

**Approved: May 18, 2016**  
**Distributed: May 19, 2016**

**IPSWICH CONSERVATION COMMISSION**  
**Meeting Minutes**  
**April 20, 2016**

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

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<b>MATTER: 36-1284: 79 Labor-in-Vain Road Real Estate Trust</b> for work at <b>79 Labor-in-Vain Road</b> shown on <b>Tax Map: 43A Lot: 005</b> for a <b>NOTICE OF INTENT</b> for <b>septic system repair and replacement dug well</b> in jurisdictional areas. <i>Request continuation to May 18, 2016.</i>
<b>DISCUSSION:</b> None
<b>RECOMMENDATION OF AGENT:</b> None
<b>MOTION:</b> <ul style="list-style-type: none"> <li>◆ A motion was made by Commissioner Carney-Feldman to continue the matter to 5/18/16. The motion was seconded by Acting Vice-Chair Standley and passed unanimously.</li> </ul>
<b>ACTION ITEMS / SPECIAL INSTRUCTIONS:</b> None
<b>DOCUMENT LIST:</b> <i>Continuation request</i>

<b>MATTER: 36-1277: J &amp; K Realty Trust</b> for work at <b>195, 197 &amp; 199 High Street</b> shown on <b>Tax Map: 21 Lots: 7A, None &amp; 93</b> for a <b>NOTICE OF INTENT</b> to <b>construct an apartment building addition</b> in jurisdictional areas. <i>Request continuation to May 18, 2016.</i>
<b>DISCUSSION:</b> None
<b>RECOMMENDATION OF AGENT:</b> None
<b>MOTION:</b> <ul style="list-style-type: none"> <li>◆ A motion was made by Commissioner Carney-Feldman to continue the matter to 5/18/16. The motion was seconded by Acting Vice-Chair Standley and passed unanimously.</li> </ul>
<b>ACTION ITEMS / SPECIAL INSTRUCTIONS:</b> None
<b>DOCUMENT LIST:</b> <i>Continuation request</i>

**REQUESTS FOR CERTIFICATES OF COMPLIANCE:**

<b>MATTER: 36-1236: 372 Linebrook Road</b> <i>Continued from 1/6/16.</i>
<b>DISCUSSION:</b> Agent Geilen said they were waiting for the grass to grow and the no-disturb markers to be relocated. Both occurred and the revised as-built plans have been revised accordingly.
<b>RECOMMENDATION OF AGENT:</b> Agent Geilen recommended a full and final certificate of compliance.
<b>MOTION:</b> <ul style="list-style-type: none"> <li>◆ A motion was made by Commissioner Carney-Feldman to issue a full and final certificate of compliance. The motion was seconded by Commissioner McDavitt and passed unanimously.</li> </ul>
<b>ACTION ITEMS / SPECIAL INSTRUCTIONS:</b> ❖ <i>None</i>

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**DOCUMENT LIST:**

*"As-Built Plan of Land" dated 4/15/16, prepared by Morin-Cameron Group, Inc.*

**MATTER: 36-809: 15/17 Old Right Rd, Odoardi, Continued from 1/6/16.**

**DISCUSSION:** Jim Odoardi, President of Jara Corp was present. He provided a revised As-built plan. Agent Geilen said the plan showed what was built, including several items that were not in accordance with the approved plans. She said that there was less impervious surface overall, but that the stormwater detention pond installed was a different configuration. The Commission has no way of knowing if the pond is sized correctly. She noted that previous meeting minutes state that the spillway must be outside of the subzone, but it is within the No-Build Zone. Agent Geilen believes that as long as the stormwater pond is working properly, mitigation for other deviations could be easily addressed. [Discussion: Stormwater treatment spillway. Overall smaller impervious surface decreased. Stormwater pond configuration.] Agent Geilen noted that we have no evidence that engineering calculations were done prior to the pond design change. She suggested the applicant work with a civil engineer to perform stormwater calculations. Mr. Odoardi said in 2011 they applied for a Notice of No Exposure. Agent Geilen said what he was referring to was a Federal stormwater standard from the EPA which is different than the Commission's stormwater bylaw and the state's stormwater regulations. Acting Chair ffolliott said they can't confirm something they didn't approve. [Discussion: Stormwater and determining calculations] Acting Vice-Chair Standley said it should be relatively simple to determine if the changed impervious area and design meet the stormwater regulations. The applicant needs to recalculate for impervious area and capacity, run the calculations and determine if it still meets DEP requirements. Commissioner Carney-Feldman said they should have the correct information for this file and for future reference.

