

Approved: October 5, 2016
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IPSWICH CONSERVATION COMMISSION
Meeting Minutes
September 7, 2016

Pursuant to a written notice posted by the Town Clerk and delivered to all Conservation Commission members, a meeting was held Wednesday, September 7, 2016 at 7:02 p.m. in Room A of the Ipswich Town Hall. Members present were Chairman Jennifer Hughes, Vice-Chair Sissy ffolliot, Commissioners David Standley, Brian O'Neill, Catherine Carney-Feldman, Michele Hunton and William Paulitz. Also present was Agent Alicia Geilen and Recording Secretary Cathy Miaskiewicz.

DEFINITION INDEX:

BVW - Bordering Vegetative Wetland

COC – Certificate of Compliance

CR – Conservation Restriction

CZM - Coastal Zone Management

DCR - Department of Conservation and Recreation

DEP - Department of Environmental Protection

EO – Enforcement Order

ICC – Ipswich Conservation Commission

IRWA – Ipswich River Watershed Association

LIAU – Land in Agricultural Use

LSCSF – Land Subject to Coastal Storm Flowage

LSP – Licensed Site Professional

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

SPP – Small Projects Permit

TEC – Temporary Erosion Controls

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

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Citizen's Queries:

MATTER: 32 Northridge Road – Bonsignore.
DISCUSSION: Present was Architect Chris Doktor of Olson Lewis Architects representing the applicant. They were before the Commission to see if they should submit a Minor Modification, versus a Formal Amendment of their OOC. Chairman Hughes asked if the work was closer to the resource area. Mr. Doktor stated it was less with no additional square footage in the subzones. Chairman Hughes asked about the stairs. Mr. Doktor stated they would be adjusting the stairs. [Discussion: Granite blocks wider than steps/perpendicular to steps/below grade on patio/retaining wall where footings for deck would have been/no change in footprint.] Commissioner Standley asked for clarification of the resource area and subzones. Agent Geilen clarified their locations. Commissioner Standley also asked about ACEC buffer zone. Agent Geilen stated it was not closer than what was approved. Vice-Chair Standley asked how tall the retaining wall was. Mr. Doktor stated it was 2 feet. ICC agreed they could ask for a Minor Modification.
RECOMMENDATION OF AGENT: <i>None</i>
MOTION: ♦ N/A
ACTION ITEMS / SPECIAL INSTRUCTIONS: ❖ <i>None</i>
DOCUMENT LIST: <i>Letter dated 8/31/16, and prepared by Olson and Lewis Architects and Plan entitled "Proposed Site Plan" dated 9/1/16, and prepared by Olson and Lewis Architects.</i>
MATTER: Essex County Trails Association – request for guidance on a new trail with boardwalk.
DISCUSSION: Present was Mike DeRosa of DeRosa Environmental Inc. and Carol Lloyd of Essex County Trail Association. Ms. Lloyd stated that were looking to put in a 600-700 foot boardwalk through the wetlands for pedestrians and bikes. Mr. DeRosa showed a Power Point presentation with the proposed trail and proposed boardwalk that connects to an existing trail system at Meadowview Lane. Mr. DeRosa stated that the boardwalk would be for pedestrian and bikes, and no horses. He stated they would need to delineate the wetland. Ms. Lloyd stated they would need to do some clearing and open up a swath to find the best path. Mr. DeRosa stated they would need aerial help to see. They are looking to add the boardwalk in spring of 2017. Agent Geilen suggested that an NOI be submitted with an "estimated" wetland line and "tentative" boardwalk location. Phase one would involve cutting wetland vegetation to more accurately delineate the wetlands in the vicinity of the proposed boardwalk, and to locate the best (least impactful) boardwalk location. If involve the desired boardwalk location is significantly different for the "tentative" location, a second public hearing would be held to approve the final location of the boardwalk. Phase two would construction of the boardwalk. Chairman Hughes agreed that a 2-phased approach under one NOI filing would be the best way. She suggested a requirement to not cut any trees more than 2" caliber; avoid native species where possible, and limit cutting to a 20'+/- corridor for the path.
RECOMMENDATION OF AGENT: <i>None</i>
MOTION: ♦ N/A
ACTION ITEMS / SPECIAL INSTRUCTIONS: ❖ <i>None</i>

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DOCUMENT LIST:

Powerpoint Presentation entitled "New Trail and Boardwalk, County Road to Meadowview Lane, Ipswich, MA" prepared by ECTA.

