

**MINUTES OF THE MEETING
HALIFAX CONSERVATION COMMISSION
December 10, 2019**

A meeting of the Halifax Conservation Commission was held on Tuesday, December 10, 2019 in Meeting Room #1, Second Floor. Chairperson Gerry Fitzgerald opened the meeting at 7:00 p.m.

In Attendance: Gerry Fitzgerald, Chairman; Chris Hadorn, Clerk; Ed Lane, member; and Associate Member Colleen Fiumara Absent: Kathy Evans and John Peck

Appointments/Hearings:

7:00 p.m. Determination of Applicability: 3 Ninth Ave.

Present: Marguerite Pujalte:

Met with commission earlier regarding rear patio removed and replaced. Members wanted a filing to have it on record. Any other improvements to be brought to the board.

Motion to approve Negative 3 Determination

Motion: Chris Hadorn

Second: Ed Lane All in favor

7:05 p.m. Notice of Intent: 24 Pine St.

Present: Mr. Beatty (owner), Sean Finucane - Engineer

Proposed addition to home for an in-law apartment. Wetlands in front and rear of property. Ground has already been disturbed with the build of the existing home. All work would be within 50' buffer.

Reviewed line of erosion controls. BOH is all set with septic system.

Motion to approve the Notice of Intent with the Standard order of Conditions

Motion: Ed Lane

Second: Chris Hadorn All in favor

7:10 p.m. Certificate of Compliance: 68 Pond St.

Present: Michael Brown

Order of Conditions from NOI back in 2001, was not previously requested. All work has been completed for over 15 years. Members had no issues.

Motion to approve the Certificate of Compliance for 68 Pond Street,

Motion: Chris Hadorn

Second: Ed Lane All in favor

Discussion: 175 & 161 River St. possible violations

Present are: 175 River St.: Ray and Linda Sluhocki; 158 River St. Nancy Zotos

161 River St.: Scott Onanian (arrive late) Gordon R. Andrews and Amy Troup

Chairman Fitzgerald reminded the Sluhocki's that a neighbor took pictures of work on their property (175 River St.) of an excavator in their back yard a week after they were before the commission on a

complaint. Mrs. Shuhocki requested the photos and was given a copy. Chairman advised he went by and believe it to be very close or in the wetlands. Commission concerned work is being done inside the buffer zone and no one contacted them trying to find out what is going on. Mr. G.R. Andrews stated its outside the 50'. Site plan was reviewed by the members. Mrs. Shulhocki stated they are "filling in holes from trees that fell over". Pictures taken across the street of their home, (showed pictures of large tree base that had fallen) "this is what my yard looked like, I have children, I have animals, and not to mention we're not in the buffer zone, so I have a right to fill my property. Fortunate that they've blown in back of us".

Chairman Fitzgerald stated that the commission doesn't know what is going on so asked both parties to come in. However, 175 River St. was before the commission at last meeting and said they weren't doing anything and within a week they are excavating. Can't tell where it is compared to the wetland line. Next to your house [175]. Not on anyone's plans to put a road in. We only find out when it is brought to [our] attention, send letters for meeting, etc. There are 2 things, (175 and 161). There is a 50' not ouch in town, people come in to get variances for whatever they are looking to do, just need to come in and file. Commission will have on record. Restated that they don't go riding around town looking for violations.

Ms. Zotos complained that 161 is the one doing all the removals, putting in road, but 175 is getting picked on. Mr. Hadorn asked if they had pictures of the trees on their property? They did not, only provided pictures of trees from across the street. Also asked if they have any more trees that have fallen? The Shulhocki's advised no, as they filled it {the holes} and pushed them (trees) back. Mr. Hadorn asked if they have more that they are worried about. Sluhocki's said no, not worried at this time (of more) but it could still happen. Mr. Hadorn then stated to [Ms. Zotos] we are not "picking". When the commission receives a complaint, they act on it. Would just like for someone to come in and tell us, fill out paperwork, any trees in danger, take them down. Would rather have them taken down. No picking on anybody, just following up on complaint.

Chairman Fitzgerald again stated anything inside that 50' and the house is right on it [maybe 15' from the line] and Gordon (Andrews) was clear with you how the regulations are. But, if you want to put up a shed, inside 50, chances we'll say ok, just need the paperwork so if someone calls, we know about it. As for the holes, understand it is safety. Anything else, fill out NOI on what you're doing. (have 3 yrs.) Ms. Zotos again questions what the cement barrier was for. Mr. Onanian then presented himself as arrived. Mr. Fitzgerald asked about the concrete block. Mr. Onanian advised he placed it there so no one would enter onto his property. Chairman asked about the clearing of a road. Mr. Onanian said he had no information about that and understood it should stay as wetlands and no clearing allowed. Mr. Fitzgerald suggested planting trees in front of it to prevent anyone from entering.

Mr. Onanian showed the members (on a plan) approximate location of the barrier. He stated about 20' from the property line (left corner). Continued discussion and seems to be unclear and misunderstanding of where the wetlands are located. He explained that he believed there is uplands on the lower left-hand corner. Members showed (with extended plan inclusive of 175 River St.) that it is not uplands. Mr. Onanian wants to clear that area. Members advised he cannot do anything, as it is actually wetlands and would show a 50' wetland line. Ms. Zotos showed her plan of the delineation of wetlands. (form A) Continued discussion of the wetland line, uplands and the barrier. Mr. Onanian agreed to move it and plant a couple trees in the spring. Members do not want any further activity in that area, as long as there isn't anyone going in or out of that area, the wetlands will return. No cutting, logging, moving trees. Members allowed him to keep the barrier until planting of tree(s) in the spring. Any existing clippings or cuttings in area are to stay. Members reiterated to both parties that if they want to do anything, they need to file a Notice of Intent. (175 River St.) can leave the trees as they are and fill any holes currently there.

Discussion: Eagle Scout Project

Present: Eagle Scout: Scott McKee with Boy Scouts and Masters

Would like to clear path on Harry Brown Nature Trail (behind Halifax Elementary School) Will put in board walk(s) in wettest areas for safe passage. 2 bird houses, 2 bat houses and benches. Would like to start in spring but may start when weather permits. Materials will be donated. Benches will be cemented down (2') and recycled plastic bench top. Houses will be on 12' stainless steel poles into ground as well. About feet of boardwalk will leave trees as they are, but cut any overgrown brush from time to time,

Members like the idea, asked to be kept posted when they are starting, keep any clippings off to the side and be cautious of any debris, i.e.: nails, screws, cement, sawdust, etc. Members wish him well and good luck with the project. Mr. McKee asked for a letter of authorization.

Secretarial:

Motion to pay all bills presented

Motion: Ed Lane

Second: Chris Hadorn All in favor

Motion to Approve Meeting Minutes for November 12, 2019

Motion: Chris Hadorn

Second: Ed Lane All in Favor

Motion to adjourn

Motion: Ed Lane

Seconded: Chris Hadorn All in Favor

Documents:

Agenda: 12/10/19

Sign in sheet 11/12/19

Meeting Minutes 11/12/19

Email, A. Poyant for River St. complaint

Letters to: S. Onanian & R. Sluhocki – River Street

Memo from BOS – S. McKee (Eagle Scout project)

2020 Conservation meeting schedule

2020 BOS meeting schedule

Memo: Finance Committee

MACC notices

Email: FEMA

DEP: Brockton – Monponsett-to-Silver Lake

OCPC- Agenda 12/4/19

ZBA decision letters 11/6/19 & 11/18/19

Planning Board notice 11/25/19

General Notes of meeting

Respectfully submitted,

Date Approved: 2/25/2020

Signatures:

