

Approved: May 4, 2016
Distributed: May 19, 2016

IPSWICH CONSERVATION COMMISSION
Meeting Minutes
April 6, 2016

Pursuant to a written notice posted by the Town Clerk and delivered to all Conservation Commission members, a meeting was held Wednesday, April 6, 2016 at 7:00 p.m. in Room A of the Ipswich Town Hall. Members present were Chairman Jennifer Hughes, Vice-Chair Sissy ffolliott, 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

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

OOC – 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:

<p>MATTER: David Rimmer, ECGBA. Can an RDA be used for new osprey nest platforms and repair/replacement of existing platforms in Salt Marsh?</p>

IPSWICH CONSERVATION COMMISSION
Meeting Minutes
April 6, 2016

<p>DISCUSSION: Present was David Rimmer of the Essex County Green Belt Association. They have an osprey program that includes nest platforms in the marsh. EGCA wants to replace some platforms/posts in disrepair and add additional nest platforms. Replacement speculations discussed (10"x10" hole in salt march with braces. 2-4 new platforms). Agent Geilen wanted to make sure the Commission did not want an NOI. Mr. Rimmer stated in Newbury and Rowley there are many osprey platforms which have been handled with an RDA with special conditions and an annual report. Mr. Rimmer stated they would use hand tools and walk to the locations. Chairman Hughes stated that she thought an RDA was appropriate, but would rather see one RDA for multiple platforms planned for repair/installation for next 3 years. She would like it to include a management plan with all the details for work, so that the DA would not need to have a long list of special conditions. Commissioner Standley noted that he was not comfortable with an RDA for this work.</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>

<p>MATTER: Alicia Moore, 22 Labor In Vain Road. Can an RDA be used for minor tree removal in the No-Disturb Zone?</p>
<p>DISCUSSION: Present was Alicia Moore. Ms. Moore stated that she wanted to remove trees in the NDZ that are dying because of bittersweet. Chairman Hughes stated that she was not comfortable with removing trees in the NDZ and stated that it was not possible to do under an RDA. She stated that invasive management plan would be needed which would require an NOI. The Commission would not approve under an RDA.</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:

<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. <i>Request continuance to April 20, 2016.</i></p>
<p>DISCUSSION: There was no one present for this matter.</p>
<p>RECOMMENDATION OF AGENT: <i>None</i></p>

IPSWICH CONSERVATION COMMISSION
Meeting Minutes
April 6, 2016

<p>MOTION:</p> <p>◆ A motion was made by Commissioner Standley to continue at the request of the applicant to April 20, 2016. The motion was seconded by Vice-Chair ffolliott and passed unanimously.</p>
<p>ACTION ITEMS / SPECIAL INSTRUCTIONS:</p> <p>❖ None</p>
<p>DOCUMENT LIST:</p> <p><i>Continuation request</i></p>

<p>MATTER: 36-1284: 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. <i>Request continuance to April 20, 2016.</i></p>
<p>DISCUSSION: There was no one present for this matter.</p>
<p>RECOMMENDATION OF AGENT:</p> <p><i>None</i></p>
<p>MOTION:</p> <p>◆ A motion was made by Commissioner Standley to continue at the request of the applicant to April 20, 2016. The motion was seconded by Vice-Chair ffolliott and passed unanimously.</p>
<p>ACTION ITEMS / SPECIAL INSTRUCTIONS:</p> <p>❖ None</p>
<p>DOCUMENT LIST:</p> <p><i>Continuation request</i></p>

<p>MATTER: 36-1282: Field of Diamonds, LLC for work at vacant land north of 78 Turnpike Road shown on Tax Map: 27C Lot: 20 (based on current tax map-property has been sub-divided) ANR Lot C for a NOTICE OF INTENT for a proposed O'Reilly Auto Parts retail store, associated site work, drainage facilities and utility infrastructure in jurisdictional areas. <i>Request continuance to April 20, 2016.</i></p>
<p>DISCUSSION: There was no one present for this matter.</p>
<p>RECOMMENDATION OF AGENT:</p> <p><i>None</i></p>
<p>MOTION:</p> <p>◆ A motion was made by Commissioner Standley to continue at the request of the applicant to April 20, 2016. The motion was seconded by Vice-Chair ffolliott and passed unanimously.</p>
<p>ACTION ITEMS / SPECIAL INSTRUCTIONS:</p> <p>❖ None</p>
<p>DOCUMENT LIST:</p> <p><i>Continuation request</i></p>

