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IPSWICH CONSERVATION COMMISSION
Meeting Minutes
February 3, 2016

Pursuant to a written notice posted by the Town Clerk and delivered to all Conservation Commission members, a meeting was held Wednesday, February 3, 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 and William McDavitt. Also present was Agent Alicia Geilen and Recording Secretary Cathy Miaskiewicz. Michele Hunton was absent with prior notice.

DEFINITION INDEX:

BVW - Bordering Vegetative Wetland

COC – Certificate of Compliance

CR – Conservation Restriction

DEP - Department of Environmental Protection

EO – Enforcement Order

ICC – Ipswich Conservation Commission

IRWA – Ipswich River Watershed Association

LSCSF – Land Subject to Coastal Storm Flowage

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: None

Ongoing Matters Being Continued to FUTURE Sessions: None

Requests for Certificates of Compliance:

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MATTER: 36-1082: 34 Clark Road; Town of Ipswich, Planning Dept., <i>(Clark Pond Overlook) New.</i>
DISCUSSION: Present was Beth O'Connor, Open Space Administrator. Ms. O'Connor gave a review of the matter. This was a COC to construct a boardwalk and overlook area. ICC had approved the plans and engineered plans had been waived for the NOI. Ms. O'Connor requested waivers of an as-built plan (alternative submitted using aerial photo with plan overlay) and a statement from a PE (alternative submitted by Jeff Putur). All work was done in accordance with the plans. Agent Geilen had made a site visit and did not see any problems with the vegetation.
RECOMMENDATION OF AGENT: <i>To grant the waivers as requested and issue a full and final COC.</i>
MOTION: <ul style="list-style-type: none"> ◆ A motion was made by Commissioner Standley to approve the waivers as requested. The motion was seconded by Commissioner Carney-Feldman and passed unanimously. ◆ A motion was made by Commissioner Standley to issue a full and final COC. The motion was seconded by Vice-Chair ffolliott and passed unanimously.
ACTION ITEMS / SPECIAL INSTRUCTIONS: ❖ <i>None</i>
DOCUMENT LIST: <i>COC request, Letter including waiver of As-built plan dated 1/29/16 and prepared by Beth O'Connor, Open Space Administrator, Aerial photo with overlay and Letter of compliance dated 1/29/16, and prepared by Jeffrey Putur, Director of Cemeteries and Parks.</i>
MATTER: 36-844: 56 Jeffreys Neck Road; Town of Ipswich, Planning Dept. <i>(Strawberry Hill) New</i>
DISCUSSION: Present was Beth O'Connor, Open Space Administrator. This was a COC to construct a parking area. Ms. O'Connor asked for waivers of an as-built plan (alternative submitted using aerial photo with plan overlay) and a statement from a PE (alternative submitted-memos form former DPW director). Agent Geilen stated it was within the footprint and that everything looked good. Chairman Hughes inquired about the plantings. Commissioner O'Neill stated there were two trees. Ms. O'Connor stated the trees were a screen for the parking area. [Discussion: trees/abutters.]
RECOMMENDATION OF AGENT: <i>To grant the waivers as requested and issue a full and final COC.</i>
MOTION: <ul style="list-style-type: none"> ◆ A motion was made by Commissioner Standley to approve the waivers as requested. The motion was seconded by Vice-Chair ffolliott and passed unanimously. ◆ A motion was made by Commissioner Carney-Feldman to issue a full and final COC. The motion was seconded by Vice-Chair ffolliott and passed unanimously.
ACTION ITEMS / SPECIAL INSTRUCTIONS: ❖ <i>None</i>
DOCUMENT LIST: <i>COC request, Letter including waiver of As-built plan dated 1/29/16, and prepared by Beth O'Connor, Open Space Administrator, Letters dated 9/8/04 and 10/7/04 prepared by Robert Gravino, Former Director of Public Works, Letter and Occupancy Permit dated 5/11/04, issued by Jim Sperber, Former Building Inspector.</i>
MATTER: 36-470: 290 Argilla Road; The Trustees of Reservation, <i>(Motorized vehicles) New.</i>