**RECOMMENDATION OF AGENT:**

*None*

**MOTION:**

- ◆ **A motion was made by Acting Vice-Chair Standley to continue to 5/4/16, for additional stormwater calculation information. The motion was seconded by Commissioner Carney-Feldman and passed unanimously.**

**ACTION ITEMS / SPECIAL INSTRUCTIONS:**

❖ *None*

**DOCUMENT LIST:**

*"As-Built Plan of Land" dated 4/6/16, prepared by North Shore Survey Corp and photos*

**REQUESTS FOR DETERMINATION OF APPLICABILITY:**

**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. Continued from 4/6/16.**

**DISCUSSION:**

Agent Geilen said this matter was continued for a COC of a prior project. A check for the COC Request was received but the COC Request form was lost in the mail and will be resubmitted. The COC will be for an invalid Order since the work was never done.

**RECOMMENDATION OF AGENT:**

*Agent Geilen recommended the Commission approve the RDA and hold the DA until the applicant records the COC and submits proof of recording.*

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<p><b>MOTION:</b></p> <p>◆ A motion was made by Acting Vice-Chair Standley to approve the RDA pending issuance of DA until proof of recording is received. The motion was seconded by Commissioner McDavitt and passed unanimously.</p>
<p><b>ACTION ITEMS / SPECIAL INSTRUCTIONS:</b></p> <p>❖ None</p>
<p><b>DOCUMENT LIST:</b></p> <p>None</p>

**NEW NOTICES OF INTENT, MINOR MODIFICATIONS AND FORMAL AMENDMENTS:**

<p><b>MATTER: 36-1291: Christopher Sklarz</b> for work at <b>6 River Court</b> shown on <b>Tax Map: 42C Lot: 007</b> for a <b>NOTICE OF INTENT</b> to <b>remove existing deck and construct two new decks</b> in jurisdictional areas.</p>
<p><b>DISCUSSION:</b></p> <p>Greg Hochmuth of Williams &amp; Sparges Inc. was present. He described the lot, work location and subzones. The area currently has a deck with patio under. They want to replace the deck and add an upper deck of the same size. All work is within the existing footprint. Impervious surface will decrease slightly as they are removing a stairway at the rear of the building. Mr. Hochmuth discussed the location for the dumpster, and that there would be no excavation other than new footings; and no tree or vegetation removal. Any ground disturbance will be loamed and seeded at the end of the project. [Discussion: deck supports.] Agent Geilen said the patio by the river appears to be an unpermitted structure in the no-disturb zone, built within the last 10-15 years. Mr. Hochmuth said the patio is not on the subject property so the owners can't remove it. Acting Vice-Chair Standley said it's the Commission's burden to prove who owns the patio and if it was illegally built. [Discussion: Patio paver material under the deck will be non permeable and covered by wooden decks with space in between. Construction of pavers will be dry laid.] Commissioner Carney-Feldman discussed a waiver request for work in the subzones. Mr. Hochmuth read the waiver request from the narrative provided. Commissioner Carney-Feldman asked about the clear cutting near the river's edge. Mr. Hochmuth said it's very herbaceous when it grows back. Acting Vice-Chair Standley asked if the new footings would be hand dug. Mr. Hochmuth said they were planning on using a mini excavator. Acting Vice-Chair Standley said if they use a machine they should have some auxiliary erosion control near the patio during the excavation. Agent Geilen recommended monumenting the no-disturb area and have the owner notify tenants of the purpose of the monumentation. Acting Vice-Chair Standley said he would like to see the top of bank monumented with three (3) bounds, a granite or boulder in the center and two (2) pressure treated on each end. Commissioner Carney-Feldman agreed and suggested this information be passed along to the homeowners. Agent Geilen said with condos and/or rental properties homeowners should give written notification of the special conditions to all new tenants and be required to keep a record of those notifications in perpetuity. Acting Vice-Chair Standley summarized the special conditions as follows: additional erosion control for excavation of new footings, a three (3) bound monumented no-disturb zone area along the delineated top of bank including one (1) granite or boulder in the middle and two (2) pressure treated on either end, a perpetual condition that no cutting is allowed along the No-Disturb zone and for the owner to notify all tenants upon signing their lease of these conditions. No dumping of leaves, brush, trees etc is allowed on the property. Mr. Hochmuth said he would revise the plans to include monuments.</p>
<p><b>RECOMMENDATION OF AGENT:</b></p> <p><i>The Agent recommended monumenting the no-disturb area and having the owner notify all tenants now and in perpetuity of the conditions set forth regarding protection of the bank.</i></p>
<p><b>MOTION:</b></p> <p>◆ A motion was made by Acting Vice-Chair Standley to approve the waivers. The motion was seconded by Commissioner McDavitt and passed unanimously.</p> <p>◆ A motion was made by Acting Vice-Chair Standley to close the public hearing. The motion was seconded by Commissioner Hunton and passed unanimously.</p>

