

Minutes of the Meeting for the Halifax Conservation Commission June 20, 2023

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, Steve Goodman, Member.

Absent: None

Co-Chair Lane 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:

- **7:00PM – NOI Continued Hearing – 22 Holmes Street:** Joe Webby, Webby Engineering and John Burris, owner were present.
 - To demolish the existing dwelling and construct a new single-family dwelling with associated site grading, within 100 feet of Monponsett Pond.
 - Amended NOI & Plan to include retaining wall requested by Board.
 - Mr. Webby updated the Board on the retaining wall revisions made on the plan and what the owner would like to do.
 - Some of the Board were concerned with the amount of wetland area (approximately 3-times the amount) being disturbed within the 50' buffer.
 - Some Board members did not have an issue with the plan submitted.
 - The Board discussed their site-visit, the septic system location and the size of the new dwelling being larger than the original footprint of the dwelling.
 - Co-Chair Lane opened 22 Holmes Street to the public for comments or questions. Mr. Gillespie had a question regarding Conservation Wetlands By-Law 164 regarding alterations. Secretary King read for the record Conservation Wetlands By-Law 164 Alterations Prohibited. The Board discussed the site-visit in regard to the trees removed from the property.

A motion was made to approve the Notice of Intent for 22 Holmes Street.

Motion: Kimberley King

Second: Steve Goodman

ALL in Favor (2-2) Not a majority decision, does not pass.

The Board discussed after the vote, missing a 5th member for their 5-member Board, associate members and voting, Talent Bank form submissions, the Board of Health and septic system at property.

- **7:10PM – ANRAD Continued Hearing: 111 River Street:** Silva Engineering has requested a continuance to Conservations 07/18/23 meeting at 7:10pm.
 - To consider the Abbreviated Notice of Resource Area Delineation.
 - Peer Review with Eco Systems

A motion was made to continue to the July 18, 2023, meeting.

Motion: Steve Goodman

Second: Kathy Evans

ALL in Favor (4-0)

Discussions and Actions to be Taken:

- **Farm View Estates (203 Hudson Street):** Orders of Condition-DEP Files no. 171-259.
 - Certificate of Compliance.
 - The Board discussed the matter of a request for Certificate of Compliance from a closing Attorney for his client. Final site-visit was never done, and a Certificate of Compliance was never issued. Board requested Administrative Assistant refer to Town Administrator.
- **550 Monponsett Street:** Emergency RDA. Pump repair.
 - Determination of Applicability.
 - Co-Chair Lane did site-visit. No disturbance, maintenance & repair.
 - Board signed Determination of Applicability.
- **Erosion Grants on and Around the Pond:** Update.
 - Secretary King to share information she has with other Board members to review for discussion.
 - Secretary King discussed • Erosion Grants on and Around the Pond that can be found on EPA.gov.
- **383 Monponsett Street:** Letter sent 06/14/23.
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- **30 White Island Road:** Complaint update: Homeowner, Elizabeth Fuller in attendance.
 - Harbormaster sent approval letter for dock.
 - Administrative Assistant is working with DEP and Harbormaster on the process and procedures of docks, old and new.
 - Owner updated Board on dock and other matters happening at her property regarding neighbors.
 - Secretary King read homeowner's letter addressed to the Conservation Commission into record.
 - Board explained that they can only address Conservation issues/matters. The other matters will need to be done privately or addressed by the appropriate Board's or a civil matter between neighbors.
 - Board & Homeowner discussed Notice of Intent for any future work done within the 100' buffer of a wetland/pond.
- **New Dock Complaints:** Allegations about new docks update.
 - **17 Lake Street:** Administrative Assistant reached-out to DEP for guidance.