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<p>DISCUSSION: Present was Jeff Denocour from the Trustees of Reservations and Peter Pincario, general manager at the Crane Estate in Ipswich. Agent Geilen spoke of this matter. She stated that this was a COC to regulate TTOR vehicles on the beach. Work was done in accordance with the COC, but she stated that there was evidence of vehicles not using the wooden vehicle boardwalk and that a fence should be put up to prevent people from driving on the sand. Mr. Pincario stated they will put something in. [Discussion: signage]</p>
<p>RECOMMENDATION OF AGENT: <i>To issue a full and final COC contingent upon addition of fencing.</i></p>
<p>MOTION:</p> <p style="padding-left: 40px;">♦ A motion was made by Vice-Chair ffollriott to issue a full and final COC as stated by the agent. The motion was seconded by Commissioner Standley and passed unanimously.</p>
<p>ACTION ITEMS / SPECIAL INSTRUCTIONS:</p> <p style="padding-left: 40px;">❖ <i>Add fence</i></p>
<p>DOCUMENT LIST: <i>COC request and Powerpoint presentation prepared by Agent Geilen.</i></p>

<p>MATTER: 36-530: 290 Argilla Road; The Trustees of Reservation, (<i>Beach Management Plan</i>) <i>New</i></p>
<p>DISCUSSION: Present was Jeff Denocour from the Trustees of Reservations and Peter Pincario, general manager at the Crane Estate in Ipswich. Mr. Denocour spoke of the management plan consisting of management of activities on the beach and seeing that the natural resources are not impacted. Agent Geilen stated that old orders needed to be closed out before moving forward. Commissioner McDavitt asked about any continuing conditions. [Discussion: expired order/compliance/no continuing conditions/no additional work done.]</p>
<p>RECOMMENDATION OF AGENT: <i>To issue a full and final COC.</i></p>
<p>MOTION:</p> <p style="padding-left: 40px;">♦ A motion was made by Commissioner Standley to issue a full and final COC. The motion was seconded by Commissioner McDavitt and passed unanimously.</p>
<p>ACTION ITEMS / SPECIAL INSTRUCTIONS:</p> <p style="padding-left: 40px;">❖ <i>None</i></p>
<p>DOCUMENT LIST: <i>COC request, Powerpoint presentation prepared by Agent Geilen and Natural Resource Management Plan for Crane Beach dated 1997, and prepared by TTOR.</i></p>

<p>MATTER: 36-771: 290 Argilla Road; The Trustees of Reservation, (<i>Construct Boardwalk</i>) <i>New.</i></p>
<p>DISCUSSION: Present was Jeff Denocour from the Trustees of Reservations and Peter Pincario, general manager at the Crane Estate in Ipswich. Mr. Denocour spoke of the condition of the boardwalk. The boardwalk was constructed in accordance with the COC, but was irrevocably damaged by 6-8' snow drifts last winter. They removed the broken decking and 10 of the support posts. They want to replace the decking. [Discussion: replacement of posts/boards for boardwalk/placement by hand/popular path for pedestrians.] Chairman Hughes recommended an EO as opposed to an RDA with the EO to be done by April 1st.</p>
<p>RECOMMENDATION OF AGENT: <i>None</i></p>
<p>MOTION:</p> <p style="padding-left: 40px;">♦ A motion was made by Commissioner Standley to close out #36-771 and issue a full and final COC. The motion was seconded by Commissioner O'Neill and passed unanimously.</p> <p style="padding-left: 40px;">♦ A motion was made by Commissioner Carney-Feldman for an EO requiring the applicant to</p>

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replace the boardwalk. The motion was seconded by Vice-Chair ffolliott and passed unanimously.
ACTION ITEMS / SPECIAL INSTRUCTIONS: ❖ <i>EO</i>
DOCUMENT LIST: <i>COC request, Powerpoint presentation prepared by Agent Geilen, Photos of Trails, ATV Boardwalk Sketch dated 3/1/02 and Photos.</i>