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**ACTION ITEMS / SPECIAL INSTRUCTIONS:**

❖ *None*

**DOCUMENT LIST:**

*Packet prepared by Williams & Sparges, Inc. dated 3/30/16, 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 "Plan to Accompany A Notice of Intent" dated 3/30/16, and prepared by Williams & Sparges, Inc., Legal Ad and Locus Map, Notification of Abutters, Abutters List and Affidavit of Service.*

**MATTER: 36-1290: Marylou Fierro** for work at **16 North Ridge Road** shown on **Tax Map: 15C Lot: 031** for a **NOTICE OF INTENT to raze and rebuild a single family dwelling with attached garage, driveway, drainage and grading** in jurisdictional areas.

**DISCUSSION:**

Larry Graham of Graham Associates, Inc. was present. Mrs. Fierro was present but remained in the audience. Agent Geilen asked if the COCs for pervious filings were recorded and Mr. Graham said they were. He will send the recording information. Mr. Graham described the raze and rebuild project, retaining wall and the resources areas involved, including work in the mandatory subzones. He noted that the existing home and deck are in the subzones. The driveway turn-around will be larger for safety. Acting Chair ffolliott asked about the snow location and Mr. Graham said it was over the retaining wall about 25' from the curb. Acting Vice-Chair Standley asked how they were addressing stormwater from the increased impervious material. Mr. Graham said they will be able to get  $\frac{3}{4}$  of the drainage from the roof and driveway into the tanks. They will also use gutters and downspouts. [Discussion: Stormwater management, draining process using catch basin and sump pump and tank plumbed together; stormwater tanks and pipes; rain garden design.] The other  $\frac{1}{4}$  of roof runoff will be managed in the rain gardens. Acting Vice-Chair Standley asked if the plan showed the floor drain. Mr. Graham said it's at the base of the stairwell into lower level. The footing drain is for the entire lot as a backup for the water to bypass [Discussion: drainage footing] Mr. Graham asked if the Commission would grant permission to use the 10' retaining wall weep holes for overflow discharge for the stormwater management system. He doesn't want to release any overflow drainage behind the wall. Agent Geilen said she will need to check with the EPA if a federal NPDES permit is required. [Discussion: selection of plant species for rain garden that can survive the water regimen; botanist recommended salt tolerant native plants; rain garden irrigation design.] Acting Vice-Chair Standley asked about tank 1 and 2 with regard to access to the manholes through the garage. Mr. Graham said there will be a pump from 1 to 2. [Discussion: Access to tank in confined space; potential leakage of automobile fluids; manholes not water tight.] Commissioner Carney-Feldman spoke about the vague plantings list and reminded Mr. Graham they must be native. She said the note on the plan stated "new plantings" with no specifics. Agent Geilen stated that on Sheet 2 the comparison of impervious within the subzones don't list the amount of disturbance. She also said that the new rain gardens are "structures" under the bylaw regulations. [Discussion: "structure" definition read; Commission must decide if mitigation is required for rain garden.] Mr. Graham disagreed about mitigation with respect to putting planting in the subzones and then asking to put more plants in the subzones for mitigation. [Discussion: Structures and rain garden interpretation and language] Agent Geilen said the applicant can ask for waivers of work in the NDZ/NBZ and for the required mitigation. Mr. Graham said he would like to come back with revised plans. He asked if the Commission would allow going across the wall via weep holes. He thought it was a better design. Agent Geilen said she needs clarification from the EPA to see if the Commission has the authority to allow this work.

