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IPSWICH CONSERVATION COMMISSION

Meeting Minutes

January 20, 2016

Pursuant to a written notice posted by the Town Clerk and delivered to all Conservation Commission members, a meeting was held Wednesday, January 20, 2016 at 7:00 p.m. in Room A of the Ipswich Town Hall. Members present were Chairman Jennifer Hughes, Vice-Chair Sissy ffollott, Commissioners David Standley, Brian O'Neill, Catherine Carney-Feldman, William McDavitt and Michele Hunton. Also present was Agent Alicia Geilen and Recording Secretary Cathy Miaskiewicz.

DEFINITION INDEX:

BVW - Bordering Vegetative Wetland

COC – Certificate of Compliance

CR – Conservation Restriction

DEP - Department of Environmental Protection

ECCA – Essex County Greenbelt Association

EO – Enforcement Order

ICC – Ipswich Conservation Commission

IRWA – Ipswich River Watershed Association

NOI – Notice of Intent

NDZ – No-Disturbance Zone

O & M Plan – Operations and Maintenance Plan: An O&M plan is an indication that a facility is in continued compliance with applicable regulations and permit conditions

OOB – Order of Conditions

ORAD – Order of Resource Area Delineation

RDA – Request for Determination of Applicability (*below is a list of possible outcomes for RDAs*)

Negative #2 Determination (NDA)– This is an approval for work in in resource areas

Negative #3 Determination (NDA)– This is an approval for work in in buffer zones

Negative #5 Determination (NDA) – This is approval for work that meets the requirements of an exception under the WPA

Negative #6 Determination– This is an approval for work under the Ipswich Wetland Protection Bylaw

Positive Determination – This is a denial requiring an NOI to be filed should the applicant wish to pursue

RPA - Riverfront Protection Act

SWM – Storm Water Management

WPA – Massachusetts Wetlands Protection Act (310 CMR 10.00 *et seq.*)

Citizen's Queries:

MATTER: Beth O'Connor, Open Space Administrator, **21 Peatfield St.** Conservation Property.

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<p>DISCUSSION: Present was Beth O'Connor, Open Space Administrator and Cynthia Inglefinger from IRWA. Ms. O'Connor gave a history of the Conservation property. Currently the property is being used for overflow parking and train parking (3-4 cars). The property is under the care and custody of the ICC. Ms. O'Connor stated that they wanted feedback on establishing a Kiosk on the property, adding designated parking signs and drafting a management plan with the Agent and ICC. Chairman Hughes asked if they could make the canoe pull-out more visible from the water. Ms. O'Connor said yes. Commissioner Standley asked about the impact of dam removal. Ms. O'Connor stated that this was unknown, other than having to haul a canoe farther to reach the water. [Discussion: property uses.] Chairman Hughes asked that input be gathered from the neighbors. Ms. O'Connor stated that she would send a letter to neighborhood. [Discussion: IRWA to make signs and submit an RDA/historical use of site.] Chairman Hughes volunteered to help with the Management Plan. .</p>
<p>RECOMMENDATION OF AGENT: <i>None</i></p>
<p>MOTION: ♦ N/A</p>
<p>ACTION ITEMS / SPECIAL INSTRUCTIONS: ❖ <i>none</i></p>
<p>DOCUMENT LIST: <i>Ariel photo of Peatfield Street</i></p>

<p>MATTER: Kerry Mackin, Ipswich Museum, and Mike DeRosa, DeRosa Environmental, 75 South Main Street. Sally's Pond.</p>
<p>DISCUSSION: Present was Kerry Mackin representing the Ipswich Museum. Ms. Mackin gave an update. The museum is partnering with Mr. DeRosa of DeRosa Environmental, Inc., IRWA and others for a grant to do habitat restoration work, invasives removal, trail improvement, trail signage improvement, educational component on invasives and historical and ecological usage of the area. Permitting would follow if they do get the funding.</p>
<p>RECOMMENDATION OF AGENT: <i>None</i></p>
<p>MOTION: ♦ N/A</p>
<p>ACTION ITEMS / SPECIAL INSTRUCTIONS: ❖ <i>None</i></p>
<p>DOCUMENT LIST: <i>None</i></p>

Ongoing Matters Being Continued to Future Sessions: None

Courtesy Position for Town Projects:

<p>MATTER: 36-1057/A: Ipswich Shellfish Warden for work at Eagle Hill Boat Ramp (map 15C, parcel 61K) for a request for a Minor Modification and a request for a 3-year extension to conduct routine maintenance of the boat ramp in support of clamming activities.</p>
<p>DISCUSSION: Present was Scott LaPreste, Ipswich Shellfish Warden. Mr. LaPreste gave a review of the matter. Mr. LaPreste stated that the ramp needs to be repaired for safety reasons. Agent Geilen stated that an OOC was still open and that they need an extension to do the extra work. DPW will put in a granite edge and fill with asphalt/remove tripping hazards/annual maintenance to remove rocks. Agent Geilen stated that there was currently no on-going maintenance special condition, so it would be good to add that in. Commissioner Standley asked what materials would be used. Mr. LaPreste stated that it would be the same as was previously used. Commissioner Standley stated that he was in favor of the modification and extension as long as used whatever material they were</p>

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permitted to last time.
RECOMMENDATION OF AGENT: <i>To approve the minor modification and the 3-year extension.</i>
MOTION: <p style="text-align: center;">◆ A motion was made by Commissioner Standley to approve the minor modification and the 3-year extension. The motion was seconded by Commissioner McDavitt and passed unanimously.</p>
ACTION ITEMS / SPECIAL INSTRUCTIONS: <p style="text-align: center;">❖ <i>None</i></p>
DOCUMENT LIST: <i>Request for Minor Modification Letter dated 1/13/16 and prepared by Department of Public Works, Ipswich Wetlands Protection By-law Filing Fee Calculation Worksheet and Proposed Site Plan Changes prepared by Department of Public Works</i>

Ongoing Notices of Intent:

MATTER: 36-1253: Riverine, LLC for work at 27 Water Street shown on Tax Map: 31D Lot: 91A for a NOTICE OF INTENT to reconstruct multi-family home, gangway/ramp and floats and construction of public access deck in jurisdictional areas. <i>Continued from 1/6/16.</i>
DISCUSSION: Present was Larry Graham of H.L. Graham Associates and Curt Young of Wetlands Preservation Inc. Present also was Mr. Roger LeBlanc, applicant. Mr. Young spoke regarding the mitigation requirement. He stated that the cost estimates for the two projects that were being considered for mitigation (invasive plant control at Nichols Field and 4 Tansey Lane project), were significantly more than the \$17,000 offered. Agent Geilen presented an idea to address the need for off-site mitigation projects, which included bank stabilization on the river on several town properties between the site and the County Street Bridge. She stated that Frank Ventimiglia of the DPW would work with herself, Bill Decie and Beth O'Connor to identify the restoration locations, design and permit the project, and then prioritize the locations in order of greatest need. The DPW would stabilize 3' on either side of stormwater outfall headwall at 15 Water Street, leaving only eroded areas beyond that as a future restoration/mitigation project. The stabilization in that location (stone and boulders) would function as wing walls as well as steps to the water. Agent Geilen stated that the applicant would just have to do bank stabilization projects starting at the most urgent, and working his way down the list until he had spent \$15,000. The remaining \$2,000 would be used for monitoring and reporting. [Discussion: special condition for 27 Water Street that work needs to be done before occupancy.] Mr. LeBlanc expressed concern with liability and wondered if the work should be put out for bid to pay prevailing wages. Chairman Hughes rebutted that this was not brought up before. Mr. Young stated he would like input on projects to be done and spoke of establishing an escrow account where funds would be ready to transfer. Chairman Hughes did not think this was any different than paying IRWA. Mr. LeBlanc stated if he was going to fund it, he would want to get the plans, put it out for bid and verify that is where the money is going. [Discussion: Rip-rap replacement/vegetated bank/stabilization options/input on what projects get done/property line/restoration only on town property/ICC input with design process.] Mr. Young commented on condition of Nichols Field and condition of the marsh and doing natural regeneration with signage. He stated they could pick out projects that would be suitable. Chairman Hughes stated that they would have to work with Town Counsel. Mr. Graham discussed the new submittals shown on revision #7; sheets 2, 3 and 4. He stated that they now show the high tide elevation that was not on there before. Sheet #4 added notation on how the structure of deck would be removed. The dewatering plan was revised in the first paragraph showing it would be monitored before and during excavation. The O&M plan was also revised with addition of fertilizers where and when they are being used. Commissioner Standley stated that all the changes submitted on January 12, 2016 were acceptable and asked if they were in the place to close the public hearing and add a condition for mitigation. Aside from mitigation the

