

**MINUTES OF THE  
HALIFAX CONSERVATION COMMISSION  
February 26, 2019**

A meeting of the Halifax Conservation Commission was held on Tuesday, February 26, 2019 in the Conservation Commission office. Chairperson Gerry Fitzgerald opened the meeting at 7:28pm.

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

**Open 7:00p.m. – 241 Franklin St., Amended OOC**

Present: Mr. Jon Novak

Mr. Novak presented a plan to the commission of cutting the tops of existing pine trees at the solar field site for safety issues regarding the solar panels. He also stated there were a few modifications at the site as well. Steve Ivas had presented a letter regarding the impact on the wetlands. Gerry stated they would be cutting 25 ft into the wetlands. The Conservation Commission had previously approved them to go up to the 50 ft no touch zone and that they should not go any further. Mr. Novak stated they wanted to cut the trees down to 30-40 feet due to the winds perhaps knocking the trees down and damaging the solar panels. Gerry stated they should have known that potential existed and planned for it. Gerry stated he wondered what the survivability of the trees would be if they were to be cut so low. Mr. Novak also stated that the proposed bridge over the stream would be a concrete crossing. As a replacement, they will be constructing a timber bridge, which would be less invasive. They currently have a temporary bridge in place. Gerry asked what the load capacity is. Mr. Novak stated it is a HS40 which is a high capacity load bridge. Gerry stated that as long as it is within the same footprint, he did not think it would be a problem. Mr. Novak stated that a retention pond that was originally designed, was no longer needed after an analysis for the DEP was completed, so they want to remove it. A townspeople stated that he feared that water would flow right into his property as he is already experiencing water problems there. Mr. Novak stated they also proposed to reduce the roadway with from 18' to 16' and slightly reduced the slope. The grading of another basin was changed slightly, as well as the shape. It has the same capacity.

Gerry asked for a motion on the trimming of the trees and the other modifications. Mr. Novak then stated that since Steve wasn't able to attend this meeting, if a motion can be held and Steve could come back to another meeting to further explain the plans. Gerry said they could come back, but if they're cutting into the wetlands, the answer will remain no. Mr. Novak wants this to be continued. Gerry told him this could be continued. Mr. DiBona commented that the commission stated, when the project was begun, that the 50' no touch zone would be strictly enforced. He also stated that he believes the cutting of the trees would cause them to die. He sighted the Halifax Wetlands Protection by-law that enforces the 50' no touch zone. He also stated that there was a plan in a previous meeting by the engineer that if they were to cut the trees, the cuttings would be left on the ground. Mr. Novak said the point of that is to increase habitat for small wildlife. Mr. DiBona stated that he believes that is a fire hazard and that this land backs up to the elementary school. He is very concerned about that as well as the drainage problem. Mr. Novak again asked for a continuation.

Gerry: Entertained a motion to continue until March 12, 2019

**Motion: Ed Lane**  
**Second: Kathy Evans**  
**AIF**

After the motion was made, a resident at 243 Franklin St. stated that privacy trees were promised from Coneco at the start of the project. These were never planted. He invited the Conservation Commission to come to his house to see how exposed it is. He respectfully requested that the promised privacy trees be planted. Gerry stated this issue can be brought up at the next meeting. Mr. DiBona then stated that since August he has had 300' of water in his yard. The water flows right across his driveway and it is almost impossible to drive on it at times. Mr. Novak stated that it is in the middle of construction right now and it should be fine when the project is completed, but Mike McGonigle and Steve can address that problem at the next meeting.

**Next on Agenda: 280 South Street - COC**

Steven Wry from Land Planning stated that the replication area is completed and confirmed that it has 75% reestablished wetland vegetation in accordance with the Conceptual Planting Plan. The culvert crossing has been constructed in accordance with the order of conditions for the project.

Gerry: Entertained a motion to approve COC

**Motion: Ed Lane**  
**Second: Kathy Evans**  
**AIF**

**Next on Agenda: 8 Hilda Lane – ANRAD**

Steve Wry from Land Planning stated that Phil Clemens from Tunk Associates went out and reflagged the wetland area at the property. Steve Wry is in agreement with the reflagging. He presented the redrawn plan which shows the new areas of wetlands. Gerry asked if a letter was submitted from Tunk Associates in the file. There is.

Gerry entertained a motion to approve the ANRAD as revised.

**Motion: Ed Lane**  
**Second: Kathy Evans**  
**AIF**

**Secretarial:**

Gerry: Entertained a motion to approve the Meeting Minutes from 01-22-19

**Motion: Ed Lane**  
**Second: Kathy Evans**  
**AIF**

Mail: Old Colony Planning Council Agenda dated January 30, 2019 and February 27, 2019  
Mass Wildlife Magazine  
Plymouth County Mosquito Control Project – 76 Plymouth St.  
Plymouth County Registry of Deeds Office Hours  
Copy of a resident's email regarding O'Reilly's Car Parts Store  
Copy of a post from resident regarding solar fields

Gerry Fitzgerald entertained a motion to adjourn the meeting at 7:50 p.m.

**Motion: Ed Lane**

**Second: Kathy Evans**

**AIF**

Respectfully submitted,

Kathy Clark

Secretary

Date Approved: \_\_\_\_\_

Signatures: \_\_\_\_\_

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