Ongoing Matters Being Continued to FUTURE Sessions:

MATTER: Small Permit Project, 72 Clark Road, Quinn. *Applicant requested continuation to October 19, 2016.*

DISCUSSION: There was no one present for this matter.

RECOMMENDATION OF AGENT:

None

MOTION:

◆ **A motion was made by Commissioner Carney-Feldman to continue to October 19, 2016. The motion was seconded by Vice-Chair ffolliott and passed unanimously.**

ACTION ITEMS / SPECIAL INSTRUCTIONS:

❖ *None*

DOCUMENT LIST:

Continuation Request.

MATTER: Keolis Commuter Services for work shown on rail line right of way for a **RDA.** *Applicant requested continuation to 10/5/2016.*

DISCUSSION: There was no one present for this matter. Agent Geilen stated that she still needed to do a site visit and that Keolis had stopped the project for a while. She had emailed them twice with no response. Chairman Hughes stated that this should be the last continuation allowed.

RECOMMENDATION OF AGENT:

None

MOTION:

◆ **A motion was made by Commissioner Standley to continue to October 5, 2016. The motion was seconded by Commissioner O'Neill and passed unanimously.**

ACTION ITEMS / SPECIAL INSTRUCTIONS:

❖ *None*

DOCUMENT LIST:

Continuation Request.

MATTER: 36-569: 6 Emery Lane, McCarthy. *Applicant requested continuation to 9/21/2016.*

DISCUSSION: There was no one present for this matter.

RECOMMENDATION OF AGENT:

None

MOTION:

◆ **A motion was made by Commissioner Standley to continue to September 21, 2016. The motion was seconded by Commissioner Carney-Feldman and passed unanimously.**

ACTION ITEMS / SPECIAL INSTRUCTIONS:

❖ *None*

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DOCUMENT LIST:*Continuation Request.*

MATTER: 36-1301: Timothy McCarthy for work at **6 Emery Lane** shown on Tax Map: 30C Lot: 080 for an after-the-fact NOI. *Applicant requested continuation to 9/21/2016.*

DISCUSSION: There was no one present for this matter.

RECOMMENDATION OF AGENT:*None***MOTION:**

◆ **A motion was made by Commissioner Standley to continue to September 21, 2016. The motion was seconded by Commissioner Carney-Feldman and passed unanimously.**

ACTION ITEMS / SPECIAL INSTRUCTIONS:❖ *None***DOCUMENT LIST:***Continuation Request.*

MATTER: 36-569: 6 Emery Lane (Lot 2A and 3A), McCarthy. *Applicant requested continuation to 9/21/2016.*

DISCUSSION: There was no one present for this matter.

RECOMMENDATION OF AGENT:*None***MOTION:**

◆ **A motion was made by Commissioner Standley to continue to September 21, 2016. The motion was seconded by Commissioner Carney-Feldman and passed unanimously.**

ACTION ITEMS / SPECIAL INSTRUCTIONS:❖ *None***DOCUMENT LIST:***Continuation Request.*

MATTER: Update of impending NOI: 36-81: Site Management Plan: Miles River Sand and Gravel, 64 Paradise Road *Applicant requested continuation to 9/21/2016.*

DISCUSSION: There was no one present for this matter.

