



**Halifax Planning Board
Meeting Minutes
July 06, 2023**

A meeting of the Halifax Planning Board was held on Thursday, July 06, 2023, at 7:00pm in the Selectmen's Meeting Room Halifax Town Hall 499 Plymouth Street, Halifax, MA.

These minutes are an abstract of the Planning Board meeting held Thursday, July 06, 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: Thomas Millias, Chair, Robert Gaynor, Vice-Chair, Amy Troup, Clerk, Richard Merry, Members and Brendon Elliot, Member.

Members Absent: None

Chair Millias calls the Halifax Planning Board meeting into session, states members present and read agenda into record.

**MOTION to accept the agenda as read:
All in favor (5-0)**

Appointments/Hearings begin at 7pm:

- Hearing - 933 Plymouth Street/150 Industrial Drive Way: 23-SPR-236 – Site Plan Review (Magical Years): Gabriel Padilla, Grady Consulting and Darcy Kennedy, Magical Years owner present.
 - To construct and improve play areas at the existing pre-schools.
 - Halifax Fire Department: Letter from Chief Witham.
 - The Board, Mr. Padilla & Ms. Darcy discussed the updated plan addressing the Fire Departments concerns:
 - 933 Plymouth Street: A gate in both sections of the fenced-in area for department access.
 - 150 Industrial Drive Way: A gate for access to the Fire alarm panel on the fenced-in side.

MOTION to approve 933 Plymouth Street/150 Industrial Drive Way, 23-SPR-236 as corrected and presented:

MOTION: Robert Gaynor

SECOND: Brendon Elliot

All in favor (5-0)

- Hearing Continued – 359 Plymouth Street: Site Plan Review, Contractor Storage. Gabriel Padilla, Grady Consulting present.
 - At their 05/18/23 meeting, the Board voted unanimously that on or before 06/01/23 the Special Permit shall be recorded at the Plymouth County Registry of Deeds, the Peer Review goes out to PGB Engineering, and the hearing be continued to 06/01/23.
 - Hearing continuance to 06/15/23 requested 05/30/23 by Grady Consulting.

- Peer Review from PGB Engineering. *Emailed to Board individually on 06/01/23.*
- Neighbor from 363 Plymouth Street called on 05/24/23 stating that she watched the PB 5/18 meeting and has not been contacted about the trees she marked to be saved as she was told she would and that she was going to message the engineer.
- Letter of concern from abutter(s).
 - Mr. Padilla presented to the Board the changes in response to the abutter(s) complaints & concerns regarding trees, salt storage and flooding.
 - The Board reviewed the submitted documentation but did not have an updated plan.

MOTION was made to recess for 10 minutes to get/look for updated plans.

MOTION: Brendon Elliot

SECOND: Robert Gaynor

All in Favor: (5-0)

Chair Millias called the meeting back to order.

- Mr. Padilla updated the Board on the minor changes per PGB Engineering's peer review.
- The Board, Mr. Padilla and the abutter(s) discussed saltwater treatment, Cape Cod berm, water flow, stormwater management, swale, PGB Engineering review.

MOTION was made to continue the hearing to the 08/03/213 meeting for the final changes, corrections and additions to the site plan as requested by abutters and others to be reviewed by PGB Engineering to be ready for your next meeting.

MOTION: Robert Gaynor

SECOND: (Was not seconded)

All in favor (Was not voted on)

- Abutter stated she was never contacted as requested by the Board at the 06/15/23 meeting and began to address her concerns of saving trees for privacy and canopy. Chair stopped discussion for motion on the floor.
- Motion on the floor was withdrawn.

MOTION was made to withdraw previous motion to continue the hearing to the 07/20/23 meeting for the final changes, corrections and additions to the site plan as requested by abutters and others be reviewed by PGB Engineering to be ready for your next meeting.

MOTION: Robert Gaynor

- Abutter continued to address her concerns about saving trees (Walnuts & Maples) on applicant/owner of 359 Plymouth Street property not the abutters property for privacy and canopy reasons with the Board and Mr. Padilla. Board concluded that this is a matter to be discussed and decided between the owners to agree on or negotiate, clarify and be ready for the next meeting.

MOTION was made to continue the petition for 359 Plymouth Street to the 07/20/23 meeting to get an updated site plan review with the new changes, make sure the copies of new changes/updates are part of the Planning Board

file/records, during the time within the next 2-weeks the two abutter parties can resolve the matters, such as height regarding the trees in the back, and the saving of some of the others, send an email to the Planning Board on what has been agreed on and for the final changes, corrections and additions to the site plan as requested by abutters and others, and this will be reviewed and addressed by PGB Engineering to be ready for your next meeting.

MOTION: Robert Gaynor

SECOND: Brendon Elliot

All in Favor (5-0)

- **Hearing Continued – 0 & 314 Plymouth Street:** Site Plan Review:
 - Planning Boards 04/20/23 meeting for Site Plan Review Hearing.
 - Conditions of Approval added. Signatures required.

MOTION was made to be sure the 0 & 314 Plymouth Street hearing is continued to July 20, 2023, at 7pm and the applicant will make sure that they are extended into the late August time-period of 2023 and that their final site plan will be ready for the Board to review on July 20, 2023:

MOTION: Amy Troup

SECOND: Robert Gaynor

All in Favor: (5-0)

Discussions/Action to be Taken:

- **Jordiss Rain/Riders Way** – Request for bond return. Tim Fabroski, owner was present.
 - As-Built/Site Plan report from PGB Engineering. (*Emailed to Board individually 06/26/23*)
 - The Board and Mr. Fabroski discussed Jordiss Rain/Riders Way, roads, and berm. Board concluded that the Highway, Surveyor's commentary, and approval is needed prior to Planning Board sign-off and PGB Engineering review of the as-built. Clerk Troup read the review letter from PGB Engineering into record.

