

# MINUTES OF THE MEETING HALIFAX CONSERVATION COMMISSION

July 14, 2020

A meeting of the Halifax Conservation Commission was held on Tuesday, July 14, 2020 in the Selectman's Meeting Room First Floor, Chairperson Gerry Fitzgerald opened the meeting at 7:10 p.m.

**In Attendance: Chairperson, Gerry Fitzgerald; Chris Hadorn, Ed Lane Absent: Kathy Evans, John Peck and Assoc. Collen Fiumara**

## Appointments/Hearings:

### 7:00 p.m. RDA: 28 Baker St.

Repair of septic. Very basic and already approved by the board of Health. Existing tanks & pits in front yard, tank to be in the same place. System will be just beyond 100 feet top of bank on the pond.

Erosion controls, minimal change to grading. Nothing will be stored, any contamination soil will be removed, concrete chambers.

Motion to approve the RDA 28 Baker St. Standard Order of Conditions. (Negative 3) Approved subject to the Board of Health approvals.

Motion: Ed Lane

Second: Chris Hadorn

All in favor

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### 7:10 p.m. – Discussion: 35 Ocean Ave.

Present: John Estes, owner – Lot is very small, built a deck. (not permitted by Bldg. Dept.) Notice to stop work. Possibly be able to get approval because of the lot. Chairman Fitzgerald advised that they (Commission) does not control anything IN the water, just out of the water. Also noted that the National Heritage (Endangered Species) would need to be notified (for docks) This would be a filing after the fact. Mr. Estes stated that the Secretary advised that once commission approved it, get a surveyor... etc. Chairman stated that since its already in (after the fact filing) Mr. Estes showed pictures, not actually drilled into the water but mounted inside stuff that's above the water, literally sitting on top of sand. Mr. Fitzgerald noted again its not the commission. Need to get a permit from the Police Dept. to have a dock as it extends into the water. Verbally the commission will approve it, but paperwork and filing needs to be completed. DEP also needs to do their thing, (divers in the water, etc) No more work until this is finalized. Mr. Estes also stated he has a dock that was already there, so not sure if the second fixture is a dock. Mr. Fitzgerald said "it's in the water". Go to the Police station for them to view. Start with DEP filing. Will take at least 2 meetings from tonight. Was also advised regarding any work on the house, windows, etc. Mr. Fitzgerald said to file a Notice of Intent, if anything else you want to do, put on the notice.

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### 7:15 p.m. Discussion: 499 Monponsett St.

Present: Geoffrey Lynes:

Has tree on the waterline would like to take down. Mr. Fitzgerald asked if it is a danger to the home. Mr. Lynes said Yes. Show the commission pictures. Members agreed it is a danger of falling onto home. Can issue an Emergency Order of Conditions to cut tree. File the paperwork and they will approve at next meeting. Mr. Lynes state a tree guy advised needs to keep a certain amount of stump because of the waterline and not disturb the soils. Tree is sitting in the water

Motion to approve emergency tree removal 499 Monponsett St. (with paperwork to be filed)

Motion: Ed Lane

Second: Chris Hadorn

All in favor

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Discussion: 241 Franklin St; Solar Field- Request to change barrier from Trees to Vinyl Fence

Present: Robert and Mike DiBona : abutters

Mike DiBona spoke of the road being closer to the line than what was approved. It is not the required distance and is shown on the submitted drawing to put the (2) rows of trees because the road is too close. DiBona said he approached them (developer) about the road, back then, not enough space.

Mr. Fitzgerald stated that it should have been brought to the Commissions attention at that time.

However, the road is now in, Mr. DiBona reached out in May and advised not enough space for the trees, they respond to him that they are doing it according to the plan. He continued that in June asked again, and took pictures, and got no response. Then the developer asked DiBona what he thought about a fence instead of trees? When (he) asked for the fence, originally had 200' feet of screening, natural screening. And would eventually blend in. Now 200 feet of fence, DiBona wants to know if they can ask for a longer fence. Mr. Fitzgerald said we can't make them put up anything. Mr. Lane said they were supposed to put up the trees, so we can't do that. Mr. Fitzgerald wants them put up as distances proposed, but if the road is too close, they need to move the road, or 300 feet of fence?

DiBonas showed them pictures, and should be staggered trees, not enough room to do as required.

Chairman. send letter to them as commission is concerned with the staggering of trees. (asked DiBona's to send in distance from property line stakes to the edge of road.... 3 - 5 feet at most) Need to clarify the tree locations and the current real location? Mr. DiBona believe they could get on row, but not the other. Members would like the developer to come to a meeting. All come up with a plan.

Chris, asked if the trees could be all in one line, as they would grow together and would be a longer screening 300 as opposed to 200. Mr. Fitzgerald would rather see the trees. Mr. DiBona stated they planted trees and are now 6' tall (5 yrs. ago) Now have 2 rows of (our) tree and 2 rows of theirs and then the fence behind that. Chairman will request they come in and discuss the change of screening.

This will also be on the Planning Board agenda for their next meeting ( Thursday 16<sup>th</sup>)

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Discussion: requested by G. Fitzgerald - Helicopters flying early in mornings on weekends, specifically July 5<sup>th</sup>, 2020 day after holiday. Members would like the Board of Selectman to be notified of the issue Send a note to BOS to suggest a town by law : no aerial bogging on the weekends May 1 to Oct. 1<sup>st</sup> or after any holidays. Residence may be having eco-outs etc. No benefit to the residence of Massachusetts to be fogging/spraying by helicopters at 6:30 on a Sunday morning. Town meeting on a bylaw.

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**Secretarial: Meeting Minutes: Bills**

Motion to pay bills : Mass Wildlife Subscription for \$6.00  
MACC Annual Dues for \$293.00

Motion: Ed Lane

Seconded: Chris Hadorn

All in favor

Motion to Adjourn

Motion: Ed Lane

Seconded: Chris Hadorn

All in Favor

Documents/Mail

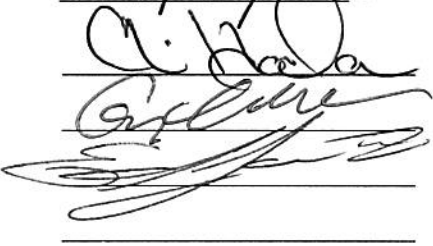
Agenda: general notes of meeting; mail; email and documents to include:

Accountants memos; MACC; abutters list

Respectfully submitted,

Date Approved: 7/28/2020

Signatures:

Handwritten signatures on a line. The first signature is clearly legible as 'A. J. ...'. Below it are two more illegible signatures.