RECOMMENDATION OF AGENT:*None***MOTION:**

◆ **A motion was made by Commissioner Standley to continue to September 21, 2016. The motion was seconded by Commissioner Carney-Feldman and passed unanimously.**

ACTION ITEMS / SPECIAL INSTRUCTIONS:❖ *None***DOCUMENT LIST:***Continuation Request.*

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MATTER: 36-1304: Department of Public Works for work town-wide in public rights-of-way (Tax Maps: various Lots: n/a) under a NOI for routine maintenance. <i>Applicant requested continuation to 9/21/2016.</i>
DISCUSSION: There was no one present for this matter.
RECOMMENDATION OF AGENT: <i>None</i>
MOTION: <p style="text-align: center;">♦ A motion was made by Commissioner Standley to continue to September 21, 2016. The motion was seconded by Commissioner Carney-Feldman and passed unanimously.</p>
ACTION ITEMS / SPECIAL INSTRUCTIONS: <p style="text-align: center;">❖ <i>None</i></p>
DOCUMENT LIST: <i>Continuation Request.</i>

Requests for Certificates of Compliance:

MATTER: 36-333: 74 Clark Road, Wood. New.
DISCUSSION: There was no one present for this matter. Agent Geilen gave a review of the matter stating that this was for a stone revetment on Coastal Bank, which required submittal of photographs in lieu of as-built plans (submitted). The photos, corroborated by her site visit, and showed that all work was done in accordance with the approved sketch.
RECOMMENDATION OF AGENT: <i>Issue a full and final COC.</i>
MOTION: <p style="text-align: center;">♦ 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>
ACTION ITEMS / SPECIAL INSTRUCTIONS: <p style="text-align: center;">❖ <i>None</i></p>
DOCUMENT LIST: <i>COC request, Page 5-38 of OOC and Photos.</i>

Small Projects Permits

MATTER: 412 Linebrook Road, Rohlfs. Fencing outside of the Mandatory Subzones.
DISCUSSION: Present was applicant Nancy Rohlfs. Agent Geilen gave a review of the matter. Vice-Chair ffolliott stated that she was a neighbor. Agent Geilen stated that the fencing was outside of the mandatory subzones, per her conservatively-estimated BWV line (flagged in the field with pin flags). A barn will be outside of the buffer zone. Ms. Rohlfs stated that she will leave the flags in so they know where everything is marked. Agent Geilen stated that the permit would be good for one year.
RECOMMENDATION OF AGENT: <i>Approve the Small Project Permit.</i>

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<p>MOTION:</p> <p>◆ A motion was made by Commissioner Carney-Feldman to approve the Small Project Permit as proposed. The motion was seconded by Commissioner Standley and passed unanimously.</p>
<p>ACTION ITEMS / SPECIAL INSTRUCTIONS:</p> <p>❖ <i>None</i></p>
<p>DOCUMENT LIST:</p> <p><i>Small Permit Project Application and Plan entitled "Conservation Restriction in Ipswich, MA" dated 3/9/16, and prepared by Donohoe Survey, Inc., Photos and Agent Geilen's Powerpoint Presentation entitled "SPP 412 Linebrook Rd".</i></p>

Requests for Determination of Applicability:

<p>MATTER: Deborah Klock for work at 26 Island Park Road shown on Tax Map: 23C, Lot: 12 for a REQUEST FOR DETERMINATION OF APPLICABILITY to install a septic system in jurisdictional areas.</p>
<p>DISCUSSION: Present was Ray Belle on behalf of applicant Deborah Klock. Agent Geilen gave a review of the matter stating that they were more than 100 feet from any resource areas, but within the local 150' ACEC Buffer Zone. Agent Geilen noted that she estimated the location of ACEC based on a surveyed plan on the adjacent property (submitted for an NOI). The work will be at the outer edge of local ACEC buffer, and outside of the state buffer zones, and will occur in lawn. Commissioner Standley stated it was not clear if this was for a fence or septic. Agent Geilen will make clarifications on page 2. Agent Geilen also noted that she had neglected to ask the owner to add TEC to the plan, but this can be a special condition to the approval.</p>
<p>RECOMMENDATION OF AGENT:</p> <p><i>Approve the project under an NDA 1, 3 (local only) and 6, with special conditions for TEC and stabilization within 48 hours of septic completion.</i></p>
<p>MOTION:</p> <p>◆ A motion was made by Commissioner Carney-Feldman to issue a Negative Determination Applicability 1, 3 (local only) and 6, with special conditions for TEC and stabilization within 48 hours of septic completion. The motion was seconded by Vice-Chair ffollott and passed unanimously.</p>
<p>ACTION ITEMS / SPECIAL INSTRUCTIONS:</p> <p>❖</p>
<p>DOCUMENT LIST:</p> <p><i>Mandatory pre-filing checklist, WPA Form 1 Request for Determination of Applicability Form, Legal Ad, Locus Map, Sketch Plan entitled "Sketch for 26 Island Park Road" dated 8/15/16, Photos, Notice of Extension dated 8/15/16, prepared by Agent Geilen, Partial Plan of Title Page of Plan entitled "Upgrade Plan of Subsurface Sewage Disposal System in Ipswich, MA" dated 5/10/16, and stamped by the Ipswich Board of Health on 8/9/16.</i></p>

