

Minutes of the Meeting for the Halifax Conservation Commission August 23, 2022

Present at the Meeting: Kathy Evans, Edward Lane, Kimberley King-Cavicchi, Steve Goodman.
Absent: Colleen Fiumara

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

7:00 – 275 Wood St.- RDA Continued:

The RDA is being withdrawn. The RDA was signed by all members present with a negative determination. The project will be re-filed as an NOI.

7:05pm– River St. Solar Project – Proposed Changes:

Charlie Grant was present to provide an update to the project. The erosion control measures have been installed and a sweep of the area for turtles was completed. There is a change to the array footprint. The array will be switching back to a fixed tilt system and is a more compact design and less costly to build. The array will now be completely on the west side of the swale. It is the same amount and wattage of panels, just a much smaller footprint. The changes will stay mostly within the previously approved erosion control area with the exception of one small area and some of that will be in the 50' no touch zone. The previous approval granted permission to have a fence installed north of the limit of work they are currently proposing, so it was originally within the 50' no touch, but Mr. Grant is respectful of whatever decision the Commission makes regarding the proposed changes. Mr. Grant also stated that they would like to install a small turnaround area on the road. It will be located completely outside of the wetland buffer zones. Amy Troup was present and stated that the turnaround area was not presented to the Planning Board yet, but the change in racking system was. Member King-Cavicchi reminded that all changes would have to be brought to the other boards even if Conservation approves them. Mr. Grant is also proposing to change the location of the battery storage to the middle of the array and will be outside of the buffer zone and within the limits of erosion control. Member King-Cavicchi would not be comfortable voting on the changes that are proposed as the plan is different than what was presented to the Planning Board two weeks ago. Mr. Grant will get a concrete plan together and provide it to all boards. Chair Evans asked if the road is still needed where the design has changed. Mr. Grant agreed that it may not be needed but is interested in keeping the ability to put the road in on the eastern side of the array if possible. Co-Chair Lane asked what kind of battery protection would be installed around the Battery Storage. There is a secondary containment system around the transformer. The battery would have fire protection and cooling systems for the storage. The cooling system is air based and therefore would not have any liquid coolant.

A motion was made to continue to the meeting on 9/13/2022 at 7:15pm

Motion: Edward Lane

Second: Kimberley King-Cavicchi

ALL IN FAVOR

7:10pm – 111 Lake St. - COC:

The OOC was issued 11 years ago for the construction of a new single-family dwelling. There is a separate filing for the new septic and the realtor has requested a COC for both filings. They are selling the property and need to close out both filings. The board would like to make sure that the Board of Health and the Building Inspector can confirm compliance.

Motion to continue 111 Lake St. to 9/13/22 at 7:25pm.

Motion: Kimberley King-Cavicchi

Second: Edward Lane

ALL IN FAVOR

For Discussion:

- Joseph King, Forestry Supervisor for National Grid reached out regarding tree removal on Carver St. The work description was read into the record. The tree work will be conducted between poles 10-13 on Carver St and is necessary to maintain safe clearance to electric conductors. All members are in agreement with the scope of the work.
- 31 Ocean Ave. – The dock is now gone but the pavement remains. The fines for the dock will cease. The pavement needs to be removed and restored to its original elevation. As it is still in violation, the fines for the pavement will remain and increase to \$300.00 per day due to non-compliance. Member King-Cavicchi stated that the owner has also been using pesticides within the 100' buffer zone and that is not permitted. Photos of this new violation will be provided, and a letter will need to be sent. The Commission would like the owner to be invited to the next meeting. A discussion will be on the agenda for 9/13/22 at 7:35pm.

Motion to continue fines for the pavement violation and increase them from \$150.00 per day to \$300.00 per day.

Motion: Kimberley King-Cavicchi

Second: Steve Goodman

3 Yes, 1 No vote. Motion carries.

Motion to continue request Mr. McKinnon of 31 Ocean Ave. come to the meeting on 9/13/22 at 7:35pm to discuss the on-going fines and the return of the pavement area to the original elevation.