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Commission was in agreement of everything. Agent Geilen stated they would have 21 days after closing the hearing to make a decision. Chairman Hughes stated that mitigation would include certain amounts of square footage, and projects that have been identified from the town. She stated that the applicant had provided everything ICC has asked for except for the mitigation component.
RECOMMENDATION OF AGENT: <i>To close the public hearing.</i>
MOTION: <p style="text-align: center;">◆ A motion was made by Commissioner Standley to close the public hearing. The motion was seconded by Commissioner Carney-Feldman and passed unanimously.</p>
ACTION ITEMS / SPECIAL INSTRUCTIONS: <p style="text-align: center;">❖ <i>None</i></p>
DOCUMENT LIST: <i>Letter from Graham Associates, Inc. dated 1/12/16 including Preliminary Dewatering Plan dated 1/13/16, Water Treatment System Schematic not dated, Exhibit MW not dated, Permit Plan (Sheets 1-7) dated 1/12/16, Permit Plan (S1) dated 1/12/16, Post Construction/Long Term Operation, Maintenance and Repair Plan dated 1/20/16, Proposed Tasks Invasive Species Control Program, Nichols Field, 60 Labor in Vain Road dated 1/13/16 (also included responsible parties and cost assignments version dated 1/20/16), Proposed Tasks Invasive Species Control Program, Town Landing, 4 Tanzy Lane dated 1/13/16 (also included responsible parties and cost assignments version dated 1/20/16 and Alternative 2 version), Email from Curt Young Re: Mitigation Proposal dated 1/13/16, Final Mitigation Proposal submitted 1/6/16 by WPI, Letter from Ipswich River Watershed Association dated 1/13/16 Re: Mitigation Projects and Funding.</i>

Requests for Determination of Applicability:

MATTER: Ipswich High School for work at 134 High Street shown on Tax Map 30B, Lot 6 for a REQUEST FOR DETERMINATION OF APPLICABILITY to renovate the Jack Welch stadium in jurisdictional areas.
DISCUSSION: Present was Mike DeRosa and Chris Huntress working with school department. Mr. Huntress spoke of the project to renovate the Jack Welch stadium. Commissioner Standley interrupted stating that SWM Bylaw applies and that the Commission was the approval authority when there is a WPA filing. Mr. DeRosa said the RDA was just to clean out a catch basin. If they had to go through the Commission for stormwater approval, they might just withdraw the RDA. Commissioner Standley noted that the requirement for the Commission to review stormwater under the Bylaw might only apply when an NOI was filed. Agent Geilen stated that was her opinion. Commissioner Standley allowed them to continue. Mr. Huntress stated that they found an old catch basin that had been filled and covered. They planned to clean out the debris to re-open it. Stormwater would be infiltrated underground outside of the 100' buffer zone underneath the new field. Mr. Hunter noted that the DPW will review stormwater calculations. Commissioner Standley recommended that they use Cornell data, not TR20.
RECOMMENDATION OF AGENT: <i>To issue a Negative Determination of Applicability #3 and #6.</i>
MOTION: <p style="text-align: center;">◆ A motion was made by Commissioner Carney-Feldman to issue a Negative Determination of Applicability #3 and #6. The motion was seconded by Vice-Chair ffollriott and passed with 6 votes and one abstention by Commissioner Standley.</p>
ACTION ITEMS / SPECIAL INSTRUCTIONS: <p style="text-align: center;">❖ <i>None</i></p>
DOCUMENT LIST: <i>Mandatory pre-filing checklist, WPA Form 1 Request for Determination of Applicability Form, Legal Ad, Locus Map, Plans entitled Fig 1 "Topo Map" dated 12/1/15, Fig 2 "Existing Conditions Plan" dated 12/1/15, and prepared by The Morin-Cameron Group, Inc., Fig 2b "Rendered Proposed Site Plan" dated 12/22/15, and prepared by DeRosa Environmental Inc., Fig 3 "Aerial Imagery" dated 2013/2014, Fig 5 "NHESP Estimated and Priority Habitats for Rare Species, Fig 5 "FEMA Map".</i>

