



HALIFAX ZONING BOARD OF APPEALS

Meeting Minutes

Monday, May 18, 2015

The Halifax Zoning Board of Appeals held a public hearing on Monday, May 18, 2015 in the Great Hall of the Town Hall with the following Board members in attendance:

Debra Tinkham, Robert Gaynor, Kozhaya Nessralla, Peter Parcellin and Robert Durgin.

Continued Meeting called for Public Hearing for Petition #826 – 40B Blackledge Farm

Zoning Board Secretary Marion Wong reads the Public Hearing Notice for this meeting into record.

Correspondence:

Ms. Wong reads into record all mail items and explains that copies of these emails were distributed to all parties involved.

- Email correspondence between Ms. Wong and Attorney Galvin regarding 4/8/2015 email about Blackledge Farm.
- Email from Chief Vivieros dated 4/14/2015 regarding Petition #826.
- Email from Karen Troudeau (Assessor) 4/16/2015 regarding Petition #826.
- Email to Attorney Galvin 4/26/2015 regarding the cost of \$85.19 for the re-advertising of this hearing. Mr. Springer gives Ms. Wong a check to cover that cost.
- Memo from Charlie Seelig to the ZBA regarding Blackledge Farm Petition #826 Chapter 40B Comprehensive Permit. This email was acknowledged by the Board on 4/27/2015 during a peer review.
- Email from the Conservation Commission regarding Blackledge Farm to Pesci Engineering.
- Memo from Chairman Tinkham and the Zoning Board to Attorney Galvin, Mr. Lincoln and Mr. Springer.

Bills:

Re-Advertisement for Public Hearing for Petition #826 on 5/18/2015 = \$85.19.

Chairman Tinkham reads into record the last item of correspondence: her memo from the Zoning Board regarding Petition #826 – 40B to Attorney Galvin, Mr. Lincoln and Mr. Springer. The memo discusses the lack of forward progress on the Blackledge project due to lack of communication and other points of concern.

Ms. Tinkham informs the Board that Attorney Galvin responded to the memo, however they haven't had a chance to go over it yet. She also informs those present that the Board is no longer going to continue this petition until Attorney Galvin has specific information to go over. The Board will close this petition at the end of the meeting for a future date when there will be re-advertising and reaching out to all parties concerned.

Mr. Springer informs the Board of where they stand. He met with the engineer from Conico earlier today. The engineer explained that the reason they can't give a point when the peer engineer can review is because they must complete perk tests, must know where the water table is and what type of soil is at each location (perk test locations for drainage basins) to design the road and the drainage structures to meet State Water Management regulations. Conico has an order of conditions from the conservation commission to do these perk tests. These conditions were issued three years ago and are still in effect as they were continued, which allowed them an extension. The road design, however, changed. The method (before the change) was drainage basins on different locations. The order of conditions clearly states that changes made to perk locations must be brought back in front of the Board. Tomorrow night Mr. Harrington will go back to Conservation with a plan showing the new perk locations. If approved, Conico will schedule perk testing for May 27th

– May 29th. Mr. Pesci is away until May 22nd and wants to be present for those tests. Once the perk tests are done, the engineers will design the road structure (approximately one month) for Mr. Pesci’s review. Ms. Tinkham confirms with Mr. Springer that all of this should be ready for the July meeting.

Mr. Springer presents the original updated traffic study to the Board.

Ms. Wong explains to the Board that according to Town Counsel, Attorney Galvin’s memo requesting to extend the 180-day time frame from the period of 60 days conducting and concluding the public hearing must be a separate memo clearly stating the date and time of the extension length. Once the Board receives Attorney Galvin’s written request for extension the Board can make a motion as to how they would like to proceed with the letter. Ms. Tinkham asks that Attorney Galvin be reminded that the Board needs information at least a week before their meeting otherwise it won’t be acknowledged until the following meeting.

Mr. Springer informs the Board that all the fire chief’s safety concerns will be considered and encompassed in the final design and infrastructure. The road has been staked out every 50 feet. There is no field work necessary once the water table and soil conditions are confirmed. Ms. Tinkham wonders why this couldn’t have been completed in the Fall. Mr. Springer wishes it were completed years ago but he is not the applicant and not the owner of the property. He explains that the advantage is that it is better that the conditions are currently dry. Mr. Gaynor states that he feels the Board has been more than patient and this is very frustrating. Mr. Springer agrees. Ms. Tinkham explains that Mr. Harrington cannot expect the Zoning Board to put something in a hearing that hasn’t been posted 48 hours in advance no matter how large Conico is or how small the (Blackledge Farm) project is.

Ms. Tinkham opens the meeting up to the audience for questions or comments.

Resident of 248 Franklin Street asks if any Board members will be present for the perk testing. Ms. Tinkham answers that the Zoning Board members will not but the Zoning Board engineer will be present.

Resident of Franklin Street and Route 229 asks if the Zoning Board has selected the engineer to represent the ZBA. Ms. Tinkham answers yes, Joe Pesci of Pesci Engineering.

Adjourn:

Motion to adjourn meeting:

MOTION: Robert Gaynor
SECOND: Kozhaya Nessralla AIF
Passes: 5-0-0

It was unanimously voted to adjourn the meeting.

Respectfully submitted,



Robert Gaynor
Chairman, Zoning Board of Appeals