



Halifax Conservation Commission
Meeting Minutes
December 05, 2023

These minutes are an abstract of the Conservation Commission meeting held Tuesday, December 05, 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=kXjxH3TuApE>

Present at the Meeting: Kathy Evans, Chair, Edward Lane, Co-Chair, Kimberley King, Secretary, Steve Goodman, Member, Melanie Martin-Plant, Member.

Absent: None

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

7:00pm: 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.*

- The Commission will enter into Executive Session to:
 - Discuss the reputation, character, physical condition, or mental health, rather than professional competence, of an individual, or to discuss the discipline or dismissal of, or complaints or charges brought against, a public officer, employee, staff member or individual.

A motion was made to move into Executive Session at 7:05pm.

Motion: Edward Lane

Second: Kimberley King

Roll Call Vote:

Melanie Martin-Plant - Yes

Kimberley King - Yes

Edward Lane - Yes

Steve Goodman - Yes

Kathy Evans - Yes

A motion was made to move back into Public Session at 8:00pm.

Motion:

Second:

Roll Call Vote:

Melanie Martin-Plant - Yes

Kimberley King - Yes

Edward Lane - Yes

Steve Goodman - Yes

Kathy Evans - Yes

Scheduled Hearings to begin directly following the Executive Session.

Hearings:

- **7:00pm:** 0 Monponsett Street (M52, L428): NOI – *Hearing:* Pat Carrara, PMP Consulting and owner Donald Almeida in attendance.
 - Construction of a Single-Family Dwelling and Associated Septic System.
 - Mr. Carrara informed the Board of the proposal for 0 Monponsett Street Map 52, Lot 428, old abandoned cranberry bogs at the end of Paradise Lane, on the West Pond. They are proposing to build a single-family dwelling, septic system, an out barn, a driveway off the end of Paradise Lane following the existing gravel access road to the bogs up to the top of the hill where they are proposing to construct the dwelling and septic system. There are wetland areas, one off to the south which is associated with another old abandoned cranberry bog. They are connected by a drain pipe that goes to a drain easement on the abutting properties into the cranberry bog on the proposed area. The wetlands were flagged, there is an area of upland within the cranberry bog. Those are the resource areas plus the limit of West Monponsett Pond. Mr. Carrara commented that they have been through the Board of Health and obtained a variance for the construction of the septic system. Working in the buffer zone consists of working on the construction of the driveway, portion of the dwelling and some associated clearing and site grading within the northern side of the site. There is a dewatering area in case it is needed. The proposed water service will connect to the existing water main within the town access which moves back out to Rt. 58 and the utilities will come off the last pole on Paradise Lane, install a new pole and go up to the dwelling.
 - The Board, Mr. Carrara & Mr. Almeida discussed erosion, wetland area, permeable pavers, run-off within the 50' buffer, additional native species plantings & buffer zone planting, MDAR's book of wetland planting specifically designed for Southeastern Mass with endless options, enhancing the driveway with the plantings, neighbor affects, natural swale, septic system approved by Board of Health, excessive vegetation growth, the bogs and the undergrowth.

Member Goodman recused himself from voting due to the fact that the owner is friends with members of his extended family.

A motion was made to approve the Notice of Intent for 0 Monponsett Street with the addition of the proper planting of vegetation around the wetlands, and contact Conservation Commission prior to commencing any work for a site-visit to ensure proper erosion control.

Motion: Edward Lane

Second: Kimberley King

ALL in Favor: (4-0)

- **7:05pm: 509 Monponsett Street (M31, L: RDA – Hearing:** Charles & Joan Rogers, owners.
 - Perform natural pruning intended to maintain the trees characteristic growth pattern to (a) remove dead limbs and (b) branch removal of limbs growing toward the house and overhanging the house & deck.
 - The Board discussed the pruning of trees and removal of dead limbs at the property.

A motion was made to approve the request for determination of applicability at 509 Monponsett Street with the condition of an approved site-visit from the new Conservation Agent, Ford Wykoff.