<p>MATTER: 36-1273: EBSCO 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. <i>Request continuance to May 18, 2016.</i></p>
<p>DISCUSSION: There was no one present for this matter.</p>
<p>RECOMMENDATION OF AGENT:</p> <p><i>None</i></p>

IPSWICH CONSERVATION COMMISSION
Meeting Minutes
April 6, 2016

<p>MOTION:</p> <p>◆ A motion was made by Commissioner Standley to continue at the request of the applicant to May 18, 2016. The motion was seconded by Commissioner Carney-Feldman and passed unanimously.</p>
<p>ACTION ITEMS / SPECIAL INSTRUCTIONS:</p> <p>❖ None</p>
<p>DOCUMENT LIST:</p> <p><i>Continuation request</i></p>

Courtesy Position for Municipal Projects:

<p>MATTER: 36-1281: Department of Public Works for work at Linebrook Road (between Washington Street to the east and Newburyport Turnpike [Route 1] to the west, approximately 20,000 linear feet) for a NOTICE OF INTENT to evaluate existing water and drainage utilities and replace or improve as necessary, replace water mains between Washington Street and Pine Street, replace drain pipes and culverts in various locations and install additional catch basins in jurisdictional areas. <i>Continued from March 16, 2016.</i></p>
<p>DISCUSSION: There was no one present for this matter. Agent Geilen stated that this was continued so that she could prepare the OOC and Special Conditions. She noted that she had revised Special Condition #33 regarding the specific wetland flags to be approved under this filing. Waivers of the NDZ and NBZ had been requested.</p>
<p>RECOMMENDATION OF AGENT:</p> <p><i>To approve the waiver requests, close the public hearing and issue a positive OOC with Special Conditions circulated, as revised.</i></p>
<p>MOTION:</p> <p>◆ A motion was made by Vice-Chair ffollott to approve the waivers as requested. The motion was seconded by Commissioner Standley and approved unanimously.</p> <p>◆ A motion was made by Commissioner Standley to close the public hearing. The motion was seconded by Commissioner O'Neill and passed unanimously.</p> <p>◆ A motion was made by Commissioner Standley to issue a positive OOC with Special Conditions as recommended by the Agent. The motion was seconded by Commissioner Carney-Feldman and passed unanimously.</p>
<p>ACTION ITEMS / SPECIAL INSTRUCTIONS:</p> <p>❖ None</p>
<p>DOCUMENT LIST:</p> <p><i>No new documents were submitted</i></p>

Requests for Certificates of Compliance:

<p>MATTER: 36-535: Jean-Jacques Toulotte 94 Labor-in-Vain Road. <i>New.</i></p>
<p>DISCUSSION: Present was Larry Graham of H.L. Graham Associates, Inc. Agent Geilen stated that this was for a septic repair. The as-built showed it was properly installed. The area was observed as fully stable on her site visit.</p>
<p>RECOMMENDATION OF AGENT:</p> <p><i>To issue a full and final COC.</i></p>
<p>MOTION:</p> <p>◆ A motion was made by Commissioner Carney-Feldman to issue a full and final COC. The motion was seconded by Commissioner Standley and passed unanimously.</p>

IPSWICH CONSERVATION COMMISSION
Meeting Minutes
April 6, 2016

ACTION ITEMS / SPECIAL INSTRUCTIONS: ❖ <i>None</i>
DOCUMENT LIST: <i>COC request, As-built plan entitled "Permit Plan" dated 3/23/16, prepared by Graham Associates, Inc. and letter of substantial compliance dated 3/23/16, also prepared by Graham Associates, Inc.</i>
MATTER: 36-1144: Sullivan 82 Labor in Vain Rd. New.
DISCUSSION: No one present for this matter. Agent Geilen stated that this was for a septic repair. The work was never done, as confirmed by the OOC for 36-1250. The new septic system, already installed, was approved under 36-1250.
RECOMMENDATION OF AGENT: <i>To issue a full and final COC for an invalid OOC.</i>
MOTION: ♦ A motion was made by Vice-Chair ffollott to issue a full and final COC for an invalid OOC. The motion was seconded by Commissioner McDavitt and passed unanimously.
ACTION ITEMS / SPECIAL INSTRUCTIONS: ❖ <i>None</i>
DOCUMENT LIST: <i>COC request</i>