**RECOMMENDATION OF AGENT:**

*None*

**MOTION:**

◆ **A motion was made by Commissioner O'Neill to continue to 5/4/16 for mitigation options for work in the subzones and clarification from EPA regarding Commission authority to allow drainage via weep holes in the existing wall. The motion was seconded by Commissioner McDavitt and passed with a majority vote of 5 (Acting Vice-Chair Standley stepped out prior to vote).**

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**ACTION ITEMS / SPECIAL INSTRUCTIONS:**

❖ *None*

**DOCUMENT LIST:**

*Packet prepared by Graham Associates, Inc. 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 3/30/16, and prepared by Graham Associates, Inc., Legal Ad and Locus Map, Notification of Abutters, Abutters List and Affidavit of Service.*

**Ongoing Notices of Intent, Minor Modifications and Formal Amendments:**

**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. *Continued from April 6, 2016.*

**DISCUSSION:**

Mike DeRosa of DeRosa Environmental Inc. and Bill Skelton were present. Mr. DeRosa discussed the plan revisions. [Discussion: trees, originally was going to keep three Norway maples but now proposing one to be removed.] The matter is still "under review" by DEP and no comments but have a file number. Agent Geilen said that during the last meeting Chairperson Hughes asked for shrubs in the mitigation area not just herbaceous. Mr. DeRosa said he took out the low bush blueberry but he could possibly add in six grey dogwoods. Agent Geilen said she thought Chair Hughes didn't want any new impervious in the subzones. Mr. DeRosa said they need a safe place to walk. Agent Geilen asked why they couldn't use grass. Mr. Skelton said nothing would grow back there. Agent Geilen said they talked about field stone with grass in between at the last meeting. Commissioner Carney-Feldman said there is a planting called stepables that are intended to be walked on and come in a variety of sun, shade, etc. She suggested they find out which ones will work in that area. She said there are a lot of varieties. Acting Chair ffolliott asked if the stones on the plan are an accurate representation of stones. Mr. DeRosa said no, until they get the stones the number will vary based on the size and shape. Agent Geilen said the matter cannot be closed tonight and recommended they continue to 5/4/16. Mr. DeRosa said they will come back with several options. He will look into stepables, gravel and shade tolerant. Acting Vice-Chair Standley said instead of focusing on how many stones, it's more important what percentage of total area is covered with stones and what's going to be pervious. They need to know the ratio of pervious area.

**RECOMMENDATION OF AGENT:**

*Agent Geilen recommended continuing to 5/4/16.*

**MOTION:**

◆ **A motion was made by Commissioner Carney-Feldman to continue to 5/4/16, for material options for the walkway material. The motion was seconded by Commissioner Hunton and passed unanimously**

**ACTION ITEMS / SPECIAL INSTRUCTIONS:**

❖ *None*

**DOCUMENT LIST:**

*20 Turkey Shore Rd PPT presentation dated 4/20/16, "Fig 2A, Existing Conditions Plan" dated 4/13/16, "Fig 2B, Project Elements" dated 4/13/16 and "Fig 2C, Proposed Planting Plan" dated 4/13/16.*

**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. *Continued from April 6, 2016*

**DISCUSSION:**

Mike DeRosa of DeRosa Environmental Inc. was present. He explained the revisions in the notes. Agent Geilen