<p>MATTER: Michael and Wendy Arnold for work at 64 East Street shown on Tax Map: 31D, Lot: 014-0 for a REQUEST FOR DETERMINATION OF APPLICABILITY to rebuild existing home and add driveway and walkway in jurisdictional areas.</p>
<p>DISCUSSION: Present was Jason Kamps representing the applicant. Agent Geilen stated they were 133 feet to edge of jurisdictional areas, with still within the 200' Riverfront Area to the Ipswich River. She noted that TEC was already in place. [Discussion: considered an apartment.]</p>
<p>RECOMMENDATION OF AGENT:</p> <p><i>Issue an NDA 3 and 6. Keep erosion controls in place.</i></p>
<p>MOTION:</p> <p>◆ A motion was made by Commissioner Standley to issue an NDA 3 and 6 as recommended by the agent. The motion was seconded by Commissioner Carney-Feldman and passed unanimously.</p>

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ACTION ITEMS / SPECIAL INSTRUCTIONS:

❖ *None*

DOCUMENT LIST:

Mandatory pre-filing checklist, WPA Form 1 Request for Determination of Applicability Form, Legal Ad, Locus Map, Plan entitled "Foundation Plan" dated 8/2/16, and prepared by Lane M. Jones Design, Plan entitled "Condominium Site Plan in Ipswich, MA" dated 8/8/16, and prepared by Hancock Associates and 2013-2014 Aerial Map provided by Mass GIS.

MATTER: Stanley W. Wood for work at **74 Clark Road** shown on **Tax Map: 24A, Lot: 98** for a **REQUEST FOR DETERMINATION OF APPLICABILITY** to install a 500-gallon underground propane tank in jurisdictional areas.

DISCUSSION: Present was applicant Stanley Wood. He said he understood that there was an open OOC for his property that needed to be closed out. Chairman Hughes explained that they don't want to issue a new permit if a person is not in compliance with the old one. Mr. Wood stated that the tank needed to be at least 10 feet from the road. Agent Geilen asked about alternative location at bottom of the slope by the lower garage. Chairman Hughes thought the proposed location was better. Chairman Hughes stated that they will need temporary erosion controls. Mr. Wood agreed. [Discussion: No groundwater, do not clear any further down slope/get COC request in, then good to go/fulfill any mitigation requirements.]

RECOMMENDATION OF AGENT:

Continue to October 5, 2016 for as-built and COC request.

MOTION:

◆ **A motion was made by Vice-Chair Ffolliott to continue to October 5, 2016. The motion was seconded by Commissioner Carney-Feldman and passed unanimously.**

ACTION ITEMS / SPECIAL INSTRUCTIONS:

❖ *Site visit*

DOCUMENT LIST:

Mandatory pre-filing checklist, WPA Form 1 Request for Determination of Applicability Form, Legal Ad, Locus Map, Plan entitled "74 Clark Road, Ipswich, MA, Proposed Underground Propane Tank" dated 9/4/14 and Powerpoint presentation entitled "RDA 74 Clark Road" prepared by Agent Geilen.

New Notices of Intent, Minor Modifications and Formal Amendments:

MATTER: 36-_____: **Francis Whitney Hatch** for work at **176 Argilla Road** shown on **Tax Map: 48 Lot: 003B** for a **NOTICE OF INTENT to hydrorake up to 6.5 acres of Rantoul Pond** in jurisdictional areas.