Requests for Determination of Applicability:

MATTER: Robert Bouchard for work at 3 Howard Street shown on Tax Map: 26, Lot: 3E for a REQUEST FOR DETERMINATION OF APPLICABILITY to build a detached garage in jurisdictional areas. <i>Continued from March 16, 2016.</i>
DISCUSSION: Present was owner Robert Bouchard. Mr. Bouchard met with the contractor for the subdivision development next to him and the contractor and he discussed how the adjacent subdivision grading would join with Mr. Bouchard's grading for his detached garage. Mr. Bouchard showed a picture of the proposed area and discussed the plan and reduced grading from a partially below grade structure. All work is now outside of buffer zone. Mr. Bouchard asked about removing a tree with roots left in the buffer zone. The Commission agreed. Agent Geilen stated she would add it into the plan.
RECOMMENDATION OF AGENT: <i>To issue an NDA #3 and #6 with Special Conditions for pre- and post-construction meetings and erosion controls.</i>
MOTION: ♦ A motion was made by Commissioner Carney-Feldman to issue an NDA #3 and #6 with Special Conditions as recommended by the Agent including a condition to remove the tree. The motion was seconded by Commissioner McDavitt and passed unanimously.
ACTION ITEMS / SPECIAL INSTRUCTIONS: ❖ <i>None</i>
DOCUMENT LIST: <i>Mandatory pre-filing checklist, WPA Form 1 Request for Determination of Applicability Form, Legal Ad, Locus Map, Plan entitled "Proposed 16'x24' detached garage" not dated and photos.</i>

MATTER: Holloran Companies, LLC , for work at 30 South Main Street shown on Tax Map 42A, Lot 112 for a REQUEST FOR DETERMINATION OF APPLICABILITY for reconstruction of paved areas and construction of two rain gardens for stormwater management in jurisdictional areas. <i>New.</i>

IPSWICH CONSERVATION COMMISSION
Meeting Minutes
April 6, 2016

<p>DISCUSSION: Present was Sean Malone from Oak Consulting Group, civil engineer for the project. Mr. Malone presented the matter which had been reviewed by the Planning Board but not yet approved. The building is currently empty and the applicant is planning to convert it to 11 residential units. Part of the work proposed is within the Riverfront Area, but most of it is outside of Commission jurisdiction. There will be no modification to the footprint of the building. [Discussion: stormwater improvements.] Commissioner O’Neill asked about the snow storage area. Mr. Malone stated that area was for where they will plow and that the excess snow would have to be removed. Commissioner Standley recommended speaking with DPW. Agent Geilen stated that there is an old OOC (36-979) still open, and was recorded. This will need to be closed out. Mr. Malone agreed to close that out. Chairman Hughes asked about Cammett stormwater review. Mr. Malone stated the Planning Board decided that none was needed. [Discussion: Riverfront development.] Agent Geilen stated that Special Conditions will include pre- and post-construction meetings.</p>
<p>RECOMMENDATION OF AGENT: <i>To continue to April 20, 2016 to close out the old COC request (DEP file #36-979).</i></p>
<p>MOTION:</p> <p style="padding-left: 40px;">♦ A motion was made by Commissioner Standley to continue to April 20, 2016 to close out the old COC request (DEP file #36-979). The motion was seconded by Vice-Chair ffolliott and passed unanimously.</p>
<p>ACTION ITEMS / SPECIAL INSTRUCTIONS:</p> <p style="padding-left: 40px;">❖ <i>None</i></p>
<p>DOCUMENT LIST: <i>Packet prepared by Oak Consulting Group dated 3/22/16, including Mandatory pre-filing checklist, WPA Form 1 Request for Determination of Applicability Form, Legal Ad, Locus Map, Plan entitled "Existing Conditions Plan" dated 3/17/16, and prepared by Oak Consulting Group, Stormwater Report dated March-2016, prepared by Oak Consulting Group and Photos.</i></p>

New Notices of Intent, Minor Modifications and Formal Amendments:

<p>MATTER: 36-1205: Deidre Pirie for work at 259 Argilla Road to modify the configuration of the approved stormwater management detention pond.</p>
<p>DISCUSSION: Present was Larry Graham of H.L. Graham Associates, Inc. (project engineer) and Bob Weatherall of Weatherall Design (project builder). Mr. Weatherall presented the matter. The stormwater detention pond was not draining water as designed due to the soils present. Mr. Graham discussed details of changes to allow detention pond to drain: changing the shape of the basin and shortening the outlet piping. [Discussion: “wick drain” functionality; slotted drain; drainage process; planting bed.] Mr. Graham stated the drainage would be clean roof runoff and discharge from the foundation drain. The Commission recommended doing work in dry weather. Mr. Weatherall agreed that would be a necessity. ICC asked for dewatering details, and to call the office before dewatering.</p>
<p>RECOMMENDATION OF AGENT: <i>To approve the minor modification.</i></p>
<p>MOTION:</p> <p style="padding-left: 40px;">♦ A motion was made by Commissioner Standley to approve the minor modification as proposed with Special Conditions as discussed. The motion was seconded by Commissioner O’Neill and passed unanimously.</p>
<p>ACTION ITEMS / SPECIAL INSTRUCTIONS:</p> <p style="padding-left: 40px;">❖ <i>Site Visit</i></p>
<p>DOCUMENT LIST: <i>Request for Minor Modification Letter dated 3/22/16, and prepared by Graham Associates, Inc., Ipswich Wetlands Protection By-law Filing Fee Calculation Worksheet, Proposed Site Plan Changes entitled "Permit Plan" dated 3/15/16, and prepared by Graham Associates, Inc.</i></p>

IPSWICH CONSERVATION COMMISSION
Meeting Minutes
April 6, 2016

<p>MATTER: 36-1288: William Skelton for work at 20 Turkey Shore Road shown on Tax Map: 42A Lot: 49 for a NOTICE OF INTENT for improvements to a single family home and yard in jurisdictional areas.</p>
<p>DISCUSSION: Present was Mike DeRosa of DeRosa Environmental and Bill Skelton, owner. (Note: Chairman Hughes disclosed that she is a friend of the applicant but that it would not impact her judgment.) Mr. DeRosa gave a PowerPoint presentation presenting the matter. Mr. DeRosa discussed the Project Elements Plan. There is an asphalt concrete patio that will be taken up. They are adding stairs. There is a mitigation plan. They will also be replacing a fence. Agent Geilen asked if they would be replacing the stairs to the water as opposed to repairing them. Mr. DeRosa confirmed that they would be replacing them. Mr. DeRosa discussed the planting plan. Chairman Hughes asked for an alternative to lowbush blueberry, and asked for more shrubs instead of just herbaceous plants. Removal of trees discussed on Coastal Bank (3 Norway Maple and 1 Norway Spruce). Chairman Hughes stated that the Commission does not allow removal of trees on Coastal Bank even if they are non-native trees, but that they could do a site visit to see if they are dangerous. Discussed replacement option if removed. Agent Geilen noted that TEC not on Donohoe plan, and that the steps closest the street be pulled out of NBZ. Agent Geilen will set up a site visit.</p>
<p>RECOMMENDATION OF AGENT: <i>To continue to April 20, 2016 to close out the old OOC and receive revised plans that show erosion controls and re-checked impervious surface calculations.</i></p>
<p>MOTION: ◆ A motion was made by Commissioner Carney-Feldman to continue to April 20, 2016. The motion was seconded by Vice-Chair ffollott and passed unanimously.</p>
<p>ACTION ITEMS / SPECIAL INSTRUCTIONS: ❖ Set up a site visit</p>
<p>DOCUMENT LIST: <i>Packet prepared by DeRosa Environmental Inc. et al dated 3/23/16, 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 Plan" dated 3/15/16, and prepared by Donohoe Survey, Inc., Legal Ad and Locus Map, Notification of Abutters, Abutters List, Affidavit of Service, Powerpoint presentation and Photos.</i></p>

