

**Halifax Planning Board
Meeting Minutes
August 5, 2010**

A meeting of the Halifax Planning Board was held on Thursday, August 5, 2010, at 7:30 p.m. at the Halifax Town Hall, Meeting Room #1, 499 Plymouth Street, Halifax, Massachusetts.

Members Present: Gordon Andrews, Chairman
Rob Piccirilli, Member
V. Richard Greeley, Member

Absent: Edward Whitney, Vice Chairman
Dean Jafferian, Clerk

The meeting was called to order at 7:30 p.m. and the agenda was read into the record by Gordon Andrews.

MOTION: Rob Piccirilli to accept the agenda as read
SECOND: Rick Greeley
AIF

Recording of Planning Board Signatures Form - signed by Dean Jafferian and Rob Piccirilli who were not present at the July 15 meeting.

Discussion:

Kozhaya Nessralla – Nessralla Farm – (sign)

Building Inspector Tom Millias approached Mr. Nessralla, owner of Nessralla Farms about the signs at his Plymouth Street business. Mr. Kozhaya Nessralla is present to ask what legal signage is; he is running a business and must advertise but wants to be in compliance with the Town bylaws. Chairman Gordon Andrews informed Mr. Nessralla that he needs to file for a Special Permit for sign usage. The Planning Board is also requiring a plan showing what kind of sign and where the sign will be placed.

Appointments:

7:40 p.m. Zoning Board of Appeals – Blackledge Farm

Members of the Zoning Board of Appeals, Deb Tinkham, Bert Gaynor, Kozhaya Nessralla and Gerry Scully are present to discuss Blackledge Farm. Also present are Selectman Michael Schlieff, property owner Robert DiBona and Developer Rick Lincoln or Beard Lincoln, LLC.

The ZBA is here to inform the Planning Board that Blackledge Farm is no longer being proposed as a 40B project. Developer Rick Lincoln is here to introduce a conceptual plan and would like guidance about what he needs to provide to the Planning Board for the proposed changes to the property. Chairman Gordon Andrews says that he wouldn't mind having a joint meeting with the ZBA with regards to the new plans.

As of now the plans are still just being discussed and Mr. Lincoln doesn't have anything to present at this time. Mr. Lincoln stated that he has requested waivers and is still waiting for answers. Some of the waivers are a secondary egress, a percolation test waiver, and a cul de sac variance. This development will not be a public road. They plan to have an Association maintain the road. The Planning Board is requesting a basic plan showing the design and multi-family requirements must be met. Mr. Lincoln is proposing 51 units on 31 acres of upland with 10 percent of the units being affordable.

ZBA Chairperson Deb Tinkham stated that she is seeking preliminary answers from the consensus of the Town Boards. Gordon Andrews recommended the ZBA to contact Land Counsel as Rick Lincoln is in search of legal questions and possibly waiving Town bylaws. Deb Tinkham will contact Attorney Rich Hucksam.

8:00 p.m. Tones Hair and Tanning Salon and Lunar Wisdom

Owners Marion Diamond and Jane Lesogor of Tones Hair and Tanning Salon and Sylvia daSilva owner of Lunar Wisdom Herbals are present to discuss the "sandwich boards" that they use to advertise their businesses. Several business owners that were in violation with the Town bylaws about the use of "sandwich signs" received notification from the Building Inspector Tom Millias. Ms. Diamond of Tones Hair and Tanning Salon located at 321 Plymouth Street explains to the Board that they are a small town business trying to survive. They had previously received permission from the Town for the use of the "sandwich board" sign. The numerous sign violations in Town prompted the notice from the Building Inspector.

Business owner Sylvia daSilva of Lunar Wisdom located at 356 Monponsett Street purchased her sandwich sign from the previous business owner at the same location. She stated that 85 percent of her customers come in because the sign is visible when driving on Monponsett Street. She feels that the abuse of other business owners in Town is making her business suffer.

Gordon Andrews explains that the reason the letters were sent out is because there are several business owners in Town abusing the sign bylaw. At this time there is no policy in place for the use of signs. He asked each of the business owners to draft a letter including the type of sign being used, measurements, and the placement of the sign and the hours of usage. The Board requested the signs only be used during hours of operation.

Letters are collected from each business owner.

Dean Jafferian read the letter to the Planning Board on behalf of Sylvia daSilva of Lunar Wisdom Herbals and makes a motion for a movable business sign to be displayed during business hours only.

Motion: Dean Jafferian
Second: Rick Greeley
AIF

Dean Jafferian read the letter to the Planning Board on behalf of Tones Hair and Tanning Salon and makes a motion for a movable business sign to be displayed during business hours only.

Motion: Dean Jafferian
Second: Rick Greeley
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8:40 p.m. Ellis Auto Body – Extension of Temporary Occupancy Permit

Owner Nick Gentile of Ellis Auto Body attended the meeting to request another Extension of Temporary Occupancy Permit for his business located at 822 Old Plymouth Street that expired on June 17, 2010. Mr. Gentile stated that it would cost about \$13,000 for the removal of the old building but he doesn't have the money right now. He is still waiting for the claim with his insurance agency. The cars and dirt have been moved since the previous Planning Board meeting and is in compliance with the Conservation Commission.

Rob Piccirilli makes a motion to issue an Extension of Temporary Occupancy Permit for Ellis Auto Body located at 822 Plymouth Street for the removal of the old building.

Motion: Rob Piccirilli
Second: Dean Jafferian
AIF

8:50 p.m. Amanda's Estates – Elm Street

Steve Kotowski of Webby Engineering is presenting on behalf of property owners Corrie Merritt and Amanda Monti who are also present. They came before the Planning Board a couple of years ago to see if the Board would be receptive to allowing an extension of a proposed subdivision road under the subdivision rules and regulations. At that time the Board was opposed and Corrie Merritt looked into other options and decided to propose a 40B subdivision called Amanda's Estates. The plans were then submitted to Mass Housing and received approval to build 48 units.

After the is a conceptual 40B subdivision received approval from Mass Housing the property owners went before the other town boards and had to file with the Conservation Commission. The Conservation Commission reviewed the wetland line and because of discrepancies, Wetland Monitor Sharon LaPorte was hired to delineate the property. The plans had to be changed to comply with Wetland Regulations. They are now proposing a non 40B subdivision and are asking if the Board will consider a second request to allow the extension of a roadway under a conventional subdivision plan. Mr. Kotowski presents the new plans to the Board showing the new wetland line for an eight home subdivision. It's about 12 ½ acres in total. There are some drainage issues; Steve Kotowski proposes installing a catch basin on Elm Street to swale drainage along the property lines. They are asking for a waiver of the 1,000 foot road requirement because of the wetlands in the beginning of the proposed subdivision. They will meet with the Fire Chief, Water Department and School Committee and will return to the Planning Board with preliminary plans.

Minutes:

Meeting Minutes for May 6, 2010 are reviewed by the Planning Board and a motion is made to approve them.

Motion: Dean Jafferian

Second: Rob Piccirilli

AIF

Meeting Minutes for June 17, 2010 are reviewed by the Planning Board and a motion is made to approve them.

Motion: Dean Jafferian

Second: Rob Piccirilli

AIF

Other Business:

Member Rick Greeley makes a motion to discuss commercial garage door height requirements at the next Planning Board meeting.

Motion: Rick Greeley

Second: Rob Piccirilli

AIF

9:55 p.m. Adjourn

Motion

Second:

AIF

It was unanimously voted to adjourn the meeting at 9:55 p.m.

Respectfully submitted,
Michelle Hill
Planning Board Secretary