

# MINUTES OF THE MEETING HALIFAX CONSERVATION COMMISSION

July 13, 2021

A meeting of the Halifax Conservation Commission was held on Tuesday, July 13, 2021, in the Board of Selectman's meeting room, first floor, Town Hall. Kathy Evans opened the meeting at 7:00 p.m.

**Members present:** Kathy Evans, Ed Lane, Colleen Fiumara; Kim Cavicchi  
**Absent:** Chris Hadorn

## Appointments/Hearings:

### **7:00 p.m. – Notice of Intent: 314 Plymouth St. – Commercial building**

Present: Joe Webby; Webby Engineering representing applicant.

314 Plymouth St. where Nessralla Farm Stand is located. Mr. Webby went over plans, across from entrance to Stop & Shop. Buyer: True Storage to buy property and develop with climate controlled (inside) Brad Holmes looked at wetlands, isolated wetlands between properties and O'Reilly Auto Parts. 50' buffer and 100' jurisdictional zone. Want to build 244 x 100 building, and associated driving, paving And detention basin. Respecting the 50' zone, collect for storm water management a series of catch basins and manholes and discharge into the basins. Similar to O'Reilly's. 2 - 100year storm events. Meeting with Planning Board for site plan approval, went out to review. Back to planning board on Aug. 23. Also need a special permit with Planning board as building is greater than 15,000 sq. ft.

Mr. Lane asked how the issues with O'Reilly's, etc. No issues have been noted. Ms. Evans asked about the no touch. Mr. Webby said nothing is closer than 50 feet.

Abutter: Tina Alger asked a series of questions: where the basin is. Mr. Webby went over the plans again regarding the basins and ditch(s). Mrs. Alger is very concerned with the water as there is a drainage problem. Mr. Webby advised nothing will be done with the ditch and stated this project is only for this particular piece of property. Nothing will be done on the other lots owned by the Peck boys. She believes the overflow is on that property and stated how the water flows and gets backed up. Believes the retention pond is not big enough. Stating all the water flows down across her property to the country club property.

Ms. Evans asked about the overflow... it is just for emergency situations. Mr. Webby stated because of storm water management it has to be designed for the 100 yr. storm event and the overflow it is designed for a hurricane.

The site plan is being reviewed by the Planning Board peer review engineer. Ms. Evans suggested to continue to after the planning board meeting. K. Cavicchi stated that the area gets extremely wet and in front of those properties and Rte. 106. Mr. Lane asked about the sewer system.... Water. Mrs. Alger stated John Peck was supposed to fix this situation but has not to date.

Confirmed the jurisdiction of Conservation, 50' no touch, anything within 100' has to be brought to the commission.

Motion to continue the Notice of Intent at 314 Plymouth St. to August 10, 2021 at 7:00 pm

Motion: Ed Lane

Second: Colleen Fiumara

All in favor

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**7:10 - Notice of Intent – 7 Heron Road for patio and staircase.**

Joe Webby for Dan & Ruth Mortland

Mr. Webby went over the plan; they would like to build a brick patio and a set of stairs down to the pond. Also have a diagram of the wood stairs, and they would be within 50' and have the right to access the pond. Does come under NHESP and it is being reviewed. Mr. Lane asked if there were existing stairs. Mr. Webby stated – no, just a dirt trail. Ms. Evans requested silt fencing along the side of the stairs case to contain an erosion during construction.

Motion to accept Notice of Intent for 7 Heron Rd. for the patio and staircase.

Motion: Ed Lane

Second: Colleen Fiumara

All in favor

Went over the procedures with the owner, also need to wait for the report from NHESP

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**7:20 - Notice of Intent – Lot 6 Wood St. – for new single-family dwelling**

Joe Webby for applicant: 279 Wood St. the Boutemain property: subdividing two lots, 6 & 7 Winnetuxet River, top of bank, mean high water delineated by Brad Holmes. Associated BVW and 2 riverfront, inner and outer riparian also the 100' from BVW, didn't put the 50' as no work within the first 100'. Due to the new law, the state's no touch, 100'. Are allowed with alternative analysis turned in & with state, allowed to disturb 10% or 5000 sq. ft. within the 200' and 100'. Mr. Webby showed on the plans. Lot 6 is 3686 sq. ft. within the outer riparian zone: lot 7 is a little bigger.

Would like to create two lots, two buildings, two septic systems and associated work, limited back yard. Proposing to not do any work within the 100' of BVW. Only within the inner and outer riparian zones. Ms. Evans asked to show the line for the no touch for the state. They could apply but can't exceed the 10%. The septic systems have been approved with the Board of Health. As long as they supply the alternative analysis and agree, you can approve. BOH – soils are fine. No where near the wetlands, just some road drainage, but not a wetland, all within uplands. State did issue the DEP #'s, but have to wait for NHESP.