<p>MATTER: 36-1289: Martha Sandberg for work at 53 River Road shown on Tax Map: 24C Block: 69 Lot: 6 for a NOTICE OF INTENT to renovate an existing single family home in jurisdictional areas.</p>
<p>DISCUSSION: Present was Mike DeRosa of DeRosa Environmental Consulting, Inc., for the applicant. Mr. DeRosa presented the matter with a PowerPoint presentation. Mr. DeRosa stated that the foundation retaining walls need to be replaced so the house must be jacked up and the foundation replaced. They plan to take the cinder blocks down and rebuild on top of the footing. Any areas compromised will be excavated out. [Discussion: Window replacement/vinyl siding/garden put in/steps changing/entire project is riverfront.] Waiver requests were put in. Chairman Hughes raised that issue that stormwater management on Little Neck must be addressed, as the house is a condominium. She stated that the Commission had asked the Condo Association to submit a stormwater master plan before allowing any new work in the development. Chairman Hughes noted that, for this location, stormwater could be managed by over-excavating the gravel driveway and adding a 3-6" layer of coarse gravel under the new pervious driveway surface and directing the roof runoff there. In that way the driveway could act as a stormwater infiltrator, thereby meeting the DEP regulations for addressing stormwater for redevelopment projects. [Discussion: erosion control on other side of road/condo trustees have approved the project.]</p>
<p>RECOMMENDATION OF AGENT: <i>To continue to April 20, 2016 to receive plans that show erosion controls and address stormwater management.</i></p>
<p>MOTION: ◆ A motion was made by Vice-Chair ffollott to continue to April 20, 2016. The motion was seconded by Commissioner McDavitt and passed unanimously.</p>

IPSWICH CONSERVATION COMMISSION
Meeting Minutes
April 6, 2016

ACTION ITEMS / SPECIAL INSTRUCTIONS:

❖ *Chairman Hughes will look into the stormwater issue.*

DOCUMENT LIST:

Packet prepared by DeRosa Environmental Inc. et al dated 3/23/16 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 Plan Showing Proposed" dated 1/21/16, and prepared by Donohoe Survey Inc., Legal Ad and Locus Map, Notification of Abutters, Abutters List, Affidavit of Service.

MATTER: 36-1287: Miles River Sand and Gravel for work at **56 Paradise Road** shown on **Tax Map: 21 Lot: 28** for a **NOTICE OF INTENT** to **restore wetlands and remove non-native invasive plants** in jurisdictional areas. I had a lot of problems with this filing.

DISCUSSION: Present was Mike DeRosa of DeRosa Environmental Consulting Inc. and Chris Thompson from Miles River Sand and Gravel. Mr. DeRosa showed a PowerPoint presentation and discussed the phragmites problem. Mr. DeRosa showed aerial photos of the area. They are proposing to use heavy equipment to scrape away the Phragmites, and then burn it on site in piles. Chairman Hughes expressed concern that roots sometimes go as deep as 12 feet, so just scraping means the plant may still come back. Mr. DeRosa stated with repeat cuttings during each growing seasons, the plants are stressed, which ultimately kills them. Chairman Hughes recommended a 5 year OOC and using boulders not Jersey barriers to define the toe of slope of the active materials processing/storage area. Management plan for NOI to be submitted in June. [Discussion: ACEC area/square foot of impact/Riverfront Area/Riverfront to Muddy Run/Erosion Control.] Agent Geilen will schedule a site visit.

RECOMMENDATION OF AGENT:

To continue to April 20, 2016.

MOTION:

◆ **A motion was made by Commissioner Carney-Feldman to continue to April 20, 2016. The motion was seconded by Commissioner O'Neill and passed unanimously.**

ACTION ITEMS / SPECIAL INSTRUCTIONS:

❖ *Schedule a site visit*

DOCUMENT LIST:

Packet prepared by DeRosa Environmental Inc. dated 3/23/16, 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 "Figure 2, Wetland Restoration Plan" dated 3/21/16, and prepared by DeRosa Environmental Inc., Legal Ad and Locus Map, Notification of Abutters, Abutters List, Affidavit of Service.

Ongoing Notices of Intent, Minor Modifications and Formal Amendments:

MATTER: 36-1286: Melanie O'Neill for work at **52 Turkey Shore Road** shown on **Tax Map: 42B Lot: 001** for a **NOTICE OF INTENT** for **construction of a ramp and float** in jurisdictional areas. *Continued from March 16, 2016.*

DISCUSSION: No one present for this matter. Agent Geilen stated that the Commission just needed to approve the waivers (NBZ and NDZ) and close the hearing. Agent Geilen read the Special Conditions regarding restriction for use of motorized boats.