DISCUSSION: Present was applicant Mr. Hatch and Ms. Anne Carroll of the MA Department of Conservation and Recreation's pond and waterways program. Mr. Hatch gave a review of the matter. He stated that they want to remove floating non-native invasive plant (watershield) that are choking the pond, using a technique called hydroraking. He has spoken with abutting two property owners, and they have agreed to the project. [Discussion: property owners own into the middle of the pond; a great pond is 10 acres in its natural state.] Commissioner Standley asked what would be required. Agent Geilen stated that there would not be any dredging or filling, just removal of plants. Ms. Carroll stated that watershield covers an entire cove. She did not think there were any other invasives underneath. Commissioner Carney-Feldman asked why remove the cattails, which is also in the NOI, since cattails are a native plant. Ms. Carroll stated this was a secondary issue, as the dense growth is prohibiting access to the pond for fishing, boating and ice skating. They would only remove enough to allow this access. [Discussion: herbicide use/pond management/hydroraking.] Commissioner Standley discussed a similar project that used algicide and then hydroraking. Chairman Hughes mentioned three projects in North Andover that were successful with just hydroraking, and she is in favor of no algicide. She asked where the staging area was to be. Mr. Hatch showed the area on a map (west part of the property below the barn). Commissioner Carney-Feldman stated that if they have to use herbicide, to do the research and ensure it is safe. Agent Geilen asked if the other

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property owners would want to remove cattails on their shorelines as well. Mr. Hatch was not sure. Chairman Hughes recommended further discussion with ICC if decide they need to use herbicides. Ms. Caroll stated that they may have to do a second hydrorake in two years. Chairman Hughes stated they could allow for more than one raking in the permit. [Discussion: permit length.] Agent Geilen discussed some administrative problems with the filing including:

- *An additional \$195 due to both the state and the Town, as the wrong category was used;*
- *No DEP File number;*
- *An old OOC for the property (DEP File #36-583), never closed out.*
- *NOI form: pages 1 – 3, and 9, need to be revised.*
- *State and local Fee forms need to be revised to list correct fees.*
- *Unclear Project Narrative*
- *Request waiver for work in the 50' NDZ as well as a waiver for mitigation for this work.*
- *Site visit to look at where the dewatering area will be, as well as the cattails.*

Chairman Hughes added that reports are needed after each growing season. (Note: "Solitude" is the contractor and wrote the narrative.)

RECOMMENDATION OF AGENT:

Continue to September 21, 2016.

MOTION:

- ◆ **A motion was made by Commissioner Standley to continue to September 21, 2016. The motion was seconded by Commissioner Carney-Feldman and passed unanimously.**

ACTION ITEMS / SPECIAL INSTRUCTIONS:

- ❖ *None*

DOCUMENT LIST:

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, WPA Form 3 Notice of Intent Appendix A: Ecological Restoration Limited Projects Checklist, Plan entitled "Figure 1 Proposed Hydroraking Area" dated 2/15/16, and prepared by Solitude Lake Management, Rantoul Pond, Ipswich – MA Rare and Endangered Species Priority Habitat, Map date 8-2016 (Site #PH897), Cover Letter dated 8/16/16, and prepared by Francis W. Hatch, Rantoul Pond Notice of Intent for Removal of Nuisance Aquatic Vegetation Project Description, Letter Re: NHESP Tracking No. 16-35786, dated 7/29/16, and prepared by Division of Fisheries and Wildlife, Rantoul Pond Hydroraking Project Additional Property Owners List, Letter Re: Notification of Filing dated 3/22/16, and prepared by Solitude Lake Management, Powerpoint Presentation entitled "NOI 176 Argilla Road" prepared by Agent Geilen, Legal Ad, Locus Map, Notification of Abutters, Abutters List and Affidavit of Service.

MATTER: 36-1294: Ipswich Great Marsh Realty Trust for work at 74 North Ridge Road shown on Tax Map: 15B, Lot: 001 for a Minor Modification to reduce depth of parking, increase width of lower planter and add stairs in jurisdictional areas.

DISCUSSION: Present was Larry Graham of H.L. Graham Associates, Inc. Mr. Graham stated that changes were made to the design plans after OOC issuance, including a reduced depth of the parking area, and adding an underground propane tank by enlarging the planter and putting the tank under it. Commissioner Standley asked if it met setback requirements. Mr. Graham stated that it did. Chairman Hughes asked about the snow storage area. Mr. Graham stated they would have to leave space to access it. He stated that stairs were also added to an area (outside of the subzone) to get down from the upper level.