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asked if a stormwater report was submitted. Mr. DeRosa said they did not submit one. Agent Geilen said it's a state requirement which, unless you're exempt, you must comply. [Discussion: Stormwater management for single family house vs. condominium association.] Acting Vice-Chair Standley said if they require mitigation for the 11 feet of additional impervious in the no-disturb zone, there's nothing practical on site. [Discussion: Condominium Association and how they address these kinds of projects.]
<b>RECOMMENDATION OF AGENT:</b> None
<b>MOTION:</b> <ul style="list-style-type: none"> <li>◆ A motion was made by Commissioner Carney-Feldman to continue the matter to 5/4/16. The motion was seconded by Commissioner Hunton and passed unanimously.</li> </ul>
<b>ACTION ITEMS / SPECIAL INSTRUCTIONS:</b> <ul style="list-style-type: none"> <li>❖ None</li> </ul>
<b>DOCUMENT LIST:</b> <i>Plan entitled "Fig 2E, Site Plan Showing Proposed" dated 4/12/16 and prepared by Donohoe Survey, Inc.</i>
<b>MATTER: 36-1287: Miles River Sand and Gravel</b> for work at <b>56 Paradise Road</b> shown on <b>Tax Map: 21 Lot: 28</b> for a <b>NOTICE OF INTENT</b> to <b>restore wetlands and remove non-native invasive plants</b> in jurisdictional areas. <i>Continued from April 6, 2016.</i>
<b>DISCUSSION:</b> <p>[Discussion: Electronic copies submitted but no hard copies] Mike DeRosa of DeRosa Environmental Inc. and Chris Thompson, the owner were present. Mr. DeRosa described the changes to the plan including adding a silt fence along the river side to mark the limit of work. A site visit had been conducted. He said they would like to use the concrete blocks instead of boulders as previously requested by Chairperson Hughes. They are readily available and will work better functionally and structurally. Acting Vice-Chair Standley said that during the site visit he noticed in the south east area a significant amount of grass and thought a soil sample to better understand the south east grassy area. Mr. DeRosa said it could be a change in topography but he would check it out. [Discussion: Special condition for soil sample in the south east area]</p>
<b>RECOMMENDATION OF AGENT:</b> Agent Geilen recommended closing the public hearing and have the Commission vote to approve the project.
<b>MOTION:</b> <ul style="list-style-type: none"> <li>◆ A motion was made by Acting Vice-Chair Standley to approve the waivers for work in the subzones. The motion was seconded by Commissioner Carney-Feldman and passed unanimously.</li> <li>◆ A motion was made by Acting Vice-Chair Standley to close the public hearing. The motion was seconded by Commissioner Hunton and passed unanimously.</li> </ul>
<b>ACTION ITEMS / SPECIAL INSTRUCTIONS:</b> <ul style="list-style-type: none"> <li>❖ For applicant to run a soil sample to better understand the south east grassy area.</li> </ul>
<b>DOCUMENT LIST:</b> <i>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 "Fig 2a, Wetland Restoration Plan" dated 3/21/16, and prepared by DeRosa Environmental, Inc., Legal Ad, "Fig 1, USGS Locus Map", Notification of Abutters, Abutters List, Affidavit of Service, "Fig 3, MassGIS Aerial Plan" dated 2013-2014, "Fig 4, MassGIS NHESP" dated 2013-2014, "Fig 5, MassGIS Wetlands" dated 2013-2014, "Fig 6 FEMA Firmette Flood Map" dated 7/16/14, "Fig 7, ACEC" dated 2013-2014, "Fig 8, Outstanding Resource Waters" dated 2013-2014.</i>