RECOMMENDATION OF AGENT:

To approve the waiver requests, close the public hearing and issue a positive OOC with Special Conditions as revised.

IPSWICH CONSERVATION COMMISSION
Meeting Minutes
April 6, 2016

MOTION:

- ◆ A motion was made by Vice-Chair ffolliott to approve the waivers as requested. The motion was seconded by Commissioner McDavitt and passed unanimously.
- ◆ A motion was made by Commissioner Carney-Feldman to close the public hearing. The motion was seconded by Commissioner McDavitt and passed unanimously.
- ◆ A motion was made by Vice-Chair ffolliott to issue a Positive OOC with Special Conditions as drafted and amended. The motion was seconded by Commissioner Carney-Feldman and passed unanimously.

ACTION ITEMS / SPECIAL INSTRUCTIONS:

- ❖ None

DOCUMENT LIST:

No new documents were submitted.

MATTER: 36-1210: George and Tammy Sullivan for a project at **82 Labor in Vain Road** shown on **Tax Map 32, Lot 5** for a **FORMAL AMENDMENT** to an existing Order-of-Conditions, DEP File #36-1210 to include reconstruction in lieu of rehabilitation of the previously approved boat house with a second floor addition, structural support and electricity. *Continued from March 16, 2016.*

DISCUSSION: There was no one present for this matter. Agent Geilen noted that this hearing was continued for the old OOC to be closed out and for a OOC and Special Condition to be drafted. The old OOC (#36-1144) was voted on above (second matter under Requests for Certificates of Compliance) and recommended closing this hearing and approving the Formal Amendment.

RECOMMENDATION OF AGENT:

To approve the waiver requests, close the public hearing and issue a positive OOC with Special Conditions to be held until the COC for #36-1144 is issued.

MOTION:

- ◆ A motion was made by Commissioner Carney-Feldman to approve the waivers as requested. The motion was seconded by Commissioner Hunton and passed unanimously.
- ◆ A motion was made by Commissioner Carney-Feldman to close the public hearing. The motion was seconded by Commissioner Standley and passed unanimously.
- ◆ A motion was made by Vice-Chair ffolliott to issue a Positive OOC with Special Conditions as drafted with an O&M plan. The motion was seconded by Commissioner Carney-Feldman and passed unanimously.

ACTION ITEMS / SPECIAL INSTRUCTIONS:

- ❖ None

DOCUMENT LIST:

No new documents were submitted.

MATTER: 36-1283: 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. *Request Continued from March 16, 2016.*

DISCUSSION: Present was Larry Graham of H.L. Graham Associates and owners Sharon and Jean-Jacque Toulotte. Mr. Graham presented the scaled back plan and discussed the coastal bank location. Mr. Graham discussed

IPSWICH CONSERVATION COMMISSION
Meeting Minutes
April 6, 2016

mitigation for the patio. The Commission recommended 3-4 native shrubs and removing the garden fence and 2 water spigots. They will remove the float out of the Salt Marsh and monument with 2 pressure-treated posts and 1 granite post. Agent Geilen discussed the recent changed location of Coastal Bank and that it will be impacting a lot of projects in Ipswich. She spoke with Rebecca Haney of MCZM about this. They say that they will stand by DEP Policy; if the 100 year floodplain changes, then the Coastal Bank will change accordingly.

RECOMMENDATION OF AGENT:

To approve the waiver requests, close the public hearing.

MOTION:

◆ **A motion was made by Commissioner Carney-Feldman to approve the waivers as requested. The motion was seconded by Commissioner McDavitt and passed unanimously.**

◆ **A motion was made by Commissioner Carney-Feldman to close the public hearing. The motion was seconded by Commissioner Standley and passed unanimously.**

ACTION ITEMS / SPECIAL INSTRUCTIONS:

❖ *Original OOC to Mr. Graham*

DOCUMENT LIST:

Letter Re: NOI Filing (36-1283) and COC Request (36-535) dated 3/23/16, and prepared by Graham Associates, Inc., Revised Plan entitled "Permit Plan" dated 3/23/16, and prepared by Graham Associates, Inc. and As-Built Plan entitled "Record As-Built Plan" dated 3/23/16, and prepared by Graham Associates, Inc.