- 49 Lake Street: Administrative Assistant reached-out to DEP for guidance.
- 51 Lake Street: Administrative Assistant reached-out to DEP for guidance.
- 515 Monponsett Street:
 - Administrative Assistant spoke with homeowner regarding Chapter 91 application. Email from Harbormaster.
 - Administrative Assistant is working with DEP and Harbormaster on the process and procedures of docks, old and new.
- 0 Pine Street & 1 Snow Street: Complaint Update:
 - Ongoing operation and storage.
 - Administrative Assistant updated the Board that the owner sent a public records request.
- 111 Lake Street: Complaint Update: Homeowners within 50' of buffer zone, pushing piles and clearing into the stream. Letter sent 06/14/23.
 - Administrative Assistant updated Board that a letter was sent request owner contact office. No response at this time.
- 63 South Street: Complaint Update: Flooding. Letter sent 06/14/23.
 - Administrative Assistant updated Board that a letter was sent request owner contact office. Homeowner contact office. He is not the owner of the property yet, agreement still in process and has not done any work on the premises.
- 130 Fuller Street: Complaint Update: Flooding. Letter sent 06/14/23.
 - Administrative Assistant updated Board that a letter was sent request owner contact office. No response at this time.
- 471 Monponsett Street: Update: Fire that burned up the scrap yard at the property. Letter sent 06/14/23.
 - Administrative Assistant updated Board that a letter was sent request owner contact office. No response at this time.
- "After-the-Fact" and/or working without Conservation approval Cost: Add to Fee Schedule.
 - Board discussed and agreed that all after-the-fact and/or working without Conservation approval fine is applicable and agreed on triple the damages. A motion was made that all after-the-fact (RDA's, NOI's, ANRAD's) and/or working within the 100' buffer zone of a wetland/pond without Conservation approval, the fee will be triple the damages.

Motion: Kathy Evans
Second: Kimberley King
ALL in Favor (4-0)

Bills to be Approved and Signed:

- None

Signature(s):

- 29 White Island Road: Board approved on 06/06/23 with no additional conditions.
 - Sign Determination of Applicability.
- 31 Ocean Avenue: Co-Chair Lane did a final inspection/Site-visit on.
 - Sign Certificate of Compliance.
 - Co-Chair Lane did the final site-visit.

- Board signed Certificate of Compliance.
- 26 White Island Road: Road opening (4x6 road cut)
 - Requires Sign-off.
 - Chair Evans signed.
- 331 Holmes Street: Road opening (4x6 road cut)
 - Requires Sign-off.
 - Chair Evans signed.
- 323 Holmes Street: Road opening (4x6 road cut)
 - Requires Sign-off.
 - Chair Evans signed.

Meeting Minutes to be Approved and Signed:

- December 13, 2022, Meeting Minutes
- December 27, 2022, Meeting Minutes
- January 10, 2023, Meeting Minutes
- January 24, 2023, Meeting Minutes
- February 14, 2023, Meeting Minutes
- June 06, 2023, Meeting Minutes

A motion was made signature for approval on all meeting minutes.

Motion: Steve Goodman

Second: Kathy Evans

ALL in Favor: (3-0)

- December 13, 2022, Meeting Minutes

A motion was made to approve December 13, 2022, Meeting Minutes

Motion: Steve Goodman

Second: Kim King

ALL in Favor: (3-0)

- December 27, 2022, Meeting Minutes

A motion was made to approve the December 27, 2022, Meeting Minutes

Motion: Steve Goodman

Second: Kim King

ALL in Favor: (3-0)

- January 10, 2023, Meeting Minutes

A motion was made to approve the January 10, 2023, Meeting Minutes

Motion: Kathy Evans

Second: Kim King

ALL in Favor: (3-0)

- January 24, 2023, Meeting Minutes

A motion was made to approve the January 24, 2023, Meeting Minutes

Motion: Kathy Evans

Second: Kim King

ALL in Favor: (3-0)

- February 14, 2023, Meeting Minutes

A motion was made to approve the February 14, 2023, Meeting Minutes

Motion: Steve Goodman

Second: Kim King

ALL in Favor: (3-0)

- June 06, 2023, Meeting Minutes

A motion was made to approve June 06, 2023, Meeting Minutes

Motion: Steve Goodman

Second: Kim King

ALL in Favor: (3-0)

Interoffice Memos & Site Plans: *(Some require Sign-off)*

- None

Next Meeting: The next meeting will fall on the 4th of July, which is a holiday. No meeting will be held on that date.

- Conservations next meeting will be held on July 18, 2023.

Motion to Adjourn to 8:20pm:


Motion: Steve Goodman

Second: Kathy Evans

ALL in Favor: (4-0)

Respectfully typed and submitted by:
Peggy Selter, Administrative Assistant
Conservation Commission

Approved Date: July 18, 2023


Kathy Evans, Chair


Edward Lane, Co-Chair


Kimberley King, Secretary

Steve Goodman, Member

Next Meeting: July 18, 2023.