**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**

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<b>utility infrastructure</b> in jurisdictional areas. <i>Continued from April 6, 2016.</i>
<p><b>DISCUSSION:</b></p> <p>Michael Dryden, Project Manager from Bohler Engineering was present. This was continued for stormwater peer review comments. They have received them and responded to the comments and revised their plans accordingly however they are now waiting on the follow-up comments. He said the wetland flags were reestablished via a new survey. Agent Geilen said the wetland line was still valid until February 2017, but the flags need to be refreshed. Mr. Dryden said there was a question about the condition of the existing 12" pipe drain which connects to a catch basin in the wetland area. When they unearth the pipe they will replace if needed. Acting Vice-Chair Standley asked about load handling and Mr. Dryden said they will likely replace it. Agent Geilen recommended they include pipe replacement to avoid having to file for a formal amendment later. [Discussion: Pipe replacement, location, and temporary impacts.] Agent Geilen noted the revised plans should include temporary impacts for pipe replacement and adjustments to the erosion control line. The Design Review Board (DRB) requested less parking spaces, so less impervious, which allowed the stormwater basin to be expanded, per the stormwater peer reviewer's request. The DRB also requested that the remnants of the tee area from the former golf driving range be removed, and the area loamed and seeded. Agent Geilen said they will need to ask for a waiver for work in the no disturb and no-build zone, for both tee removal and the pipe replacement. Commissioner McDavitt asked about ownership lines and Mr. Dryden said there is a common ownership at the moment so it's not a problem. Acting Vice-Chair Standley questioned the use of basins which were designed for Tractor Supply. Mr. Dryden said they are not using those basins. There is an entirely new basin for this project. Mr. Dryden said that Chairperson Hughes asked whether there was an easement associated with the pipe. He found no easements on record and they have no intent to create an easement. Agent Geilen said they will include it as a special condition for the applicant to provide the easement documentation. Mr. Dryden said the snow storage location isn't on the plan but will make sure it's on the next revision. He also talked about monuments. He will need to put those on the plan as well. They should include 4 or 5 bounds every 50' or change in direction. Granite on the edges and pressure treated in the middle. In the peer review, there were some stormwater drainage comments. They will easily address those concerns. The stormwater drainage report and plans have both been revised. Agent Geilen said the O&amp;M plan should specifically state the swale will be cleaned out every spring. Acting Chair ffolliott asked what the ratio for males vs. females for winterberry will be regarding berries. [Discussion: Planting selection and no chemically dyed mulch] Agent Geilen suggested Mr. Dryden to make changes and submit 2 hard copies and an electronic copy but no hard copies were needed for the Commission.</p>
<p><b>RECOMMENDATION OF AGENT:</b>  <i>None</i></p>
<p><b>MOTION:</b></p> <p style="text-align: center;">◆ <b>A motion was made by Commissioner Carney-Feldman to continue the matter to 5/4/16. The motion was seconded by Acting Vice-Chair Standley and passed unanimously.</b></p>
<p><b>ACTION ITEMS / SPECIAL INSTRUCTIONS:</b></p> <p style="text-align: center;">❖</p>
<p><b>DOCUMENT LIST:</b>  <i>Site Development Plan dated 4/13/16, prepared by Bohler Engineering and Initial Peer Review dated 4/5/16 prepared by Cammett Engineering, Inc.</i></p>

**Enforcement Matters:**

<b>MATTER: 36-678: 10 Olde Ipswich Way.</b> Possible enforcement matter: stormwater pond maintenance. <i>Continued from 1/20/16</i>
<p><b>DISCUSSION:</b></p>

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No one was present when matter called.
<b>RECOMMENDATION OF AGENT:</b> <i>Agent Geilen recommended tabling the matter</i>
<b>MOTION:</b> <ul style="list-style-type: none"> <li>◆ A motion was made by Acting Vice-Chair Standley to table the matter. The motion was seconded by Commissioner McDavitt and passed unanimously.</li> </ul>
<b>ACTION ITEMS / SPECIAL INSTRUCTIONS:</b> <ul style="list-style-type: none"> <li>❖ <i>None</i></li> </ul>
<b>DOCUMENT LIST:</b> <i>None</i>