Motion: Kimberley King-Cavicchi

Second: Ed Lane

ALL IN FAVOR

- 20 Holmes St. has been clear cut from Holmes St. all the way (200') down to the water. Amy Troup has sent photos to Member Lane. A tear down and rebuild hearing will be in front of the ZBA on their September meeting. Member King-Cavicchi thought there was an RDA on file already. Chair Evans would like to have a site visit done. Evans and King-Cavicchi will conduct a site visit on 9/24/22 at 10:00am.
- Complaint about Fourth and Tenth Ave beaches having new sand. There is new sand at the Tenth Ave beach per Bob Valery. Member Goodman stated that there is no new sand however there may have been an old sand pile that was spread out, but there is no "new" sand. Member King-Cavicchi suggested sending a letter to the Tenth Ave Beach Association asking them to file an NOI for clean-up, as the other semi-public beaches in town do. The NOI is good for two years and would cover raking and other types of clean up. Resident David Mascio was present and stated that he raked the beach to remove the goose poop but did not bring in any new sand. The Fourth Ave beach is a public beach and is therefore under the care of the Recreation Department. Chair Evans is going to look into the details of what requires a filing and what does not. Chair Evans asked that a letter be sent to the Tenth Ave. beach requesting the filing of an NOI. Per Chair Evans, Mr. Mascio is allowed to continue to rake up goose poop only and is asked to not remove anything else.
- Mr. Mascio asked what the procedure for conducting a site visit was. Member King-Cavicchi was made aware of a complaint at the Morse Brothers property that turtles and birds were being run over and killed. Member King-Cavicchi accompanied Chief Chaves to the property and ended up spending 3 hours (per King-Cavicchi) on the property with "Scott", the owner of the property. Mr. Mascio stated that a statement was made at a ZBA public meeting on behalf of the Conservation Commission by Member King-Cavicchi, when the matter had not been discussed with the other board members. Mr. Mascio expressed concern with a board member making a statement on behalf of the board when it had not been discussed with the other members and asked for clarification on the "site visit procedure". Chair Evans stated that ideally the matter is discussed at a Conservation Commission meeting and then a site visit is conducted. A member may drive by a site to do a preliminary viewing, before a meeting if it is an emergency matter. Mr. Mascio asked if Member King-Cavicchi had the authority to speak at a public meeting on behalf of the Conservation Commission if that matter had not been discussed previously with the board. Both Chair Evans and Member Goodman responded "No" to Mr. Mascio's question. Member Lane did not respond.

- Talent Bank's received from Jeremy Gillespie, David Mascio and Frank Johnston. All submissions were reviewed, and all applicants will be invited to attend the next meeting on 9/13/2022 from 7:45pm to 8:00pm.
- Educational forums for the residents were proposed. Bob Valery is in full support, and it would be sponsored by Halifax Conservation Commission and the Halifax Board of Health. The forums could be posted on the Town Website for continued education on wetland and Board of Health procedures and issues. Secretary Debbie, Member King-Cavicchi and Member Goodman would be the organizers of the forums, along with Bob Valery and a member of his board. Secretary Debbie will email the Chair and other members in order to not violate the Open Meeting Law.
- Social Media should only be focused on Education and Announcements. There will be no commenting allowed on the Facebook site.

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

Permits:

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

Mail received:

- None received.

Open Comments:

- None received.

8:30 p.m. – Motion to Adjourn:

Motion: Steve Goodman

Second: Edward Lane

ALL IN FAVOR

Respectfully typed and submitted by:

Kendra Kelly for the
Conservation Commission

Approved Date: 9/11/23


Kathy Evans


Edward Lane

Colleen Fiumara


Kimberley King-Cavicchi

Steve Goodman

Next Meeting: September 13, 2022.