Cavicchi at 12/13/22 meeting.

**A motion to continue the hearing to Conservations 06/20/23 meeting at 7:05pm.**

**Motion:** Edward Lane

**Second:** Kimberley King

**ALL in Favor:** (3-0)

#### **Discussions and Actions to be Taken:**

- 515 Monponsett Street: A Complaint for Violations of the Wetland Protection Act and Halifax Wetland Protections By-Law for removing trees down a very steep embankment down to and over the water line and dumping gravel into East Monponsett Pond.
  - Owner, Scott Burgess present. Mr. Burgess and the Board discussed the complaint, cease & desist letter sent and Notice of Intent previously approved, tree removal/clearing, stairs to pond, site-visit with Board on Sunday, 05/28/23 at 10AM. Administrative Assistant will post site-visit as a meeting.



- 24 Holmes Street: Complaint – Clearing/cutting of trees extends to 24 Holmes Street.
  - Board discussed the complaint. Chair Evans stated that she and Member King did a site visit at 22 Holmes Street and were able to determine that the trees removed at 24 Holmes Street are outside the 100' wetlands buffer zone.
- 31 Ocean Avenue: Complaint: Caller stated nothing has been done since Conservation deadline.
  - Chair Evans & Co-Chair Lane did a site-visit on Friday, 05/19/23 prior to owner starting work. Board agreed to reinstate and extend Notice of Intent that expired 05/01/23 for 30-days. New expiration date is 06/23/23 to complete project work.

**A motion to extend the Notice of Intent that expired 05/01/23 for 30-days. New expiration date is 06/23/23 to complete project work and notify owner of new expiration date if not completed corrective actions will be taken.**

**Motion:** Edward Lane

**Second:** Kathy Evans

**ALL in Favor:** (2-1)

- 30 White Island Road – Complaint: Alleges that a dock was put in and work being done within the 100' buffer zone.
  - No one was present for the discussion. Secretary King stated there needs to be a site-inspection and she can do an inspection from the street/road on 05/24/23 afternoon. Administrative Assistant will check files for documents from years ago with approval to work within the 100' buffer zone.
- 0 Pine Street & 1 Snow Street: Complaint. Ongoing operation and storage.
  - Chair Evans updated the Board that the certified letter was sent to owner, Paradise Properties does not appear to be the owner and may be a different property. Conservation Commission will wait the 14-days which was the deadline given in the certified letter.
- 265 Monponsett Street – Concern for Box Turtles during development.
  - Secretary King read the letter submitted by David Eastridge, Thorndike Development. She is concerned with the box turtles mating season. Secretary King would like to attend meeting with National Heritage.
- 111 Lake Street: Complaint. Homeowners within 50' of buffer zone, pushing piles and clearing into the stream.
  - Secretary King updated the Board on the complaint she received regarding the homeowners' pushing piles within 50' of buffer zone. The Highway Department sent an email to Administrative Assistant regarding the complaint and Secretary King confirmed the work being done.



- 63 South Street: Complaint. Concerns about excavation activity taking place and feel the man-made activity in the bog area and by residents of 63 South Street may be having a detrimental impact.
  - Chair Evans and Co-Chair Lane updated the Board on the site-visit they did of the area and asked Administrative Assistant to reach-out to Highway to see if any work was being done or had been done.
- 130 Fuller Street: Complaint. Neighbor came in with concerns of flooding, grading, and the swale/mote overflowing. She stated the height of his land has increased at least 6' to match his septic grading. When the swale/mote overflows, there is flooding into neighboring properties.
  - Board discussed the complaint on flooding and swale. Chair Evans and Co-Chair Lane updated the Board on the site-visit they did on 05/19/23. Administrative Assistant updated the Board that the complainant filed a formal complaint submitted by neighbor on 05/22/23. Chair Evans read the complaint aloud. Administrative Assistant will check the Notice of Intent's on the properties in question.
- 471 Monponsett Street: Fire that burned up the scrap yard at property.
  - Some residents may want to try and help the owner clean up the property due to its historical significance & appearance.
    - Board discussed the fire, erosion control measures, air conditioners, trash, hoarders, contaminants, oils. Chair Evans and asked the Administrative Assistant to send a letter to owner to discuss the issues. Administrative Assistant will reach-out to Fire Chief to ensure that his investigation is complete before they do a site-visit.
- 17, 49 & 51 Lake Street's: Complaint. Allegations of new docks being put in.
  - Secretary King updated Board on neighbor's complaint of docks being put in. Administrative Assistant will check files for application for docks.
- 250 Ligan Street: Update-Commission waiting for DEP's Report.
  - Commission waiting for DEP's Report.
- New Conservation Meetings Schedule: Tuesday, June 06, 2023, starts the 1<sup>st</sup> & 3<sup>rd</sup> Tuesday change for upcoming Conservation meetings.
  - Chair Evans reminded Board and Public of Conservation change of meeting dates.
- Discuss and possibly vote to revise Conservation Fees: *(Including but not limited to wetlands fee, Filing fees, stormwater management fees, etc...)*
  - Board discussed and continued to next meeting.

**Bills to be Approved and Signed:**

- Eco Systems Solutions – Invoice# W23-1805-1 – 0 Highland Street & 69 Summit Street Peer Review - \$1,705.00.
- Express Newspaper: Notice of Public Hearing Legal Ads.
  - 98 Holmes Street – Ad# 14278 – \$45.00

- 111 River Street – Ad# 14340 – \$45.00
- 22 Holmes Street – Ad# 14347 – \$45.00

**A motion was made to pay bills.**

**Motion:** Kimberley King

**Second:** Edward Lane

**ALL in favor (3-0)**

**Signatures:** Board Approved and Signed.

- 98 Holmes Street – NOI approved 05/09/23.
- River Street Solar Project.

**Meeting Minutes to be Approved and Signed:** Board Approved and Signed.

- March 08, 2022, Meeting Minutes
- April 11, 2023, Meeting Minutes
- April 25, 2023, Meeting Minutes

**\*\*Secretary King updated the Board that she asked the Administrative Assistant to reach-out to the Town Administrator on his thoughts on erosion grants for the area around and on the pond. Chair Evans agreed and Secretary King will do research and present it at the next meeting.**

**\*\*Co-Chair Lane asked Administrative Assistant if any Talent Bank Forms have been submitted for the open seat on the Board. Administrative Assistant stated there was one, but he was on another Board and couldn't be on Conservation. No others have applied.**

**Next Conservation Meeting:**

- June 06, 2023

A motion was made to adjourn at 8:15pm.

**Motion:** Edward Lane

**Second:** Kimberley King

**ALL in favor: (3-0)**

Respectfully typed and submitted by:  
Peggy Selter  
Conservation Commission

Approved Date: June 06, 2023

Kathy Evans, Chair

Edward Lane, Co-Chair

Kimberley King, Secretary