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New Notices of Intent, Minor Modifications and Formal Amendments:

<p>MATTER: 36-1278: Robert Macklin for work at 3 Stage Hill Road shown on Tax Map: 24A Lot: 7 for a NOTICE OF INTENT to replace septic system in jurisdictional areas.</p>
<p>DISCUSSION: Present was Dan Johnson from Domestic Septic Design Inc. Mr. Johnson gave a review of the matter. Soil tests had been done on the property. Agent Geilen stated that the NDZ and NBZ were not on the plan and erosion control was not detailed. Mr. Johnson stated it was on another sheet and that he would add it. Chairman Hughes stated that siltation fence alone is sufficient, but it needs to be entrenched. [Discussion: shed on town property; downspouts away from leeching area/deck replacement/in-kind specified/stay within footprint.] Plan needs to be revised. Agent Geilen stated that Inspector Decie indicated that the wetland line was accurate.</p>
<p>RECOMMENDATION OF AGENT: <i>To continue to February 3, 2016 for receipt of the revised plans.</i></p>
<p>MOTION: ♦ A motion was made by Commissioner Standley to continue to February 3, 2016. The motion was seconded by Commissioner Carney-Feldman and passed unanimously.</p>
<p>ACTION ITEMS / SPECIAL INSTRUCTIONS: ❖ Agent to research owner of town property regarding shed and fence.</p>
<p>DOCUMENT LIST: <i>Mandatory Pre-filing Checklist, WPA Form 3 Notice of Intent Application, NOI Wetland Fee Transmittal Form, Ipswich Wetlands Protection By-law Filing Fee Calculation Worksheet, Plan entitled "Substance Sewage Disposal System" dated 12/30/15 and prepared by Domestic Septic Design, Legal Ad and Locus Map, Notification of Abutters, Abutters List, Affidavit of Service.</i></p>
<p>MATTER: 36-1277: J & K Realty Trust for work at 195, 197 & 199 High Street shown on Tax Map: 21 Lots: 7A, None & 93 for a NOTICE OF INTENT to construct an apartment building addition in jurisdictional areas.</p>
<p>DISCUSSION: Present was Bill Manuell of Wetlands & Land Management, Inc. (James MacDowell of Morin Engineering not identified.) Mr. Manuell gave a review of the matter explaining the numbers on the properties. They would like to construct 2 bedroom units which fulfill a greater need but this would require filling in a wetland area in order to have a full 50' No-Disturbance Zone and 65' No-Build Zone. Commissioner Standley stated that the garage would still sit in the NDZ. Mr. Manuell flagged the wetland areas, which was reviewed in the fall by the Agent. [Discussion: phragmites in upper end of swale/buffer zone area behind garage has Japanese knotweed.] Mr. Manuell noted that with 265 square feet being impacted, the Commission could the fill under a provision in state regulations for a finger-like projection of wetlands, which allowed up to 500 square feet of fill. Agent Geilen read the following from the state regulations regarding the filling of the finger-like projection [310 CMR 10.55(4)(c)] which states you must find that <i>"in the judgment of the issuing authority it is not reasonable to scale down, redesign or otherwise change the proposed work so that it could be completed without loss of said wetland."</i> [Discussion: parking space being created/SWM/roof runoff and pump chamber with infiltration field/currently working well/add new rain garden feature.] Commissioner Standley stated that they must use Cornell data not TR20. Mr. MacDowell stated that he will recalculate with Cornell. [Discussion: question of amount of gallons in chamber/75% increase in pump chamber capacity/calculations discussed.] [Discussion: retaining wall along property line with concrete blocks/less than a 4 foot wall/pull wall back from rain garden/drainage discharge needs to be added.] [Discussion: Planting list/no daylilies, substitute with native clump grasses/bushes must be native and should show Latin names; Phragmites and knotweed removal; stormwater infiltration and overflow.] Chairman Hughes asked whether the ICC wants to fill wetland to create a NBZ; do they want to set a precedent? Mr. Manuell stated the reason to fill was to give more area between the development and the wetlands. If the Commission doesn't want fill, the applicant would still volunteer to get rid of phragmites, etc. [Discussion: wetland/mitigation option/garage removal/waiver request/wetland stay as is and do mitigation which would include removal of</p>