MATTER: 36-772: 290 Argilla Road; The Trustees of Reservation, (<i>Drain Pipe at Castle Hill</i>) <i>New.</i>
DISCUSSION: Present was Jeff Denocour from the Trustees of Reservations and Peter Pincario, general manager at the Crane Estate in Ipswich. Mr. Pincario explained the location of the drain pipes. Agent Geilen stated that this was a COC to replace a clay storm drain piping with PVC/plastic piping from 2 catch basins in the barn courtyard near the wetland. Agent Geilen stated that the outfall pipe needed a large stone to be put in and recommended they put the stone in place before issuing the final COC. [Discussion: water flow/divot/stone placement.]
RECOMMENDATION OF AGENT: <i>To issue a full and final COC contingent upon adding large stone at the outfall.</i>
MOTION: ♦ A motion was made by Commissioner Standley to issue a full and final COC as recommended by the agent. The motion was seconded by Vice-Chair Standley and passed unanimously.
ACTION ITEMS / SPECIAL INSTRUCTIONS: ❖ <i>Add large stone at the outfall</i>
DOCUMENT LIST: <i>COC request and Powerpoint presentation prepared by Agent Geilen.</i>

MATTER: 36-854: 51 Jeffreys Neck Road; The Trustees of Reservation, (<i>Septic System</i>) <i>New</i>
DISCUSSION: Present was Jeff Denocour from the Trustees of Reservations and Peter Pincario, general manager at the Crane Estate in Ipswich. Agent Geilen stated that this was a COC to replace the septic system, that there was an as-built plan and that all work was done in accordance with the plan.
RECOMMENDATION OF AGENT: <i>To issue a full and final COC.</i>
MOTION: ♦ A motion was made by Commissioner Carney-Feldman to issue a full and final COC. The motion was seconded by Commissioner McDavitt and passed unanimously.
ACTION ITEMS / SPECIAL INSTRUCTIONS: ❖ <i>None</i>
DOCUMENT LIST: <i>COC request, Powerpoint presentation prepared by Agent Geilen, Letter dated 12/12/03 prepared by H.L. Graham Associates, Inc. Re: Revised Septic System Repair Plan, Letter dated 6/16/04 prepared by H.L. Graham Associates, Inc. Re:As-Built SSDS Repair Plan, Form 3A, Certificate of Compliance issued by the Ipswich Board of Health dated 6/16/04, Plan entitled "Record Plan of Subsurface Sewage Disposal System Repair" dated 6/16/04 and prepared by H.L. Graham Associates, Inc.</i>

MATTER: 36-874: 290 Argilla Road; The Trustees of Reservation, (<i>Re-route Steep Hill Beach Trail</i>) <i>New.</i>
DISCUSSION: Present was Jeff Denocour from the Trustees of Reservations and Peter Pincario, general manager at the Crane Estate in Ipswich. Mr. Denocour stated that there had been some significant erosion from storm events and that the trail needed to be re-routed due to this erosion. Agent Geilen stated that it seemed to be a stable dune access. Chairman Hughes reiterated that she had walked it and stated it was very stable. [Discussion:

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boardwalk/vehicle access/stability/tidal action erosion vs. foot traffic erosion/no erosion on sides.]
RECOMMENDATION OF AGENT: <i>To issue a full and final COC.</i>
MOTION: <ul style="list-style-type: none"> ◆ A motion was made by Vice-Chair ffollott to issue a full and final COC. The motion was seconded by Commissioner Carney-Feldman and passed with 5 votes and one abstention by Commissioner Standley.
ACTION ITEMS / SPECIAL INSTRUCTIONS: <ul style="list-style-type: none"> ❖ <i>None</i>
DOCUMENT LIST: <i>COC request and Powerpoint presentation prepared by Agent Geilen.</i>

MATTER: 36-945: 290 Argilla Road; The Trustees of Reservation, (<i>Subsurface Gas Tank Removal</i>) <i>New.</i>
DISCUSSION: Present was Jeff Denocour from the Trustees of Reservations and Peter Pincario, general manager at the Crane Estate in Ipswich. Agent Geilen stated that this was a COC to remove an underground storage tank at the Boat House. She stated that work was done in accordance with the plan.
RECOMMENDATION OF AGENT: <i>To issue a full and final COC.</i>
MOTION: <ul style="list-style-type: none"> ◆ A motion was made by Commissioner Carney-Feldman to issue a full and final COC. The motion was seconded by Commissioner McDavitt and passed unanimously.
ACTION ITEMS / SPECIAL INSTRUCTIONS: <ul style="list-style-type: none"> ❖ <i>None</i>
DOCUMENT LIST: <i>COC request and Powerpoint presentation prepared by Agent Geilen.</i>

