



Halifax Planning Board Meeting Minutes January 5, 2023

A meeting of the Halifax Planning Board was held on Thursday, January 5, 2023, at 7:00pm in the Great Hall at the Halifax Town Hall 499 Plymouth Street, Halifax, MA.

These minutes are an abstract of the Planning Board meeting held Thursday, January 5, 2023, which are on file with the Planning Board Department and posted on the Town of Halifax website and Area58 Halifax's YouTube page.

Members Present: Vice Chair Amy Troup, Clerk Rick Merry and Members Robert Gaynor and Brendon Elliot. Chair Mark Millias is absent.

Vice Chair Troup calls the Halifax Planning Board meeting into session, states members present and reads agenda into record.

MOTION to accept the agenda: Merry

SECOND: Elliot

All in favor (4-0-0)

Hearing

- 7:00pm – (Continued Hearing) Petition #981 - R&J LLC - 0 & 314 Plymouth St - Special Permit for oversized storage building **(Determination required w/in 90 days from close of hearing, no extension required) – VOTE TO ACCEPT REQUESTED CONTINUANCE (12/13/22) to FEBRUARY 2, 2023**

Troup reads letter for continuance into meeting.

Elliot motions to accept extension.

Gaynor seconds.

All in Favor (4-0-0)

Appointment

- 7:30pm – Deangele Duarte – 359 Plymouth St – Site Plan Review, Contractor Storage **(Filed:11/14/22, 30 Days 12/14/22, 45 Days: 12/29/22, 30-day Extension:1/28/23)**
Speaker present: Paul Bakis (Grady Consulting)

Seeking approval of a site plan in accordance with Town of Halifax Zoning By-Law 167-28

Bakis states the purpose of the storage facility is to contain landscaping equipment indoors for the landscaping contractor. Outdoor storage will be for landscaping materials and less expensive equipment. There is parking located on the front of the property. Floor drains located in the floor of the building. On site sewage disposal proposed. The plan is also in front of Conservation Commission. Bakis opens up for questions from the board.

Troup asks if they have been in front of Conservation or just applied.

Bakis states they have been in front of Conservation, and they have been continued and going into peer review of the wetlands.

Gaynor asks what type of materials will be stored out back.

Bakis states it will be general landscaping materials: mulch, stone, sand.

The board discusses whether or not the property will be setting materials to the public or if it the materials will just be stored for the contractors use.

Deangele Duarte states that they will not be selling any materials. The materials are for their own clients. There will be seven (7) trucks and three (3) bobcats stored at the property.

The board discusses whether or not the proposed site plan is located in the Historical District.

Gaynor asks what the traffic would look like coming in and out of the site.

Duarte states workers would leave the site at 7:30 in the morning and wouldn't come back until 5:30 at night.

Gaynor asks if the retail offices would be for sale.

Duarte states they will be for is employees to be designing landscaping.

Gaynor asks how many employees.

Duarte states there are 18 altogether.

The board speaks a concern that there are not enough parking spaces. There are 15 proposed spaces for the 18 employees.

Duarte states that some employees work from home and do not need a space all day.

Troup states there needs to be 18 spaces total according to the By-Laws.

Gaynor asks if there will be after hour lighting and if the residential housing around will be shielded.

Bakis states the only proposed lighting was attached to the building and there were no free-standing light poles proposed. The spill over does not reach the residential houses or any abutting properties.

The board opens up to audience questions.

Kim Cavicchi, 668 Plymouth Street, stated from Conservation that under state law you cannot store sand or salt used in winter for sanding or salting unless its up on a concrete pad and it has to have four walls. Her question is if they are going to still consider storing the sand, salt and other materials. She wanted to bring to light the state laws.

Durante states that if they would like to keep salt there and will have the concrete block to hold the salt so it doesn't wash away.

Merry asks if there will be a roof over the salt.

Durante states yes, there will be a roof and four walls for both sand and salt.

Troup states that if a special permit goes through the site plan will need to show the four walls and roof for the salt and sand.

Chris Winiewicz, 129 Circuit Street, is not against the plan but wants the board to consider the line of site with traffic pulling out, since the site is located on a corner. He wants to make sure that landscaping does not make a worse sight picture.