**Other Business:**

<b>MATTER: Essex County Greenbelt:</b> Amendment to Conservation Restriction for 412-414 Linebrook Road, Carpenter
<b>DISCUSSION:</b> Vanessa Johnson-Hall from Essex County Greenbelt was present. Ms. Johnson-Hall explains the CR amendment and restatement of the CR that was donated by the late Barbara Carpenter in 1997. She explained the location and area that currently protects 17 acres. The family would like to add 10 additional acres which will protect 27 acres. [Discussion: Conservation restriction outline, benefits of the easement, no public access or trail.]
<b>RECOMMENDATION OF AGENT:</b> <i>Agent Geilen recommended the Commission certify the proposed amended and restated CR.</i>
<b>MOTION:</b> <ul style="list-style-type: none"> <li>◆ A motion was made by Acting Vice-Chair Standley to certify the proposed Amended and Restated Conservation Restriction. The motion was seconded by Commissioner O'Neill and passed unanimously.</li> <li>◆ A motion was made by Commissioner Hunton to recommend the Amended and Restated Conservation Restriction to the Board of Selectmen for their signature. The motion was seconded by Acting Vice-Chair and passed unanimously.</li> </ul>
<b>ACTION ITEMS / SPECIAL INSTRUCTIONS:</b> <ul style="list-style-type: none"> <li>❖ <i>For Ms. Johnson-Hall to provide a copy to Agent Geilen for her records.</i></li> </ul>
<b>DOCUMENT LIST:</b> <i>Amended and Restated Conservation Restriction prepared by Essex County Greenbelt Association, Inc., "Plan of Land" dated 12/16/92 prepared by Hancock Survey, Inc., "Conservation Restriction Plan" dated 3/9/16, prepared by Donohoe Survey, Inc.</i>

<b>MATTER: 36-727: 14 Plains Road, Iacobacci,</b> for a 1-year extension to an Order of Conditions. <i>Continued from April 4, 2016.</i>
<b>DISCUSSION:</b> Ray Iacobacci, the owner was present. Agent Geilen said the applicant had the wetland line refreshed via survey crew, and she found that the line has not changed. The flags are accurate and the line is conservative. The applicant presented proof that he was tied up in court proceedings which held up the sale of the property, hence the need for his extension request.
<b>RECOMMENDATION OF AGENT:</b> <i>Agent Geilen recommended a 1 year extension to 5/29/17</i>

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<b>MOTION:</b> ♦ A motion was made by Commissioner Carney-Feldman to approve the one year extension. The motion was seconded by O'Neill and passed unanimously.
<b>ACTION ITEMS / SPECIAL INSTRUCTIONS:</b> ❖ None
<b>DOCUMENT LIST:</b> Wetland line survey plan

<b>MATTER: 36-1170: Turner Hill, 2015 Year-End Report.</b>
<b>DISCUSSION:</b> Geoff Andrews from Wetland Preservation Inc. was present. [Discussion: Vernal pool comparatives, difficult to compare, water quality.] Mr. Andrews said that Steve Smith from GeoHydrocycle was not available to attend the meeting. [Discussion: Bordering Vegetated Wetlands factors with respect to bull frogs, wood frogs, salamander egg masses and surrounding areas.] Mr. Andrews said the USGS has a program but it's not very well funded. It deals with monitoring amphibians but there's limited data. No new data since 2012. There is a concern and potential link of vernal pools to climate change. It's a volunteer program. Acting Vice-Chair Standley said the purpose of the sampling program was to determine if there any adverse affects due to the golf course. The Commission needs to interpret the data to make that determination. Mr. Andrews said they might be seeing upland movement due to the golf course but the data is inconsistent. The vernal pools are still functioning as vernal pools but they are declining. Commissioner McDavitt said the variability for reasons that could cause egg increase or decrease makes it's hard to make a determination. He said that it seems that based on how the monitoring was set up, it's not able to be determined. Acting Vice-Chair Standley asked if there is a valid reason to continue. Mr. Andrews said they are still functioning as vernal pools and are still certifiable. Commissioner Hunton asked what the likelihood was of zero egg masses over a 4 year period would show egg masses in the future. Mr. Andrews said it was likely but doesn't know for sure. He recommended talking with his client about dip netting some of the areas more frequently. Agent Geilen asked about perpetual conditions regarding 36-1170 and 36-728, specifically upland invasive plants. Mr. Andrews said that it's handled under the Golf Club's Superintendent Management Plan. He will coordinate a site visit with Ms. Geilen to review the vernal pool and the glossy buckthorn upland.
<b>RECOMMENDATION OF AGENT:</b> N/A
<b>MOTION:</b> ♦ N/A
<b>ACTION ITEMS / SPECIAL INSTRUCTIONS:</b> ❖ None
<b>DOCUMENT LIST:</b> Vernal Pool Monitoring Report dated 3/22/16, prepared by Wetland Preservation Inc., Attachment 2, Alpha Analytical Report dated 6/19/15, prepared by Wetland Preservation Inc., Attachment 3, Alpha Analytical Report dated 10/1/15, prepared by Wetland Preservation Inc.