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<p>phragmites, knotweed and removal of garage.] Mr. MacDowell stated that the garage was to store the lawn mower, etc. and they could incorporate that into the space of the new building. Vice-Chair ffolliott asked about the dumpster. Agent Geilen explained that the old OOC was closed out with a recorded COC in December 2006. However, the dumpster was supposed to be located outside of the 100' Buffer, but was placed slightly inside the BZ. The minutes for the COC review are unclear, but she believed that it said that as long as the dumpster was moved away from the wetlands, the COC was to be approved. Mr. MacDowell stated that he recalled that they originally designed it at a different area and confirmed that they would move it. Agent Geilen asked about extending the wetland line flagging. Mr. Manuell will add more flags and submit revised plans. Once this is done he will pay the fees for the wetland review (not paid previously). Agent Geilen noted that snow storage was not shown on the plan. Mr. Manuell stated that the snow storage will be addressed in the revised plan. Agent Geilen also noted that two additional NDZ markers were needed. Mr. MacDowell will add that to the revised plan.</p>
<p>RECOMMENDATION OF AGENT: <i>To continue to February 17, 2016.</i></p>
<p>MOTION:</p> <p style="text-align: center;">◆ A motion was made by Commissioner Carney-Feldman to continue to February 17, 2016. The motion was seconded by Vice-Chair ffolliott and passed unanimously.</p>
<p>ACTION ITEMS / SPECIAL INSTRUCTIONS:</p> <p style="text-align: center;">❖ <i>None</i></p>
<p>DOCUMENT LIST: <i>Packet submitted by Wetlands and Land Management, Inc. dated 1/4/16 including: Mandatory Pre-filing Checklist, WPA Form 3 Notice of Intent Application, NOI Wetland Fee Transmittal Form, Ipswich Wetlands Protection By-law Filing Fee Calculation Worksheet, Plan entitled "Site Development Permit Plan" dated 12/31/15 and prepared by Morin Engineering, Inc, Memo from James McDowell of Morin Engineering, Inc. Re: Amendments to the NOI documents submitted dated 1/10/16, Legal Ad and Locus Map, Notification of Abutters, Abutters List, Affidavit of Service.</i></p>

Ongoing Notices of Intent, Minor Modifications and Formal Amendments:

<p>MATTER: 36-1270: Susan T. Russell for work at 28 North Ridge Road shown on Tax Map: 15C Lot: 038 for a NOTICE OF INTENT for stairway restoration in jurisdictional areas. <i>Continued from 12/9/15.</i></p>
<p>DISCUSSION: Present was Larry Graham of H.L. Graham Associates and Matt Russell, friend of the applicant. Mr. Graham gave a review of the matter regarding an elevated stair restoration. Mr. Graham discussed a letter that was submitted. The dug-in step design has been discarded. The new plan includes elevated stairs and erosion controls. Mr. Graham noted that a replacement fence was also added. The applicant asked for allowance to maintain the current stairs until the replacement project is started. Commissioner Standley recalled an email that had suggested the problems with the erosion by stairs on Great Neck was due to design problems. Agent Geilen stated that was correct, but that the above grade design proposed meets that criteria as the existing vegetation would not be impacted. Agent Geilen noted that special conditions could be added to prohibit storage of canoes kayaks, etc. on coastal bank, and walking on Coastal Bank to prevent erosion.</p>
<p>RECOMMENDATION OF AGENT: <i>To close the public hearing and issue a positive OOC with standard Special Conditions.</i></p>
<p>MOTION:</p> <p style="text-align: center;">◆ A motion was made by Commissioner Carney-Feldman to close the public hearing and issue a positive OOC with new special conditions added as stated by the agent. The motion was seconded by Vice-Chair ffolliott and passed with 6 votes and one abstention by Commissioner Standley.</p>
<p>ACTION ITEMS / SPECIAL INSTRUCTIONS:</p> <p style="text-align: center;">❖ <i>Add special condition not to drag canoe, kayak, or walk on coastal bank</i></p>

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DOCUMENT LIST:

Letter from Graham Associates, Inc. dated 1/12/16 Re: Revised Plan, Revised Plan entitled " Permit Plan" dated 1/12/16 and prepared by Graham Associates, Inc.