The board thanks Winiewicz for his comment.

Bakis states they had on the plan to remove some of the trees in the front to improve sight distance.

Phyllis Tirrell, 363 Plymouth Street, wants to know the actual hours of operation since the traffic there is pretty bad.

Elliot states that it may be difficult to give a definite answer since it is industrial and most of the time, they would operate dusk to dawn, but different seasons can affect the timing.

Duarte states hours of operation will be 7am to 5pm on weekdays and 7am to 1pm on Saturdays. In the winter, they will work when the snow comes.

Tirrell also requests that the trees being put in on the north property line be 8-10 feet tall. They are proposed on the site plan to be 2-4 feet tall.

Duarte does not have a problem with the 8-10-foot trees being installed.

Tirrell states that there are some young black walnut trees on the property and is requesting to save those trees sitting on the right of the driveway.

Duarte agreed to a site walk to see the trees the abutters would like to keep.

Winiewicz asks if there will be 18 wheelers coming out of the site and if so, would they have enough clearance to pull in and drop off.

Bakis states that they can provide an auto turn analysis.

Cavicchi states that the site is not in a zone one or zone two for water supply, but they abut it. Runoff would be extremely important between all of the departments and commissions working together to ensure protecting it.

She wanted to remind the applicants that if they are going to be storing any form of biosolids they are going to have to need a biosolids permit through conservation.

Elliot request that there is a traffic study on the property that is paid for by the applicant.

Tina Alger, 340 Plymouth Street, asked if the storage is just going to be landscaping supplies. She also states his concerns with the traffic.

Troup asks if she is worried about other things being stored like boats.

Alger states she doesn't want to see a lot of heavy equipment and not a storage of porta potties.

Duarte states dump trucks, 1-ton trucks, 2-ton trucks. The porta-potties are not going to be sitting there since they have another location for that. The porta potties are there for when construction takes place, they can be usable.

The Board tells Bakis to go in front of the Zoning Board of Appeals to receive a Special Permit, to answer the nine questions discussed, and add the three parking spaces before returning to the Board.

The current 60-day extension ends on January 28, 2023 and they will give an additional 60-day extension April 1, 2023.

Bakis asks if the special permit is going to need the traffic study, since it will take some time to gather.

Elliot states to try and get the traffic study as soon as possible while going through the process of the special permit.

Hearing:

- 7:45pm – (Hearing) 8 Hilda Lane Realty Trust/Scott Burgess – 6 & 8 Hilda Lane – Definitive Subdivision Modification.
(Submitted: 9/20/22, 45 Days for Comments: 11/4/22, 60 Days for Submission to act: 11/19/22, 45-Day Extension: 1/3/23, 60-Day Extension)

Appointment

- 8:15pm – (DISCUSSION) - Halifax Trails – David Eastridge, Thorndike Development – Presentation

An audience member asks they there is no presentation for Halifax Trails

Troup states that before the secretary left, she added everything that could have been discussed and called each applicant to see who could attend. 3 out of 5 could not attend, one needed a vote, and one presented.

The audience member asks when that presentation is going to be made.

Troup states the presentation was made last meeting and that they were not a part of the meeting they were just coming to present to the audience.

Elliot states that they do not have to come to the Planning Board and that they were presenting to them out of the “kindness of their hearts.” The next board they are going to is the Zoning Board of Appeals.

Another audience member speaks their concern about the 40B project and how it will take a toll on police, fire, school system, and the water supply.

Elliot states the residents of Halifax can write letters to their State Reps and to the Board of Selectman making sure it is all on file. At the end of the day they are going to do what they think is most economically profitable to their project.

Karen Fava, 66 Clyde O Bosworth Road, has concerns on the wastewater treatment plan that they discussed at the 40B presentation.

Troup states she wrote a letter to Katie of Mass Housing discussing her concerns of the 40B housing.

