

# Minutes of the Meeting for the Halifax Conservation Commission July 18, 2023

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These minutes are an abstract of the Conservation Commission meeting held Tuesday, July 18, 2023, which are on file with the Conservation Department and posted on the Town of Halifax website and Area58 Halifax's YouTube page. [https://www.youtube.com/watch?v=\\_sQv6UxAr-I](https://www.youtube.com/watch?v=_sQv6UxAr-I)

**Present at the Meeting:** Kathy Evans, Chair, Edward Lane, Co-Chair, Kimberley King, Secretary, Peggy Selter, Administrative Assistant.

**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 7:10pm.**

## Hearings:

- **7:00pm:** *NOI Hearing Continued: 359 Plymouth Street:* Grady Consulting – Fill and replicate 1,170SF of BVW for commercial purpose.
  - Eco Systems, Peer Review.
  - Copy of Stormwater Report: Requested by Kim King-Cavicchi at 12/13/22 meeting.

A motion was made to continue the hearing for 359 Plymouth Street to the August 01, 2023, meeting at 7:05pm.

**Motion:** Edward Lane

**Second:** Kimberley King

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

- **7:05pm:** *NOI Hearing Continued: 0 Highland Circle & 69 Summit Street:* 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 was made to continue the hearing for 0 Highland Circle & 69 Summit Street to the August 15, 2023, meeting at 7:05pm.

**Motion:** Kimberley King

**Second:** Edward Lane

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

- **7:10pm: ANRAD Hearing Continued: 111 River Street:** Peer Review estimates discussion and decision.
  - Administrative Assistant informed the Board that Silva Engineering, applicant's representative, is not able to attend tonight's meeting. However, Applicants' Attorney sent peer review decision request.
  - Administrative Assistant updated the Board that Ecosystems submitted their estimate, and she was asked by Silva Engineering to get other estimates for the review per their applicant. The Administrative Assistant requested reviews from four (4) other companies. Two (2) companies did not respond. One (1) company stated that unfortunately given their current workload ahead of the meeting, they have to respectfully forego submitting a proposal. Ecological Land Management submitted an estimate for \$3,000 estimate submitted. Ecosystems submitted an estimate for over \$9,000.
  - Administrative Assistant updated the Board that to the best of her knowledge, if the peer review quote is under \$10k, the Conservation Commission has sole discretion to choose who they want.
    - The Board reviewed and discussed the estimates submitted by Ecological Land Management and Ecosystems Solutions. The Board concluded the Commission would receive a better delineation with Ecosystem Solutions.
      - Administrative Assistant updated Board that Ecosystem Solutions estimate is at the higher spectrum and any money not used will be returned to the applicant.
    - The Board wished Ecological Land Management had submitted a more detailed explanation of the costs for their estimate.

A motion was made to go with the estimate submitted by Ecosystem Solutions submitted in the amount of \$9,570.00.

**Motion:** Kimberley King

**Second:** Edward Lane

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

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

- **Farm View Estates (203 Hudson Street):** Orders of Condition-DEP Files no. 171-259. Certificate of Compliance.
  - Administrative Assistant updated the Board on the status of the Certificate of Compliance for Farm View Estates.
- **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 updated the Board that Board members and the Town Administrator wanted to wait until a Conservation Aventura was hired before moving forward with Erosion Grants on and Around the Pond.
  - Administrative Assistant updated the Board that the Town Administrator was hoping to get the Conservation Aventura posted next week.