MATTER: 36-975: 1 Eagle Hill Road; James Cornacchio (<i>prior owner's OOC not recorded; see re-signage below</i>) <i>New.</i>
DISCUSSION: Present was Larry Graham of H.L. Graham Associates. Mr. Graham gave a review of the matter. He stated that the project had been completed. Agent Geilen stated the work done was in conformity with what was approved.
RECOMMENDATION OF AGENT: <i>To issue a full and final COC, to be held until the COC is recorded.</i>
MOTION: <ul style="list-style-type: none"> ◆ A motion was made by Commissioner Standley to issue a full and final COC as recommended by the agent. The motion was seconded by Vice-Chair ffollott and passed unanimously.
ACTION ITEMS / SPECIAL INSTRUCTIONS: <ul style="list-style-type: none"> ❖ <i>None</i>
DOCUMENT LIST: <i>COC request, As-built plan entitled "Record As-Built Plan" dated 1/27/16, prepared by Graham Associates, Inc. and letter of substantial compliance dated 1/27/16, also prepared by Graham Associates, Inc.</i>

New Notices of Intent, Minor Modifications and Formal Amendments:

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<p>MATTER: 36-1279: James Cornacchio for work at 1 Eagle Hill Road shown on Tax Map: 15C Lot: 063 for a NOTICE OF INTENT to construct a garage & connector addition to existing dwelling and expansion of driveway to garage in jurisdictional areas.</p>
<p>DISCUSSION: Present was Larry Graham of H.L. Graham Associates. Mr. Graham gave a review of the matter and indicated where the garage and connector addition would be placed. Mr. Graham stated there would also be a turn-a-round. Mr. Graham stated that soil erosion control would be around the entire site. [Discussion: Granite steps/removal of shed/drainage proposal with rain gardens/plantings/overflow onto property/catch basins/phragmites off-site/re-flagging/no impact on subzones/put stakes on plan.] Agent Geilen stated that the wetland flag line needs to be moved to elevation of 7 feet. [Discussion: stepping stones placed on soil/pea stones/pre-treatment filtration device/add Latin names to plan for plantings in rain garden.] Chairman Hughes stated they could add note stating that if the stones becomes clogged, replace in-kind.</p>
<p>RECOMMENDATION OF AGENT: <i>To continue to February 17, 2016 for recording of the OOC and COC for #36-975 and receipt of DEP comments.</i></p>
<p>MOTION:</p> <p>◆ A motion was made by Vice-Chair ffolliott to continue to February 17, 2016. The motion was seconded by Commissioner McDavitt and passed unanimously.</p>
<p>ACTION ITEMS / SPECIAL INSTRUCTIONS:</p> <ul style="list-style-type: none"> ❖ <i>If stone clogged, must be replaced in kind – perpetual condition.</i> ❖ <i>Work in LSCSF</i> ❖ <i>Check if work is in riverfront</i>
<p>DOCUMENT LIST: <i>Packet prepared by H.L. Graham Associates, Inc. dated 1/20/16, 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, Legal Ad and Locus Map, Notification of Abutters, Abutters List, Affidavit of Service.</i></p>
<p>MATTER: 36-____: 79 Labor-in-Vain Road Real Estate Trust for work at 79 Labor-in-Vain Road shown on Tax Map: 43A Lot: 005 for a NOTICE OF INTENT for septic system repair and replacement dug well in jurisdictional areas.</p>
<p>DISCUSSION: Present was Larry Graham of H.L. Graham Associates. Mr. Graham gave a review of the matter. Soil pipe comes out above ground and then into leaching pit. They are proposing to bring it under ground and add a septic tank. They did the soil testing. [Discussion: dug wells/flood elevation/in flood zone (coastal bank)/3 flagged wetlands/100 foot buffer zone/overlapping buffer zones/old well maintained for irrigation/new well needs to be in place before placement of septic system/remove from house plumbing recommended/vegetation cutting part of RDA.] Agent Geilen was concerned with the B-series flags. She would like to go into the field.</p>
<p>RECOMMENDATION OF AGENT: <i>To continue to March 3, 2016 for an Agent site visit for the wetland delineation, and submittal of revised plans thereafter.</i></p>
<p>MOTION:</p> <p>◆ A motion was made by Commissioner Standley to continue to March 2, 2016. The motion was seconded by Vice-Chair ffolliott and passed unanimously.</p>
<p>ACTION ITEMS / SPECIAL INSTRUCTIONS:</p> <ul style="list-style-type: none"> ❖ <i>Agent site visit</i>
<p>DOCUMENT LIST: <i>Packet prepared by H.L. Graham Associates, Inc. dated 1/20/16, 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 "Permit Plan" dated 1/6/16, and prepared by Graham Associates, Inc., Legal Ad and Locus Map, Notification of Abutters, Abutters List, Affidavit of Service.</i></p>

