

TPMINUTES OF THE MEETING HALIFAX CONSERVATION COMMISSION

April 27, 2021

A meeting of the Halifax Conservation Commission was held on Tuesday, April 27, 2021. Chris Hadorn opened the meeting at 7:07 p.m.

Members present: Chris Hadorn, Ed Lane, Gerry Fitzgerald. **Associate member** Colleen Fiumara
arrived at 7: pm. Absent: Kathy Evans

Appointments/Hearings:

7:00 p.m. Marianne Nelson – 501 Monponsett St. dock replacement.

Had a dock, was ruined over the winter. Want to replace with a new dock, easier to take out in winter. Comes in sections and has anchors. Not a floating dock, this is stationery, comes in modules. The previous dock was in so long ago. Not sure how long they had the dock, may be close to 40 years. Spoke with building inspector, he suggested to contact Conservation.

Mr. Fitzgerald also suggested to contact the Police Department: the Chief is the Harbor Master.
(Waterways Commissioner)

They have no intention to go out any further... will be the same size, length, about 20 feet.
Advise the Police Chief you have spoken with Conservation and came in front of us.

All members agreed they are ok with the replacement of the dock. No filing required.

Secretarial:

Motion to pay bill for Registry of Deeds in the amount of \$107.00.

Motion: Ed Lane

Second Gerry Fitzgerald

All in favor

Motion to approve meeting minutes for March 23, 2021 – (members to sign in office)

Motion: Ed Lane

Second: Gerry Fitzgerald

All in favor

Discussions:

241/269 Franklin St. – solar field. Email request for approval for weed control, will be of natural ingredients.... 20% vinegar. Would like to do **in between** solar panel rows as well as **underneath**. Looking to clarify.

C. Hadorn asked if any correspondence on how often they will do this. Secretary believes it to be once or twice a year. Request to notify commission when apply weed control.

Motion to approve/accept the weed treatment in between panels on Franklin St.

Motion: Ed Lane

Second: Gerry Fitzgerald

All in favor

7:10 p.m. 688 Plymouth ST – DEP complaint:

Present: Gordon Andrews and Joann Andrews

Complaint was filed with DEP accusing of wetlands being filled in. Mr. Fitzgerald asked if he is.

Mr. Andrews: I'm not. Who said it?

Secretary advised it was a complaint that went through the Mass DEP portal. Was forwarded to local Commission. Email received and secretary had requested back up. It does not provide who submitted it.

Mr. Hadorn asked the owners (Andrews) if they had been doing any work out near the wetlands at all.

Mr. Andrews replied: No, he is bringing fill in next to the street.

Secretary provided to members, back up, GIS/Oliver map. No conservation files were found.

Mr. Hadorn asked where the wetlands are. Mr. Andrews advised they are out back, and he is working out front, right at Rte. 106. No plot plan was found in the files.

Mr. Fitzgerald asked if he has any delineation of the wetlands line.

Mr. Andrews reiterated that he is dropping fill at the street, that is it.

MR. Fitzgerald advised that complaint stated there were trucks going in and out, asked what he is filing in by the street? Bringing in materials, thought it to be just a parking space. he is bringing in, by the street.

Mr. Andrews advise there is a 20-foot drop and has a lot next to him and wants to make a driveway with the fill. Mr. Fitzgerald stated most properties have a plot plan with delineation. Secretary advised we only have it if there are wetlands and someone filed, and application submitted to Conservation. Mr. Fitzgerald feels they need to check into it as DEP requesting action. He asked Mr. Andrews to get it delineated. Mr. Andrews said No, he wouldn't as it is right at the street and it because Mrs. Andrews (his wife) complained about 0 Monponsett St. so someone is complaining about him.

Conversation continued, as commission would like to find out where the wetland line is in the back. If a complaint is made the commission has to follow up. It would make it easier. Mr. Fitzgerald asked the other members opinions. Mr. Hadorn stated it would help [to get a delineation] owner is saying out front, but complaint to DEP says outback, two different things. Mr. Lane suggested to go by and see if there is work out back. Mr. Hadorn said he agrees with (Gerry) Mr. Fitzgerald, it would help and make it easier for us and would have it on file, if any more complaints, [we] can go back to the file and look and wouldn't have to go thru this again.

Mr. Andrews agreed. Was asked to when he can have it done. Mr. Andrews said he didn't know.

Mr. Fitzgerald asked to let the commission know when it will be done, get the delineation, we will know exactly where the line is. Mr. Hadorn said [we] can send an email back to DEP letting them know that is being done, we followed up. Mr. Fitzgerald added that [we] can say we did this and outside the 100 or whatever. When DEP asked us to do something we generally have to do it. Mr. Andrews said ok.

Commission said we will advise that it is in progress.

Discussion: 25 A St: present: Alan Dias – on behalf of property owner Laura Black

Mr. Dias explained she called Highway Dept. Steve Hayward knows town owns some property in the area and he call Mr. Dias to take a look. 18' pine tree that teetering very close to her property. Tree is actually on Hill St, paper street underdeveloped. Mr. Hayward reached out to the fire chief and assessed. They had a tree guy come down to look at it. Because a guide wire on utility pole, Lewis Tree came in and topped the tree. Instructed because the tree was in wetlands area to either After the fact filing, or an emergency order. Difficult part is it is not on her property, the tree is down, Lewis Tree took everything down, left all the brush there. Most done by hand. No damage [top wetlands], did send pictures to secretary. Suggested that commission just call it a day. Mr. Fitzgerald said it's always safety first. Secretary stated that it is now on record that they came in, emails received and is on record.

Discussion: 0 Monponsett St. - follow-up to complaint.

Secretary advised that a site visit is still in process to set everything up with the property owners, several entities trying to get together at the same time. secretary is go between with the Rep for DEP, property owners, members. Property owner is, and their engineer to walk site together. Property owner is also getting it delineated with the engineer and will submit as soon as it is completed. DEP will get a copy, us, if a filing is necessary, they will do. Advised it will be on the agenda for following up to keep up on the Progress.

Mrs. Andrews asked why they didn't get a cease & desist like she did.

Secretary stated, believe they did. Mrs. Andrews said they were working there today. Mr. Fitzgerald stated the cease and desist is to get people to come in. Secretary interjected to state [we] are not NHESP, this is Conservation. Asked to investigate and doing what is within [our] jurisdiction. NHESP is doing their own thing, they have not been in touch with Commission. Letter did go out asking for update but have not heard back.

Mr. Andrews asked if there is a notice on file. Secretary advised they have and Order of Conditions, for a crossing. Mrs. Andrews stated 540 feet. Mr. Andrews asked if that is the only one.

Secretary stated that is why they are getting it delineated to see if any work is (further in the property) within 100-foot buffer. Mr. Fitzgerald: we were told nothing is being done inside the 100'.

Mr. Andrews showed members the Assessors card and it is a NESA zone, it needs a permit (Endangered Species and Habitats)

Mr. Fitzgerald said they will find out during the site walk and what NHESP says.

Members reviewed mail and correspondence: White Dog Cranberry filed to extend the earth removal permit, with Board of Selectman. Current Order of Conditions.... Need to review for validity. Open meeting law, agenda information requirements.

Motion to adjourn:

Motion: Gerry Fitzgerald

Second: Ed Lane

All in favor.

Documents: *Agenda, general notes,

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

Respectfully submitted

Approved date:

Digitally recorded by
Terri Renaud for
Conservation Commission

5/11/21