Motion: Steve Goodman

Second: Edward Lane

ALL in Favor: (5-0)

- **7:10pm: 513 Thompson Street (M70, L7): NOI – Hearing:** Joe Webby, Webby Engineering and owners present.
 - To demolish an existing barn & shed and construct a 30'x40' garage within 100' of a bordering vegetative wetland.
 - The Board discussed possibly a new variance from Zoning to move the structure forward approximately eight (8) feet to be even with the front of the garage, stone driveway, planting vegetation to counter additional run-off, pits and downspouts, slanted roof with drip edges on the garages to the stone/gravel below and approving the Notice of Intent with the new conditions discussed.
 - Conservation is requesting the Zoning Board of Appeals look into approving a variance based on Conservations recommendations for the structure to be moved forward approximately eight (8) feet to be even with the front of the garage making it 11 feet from the 50' no touch buffer zone and 42' from the street and the plan changes the Board would like to see.

A motion was made to approve the Notice of Intent for 513 Thompson Street with the new variance for the structure to be moved forward eight (8) feet to be even with the front of the garage and the approval of the Zoning Board, the added planning for vegetation, drippage and silt stocking for erosion control.

Motion: Edward Lane

Second: Kimberley King

ALL in Favor: (4-0)

- **7:15pm: 111 River Street – ANRAD – Continued Hearing:** Rebecca Baptista, Silva Engineering.
 - Approval of Bordering Vegetated Wetlands (BVM).
 - Ecosystems Solutions Review Revisions.

A motion was made to continue the hearing for 111 River Street to Conservations 01/09/2024 agenda.

Motion: Kimberley King

Second: Steve Goodman

ALL in Favor: (5-0)

- **7:20pm: 48 Elm Street (M48, L6-1): RDA – Hearing - Tree Removal – Thomas Sedell, Owner.**
 - Tree is leaning over the pond; owner is worried it could potentially fall on someone going by on the pond.
 - The Board discussed the tree leaning over the pond, its potential falling, the dwelling construction permit with the Building department, the vegetation/invasive species on the property and around the tree, removal of tree in the least invasive way, replanting of native plants to help control erosion.

A motion was made to approve the request for determination of applicability at 48 Elm Street to allow the removal of the tree, keeping the roots and stump in place and getting rid of any invasive plants in the immediate area. If a large amount of invasive plant is removed, a different native plant be replanted to help control erosion.

Motion: Edward Lane

Second: Melanie Martin-Plant.

ALL in Favor: (5-0)

Discussions and Actions to be Taken:

- **7:30pm: Pine Street Bridge:** Steve Hayward, Highway Surveyor. Wetland Monitoring.
 - Chris Jones, BETA, Inc's Engineer updated the Board on the monitoring contract and contractor for the Pine Street bridge project.
 - The Board and Mr. Jones discussed the Boards position on the Conservation Commission doing the wetland monitoring reports for the project, consisting of 4 inspections, 2 per year for 2 years of plant growth and other things related to the bridge construction, the new conservation Agent taking on the monitoring and the qualifications required to do the monitoring, the contract, hybrid-contract, breach of contract, responsibility & liability, educational experience for new Agent.

A motion was made to approve to approve the Highway Departments recommendation to hire BETA, Inc to monitor Pine Street Bridge.

Motion: Edward Lane

Second: Steve Goodman

ALL in Favor: (5-0)

- **314 Plymouth Street and 340 Plymouth Street:**
 - Drainage Pipe & Abandoned Ditches issue, Alger property (340 Plymouth Street).
 - Administrative Assistant updated the Board that she and Highway Surveyor Hayward are trying to find some kind of solution for Mr. Alger's drainage/run-off situation.
- **596 Monponsett Street:** Clerical Corrected Order of Conditions Extension
 - Administrative Assistant updated the Board on the clerical errors corrected on previously signed Order of Conditions Extension
- **Monponsett Pond Hanson, MA:** DEP# SE-175-0733 and SE-175-0580.
 - Administrative Assistant updated the Board that the Town of Hanson reached-out to Halifax for a Request for Certificate of Compliance (COC) on the treatment plans for Monponsett Pond West Basin, Hanson location. Administrative Assistant completed the

request for CO and the Certificate of Compliance will be sent to the Plymouth County Registry of Deed for recording.

