

**MINUTES OF THE
HALIFAX CONSERVATION COMMISSION
March 12, 2019**

A meeting of the Halifax Conservation Commission was held on Tuesday, March 12, 2019 in the Conservation Commission office. Chairperson Gerry Fitzgerald opened the meeting at 7:00pm.

**In Attendance: Ed Lane, Member; John Peck, Member;
Gerry Fitzgerald, Chairperson;
Absent: Kathy Evans, Vice Chairperson**

Open 7:00p.m. – 330 Plymouth St., NOI

Present: Casey Birch, Civil Engineer from Soli Engineering and Brad Holmes, Wetland Scientist from Environmental Consulting and Restoration LLC.

The proposed site is .988 acres total of cultivated farmland. It is south of Nessralla Farms and north of the Mutual Bank, just east of Plymouth St. The majority of the wetlands is to the south. What is being proposed is a 7,225 sq ft O'Reilly's Auto Parts Store. Half the site is within the 100' setback and .16 acres is within the 50' setback. The site access will be situated 160 feet back from Plymouth St. Loading is located in the rear and a dumpster receptacle is in the rear as well. They are proposing 34 parking spaces. Currently, the site flows west to east. The ridge line is Plymouth St., and drains into wetlands in the rear. The proposed drainage pattern is mimicking what is currently there. They are collecting drainage through a series of catch basins and a hydronamic separator, and distributing it into a detention infiltration pond which is designed to capture the recharge volume as well as attenuate peak flows to the 100 year storm event for all storm vents. The hydronamic separator is designed to remove 80% of suspended solids throughout the year. Gerry asked where the septic is located and if it will be located under the asphalt. Mr. Birch answered yes. The construction entrance will use silt fencing and staked haybales, inlet protection for all the catch basins and the proposed septic area will be fenced off. Gerry asked if the BOH has approved the septic yet. Mr. Birch stated they are submitting an application to the BOH this week. The landscaping will be sod, shrubs, a variety of trees and mulch. The monument sign will also have shrubs and a tree around it.

Brad Holmes added there is a ditch stream at the back of the property that used to connect to a pond but that is no longer existing. It is an agricultural plow field now. There is an intermittent stream. There is no vegetated wetland. Brad used hydric soil analyses to determine the wetland.

John Peck stated that this should not be approved. He also stated he can't vote on the project because he is an abutter. He stated the detention pond never held water and nothing should be done until he puts a drainage pipe in. Mr. Peck also stated the Elger's have bent over backwards for him and he doesn't want to see any project approved until he installs the drainage pipe that he proposed a few years back. There is a 50' no touch area on both sides of the ditch which is DEP approved by the ditch site. Mr. Peck stated that the town broke a pipe awhile back, which saturated the field. Mr. Elger, an abutter, stated that the Mutual bank is a huge problem. The water stagnates there. If the water flowed through, there would not be a problem. The DEP approved a pipe two years ago. There was a pipe that was dumping water onto the Elger's property, which was closed up by the Highway Department. Gerry

stated that what is being proposed will not impact what Mr. Peck wants to do. Soli Engineering will be submitting plans to elevate the drainage pipe. The Highway Department is using this pipe as an overflow. It will drain and feed the wetlands. This project plans Soli is proposing regarding the pipes will improve this site per Casey. Mr. Elger stated the bank should be held responsible for the damage they have caused. They have pictures documenting the issues with the retention pond.

John Peck stated this could be a 93A situation. The bank is creating a wetland situation. How do we hold the bank responsible? Gerry stated the Conservation Commission would send a letter to the bank demanding that they come before the Commission to address this problem. Mr. Elger stated he has been complaining about the bank for twenty years. He used to farm that land, now it's ruined. Gerry stated he would like to put a cease and desist on the bank for their lack of attention to this. Chris asked if there was any issue with part of the project being inside the 50' no touch? Gerry stated no because that line is manmade by the town. It's a swamp out there because of the town. The Elgers stated they have no problem with the Auto Parts store going in, they just have a problem with the current water situation. Casey stated that all standards will be followed to MA stormwater regulations. He asked if there was a downgrading problem? Mr. Peck answered that the water goes down into a retention pond. John will pipe it over to the new pond at the country club.

Gerry stated there will not be a motion until a walk through with the Planning board, Highway Department and Conservation Commission, which will be scheduled.

Secretarial:

Gerry: Entertained a motion to approve the Meeting Minutes from February 26, 2019

Motion: Ed Lane

Second: Chris Hadorn

AIF

Mail: Email from Charlie Seelig regarding advertisement for Associate Members

Postcard from NEMO

Email from Erik Boyer, Wildlands Trust

Gerry instructed letter to be sent to 51 & 59 Pratt St. to homeowners.

Gerry Fitzgerald entertained a motion to adjourn the meeting at 8:00p.m.

Motion: Ed Lane

Second: Chris Hadorn

AIF

Respectfully submitted,

Kathy Clark

Secretary

Date Approved: _____

Signatures: _____