- 383 Monponsett Street: Letter sent 06/14/23. Kenneth Coulstring, owner in attendance.
  - The Board and Mr. Coulstring discussed a letter sent regarding the installation of the driveway at the property within the 50' buffer zone of the West Monponsett Pond without Conservation approval.
  - The Board concluded that an "after-the-fact" Request for Determination of Applicability (RDA) will need to be submitted and the cost for that was \$225.00.
    - Administrative Assistant will send necessary documents and information to homeowner regarding the "after-the-fact" RDA.
- 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 updated the Board that she spoke to DEP & Chief Chaves, Harbormaster regarding "annual" permitting through Section 10A through the Harbormaster VS a Chapter 91 through the State.
- 0 Pine Street & 1 Snow Street: Complaint Update: Ongoing operation and storage. With Town Counsel.
  - Administrative Assistant updated the Board that the matter is still with Town Counsel and that the owner of the property submitted a letter today regarding the complaint.
  - The Board discussed the complaint, previous attempts to see the property, the Chair or Co-Chair contacting the owner, the Department of Environmental Protections' involvement, and Town Counsels suggestion/instructions for an administrative search warrant.
  - The Board concluded the continue the matter to the August 01, 2023, meeting.
- 111 Lake Street: Complaint Update: Homeowners within 50' of buffer zone, pushing piles and clearing into the stream. Letter sent 06/14/23. No response to letter.
  - The Board discussed the lack of response to the letter sent on 06/14/23 to the homeowner regarding piles and clearing within 50' of buffer zone being pushed into the stream at property.
  - The Board concluded that a firmer/sterner be sent to the owners regarding the matter.
- 130 Fuller Street: Complaint Update: Flooding. Letter sent 06/14/23. No response to letter.
  - The Board discussed the lack of response to the letter sent on 06/14/23 to the homeowner regarding flooding on/at the property.
  - The Board concluded that a firmer/sterner letter be sent to the owners regarding the matter.
- 471 Monponsett Street: Update: Fire that burned up the scrap yard at the property. Letter sent 06/14/23. No response to letter.
  - The Board discussed the lack of response to the letter sent on 06/14/23 to the homeowner regarding the fire that burned up the scrap yard and the possibility of contamination of the pond/water, as Monponsett Pond is tributary to a Silver Lakes public water supply.

- The Board concluded that a firmer/sterner letter be sent to the owners regarding the matter.

### **Signatures:**

- Signature Authority Fiscal Year 2024
  - Board signed Signature Authority Fiscal Year 2024
- 22 Holmes Street: Order of Conditions, signatures required.
  - Administrative Assistant instructed Board to disregard 22 Holmes Street: Order of Conditions, signatures required. Placed on agenda in error.

### **Meeting Minutes to be Approved and Signed:**

- June 14, 2022, Meeting Minutes  
A motion was made to approve and sign the June 14, 2022, Meeting Minutes.  
**Motion:** Edward Lane  
**Second:** Kimberley King  
**ALL in Favor:** (3-0)
- June 30, 2022, Meeting Minutes  
A motion was made to approve and sign the June 30, 2022, Meeting Minutes.  
**Motion:** Edward Lane  
**Second:** Kimberley King  
**ALL in Favor:** (3-0)
- October 11, 2022, Meeting Minutes  
A motion was made to approve and sign the October 11, 2022, Meeting Minutes.  
**Motion:** Edward Lane  
**Second:** Kimberley King  
**ALL in Favor:** (3-0)
- October 25, 2022, Meeting Minutes  
A motion was made to approve and sign the October 25, 2022, Meeting Minutes.  
**Motion:** Edward Lane  
**Second:** Kimberley King  
**ALL in Favor:** (3-0)
- November 08, 2022, Meeting Minutes  
A motion was made to approve and sign the November 08, 2022, Meeting Minutes.  
**Motion:** Kimberley King  
**Second:** Edward Lane  
**ALL in Favor:** (3-0)
- June 20, 2023, Meeting Minutes  
A motion was made to approve and sign the June 20, 2023, Meeting Minutes.  
**Motion:** Edward Lane  
**Second:** Kimberley King  
**ALL in Favor:** (3-0)

**Executive Session:**

*\*\*\*Executive Session. Discussing strategy with respect to litigation in an open meeting may have a detrimental effect on the litigating or legal discussions of the Town.*

- Administrative Assistant updated Board that "**Executive Session**" was added to the agenda in the event the Board wished to move an agenda item or discussion into Executive Session during a meeting.

**Other Business: \*\*Any other unscheduled business following posting of this Agenda.**

- 22 Holmes Street: New plan submission outside of the 50' buffer zone.
  - Administrative Assistant & Chair Evans updated Board that the owner of 22 Holmes Street is working on the possibility of a new plan submission placing the garage outside of the 50' buffer zone.

**Next Meeting:** August 01, 2023

**Motion was made to Adjourn at 8:00pm:**


**Motion:** Edward Lane

**Second:** Kimberly King

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

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

Approved Date: August 01, 2023

  
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Kathy Evans, Chair

  
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Edward Lane, Co-Chair

  
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Kimberley King, Secretary