MATTER: 36-1274: Ipswich Junction LLC for work at **114 & 116 County Road** shown on **Tax Map: 54A Lot: 8** for a **NOTICE OF INTENT** for **site improvements including the construction of two (2) new buildings and the installation of a new stormwater management system** in jurisdictional areas *Continued from 1/6/16.*

DISCUSSION: Present was Peter Pommersheim from Meridian Associates and Mike DeRosa from DeRosa Environmental Consulting, Inc. Mr. Pommersheim recommended scheduling a site walk. The site visit was scheduled. Mr. Pommersheim presented the project and stated that changes were made to the footprint of the front building, which is out of jurisdiction. They added pre-treatment devices in the filtration system. He stated that there were no peer review comments yet. [Discussion: Propane filling station locaiton.] [Discussed: Island plantings and types of trees/rain gardens not practical/green roof possibility may be difficult with building being rented out/level spreader in NBZ, requires clearing of NDZ/new system drainage.] Commissioner Standley wanted to know if the former body shop needed to be retained. Mr. Pommersheim stated that all current work will be interior or on building within jurisdiction. There will be no excavation of any kind. [Discussion of propane location/non-functional buffer zone/need to look at it on site visit] Mr. DeRosa presented the mitigation plan. [Discussion: knotweed removal plan/re-vegetation of Buffer Zone slope with native species/re-vegetation and enhance vegetation in wetland.] Chairman Hughes recommended adding wood guard rail instead of stones with NDZ signs. [Discussion: re-label area "G"/typographical error for "mowing wetland area" needs to be fixed.]

RECOMMENDATION OF AGENT:

To continue to February 17, 2016.

MOTION:

◆ **A motion was made by Vice-Chair ffolliott to continue to February 17, 2016. The motion was seconded by Commissioner O'Neill and passed unanimously.**

ACTION ITEMS / SPECIAL INSTRUCTIONS:

❖ *None*

DOCUMENT LIST:

Letter from Meridian Associates, Inc. Re: Proposed Propane Filling Station dated 1/13/16, Plans entitled "Alternatives Exhibit" dated 1/13/16, and prepared by Meridian Associates, Inc., and "Permit Site Development Plan" (Sheets 1-7) dated 12/3/15 and prepared by Meridian Associates, Inc., Packet prepared by DeRosa Environmental, Inc. including "Mitigation Planting Plan" dated 1/2/16, Fig 2a "Mitigation Elements Plan" dated 12/30/15, Fig 2b "Mitigation Plan" dated 1/13/16 and Fig 2c "Knotweed Removal Plan" dated 1/13/16.

MATTER: 36-1273: EBS CO for work at **6 Estes Street** shown on **Tax Map: 42A Lot: 186** for an **after-the-fact NOTICE OF INTENT** for **parking lot maintenance** in jurisdictional areas. *Continued from 1/6/16.*

DISCUSSION: There was no one present for this matter.

RECOMMENDATION OF AGENT:

To continue to March 2, 2016.

MOTION:

◆ **A motion was made by Commissioner Carney-Feldman to continue to March 2, 2016. The motion was seconded by Commissioner O'Neill and passed unanimously.**

ACTION ITEMS / SPECIAL INSTRUCTIONS:

❖ *None*

DOCUMENT LIST:

None

Requests for Certificates of Compliance:

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MATTER: 36-1133: 10 Salt Marsh, Anderson-Bell. <i>New.</i>
DISCUSSION: There was no one present for this matter. Agent Geilen gave a review of the matter. She stated that Inspector Decie did a site visit and that everything looked good. All the Phragmites are gone.
RECOMMENDATION OF AGENT: <i>To issue a full and final COC.</i>
MOTION: <p style="text-align: center;">♦ A motion was made by Vice-Chair ffollott to issue a full and final COC. The motion was seconded by Commissioner Standley and passed unanimously.</p>
ACTION ITEMS / SPECIAL INSTRUCTIONS: <p style="text-align: center;">❖ <i>None</i></p>
DOCUMENT LIST: <i>COC request, As-built plan entitled "Record As-Built Plan" dated 1/12/16 prepared by Graham Associates, Inc. and letter of substantial compliance dated 1/12/16 also prepared by Graham Associates, Inc.</i>