Motion to approve Notice of Intent: Lot 6 Wood St. for single family dwelling pending the NHESP report.

Motion: Ed Lane

Second: Colleen Fiumara

All in favor

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**7:30 – Notice of Intent – Lot 7 Wood St. for new single-family dwelling**

Same as for lot 6 just with less disturbance.

Motion to approve Notice of Intent: Lot 7 Wood St. for single family dwelling pending the NHESP report

Motion: Colleen Fiumara

Second: Ed Lane

All in favor

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**7:35 – ANRAD Extension: Scott Casagrande –**

ORAD about 3 years ago, want to extend. Statement that the delineation remains accurate (a requirement for DEP to extent the ORAD Plymouth St - can do up to 3-year extension.

Motion to extend the ORAD for Scott Casagrande - Plymouth St.

Motion: Ed Lane

Second: Colleen Fiumara

All in favor.

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**7:40 pm – discussion cancelled by Matt Weathers – 49 Lake St.**

**Discussion: 269 Franklin St. Ashlesh Kurahatti**

Wanted to discuss the grass / weed controls. Back in April approved, did work about 3 weeks ago. Site walk by Ed Lane & Colleen Fiumara attended. Mr. Lane was under impression to only cut the grass, Removed the soil and made some piles, the piles are still there. Mr. Kurahatti felt there was an interpretation gap. Thought was advised to do the weed control. Wanted to do a permanent solution as opposed to temporary, basically had to go down to the roots and dig out the weeds so they don't grow again. That area is very swampy, with a high-water table, if don't do that, will continue.

Mr. Lane asked what the plans are now. The plan to go back and do fresh seed and hope for good grass. Also found a facility will take the piles. Secretary advised that if a certain amount of earth is removed, the Board of Selectman need to be notified for a soil removal permit. Mr. Kurahatti will try to estimate but doesn't believe it to be not even one full dump truck.

Mr. Lane doesn't seem to have a problem. Ms. Cavicchi asked to ensure the amended Order of Conditions is being followed. Secretary believes the amendment was for the trees. Tree trimmings were noticed behind the fence line. Members believe the trimmings were to be left on site.

Area that was disturbed will be reseeded. Will start next week and be done quickly. Also wanted to know what the conditions will be to close the permit. Ms. Evans said once the grass takes then can do. Mr. Kurahatti advised the request for certificate of compliance has been sent in. All the paperwork has been received. In fall can do another inspection. Only request from Mr. Kurahatti is to propose to close the permit and offer a bond. Just something that they have been trying to close for a while. Members rather wait to do a final site inspection as opposed to a bond. They agreed to come out sooner if grass takes well. Once grass is good, he will contact for inspection.

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**Secretarial: Bills/Meeting Minutes:**

Motion to approve Meeting minutes for June 8, 2021

Motion: Ed Lane

Second: Colleen Fiumara

All in favor

Motion to approve Meeting minutes for May 25, 2021

Motion: Ed Lane

Second: Colleen Fiumara

All in favor

Motion to pay bills: Hal/Ply Express Inv.#'s 12594, 12596, 12597 total \$180.00

Motion: Ed Lane

Second: Colleen Fiumara

All in favor

**Certificate of Compliance for Fuller St. – DEP# 171-0534**

Statement and As-Built has been received.

Motion to approved certificate of compliance for Fuller St.

Motion: Ed Lane

Second: Colleen Fiumara

All in favor

**Certificate of Compliance for 107 River St. – Solar Filed**

First inspection before Franklin St. - Ms. Cavicchi noticed it would be a great place for beehives to replenish the population. Colleen Fiumara, Kim Cavicchi, Ed Lane went out for the final site inspection.

Motion to approve a Certificate of Compliance for 107 River St.

Motion: Ed Lane

Second: Colleen Fiumara

All in favor

Signature for 0 Monponsett St. – Cease and desist. Kathy Evans signed.

Motion to adjourn:

Motion: Ed Lane

Second: Colleen Fiumara

All in favor.

Documents: \*Agenda, general notes, miscellaneous emails.

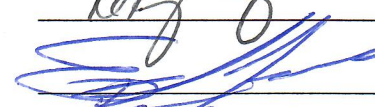
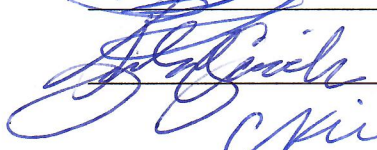
Board of Selectman: road cuts; earth removal permit. ZBA – notices of PH;

\*\*Please note some documents above have been filed in the office of the Conservation Commission in the respective file folders.

Respectfully submitted

Digitally recorded by  
Terri Renaud for  
Conservation Commission

Approved date:

9/28/2021  
Kathy 36  
  
  
C Fiumara