



MEETING AGENDA
Halifax Conservation Commission
Halifax Town Hall
499 Plymouth Street, Halifax, MA 02338

RECEIVED
4/6/2023, 2:33:55 PM
HALIFAX TOWN CLERK

Great Hall, 2nd Fl
April 11, 2023, at 7:00PM

Public participation is not available. View Only:

- **Meeting Link:** <https://www.halifax-ma.org/meet/conservation>
- **Dial-In Number:** (781) 561-7046
- **One-Tap Mobile:** +17815617046,,87082612559#
- **Meeting ID:** 870 8261 2559
- **Passcode:** 395532

Hearings(s):

- **7:00 PM – NOI: *Hearing Continued:* 0 & 314 Plymouth Street: (SEA Silva Engineering)**
 - Construction of a commercial building for self-storage w/parking and associated grading.
 - 0 & 314 Plymouth Street: All revisions required for septic system installation have been submitted to the Board of Health and the plan is on the 04/05/23 agenda for approval.
 - Fire Department Comments (Chief): According to the plan for 0 & 314 Plymouth St., he has a few things that he would like to have addressed.
 - Building H must be sprinkled.
 - The hydrant locations must be approved by the Chief before construction begins.
 - For the site layout, the Chief would like SEA to ensure that their tower truck and all apparatus can maneuver around the property.
 - Revisions submitted 03/06/23:
 - Revisions submitted 03/29/23:
- **7:15 PM – RDA: *Hearing:* 51 Paradise Lane, Dave Hatch, Owner**
 - To remove and replace 3 trees.
- **7:30 PM – RDA: *Hearing:* 29 Lake Street: Kerri Sellers, Owner**
 - To repair/replace fencing between 29 Lake Street & 33 Lake Street.
- **7:45 PM – NOI: *Hearing Continued:* 359 Plymouth Street: (Paul Bakis, Grady Consulting)**
 - Peer Review:
- **8:00 PM – NOI: *New Hearing:* 314 Plymouth Street: (Casco – Steve Dahms)**
 - To construct an Urgent Care, Starbucks and Auto Zone with parking, utilities, and associated grading.

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- **8:15 PM – NOI:** *Continued:* 0 & 592 Plymouth Street:
 - Jim Pavlik, Outback Engineering submitted a revised grading plan to the Planning Board on January 26, based on the Commission’s request to keep work out of the 50’ buffer based on the change in the wetland line (*except they are proposing to loam and seed the existing gravel parking area that is currently within the 50’ buffer, to stabilize soils*).
 - The attached grading plan revised 01/25/23 shows changes to the parking layout, and infiltration basin 1 was changed to underground chambers.
 - Outback is hoping to get the Planning Board’s peer review comments on 03/06 for the full set of site plans dated June 2, 2022, and the 01/25/23 revised grading plan attached (traffic study also), and then they’ll be able to submit final plans for both Board’s based on the comments after that.

Discussions and Actions to be Taken:

- Recognize the Resignation of Colleen Fiumara
- Levy Break at Robbins Pond:
 - E. Bridgewater Conservation Agent Alex Welch stated that the owner of the location of the breach (Stanley Kravitz) has been touching base with the E. Bridgewater Commission every few weeks and plans on submitting a notice of intent in the coming month(s) to show permanent conditions (and any additional work needed). He is working with, he believes, two different engineers on the matter. The Agents understanding is that he is under a tight deadline from the Office of Dam Safety to come into compliance with their requirements.
- 250 Ligan Street: Morse Bros.
 - 1st Complaint by Jeremy Gillespie:
 - 1. Mining in an aquifer protection overlay district.
 - 2. Removing earth without a permit, approved site plan, boundary markers, monitoring wells, erosion controls, engineering review etc.
 - 3. Dumping of unknown fill materials that likely contain pollutants, possibly including manure, within our aquifer protection zoning overlay district
 - 4. Excavation below the 7ft high groundwater elevation (Halifax By-law); excavation below the 4ft high groundwater elevation (MassDEP DIV II WPA Regulation requirement)
 - 5. Earth removal within the DIV II WPA and Class A Public Water Supply Zoning Districts and its tributaries in excess of 50 CYU (Not permitted)
 - 6. Dumping of unknown material within the 100 ft & 50 ft buffer to an Atlantic White Cedar Swamp (wetlands)
 - 7. Dumping of waste including tires, tree stumps, animal waste, trash, & old piping within the aquifer protection zoning overlay district.
 - 2nd Complaint by Adam Sloat:
 - Mr. Sloat stated he wrote a letter he had intended to send to Ms. Troup and Ms. Vogt, but the current information detailed by Mr. Gillespie has created enough concern for him to feel the letter needs to be sent now.