MATTER: 36-602 & 36-1062: 179 County Road, First Presbyterian Church of the North Shore. <i>Continued from 12/9/15</i>
DISCUSSION: Present was Larry Graham of H.L. Graham Associates. Mr. Graham gave a review of the matter. Mr. Graham spoke of the recommendations by the agent. He stated the Vortech units were in good condition. The catch basin above it had about 3½ feet of sediment. Both catch basins were cleaned along with the Vortech unit. Infiltration systems were inspected and were in good condition. Regarding removal of curb, Mr. Graham stated that the grass swales were put in higher than planned. Mr. Graham did not think it made sense to remove the curb as it would affect the swale and the ground and thought it should remain as is. Commissioner Standley withdrew his recommendation to have it removed.
RECOMMENDATION OF AGENT: <i>To issue two full and final COC's.</i>
MOTION: <p style="text-align: center;">♦ A motion was made by Commissioner Standley to issue two full and final COC's. The motion was seconded by Commissioner Hunton and passed unanimously.</p>
ACTION ITEMS / SPECIAL INSTRUCTIONS: <p style="text-align: center;">❖ <i>None</i></p>
DOCUMENT LIST: <i>No new documents submitted</i>

MATTER: 36-584: 7 Emery Lane (Lot 3A), McCarthy. <i>Continued from 11/18/15.</i>
DISCUSSION: There was no one present for this matter. Agent Geilen gave a review of the matter. She stated that there were no new violations. This was a COC request with non-conformities that had a "reasonable solution" determined in the field, with the previous owners and David Pancoast. As the current owners knew nothing about this OOC (it was recorded against the McCarthy's property), and they had owned the property for well over 3 years, Agent Geilen recommended a full and final OOC. She checked with Town Counsel about options for approving a COC when all was not in accordance with the approved plan. ICC had suggested an annotated COC. Town Council believed that this was not needed and recommended following the Agent's recommendation for a full and final COC. After consultation with Town Counsel, Chairman Hughes stated to put a note in the file that this matter was not done correctly but to go ahead with the Agent's recommendation to issue a full and final OOC.

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RECOMMENDATION OF AGENT: <i>Issue a full and final COC with note to file.</i>
MOTION: <p style="text-align: center;">◆ A motion was made by Vice-Chair ffolliott to close the public hearing and issue a full and final COC with note to file as stated above. The motion was seconded by Commissioner O’Neill and passed unanimously.</p>
ACTION ITEMS / SPECIAL INSTRUCTIONS: <p style="text-align: center;">❖ <i>None</i></p>
DOCUMENT LIST: <i>No new documents submitted</i>

MATTER: 36-569: 8 Emery Lane (Lot 2A and 3A), McCarthy. <i>Continued from 11/18/15.</i>
DISCUSSION: There was no one present for this matter. Agent Geilen stated that the applicant had asked for a continuance.
RECOMMENDATION OF AGENT: <i>To continue to May 4, 2016 for time for as-built plan to be submitted.</i>
MOTION: <p style="text-align: center;">◆ A motion was made by Commissioner Carney-Feldman to continue to May 4, 2016. The motion was seconded by Commissioner McDavitt and passed unanimously.</p>
ACTION ITEMS / SPECIAL INSTRUCTIONS: <p style="text-align: center;">❖ <i>None</i></p>
DOCUMENT LIST: <i>Continuation request</i>

MATTER: 36-1229: Lowes Lane Culvert, National Grid/Boston Gas, <i>Continued from 1/6/16.</i>
DISCUSSION: There was no one present for this matter. Agent Geilen stated that she had been in touch with Town Counsel on the need to notify the person on whose property a portion of the headwall was constructed. Town Counsel did not have a problem with issuing a full and final COC. Chairman Hughes made a general comment that the Commission needs to be more stringent when things are not in compliance.
RECOMMENDATION OF AGENT: <i>To issue a full and final COC.</i>
MOTION: <p style="text-align: center;">◆ A motion was made by Commissioner O’Neill to issue a full and final COC. The motion was seconded by Vice-Chair ffolliott and passed unanimously.</p>
ACTION ITEMS / SPECIAL INSTRUCTIONS: <p style="text-align: center;">❖ <i>None</i></p>
DOCUMENT LIST: <i>No new documents submitted</i>

Enforcement Matters:

MATTER: 36-678: 10 Olde Ipswich Way. Possible enforcement matter: stormwater pond maintenance.