- Vote to change the Conservation Commission meeting day/dates. (New 2024 Meeting Schedule)
 - Currently the 1st & 3rd Tuesday of the month.
 - Board would like to convert back to the 2nd & 4th Tuesday of the month beginning January 2024 with 1st changed meeting to be held on Tuesday January 09, 23 at 7pm.

A motion was made to accept the 2024 meeting schedule as written to the second and fourth Tuesday of every month.

Motion: Kimberley King

Second: Steve Goodman

ALL in Favor: (5-0)

A motion was made to change the December 24, 2024, meeting to December 17, 2024.

Motion: Melanie Martin-Plant

Second: Kimberley King

ALL in Favor: (5-0)

- Conservation Commission Goals: Continue to next Conservation meeting.
 - Educating the Public and explain to the community that the job of the Conservation Commission is to ensure that any potential development is as much in harmony with the natural environment as possible; and that our purpose is to protect the land, air, water, and biodiversity of the ecosystem.
 - Conservation Commission Policies: Continue to next Conservation meeting. Discussion to consider policies for the following: Chair Evans & Member Martin-Plant requested a discussion on the following:
 - Whenever wetlands are disturbed, it is required to be replaced by a 2-1 replication.
 - Whenever new construction is within the 100' buffer zone, a post and rail fence is required to be placed at the 50' "no touch" buffer zone.
 - Require an NOI for any projects outside of routine maintenance within 50 feet of wetlands.
 - That new developments limit impermeable parking lots and driveways, and instead lean towards pervious surfaces, such as gravel, as much as reasonably possible.
 - To absorb water on-site rather than increase storm water runoff. Even when catch basins are installed the rainwater that washes over impervious surfaces collects pollutants which are then transported off-site. I'd like to see more water absorbed and filtered by the natural process of soil and sand on-site through pervious surfaces, vegetated buffers, and rain gardens.
 - To reduce thermal radiation of pavement. Too much pavement can lead to urban heat island effect and contribute to climate change, as well as environmental and health risks.
 - The 2:1 planting ratio that Chair Evans suggested will certainly help in these areas as well.

Bills to be Approved and Signed:

- **Express Newspaper:**
 - 0 Monponsett Street: Notice of Public Hearing Legal Ad# 14954 - \$45.00
 - 509 Monponsett Street: Notice of Public Hearing – Legal Ad# 14973 - \$45.00
 - 513 Thompson Street: Notice of Public Hearing - Legal Ad# 14978 - \$45.00
- **Plymouth County Registry of Deeds:**
 - 596 Monponsett Street: Corrected Order of Conditions Extension Recording - \$107.00.
 - Monponsett Ponds (Western Basin): DEP# SE-175-0733 – Treatment/Herbicide/Algaecide Certificate of Compliance Recording - \$107.00
 - Monponsett Ponds (Western Basin): DEP# SE-175-0580 – Habitat Management Plan Phosphorous Inactivation Certificate of Compliance Recording - \$107.00
- **Ecosystems Solutions:**
 - 111 River Street: ANRAD Delineation Peer Review – Invoice# W23-1846-1 - \$9,020.00

A motion was made to approve bills.

Motion: Edward Lane

Second: Steve Goodman

ALL in Favor: (5-0)

Signatures:

- 596 Monponsett Street: 12/05/23 Corrected Order of Conditions Extension.
 - Board signed the corrected Order of Conditions Extension to be recorded.

Meeting Minutes to be Approved and Signed:

- November 21, 2023, Meeting Minutes – Continue to next meeting if not already approved.

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

- Member King expressed her gratitude to having a new Conservation Agent in place.
- Member King thanked the Administration Assistant's work to update the Conservation Website to be more user friendly.
- Administration Assistant expressed her personal opinion on the merging Board of Health and Conservation Administrative Assistant and Planning Board and Zoning Board Administrative Assistant.

Next Meeting: December 19, 2023

Motion was made to Adjourn at 9:00pm:

Motion: Edward Lane

Second: Steve Goodman

ALL in Favor: (5-0)

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

Approved Date: December 19, 2023



Kathy Evans, Chair

Edward Lane, Co-Chair



Kimberley King, Secretary

Steve Goodman, Member



Melanie Martin-Plant, Member