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- The letter references Violations:
 - § 167-17 F (2)14, Retaining less than 40% of the lot area in its natural vegetated state. Not permitted, no special permit possible.
 - § 167-17 F (2)22 Storage of animal manure. Requires special permit.
 - § 167-17 F (2)28 Removal of earth, loam, sand, and gravel. Not permitted, no special permit possible.
 - Mr. Sloat asks that you please consider this a formal complaint and a request for enforcement per § 167-18. As noted in Article VI, the Building Inspector, or person appointed by the BOS, is tasked with the enforcement. My letter only touches on activities he was aware of as of last week and does not touch on what are likely additional violations per Mr. Gillespie's email. Given the nature of the complaints by Mr. Gillespie, he feels it is necessary to also request an immediate stop of all mining activities in the interest of water protection and preservation of potential evidence. As of today, there has already been additional material removed after the complaint by Mr. Gillespie, of which any portion may or may not contain evidence of the activities detailed.
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- Cedar Street: Complaint update.
 - Carver Street: Flooding update:
 - 18 Cherry Street: Update:
 - 32 White Island Road: Update: Letter was sent to homeowner requesting his present at the Conservation 04/25/23 meeting.
 - 80 South Street: Health Agent did final inspection and site visit with the approval of Chair, Kathy Evans.
 - 132 Fuller Street: **Complaint:** Call stated he was worried about a small farmette style house on Fuller Street as tons of fill was being dumped and he thought maybe the wetlands and river might be in part of where the fill was being used.
 - 0 Walnut Street: **Complaint:** Caller asked if there was any information about an NOI or RDA at this location and stated that someone appears to be flagging what looks like the 50' buffer for the wetlands and possible tree removal.
 - Meeting Day and Start Time: Discussion.
 - 20 Holmes Street: Follow-up.
 - 1 Pine Street & 0 Snow Street: Follow-up.

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- 63 Carver Street: Follow-up.

Bills to be Approved and Signed:

- **Revolving Account# 25-173:**
 - **Express Newspaper:**
 - 111 River Street – Invoice# A11863CL – Notice of Public Hearing Legal Ad# 14117 to run 03/17/23 - \$45.00.
 - 0 Highland Circle & 69 Summit Street – Invoice# A11863CL – Notice of Public Hearing Legal Ad# 14125 to run 03/17/23 - \$45.00.
 - 29 Lake Street – Invoice# A11887CL – Notice of Public Hearing Legal Ad# 14160 to run 03/31/23 - \$45.00.
 - 51 Paradise Lane – Invoice# A11887CL – Notice of Public Hearing Legal Ad# 14207 to run 03/31/23 - \$45.00.
 - 314 Plymouth Street – Invoice# A11887CL – Notice of Public Hearing Legal Ad# 14208 to run 03/31/23 - \$45.00.

Signatures:

- None Tonight

Interoffice Memos or Other Correspondence

- None Tonight

Meeting Minutes to be Approved and Signed:

- December 2022, Meeting Minutes (KK)
- January 2023, Meeting Minutes (KK)
- February 2023, Meeting Minutes (KK)

Adjournment:

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Next Meeting:

- April 25, 2023

The listings of matters are those reasonably anticipated by the Chair, which may be discussed at the meeting. Not all items listed may in fact be discussed and other items not listed may be brought up for discussion to the extent permitted by law