<b>MATTER: 36-1253: Riverine LLC, 27 Water Street.</b> Request from Agent for clarification to Special Condition #27 regarding obtaining a Chapter 91 license prior to commencing work.
<b>DISCUSSION:</b> Agent Geilen said she attended the first preconstruction meeting related to the 21E portion of the OOC. She believes that one of the Special Conditions was worded incorrectly, and was seeking confirmation that it should say they must obtain a Chapter 91 license prior to starting condo building construction, not prior to the 21e investigation. The Commission agreed with the Agent, and asked her to correct the scrivener's error.

**IPSWICH CONSERVATION COMMISSION**  
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<b>RECOMMENDATION OF AGENT:</b> Agent Geilen asked the Commission to confirm her clarification which they did.
<b>MOTION:</b> ♦ N/A
<b>ACTION ITEMS / SPECIAL INSTRUCTIONS:</b> ❖ None
<b>DOCUMENT LIST:</b> None

<b>MATTER: 36-1283: Jean-Jacques Toulotte</b> for work at <b>94 Labor-in-Vain Road</b> shown on <b>Tax Map: 32 Lot: 004</b> for a <b>NOTICE OF INTENT</b> for a <b>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</b> in jurisdictional areas. <i>Public Hearing closed April 6, 2016.</i>
<b>DISCUSSION:</b> None.
<b>RECOMMENDATION OF AGENT:</b> None
<b>MOTION:</b> ♦ A motion was made by Commissioner Carney-Feldman to approve and issue a positive OOC. The motion was seconded by Commissioner Hunton and passed unanimously.
<b>ACTION ITEMS / SPECIAL INSTRUCTIONS:</b> ❖ None
<b>DOCUMENT LIST:</b> None

<b>MATTER: 36-1274: Ipswich Junction LLC</b> for work at <b>114 &amp; 116 County Road</b> shown on <b>Tax Map: 54A Lot: 8</b> for a <b>NOTICE OF INTENT</b> for <b>site improvements including the construction of two (2) new buildings and the installation of a new stormwater management system</b> in jurisdictional areas. <i>Public Hearing closed April 6, 2016.</i>
<b>DISCUSSION:</b> Acting Vice-Chair Standley noted that Acting Chair ffolliott mentioned seeing foreclosure information in the paper about this property. Specific names were not recalled. Agent Geilen said she will find out whether the ownership has changed hands since the NOI was filed. This would ensure the first page of the OOC has the correct information.
<b>RECOMMENDATION OF AGENT:</b> None
<b>MOTION:</b> ♦ A motion was made by Commissioner Carney-Feldman to approve and issue a positive OOC. The motion was seconded by Acting Vice-Chair Standley and passed unanimously.
<b>ACTION ITEMS / SPECIAL INSTRUCTIONS:</b> ❖ None

**IPSWICH CONSERVATION COMMISSION**  
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**DOCUMENT LIST:***None*

◆ A motion was made by Acting Vice-Chair Standley to un-table the matter below. The motion was seconded by Commissioner Carney-Feldman and passed unanimously.

**MATTER: 36-678: 10 Olde Ipswich Way.** Possible enforcement matter: stormwater pond maintenance.  
*Continued from 1/20/16*

**DISCUSSION:**

No one was present for this matter. Field Inspector Bill Decie and Acting Vice-Chair Standley met with the owner who will contact a wetland scientist and get back to the Commission. No further action at this time.

**RECOMMENDATION OF AGENT:**

None

**MOTION:**

◆ N/A

**ACTION ITEMS / SPECIAL INSTRUCTIONS:**❖ *Owner to contact a wetland scientist and get back to Commission.***DOCUMENT LIST:***None***Tabled Matters and Discussion Items:**Interim Reports of Special Project Subcommittees: *None***Approval of Minutes:** 3/16/16

No minutes available for approval

**Adjournment:**

◆ A motion was made by Acting Vice-Chair Standley to adjourn at 10:03 p.m. The motion was seconded by Commissioner Carney-Feldman and passed unanimously.

Respectfully submitted,



Gail Surpitski  
 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.**