MATTER: 36-1285: S&K Homes, LLC for work at **18 Willowdale Circle** shown on **Tax Map: 26 Lot: 044** for a **NOTICE OF INTENT** to **construct a single family home** in jurisdictional areas. *Continued from March 2, 2016.*

DISCUSSION: Present was Jill Mann of S&K Homes (realtor for the development), Gerry McDonald of H.L. Graham Associates (engineer for the project) and Scott Audette. Ms. Mann presented the matter stating that they wanted to construct a deck on the rear of the house, and wanted the subdivision to have a 25' NDZ vs. the 50' NDZ required for the subdivision approval OOC. Chairman Hughes stated that the lot size was established during subdivision approval and that the developer was told no work in NDZ/NBZ. Commissioner Standley stated that additional "Open Space" was part of the planning process and if there was excess, this was not the concern of the Commission. Ms. Mann stated they were willing to provide mitigation. Chairman Hughes stated that they could allow mitigation for the deck but that there could be no steps from deck. Chairman Hughes reiterated that there could be no propane tank, air-conditioner unit, or any structure in the NBZ. [Discussion: mitigation for deck.]

RECOMMENDATION OF AGENT:

To continue to April 20, 2016.

MOTION:

◆ **A motion was made by Commissioner Standley to continue to May 4, 2016. The motion was seconded by Commissioner O'Neill and passed unanimously.**

ACTION ITEMS / SPECIAL INSTRUCTIONS:

❖ *None*

DOCUMENT LIST:

Letter Re: Revised Plans dated 3/9/16, and prepared by Graham Associates, Inc., Revised Plan entitled "Plan to Accompany a Notice of Intent Filing of Lot 8, Willowdale Circle" dated 3/9/16, 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 March 16, 2016.*

DISCUSSION: Present was Peter Pommersheim of Meridian Associates and Mike DeRosa of DeRosa Environmental Consulting, Inc. Mr. Pommersheim presented the matter. He noted that the concrete pad and fence

IPSWICH CONSERVATION COMMISSION
Meeting Minutes
April 6, 2016

<p>(formerly used for the dumpster, which had planned to be used for a propane filling station) had been removed from the plans. He stated the area would be loamed and seeded. Chairman Hughes stated no low bush blueberry may be used. The propane filling station would be outside of the NBZ/NDZ. Mr. Pommersheim discussed snow removal and stated that they will truck it off when they reach the limit. Commissioner Standley brought up the need to remove the level spreader from the NDZ. Mr. Pommersheim stated that, although they pulled it back, the level spreader could not be moved completely removed from the NDZ due to site constraints. He noted that impacts to the NDZ had been compensated for with increased NDZ in another location, and the addition of guardrails at edge of pavement. Chairman Hughes stated that this was also a no snow storage area, and that the area should be posted as such. Agent Geilen noted that it can be a Special Conditions for no snow storage signs. Chairman Hughes stated that the record should be clear about the need for the level spreader in the NDZ. The OOC findings should note that site constraints do not allow discharge of stormwater outside NDZ, that the project is redevelopment, and that mitigation is provided in the form of reduced impervious surfaces, and mitigation plantings. Chairman Hughes stated that mitigation plantings should be indicative of native plants already on site. Commissioner Standley asked about why a portion of the old body shop needed to stay. [Discussion: contaminants from old body shop.] Agent Geilen asked about whether the O&M plan and DEP Stormwater report were revised as part of recent submittals. Mr. Pommersheim said no; use the original ones stormwater document. [Discussion: Planning Board request for additional soil testing for stormwater infiltration.] Chairman Hughes stated that additional soil testing is needed to confirm seasonal high water level during construction of stormwater infiltration, and that it should be a Special Conditions of the OOC. Submit confirming data to the Conservation Office and have confirmed in the field by Inspector Decie.</p>
<p>RECOMMENDATION OF AGENT: <i>None</i></p>
<p>MOTION:</p> <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 Carney-Feldman to close the public hearing. The motion was seconded by Commissioner McDavitt and passed unanimously.
<p>ACTION ITEMS / SPECIAL INSTRUCTIONS:</p> <ul style="list-style-type: none"> ❖ <i>Special Condition for no snow storage/stock piling signs</i> ❖ <i>Special Condition for additional soil pits need to confirm seasonal high water level as part of construction of infiltration, and submit confirming data to the Conservation Office and have confirmed in the field by Inspector Decie.</i>
<p>DOCUMENT LIST: <i>Plan entitled "Permit Site Development Plan" dated 3/30/16, and prepared by Meridian Associates, Inc., Plan entitled "Pre-Development Watershed Plan" dated 3/30/16, and prepared by Meridian Associates, Inc., Letter entitled "Initial Peer Review" dated 2/25/16, and prepared by Cammett Engineering, Plan entitled "Mitigation Planting Plan" dated 3/24/16, and prepared by DeRosa Environmental Inc., Letter entitled "Site Plan Review/Special Permit" dated 3/16/16, and prepared by Meridian Associates, Inc., Report entitled "Stormwater Analysis and Calculations" dated 3/16/16, and prepared by Meridian Associates, Inc., Letter entitled "Response to Peer Review Comments" dated 3/9/16, and prepared by TEC.</i></p>