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<p>MATTER: 36-___: Jean-Jacques Toulotte for work at 94 Labor-in-Vain Road shown on Tax Map: 32 Lot: 004 for a NOTICE OF INTENT for a second floor addition to a single-family dwelling including a small bump out, underground propane storage tank, a force main to a drain field and drain line in jurisdictional areas.</p>
<p>DISCUSSION: Present was Larry Graham of H.L. Graham Associates. Mr. Graham gave a review of the matter. Work on LSCSF. Part of the construction will include a green roof. There is also a plan for using part of the flat roof portion into a crawl space and use it for rainwater harvesting. The plan for an underground propane tank and gas line has been removed per applicant. [Discussion: rubber roof/stormwater management/sewer line/overflow trench/no trees being removed.] [Discussion: Wetland concerns/flagging/no impact on No-Build line/#15947-466.] [Discussion: possible unpermitted work/monument existing edge of clearing to establish NDZ.] [Discussion: BBQ area/patio in NDZ/look at OLIVER aerial.] Agent notes stated: <i>“There are two water spigots right next to the Salt Marsh (on the “garden” near A20, and at A8), the fenced “garden” itself, a BBQ grill with small paver area, as well as a small paver patio, all in the NDZ. It is unclear if these were ever permitted. The garden and spigots are not shown on the septic plan for 36-535, but the BBQ area is not included on the plan.”</i> Chairman Hughes stated that no site visit was needed. She recommended they consider a new NDZ.</p>
<p>RECOMMENDATION OF AGENT: <i>To continue to March 2, 2016 for an Agent site visit and revised plans.</i></p>
<p>MOTION:</p> <p style="text-align: center;">♦ A motion was made by Commissioner Standley to continue to March 2, 2016. The motion was seconded by Commissioner Carney-Feldman and passed unanimously.</p>
<p>ACTION ITEMS / SPECIAL INSTRUCTIONS:</p> <p style="text-align: center;">❖ <i>None</i></p>
<p>DOCUMENT LIST: <i>Packet prepared by H.L. Graham Associates, Inc. dated 1/20/16, 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 "Permit Plan" dated 1/20/16, and prepared by Graham Associates, Inc., 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: 36-1278: 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. <i>Continued from 1/20/16.</i></p>
<p>DISCUSSION: No one present for this matter. Agent Geilen gave a review of the matter. The applicant submitted revised plans as required.</p>
<p>RECOMMENDATION OF AGENT: <i>To close the public hearing and issue a positive OOC with Special Conditions.</i></p>
<p>MOTION:</p> <p style="text-align: center;">♦ A motion was made by Commissioner Standley to close the public hearing and issue a positive OOC with Special Conditions. The motion was seconded by Commissioner O’Neill and passed unanimously.</p>
<p>ACTION ITEMS / SPECIAL INSTRUCTIONS:</p> <p style="text-align: center;">❖ <i>None</i></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 "Subsurface Sewage Disposal System" dated 12/30/15, and prepared by Domestic Septic Design, Inc., Legal Ad and Locus Map, Notification of Abutters, Abutters List, Affidavit of Service.</i></p>