MOTION was made to continue the hearing for Jordiss Rain/Riders Way to the July 20, 2023, meeting at 7pm. In the meantime, Highway Surveyor, Steve Hayward to go out and check for any concerns he may have, and those concerns should be addressed to Mr. Fabroski to release the bond:

MOTION: Amy Troup

SECOND: Brendon Elliot

All in Favor: (5-0)

Affirm Bills Paid:

- Express Newspaper: 933 Plymouth Street/150 Industrial Way (23-SPR-236) Ad# 14454 - \$90.00. (*Vice-Chair Gaynor signed*)

MOTION was made to pay Express Newspaper 933 Plymouth Street/150 Industrial Way (23-SPR-236) Ad# 14454 \$90.00 signed Vice-Chair Gaynor:

MOTION: Brendon Elliot

SECOND: Robert Gaynor

All in Favor: (5-0)

Meeting Minutes:

- 06/15/23 Meeting Minutes
 - Board approved and signed 06/15/23 Meeting Minutes.

MOTION was made to approve 06/15/23 Meeting Minutes as presented:

MOTION: Robert Gaynor

SECOND: Brendon Elliot

All in Favor: (5-0)

Signature(s):

- Signature Authority Fiscal Year 2024
 - Board signed Signature Authority for Fiscal Year 2024

MOTION was made to Sign Signature Authority for Fiscal Year 2024 for Planning:

MOTION: Robert Gaynor

SECOND: Thomas Millias

All in Favor: (5-0)

Interoffice Correspondence: Chair read aloud.

- Halifax ZBA: Notice of Public Hearing
 - 416 Plymouth Street: Kennedy K-9 Camp. Application for Special Permit.
 - 21 Plymouth Street: Application for Special Permit to build 2-storage buildings.

Mail/Correspondence: Chair read aloud.

- Bridgewater ZBA:
 - 53 Morris Avenue: Notice of Public Hearing, Variance Request
 - 31 Perkins Street: Decision, Granted Special Permit
 - 66 Central Square: Notice of Public Hearing, Public input on proposed Ordinance-D FY23-013
- Bridgewater Town Council:
 - 66 Central Square: Town Council votes to amend Proposed Ordinance-D FY23-013
- East Bridgewater ZBA: Findings & Decisions
 - 763 Bedford Street: Special Permit Granted
 - 825 Union Street: Special Permit Granted
 - 106 Waterman Street: Special Permit Granted
- Pembroke ZBA: Decision Letters
 - 885 Center Street: Variance & Special Permit approved.
 - 32 Carol Avenue: Variance & Special Permit approved.
 - 517 Mattakeesett Street: Variance approved.
 - 98 Barker Street: Building Inspector's Cease & Desist denied.
- Pembroke Planning Board: Notice of Public Hearing
 - 33 Riverside Drive: Site Plan Approval Request
- Town of Pembroke: Notice of Public Hearing:
 - 39 Woodbine Avenue – Variance & Special Permit.
 - 33 Riverside Drive – Special Permit.
- Town of Bridgewater: Notice of Public Hearing:
 - 31 Perkins Street – Site Plan Review Approval.
 - 385 North Street – Approval for a 3-lot subdivision proposal.
 - Cranmore Drive – To rescind a subdivision at Cranmore Estates.

Other Business: **Any other unscheduled business following posting of this Agenda.

- Vice-Chair Gaynor discussed with the Board the process of moving forward with hiring a secretary for the Planning Board.
- Clerk Troup asked the Board to look into a few bills the State is trying to pass.

- One is S626, which would put 90-day hold for first writer refusal for the State to buy any multi-family houses or houses that have AUD's or in-laws if they are in a short sale or a foreclosure process. There is also a bill being written to make it illegal in the state of Massachusetts to have a well. The other one is a bill for uniform zoning code.

Executive Session

***Executive Session. Discussing strategy with respect to litigation in an open meeting may have a detrimental effect on the litigating or legal discussions of the Town.

- No Executive Session

Adjournment:

MOTION was made to adjourn at 8:06pm:

MOTION: Amy Troup

SECOND: Rick Merry

All in Favor: (5-0)

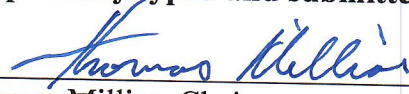
Next scheduled meeting: July 20, 2023

Documents:

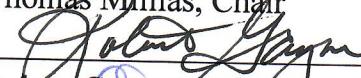
1. Agenda 07/06/23
2. Application file for 933 Plymouth Street: Site Plan Review
3. Application file for 0 & 314 Plymouth Street: Request for Special Use Permit and Site Plan Review
4. Application file for 359 Plymouth Street: Contractor Storage.
5. Express Newspaper Ad #14454
6. Meeting Minutes 06/15/23
7. Bridgewater Zoning Board of Appeals Mail
8. Bridgewater Town Council
9. East Bridgewater Zoning Board of Appeals Mail
10. Pembroke Zoning Board of Appeals Mail
11. Pembroke Planning Board Mail

Respectfully typed and submitted by: Peggy Selter

Date Submitted: 08/03/23.



Thomas Millias, Chair



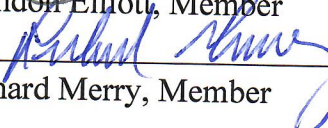
Robert Gaynor, Vice-Chair



Amy Troup, Clerk



Brendon Elliott, Member



Richard Merry, Member

The Halifax Planning Board