Enforcement Matters:

This matter was taken out of order:

<p>MATTER: Enforcement Update: 39 Plains Road, Jackson for unauthorized tree removal.</p>
<p>DISCUSSION: Agent Geilen gave a review of the matter. She stated that Field Inspector Decie did not think they should replant trees because the upland area of the tree cutting was too narrow. He recommended leaving the logs there, planting native shrubs in the beach area, closing out their old OOC, and monumenting the NDZ with 2 posts.</p>
<p>RECOMMENDATION OF AGENT:</p>

IPSWICH CONSERVATION COMMISSION
Meeting Minutes
April 6, 2016

<i>Issue EO as described.</i>
MOTION: ♦ A motion was made by Commissioner Hunton to issue the EO as discussed. The motion was seconded by Commissioner Carney-Feldman and passed unanimously.
ACTION ITEMS / SPECIAL INSTRUCTIONS: ❖ <i>None</i>
DOCUMENT LIST: <i>None</i>

Other Business:

MATTER: 36-727: 14 Plains Road, Iacobacci , for a 1-year extension to an Order of Conditions.
DISCUSSION: Present was owner Ray Iacobacci and Andrea LeCroix, relator. Mr. Iacobacci could not sell the lot because he was tied up in court. He submitted written proof of this to the Commission at the meeting. As such he requested another 1 year extension. [Discussion: is the wetland line still accurate?] Chairman Hughes stated that Mr. Iacobacci should hire a surveyor to refresh the flag line, after which Agent Geilen should check to see if the wetland line as still accurate. [Discussion: the Agent's role in confirming a wetland line in this instance; if the wetland line is accurate, Commission will likely grant the extension.]
RECOMMENDATION OF AGENT: <i>To continue to April 20, 2016 for review of the refreshed wetland flags.</i>
MOTION: ♦ A motion was made by Commissioner Carney-Feldman to continue to April 20, 2016. The motion was seconded by Vice-Chair ffolliot and passed unanimously.
ACTION ITEMS / SPECIAL INSTRUCTIONS: ❖ <i>None</i>
DOCUMENT LIST: <i>Extension request letter received 3/22/16, prepared by Ray Iacobacci.</i>

MATTER: Nichols Field Video , Letter to Commission from Tess O'Connor.
DISCUSSION: Chairman Hughes stated that the video of Nichols Field is not a production of the Commission, and that their approval is not needed.
RECOMMENDATION OF AGENT: <i>None</i>
MOTION: ♦ <i>N/A</i>
ACTION ITEMS / SPECIAL INSTRUCTIONS: ❖ <i>None</i>
DOCUMENT LIST: <i>Letter Re: Video feedback dated 3/14/16, prepared by Tess O'Connor.</i>

Tabled Matters and Discussion Items:

Interim Reports of Special Project Subcommittees - None

Approval of Minutes: 3/2/16

IPSWICH CONSERVATION COMMISSION
Meeting Minutes
April 6, 2016

◆ A motion was made by Commissioner Carney-Feldman to approve the minutes from March 2, 2016 as amended. The motion was seconded by Commissioner Standley and passed unanimously.

Document Signage: (No Vote Required)

- **36-195:** 20 Turkey Shore Road. COC re-sign for recording purposes.

Adjournment:

◆ A motion was made by Commissioner McDavitt to adjourn at 10:03 p.m. The motion was seconded by Commissioner O'Neill 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.