Discussion

- Curtin Brothers (640 Plymouth St) and Ellis Auto (822 Old Plymouth St) – Building Inspector – Occupancy Permits

James Perry, Halifax Building Inspector, was asked to speak in front of the board. 640 Plymouth Street, Curtin Brothers Oil is looking for a Certificate of Occupancy. Perry sent a letter in August 2022 to the Board of Health and Planning Board requesting copies of the endorsed site plans for the projects. Perry suggested to the owners that they get as-built drawings done because he needs the Planning Board to sign off before he can schedule an inspection for the Certificate of Occupancy. Mr. Curtin dropped off an as-built the day of the meeting showing what has been built to date. These projects have been going on since 7/28/16 and 6/8/17.

Gaynor asks when the last time anything was added on to the property.

Perry states the Curtin's came in for a permit for a temporary fuel storage tank to fuel their vehicles. Perry met with Curtins on site and went through the building to see if they needed to clean anything up. Handicap Bars in restrooms needed to be added, add exit signs with emergency lighting on the rear egress. The rest of the building was good.

Perry also did a walk through at 822 Old Plymouth Street and the owner is fine. Owner came into his office the week after the meeting and wanted to know what was going on. Perry told him he should talk to his engineer and get an as-built drawing of what has been built. As far as Perry knows, nothing new has been added.

Elliot asks Perry if he's saying the board doesn't have an original site plan to reference for the as built versus what the Planning Board signed off on six years ago.

Perry says he asked the last secretary for the plans and that she could not find any.

Troup states they have a conceptual from August 14, 2020

Perry states he's seen a portion of this on the septic system as built.

Troup finds a signed plan in the file that Perry was talking about.

Perry said the board should review the plans and do a site walk. He just needs someone to tell him everything has been done according to plan so he can schedule the Certificate of Occupancy.

Gaynor asks if this has been signed off by the Board of Health.

Perry states the Board of Health signed off there was an issue with the COC but it been taken care of. Fire Department, Plumbing and Electrical is all set. Perry is just waiting on the planning board.

The Board compares the two sets of plans.

The only issue the Board has with the plans is the paving in front of the building.

The Board schedules a site plan walk at Curtin Brothers on January 8th at 9AM

Ellis Auto is going to do an as built of his property which the Board will receive soon.

Discussion

- Pasture Lane – Building Inspector - Status Update

Perry was contacted by the owner of lot one back in November wanted to discuss finishing the road way. Came to an agreement that he was going to finishing the binder that is there, do the top coat, install the sidewalks, loom & seed, clean out the basin, put the safety grate structure on the basin, and install bounds along the roadway.

Perry was hoping this work would have been completed before this time of year.

After speaking with Town Counsel, the sole authority lies with the Board on what goes on with this issue.

Once the roadway is finished the covenant can be released

Merry asks if the Highway Department is going to accept the road when it is completed.

The residents on Pasture Lane want the road paved.

Perry states he will not give the builder a building permit until the road is completed.

The Board is going to ask Town Counsel for an update on the situation.

Bills

- Amory Engineers – Invoice #16040 – Plan Review Services for Hilda Ln - \$468.00

Elliot reads bill into meeting.

MOTION to pay bill: Gaynor

SECOND: Merry

All in favor (4-0-0)

Other Business

Discussion of hiring a new secretary.

Troup motions to bring secretary position in front of Board of Selectmen on January 10th to have Regulatory Board sign secretary payroll and oversee hours.

Elliot seconds

All in Favor (4-0-0)

Gaynor makes a motion to send a thank you letter to Jo-Anne the previous secretary.

Troup motions

All in Favor (4-0-0)

Adjourn

Gaynor makes a motion to go into executive session and will not be returning to open meeting.

Elliot Seconds

All in Favor (4-0-0) Roll Call Vote

Documents

1. Agenda 1/5/23
2. Application file for Pet #981 – 314 Plymouth Street
3. Application file for 22-SPR-231 – 359 Plymouth Street
4. Application file 640 Plymouth Street
5. Application file 822 Old Plymouth Street
6. Amory Invoice #16040
7. Letter for Continuance – 314 Plymouth Street
8. Application file 640 Plymouth Street
9. Application file 822 Old Plymouth Street

10. Amory Invoice #16040

Respectfully submitted,

Date Submitted: 2/16/2023.

Mark Millias, Chair

Amy Troup, Vice-Chair

Richard Merry, Clerk

Brendon Elliott, Member

Richard Gaynor, Member

The Halifax Planning Board