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MATTER: 36-1276: John D. Davis for work at 62 North Ridge Road shown on Tax Map: 15A Lot: 009 for a NOTICE OF INTENT to raze and reconstruct a single-family home, driveway, garage, site work, grading and drainage in jurisdictional areas. <i>Continued from 1/6/16.</i>
DISCUSSION: Present was Larry Graham of H.L. Graham Associates and owner John Davis. Mr. Graham gave a review of the matter. [Discussion: retaining wall/reason for 7'3" of fence line/over-flow trench/relocation of catch basin #1/nw out of NBZ/tank lines/valve options/drainage options.] [Discussion: proposed stepping stones/recalculated/changes made on plan.] [Discussion: cantilever and subzones.] [Discussion: handout from Mr. Graham.] [Discussion: footprint of house/infiltration drain is a structure in the NBZ/close out old OOC and make it a condition in new COC/add a special condition/concrete block solid structure.] Chairman Hughes recommended that the ICC amend the old OOC to remove the NBZ Special Conditions and allow the swale since it protects the bank. Mr. Graham requested a waiver for work and will apply for a formal amendment.
RECOMMENDATION OF AGENT:
MOTION: <p style="text-align: center;">◆ A motion was made by Commissioner Carney-Feldman to continue to March 2, 2016. The motion was seconded by Vice-Chair Ffolliott and passed unanimously.</p>
ACTION ITEMS / SPECIAL INSTRUCTIONS: <p style="text-align: center;">❖ <i>Check Special Conditions on 38 North Ridge Road for overflow valve</i></p>
DOCUMENT LIST: <i>Packet prepared by H.L. Graham Associates, Inc. dated 1/20/16, 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 "Permit Plan" dated 12/16/15, and prepared by Graham Associates, Inc., Legal Ad and Locus Map, Notification of Abutters, Abutters List, Affidavit of Service.</i>

Enforcement Matters:

MATTER: 77 Old Right Road, Pisciotta/Opolski , possible enforcement matter for unauthorized cutting of trees.
DISCUSSION: Agent Geilen gave a review of the enforcement matter. [Discussion: public outreach and education.]
RECOMMENDATION OF AGENT: <i>None</i>
MOTION: <p style="text-align: center;">◆ N/A</p>
ACTION ITEMS / SPECIAL INSTRUCTIONS: <p style="text-align: center;">❖ <i>Inspector Decie to count stumps and establish area of replacement trees.</i></p>
DOCUMENT LIST: <i>None</i>

MATTER: 36-678: 10 Olde Ipswich Way. Possible enforcement matter: stormwater pond maintenance.
DISCUSSION: Commissioner Standley gave a review of this enforcement matter. He stated that the cattails have taken over now, similar to phragmites. This property needs a restoration plan because it is not being maintained. The brush on the side of the property needs to be removed. Commissioner Standley recommended that the ICC require the owner to come in with a restoration plan. Chairman Hughes recommended they first have a discussion with the condo association before issuing an EO. Agent Geilen will ask Inspector Decie to meet with them.
RECOMMENDATION OF AGENT: <i>None</i>
MOTION: <p style="text-align: center;">◆ N/A</p>

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ACTION ITEMS / SPECIAL INSTRUCTIONS: ❖ <i>None</i>
DOCUMENT LIST: <i>None</i>
MATTER: 36-1210: 82 Labor in Vain. Possible enforcement matter: tear down and re-build of boat house.
DISCUSSION: Agent Geilen presented this matter. She read from a memo prepared by Inspector Decie. "Rehabilitate and remain" did not mean rebuild. Commissioner O'Neill stated that he never envisioned a living space on the marsh. Chairman Hughes was concerned that if Mr. Decie signed off on the building permit they could have a legal problem. She stated that the ICC did not permit a rebuild and a building permit is not a commission document. Commissioner Standley recommended they seek town council advice. Agent Geilen stated that going forward they could add as a requirement for one pre-construction meeting before demolition as a standard condition and have a second meeting after the foundation. ICC does not agree with Inspector Decie's recommendations and believes there should be an EO but will check with town counsel first. Violation of permitted activity within permitted conditions.
RECOMMENDATION OF AGENT: <i>None</i>
MOTION: ♦ A motion was made by Commissioner Standley to issue the EO contingent upon discussion with Town Council. The motion was seconded by Commissioner McDavitt and passed unanimously.
ACTION ITEMS / SPECIAL INSTRUCTIONS: ❖ <i>None</i>
DOCUMENT LIST: <i>Memo entitled "Report on 82 Labor in Vain Road" dated 2/3/16, prepared by Bill Decie, Field Inspector</i>

Other Business:

MATTER: 36-1253: 27 Water Street, Riverine Development, LLC. Vote on Notice of Intent (<i>Public hearing closed 1/20/16</i>)
DISCUSSION: Agent Geilen spoke of this matter. The ICC discussed the Draft Special Conditions and made corrections to the: "FINDINGS UNDER THE MA WETLANDS PROTECTION ACT AND THE IPSWICH WETLANDS PROTECTION BYLAW FOR DEP FILE #36-1253."
RECOMMENDATION OF AGENT: <i>To issue a positive OOC under the wetland protection act with draft Special Conditions.</i>
MOTION: ♦ A motion was made by Commissioner McDavitt to issue a positive OOC as advised per the Wetland Protection Act and Bylaw with Special Conditions as amended. The motion was seconded by Commissioner Carney-Feldman and passed unanimously.
ACTION ITEMS / SPECIAL INSTRUCTIONS: ❖ <i>None</i>
DOCUMENT LIST: <i>None</i>

MATTER: Acceptance of CR (The Trustees of Reservations); 208 Argilla Road, O'Hanley property.
DISCUSSION: Present was David Santomena from the Trustees of Reservations. Mr. Santomena presented the matter. He stated there were 17 acres from Fox Creek Road to Fox Creek being considered for the Conservation

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Restriction. 15 acres to be restricted and the remainder to be maintained as lawn.
RECOMMENDATION OF AGENT:
MOTION: ♦ A motion was made by Commissioner Standley to recommend to the Selectman that the restriction be approved. The motion was seconded by Commissioner Carney-Feldman and passed unanimously.
ACTION ITEMS / SPECIAL INSTRUCTIONS: ❖ None
DOCUMENT LIST: <i>CR Application dated 11/16/15, prepared by The Trustees of Reservation for 208 Argilla Road, the O'Hanley property.</i>

MATTER: Brown's Well 165 High Street Beaver Impoundment.
DISCUSSION: This matter was not discussed.
RECOMMENDATION OF AGENT: None
MOTION: ♦ N/A
ACTION ITEMS / SPECIAL INSTRUCTIONS: ❖ None
DOCUMENT LIST: None

MATTER: 36-1266: 4 Nuthatch Road , Wallis. Review of As-built Plan (<i>previously continued to 5/18/16</i>)
DISCUSSION: Present was Larry Graham of H.L. Graham Associates. Mr. Graham stated that the as-built plan was updated. [Discussion: shrubs/add Latin names of plantings/square footage/if not dense enough add more.]
RECOMMENDATION OF AGENT: None
MOTION: ♦ N/A
ACTION ITEMS / SPECIAL INSTRUCTIONS: ❖ None
DOCUMENT LIST: <i>Plan entitled "Record As-Built Plan" dated 1/27/16, and prepared by Graham Associates Inc.</i>

MATTER: Willowdale Dam 230 Topsfield Rd Repairs and Fish Passage project update.
DISCUSSION: Agent Geilen gave a review of this matter. She stated that she had a meeting with DMF (Division of Marine Fisheries), Foote Brothers, IRWA (Ipswich River Watershed Association), ECGA (Essex County Greenbelt Association), and the Agent in Hamilton about repairs needed to this dam. A new fish ladder would be added as well. Commissioner Standley is looking into this matter further.
RECOMMENDATION OF AGENT: None
MOTION: ♦ N/A

IPSWICH CONSERVATION COMMISSION
Meeting Minutes
February 3, 2016

ACTION ITEMS / SPECIAL INSTRUCTIONS: ❖ <i>None</i>
DOCUMENT LIST: <i>None</i>
MATTER: Emergency Certification 77 Turnpike Road for diesel spill on 1/29/16
DISCUSSION: Agent Geilen updated the Commission on this matter. Agent Geilen had spoken with DEP (Department of Environmental Protection) BWSC (Boston Water and Sewer Commission) and stated that they had asked for the Emergency Certification so the cleanup could move forward. She signed it on February 1, 2016.
RECOMMENDATION OF AGENT: <i>None</i>
MOTION: ♦ N/A
ACTION ITEMS / SPECIAL INSTRUCTIONS: ❖ <i>None</i>
DOCUMENT LIST: <i>Emergency Certification dated 2/1/16, prepared by Alicia Geilen, Agent, Photos, Aerial photo (Fig 3) via Google Earth.</i>

Tabled Matters and Discussion Items:

Interim Reports of Special Project Subcommittees: None

Approval of Minutes: None

Document Signage: (No Vote Required)

Re-signage for OOC 36-975; 1 Eagle Hill Road (for recording purposes only)

Adjournment:

♦ A motion was made by Commissioner O'Neill to adjourn at 10:40 p.m. The motion was seconded by Commissioner McDavitt 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.