

Minutes of the Meeting for the Halifax Conservation Commission July 12, 2022

Present at the Meeting: Kathy Evans, Edward Lane, Colleen Fiumara. Kimberley King-Cavicchi arrived at 7:25pm.

The Conservation Commission meeting was opened at 7:00 pm by Chair Evans.

7:00pm – 48 Elm Street – RDA:

Joe Webby from Webby Engineering was present on behalf of the property owner. This is a new lot that has been purchased for the proposed construction of a 4- bedroom home. This RDA is for the grading of the proposed septic system that will be done within the 100' buffer along with access to the garage. The BVW was delineated by Brad Holmes. Grading for the driveway will be tilted toward the wetland and a siltation barrier will be put along the 50' buffer line. Member Fiumara asked if there will be a permeable driveway as it will be located within the 100' buffer; gravel driveway is being proposed and will be written into the OOC for the approval of the RDA.

A motion was made to approve the RDA as presented with the permeable driveway.

Motion: Colleen Fiumara

Second: Edward Lane

ALL IN FAVOR

7:05pm–River Street Assoc. Solar Project- Request for Minor Modification to an OOC:

Charlie Grant was present to discuss modifications to the OOC. A modification is proposed to the erosion limits at the entrance to the site that were approved in the initial OOC. A thin driveway was approved leading up to the culvert stream crossing and that is going to be a tight area to move equipment through. Modification is proposed to the erosion limits which is also a turtle protection barrier to include an additional area. There is an area of .104 acres that is outside of the 100' buffer and an area of .105 acres that is within the 100' but not in the 50' no touch zone that is being requested for use as a temporary staging area for equipment. It will be returned to its original state once the project is completed and will help with the flow of the equipment through that area. The entrance onto River St. will not change, just would now include the upland that is just inside of the entrance. DEP has been approached and has approved on their end.

As a note, Mr. Grant stated that the amended plan that he sent in by email also showed that the array is now tighter with smaller and longer rows and has a smaller enclosed area so the impact will be less. These changes will be occurring within the same approved footprint. (DEP SE# 171-0513)

A motion was made to approve the request for a minor modification to the OOC for the erosion limits at the entrance area of the project as discussed.

Motion: Edward Lane

Second: Colleen Fiumara

ALL IN FAVOR

7:10pm – 0 & 592 Plymouth Street- NOI:

A representative from Outback Engineering was present on behalf of AGA and ADGA Realty to discuss the proposed NOI. A combo retail/commercial building with parking on 0 Plymouth St. parcel and combined parking on the 592 parcel is proposed. A septic upgrade for the house and barn currently located at 592 Plymouth St. is also being proposed. Most of the work on 0 Plymouth St. is within the 100' buffer, however there is a small portion of the proposed parking area (a few feet) that will be within the 50' no touch that is currently an existing gravel area. That area will become loamed and seeded and they are looking for a variance for those few feet into the no touch zone. The work proposed at 592 Plymouth for the septic and the combined parking is also within the 100'. The parking areas will be paved. The wetland line was delineated in 2019 by an employee of Outback Engineering.

Drainage reports and septic design reports have all been submitted with their applications. Planning Board hearing will be on 7/21, design issues will be discussed there. Co-Chair Lane asked how the runoff will be controlled and whether a stormwater permit will need to be applied for. The representative stated they don't have to apply because it is under an acre of disturbance. Proposed construction of a two-story office and retail building with associated septic, drainage systems, permeable parking area, and septic system upgrade. Waiver request for restoration work within the 50' No Touch Zone. 15 parking spaces off of Plymouth St. entrance and 14 spaces off of Carver St. entrance. The home at 592 Plymouth St. will remain in its current location. Chair Evans would like a storm water management application filled out and a site visit completed. Continued to the next meeting and a site visit will be conducted according to the flags. 7/26/22 7:15pm

Motion to continue 592 Plymouth St. to July 26, 2022 at 7:15pm.

Motion: Colleen Fiumara

Second: Edward Lane

ALL IN FAVOR

7:15pm – Solitude Lake Management – Request for Minor Modification to an Order of Conditions – Proposed alum treatment of Monponsett Pond East & West Basin (DEP SE# 171-0412)

Solitude Lake Management was present to ask for a minor modification to the current OOC to continue the current treatments and add the east basin to the treatment plan. The blue green algae problem has decreased significantly as a result of previous treatments. Going forward, proposed alum treatments would like to extend to the East Lake basin. The Habitat Management plan has been revised and filed with National Heritage and is pending approval. The plan for this year is to treat both pond basins with alum and periodically every 3-5 years after that with other alum treatments. Member King-Cavicchi asked if they had the BOH approval yet. The representative replied that they are not required to have BOH approval but have heard that the board is pleased with the results.

Motion to approve the minor modifications to the OOC pending the NHESP approval.

Motion: Edward Lane

Second: Colleen Fiumara

ALL IN FAVOR

7:20 – 31 Ocean Ave – Wetlands Act Violations – Continued Hearing

The representatives are not in attendance this evening, but a discussion was conducted regarding a site visit. Co-Chair Lane stated that he went to the site and pilings are in the water holding the deck up. To the right of the property pavement has been put on the paper road and vehicles are parked there. Co-Chair Lane is wondering if this is more of a state issue where the dock is in the water. Depending on the type of dock, it needs to be an RDA or NOI. Chair Evans suggested Chapter 91 filing and having the Building Department issue a ticket violation. The wiring inspector should also be advised that there is electricity running to the end of the dock. Member King-Cavicchi asked if NHESP was notified. Secretary Debbie stated that she knows they are aware of it.

Motion to continue to 7/26/2022 at 7:00pm

Motion: Edward Lane

Second: Colleen Fiumara

ALL IN FAVOR

For Discussion:

- 6 Pasture Lane - Neighborhood taxed incorrectly for their properties.

Ms. Tina Kenyon has been trying to get the street finished. When her home was signed off, the downspouts on her house were not directed into the retention pond. She also believes that people are not being taxed properly for the conservation area on their land. Member King-Cavicchi suggested going to the Assessors Office and the BOS to request a review of the situation. She also requested that a letter be provided on Conservation Commission letterhead confirming that she has wetlands on Ms. Kenyon's property. Chair Evans said that it should already be on the property file as she has variance from the previous year for a pool. Chair Evans would like a copy of the filing and a simple letter confirming the presence of wetlands provided to the homeowner.

- 19 Wamsutta Ave – tree and brush removal in wetland area without permit.

A call was received in the office along with photos submitted from a neighbor in regard to tree and brush removal. A certified letter was sent to request that the homeowner contact the Conservation Commission. No response was

received, and the certified receipt was not returned. Documentation submitted also includes complaints of the septic overflowing and draining into the lake and two separate living areas at the home. A referral is to be made to Board of Health and the Building Inspector to address those two issues. Chair Evans and Member Lane will go out to do a site visit over the upcoming weekend. Discussion to follow at the next meeting.

- 597 Monponsett St. – 6' fence and removal of vegetation without permit. The property is an old movie theater and is under construction. Nothing has been filed with Conservation but did go before the Zoning Board of Appeals. Chair Evans and Member Lane will go out and conduct a site visit over the upcoming weekend. Discussion to follow at the next meeting.

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

- Secretary Debbie has given her notice that she will be leaving the position on 8/3/22.

Permits:

- Road Cut Permits were received, reviewed and signed by Chair Evans

Mail received:

- None received.

Open Comments:

- None received.

8:19 p.m. – Motion to Adjourn:

Motion: Colleen Fiumara

Second: Kimberley King-Cavicchi

ALL IN FAVOR

Respectfully typed and submitted by:

Kendra Kelly for the
Conservation Commission

Approved Date: 7/19/23



Kathy Evans



Edward Lane



Colleen Fiumara



Kimberley King-Cavicchi

Next Meeting: July 26, 2022.