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DISCUSSION: There was no one present for this matter. Agent Geilen stated that this was a complaint that the stormwater system was not working properly. Commissioner Standley had not had time to look at the property and asked for a continuance. Agent Geilen stated that she would put it on the April 20 th agenda
RECOMMENDATION OF AGENT: <i>None</i>
MOTION: ♦ N/A
ACTION ITEMS / SPECIAL INSTRUCTIONS: ❖ <i>Put on April 20, 2016 agenda.</i>
DOCUMENT LIST: <i>None</i>

MATTER: 15 Ward Street, Desmond. Enforcement matter: cutting vegetation and erection of a structure, approximately 30' by 15' in size.
DISCUSSION: There was no one present for this matter. Chairman Hughes suggested that the ICC issue a cease and desist letter. Agent Geilen stated that an EO had been prepared for their signature that did just that. She noted that the trees and shrubs had been cut, 3 buildings had been erected, and equipment was being stored. She handed out pictures showing the areas of the violation. The Commission agreed to issue the EO and send photos to the owner. Agent Geilen will inform the owner of the violations including: clearing vegetation, structure and equipment in buffer zone, cease and desist, restore resource areas, submit restoration plan, remove structure and fill in.
RECOMMENDATION OF AGENT: <i>To issue the EO.</i>
MOTION: ♦ A motion was made by Commissioner Standley to issue the EO with a cover letter and require the owner to come to the next meeting. The motion was seconded by Commissioner Carney-Feldman and passed unanimously.
ACTION ITEMS / SPECIAL INSTRUCTIONS: ❖ <i>Inform the owner of the violations including: clearing vegetation, structure and equipment in buffer zone, cease and desist, restore resource areas, submit restoration plan, remove structure and fill.</i>
DOCUMENT LIST: <i>Powerpoint presentation prepared by Agent Geilen and Enforcement Order.</i>

Other Business:

MATTER: ECGA Echo Reservation Conservation Restriction – review draft language.
DISCUSSION: Agent Geilen updated the Commission on this matter and stated that they took prohibited activities out and she would be asking that they be put back in.
RECOMMENDATION OF AGENT:
MOTION: ♦ A motion was made by Commissioner O’Neill to approve as drafted by the Agent. The motion was seconded by Commissioner Carney-Feldman and passed with 6 votes and one abstention by Vice-Chair ffolliott.
ACTION ITEMS / SPECIAL INSTRUCTIONS: ❖ <i>None</i>

IPSWICH CONSERVATION COMMISSION
Meeting Minutes
January 20, 2016

DOCUMENT LIST:

ECGA Echo Reservation Conservation Restriction, draft language.

MATTER: Brown's Well Beaver Dam Removal.

DISCUSSION: Commissioner Standley updated the Commission on this matter. Ipswich Utilities had requested a Determination of Threat from the DEP. A site visit with DEP and fish and Wildlife personnel had been scheduled that the Agent will attend. Commissioner Standley did not agree that the problem was necessarily related to the beaver impoundment, and did not believe that the situation constituted an emergency. Agent Geilen was directed to check with DEP if issuance of a Determination of Threat from the DEP necessitated issuance of an Emergency Certification under the WPA.

RECOMMENDATION OF AGENT:

MOTION:

◆ none

ACTION ITEMS / SPECIAL INSTRUCTIONS:

❖ None

DOCUMENT LIST:

None

Tabled Matters and Discussion Items: None

Approval of Minutes: None

Document Signage: (No Vote Required)

Adjournment:

◆ A motion was made by Commissioner Standley to adjourn at 10:13 p.m. The motion was seconded by Commissioner Carney-Feldman and passed unanimously.

Respectfully submitted,



Cathy Miaskiewicz
 Recording Secretary

These minutes are the summary of a taped meeting and of secretarial notes. As such, the Ipswich Conservation Commission reserves the right to supplement these minutes with tapes and vice versa, to reflect the proceedings. The Ipswich Conservation Commission does not guarantee the quality of the tapes, nor does it exclusively rely upon them.