RECOMMENDATION OF AGENT:

Approve the minor modification as proposed with no Special Conditions.

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<p>MOTION:</p> <p>◆ A motion was made by Commissioner O’Neill to approve the minor modification as proposed. The motion was seconded by Commissioner Hunton and passed unanimously.</p>
<p>ACTION ITEMS / SPECIAL INSTRUCTIONS:</p> <p>❖ None</p>
<p>DOCUMENT LIST:</p> <p><i>Request for Minor Modification Letter dated 8/17/16, and prepared by Graham Associates, Inc., Ipswich Wetlands Protection By-law Filing Fee Calculation Worksheet and Proposed Site Plan Changes entitled “Permit Plan” dated 8/17/16, and prepared by Graham Associates, Inc.</i></p>

Ongoing Notices of Intent, Minor Modifications and Formal Amendments:

<p>MATTER: 36-1252: Ernest and Paula Roberts for work at 76 Clark Road shown on Tax Map: 24A Lot: 99 for an after-the-fact FORMAL AMENDMENT to a Notice Of Intent to raze and rebuild a single family house and replace in-kind a pre-existing deck on new footings, as well as approval for new activities including repair stone retaining wall, relocation of septic tank, installation of 3 liquid propane tanks, and other work associated with the house in jurisdictional areas. <i>Continued from August 17, 2016.</i></p>
<p>DISCUSSION: Present was Larry Graham of H.L. Graham Associates, Inc. and applicants Ernie and Paula Roberts. Mr. Graham presented the plan revisions required by engineer Chuck Johnson. Mr. Graham believed this fulfilled what was required of them at the last meeting. Mr. Graham clarified the changes made to the side deck. Agent Geilen asked if it was outside of the NBZ. Mr. Graham stated that it was outside of the NBZ. Chairman Hughes asked if the plan had been approved by the ZBA. Mrs. Roberts stated that it had not yet been approved by ZBA. Mr. Graham stated that the ZBA hearing was scheduled for the September 15, 2016. [Discussion: ZBA approval.] Chairman Hughes stated that a condition should be added that if the ZBA approves a smaller deck within the same footprint, that this would not require another OOC change (e.g., Minor Modification).</p>
<p>RECOMMENDATION OF AGENT:</p> <p><i>Close the public hearing and approve the Formal Amendment with no Special Conditions as discussed.</i></p>
<p>MOTION:</p> <p>◆ A motion was made by Commissioner Carney-Feldman to close the public hearing and approve the Formal Amendment with Special Conditions as discussed. The motion was seconded by Commissioner Hunton and passed unanimously.</p>
<p>ACTION ITEMS / SPECIAL INSTRUCTIONS:</p> <p>❖ None</p>
<p>DOCUMENT LIST:</p> <p><i>Request for Formal Amendment Letter dated 8/30/16, and prepared by C.G. Johnson Engineering, Inc., Ipswich Wetlands Protection By-law Filing Fee Calculation Worksheet, Proposed Site Plan Changes entitled “Formal Amendment Permit Site Plan” dated 8/30/16, and prepared by C.G. Johnson Engineering, Inc. Plan entitled “Plan to Accompany a Variance Request” dated 8/23/16, and prepared by Graham Associate, Inc., Legal Ad, Locus Map, Notification of Abutters, Abutters List and Affidavit of Service.</i></p>

Other Business:

<p>MATTER: 9 Sand Pebble Drive: Ipswich Water Department. Request for an Emergency Certificate.</p>
<p>DISCUSSION: There was no one present for this matter. Agent Geilen gave a review of the matter. She noted that the beaver dam and non-working beaver deceiver is located on private property at 9 Sand Pebble Drive. This has been an issue for trail users for over 2 years, and is now impacting the flow of water to the Bull Brook Reservoir. When the Water Department learned is this they started the process to obtain approvals to deal with the</p>

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matter. The Agent conducted a site visit with DEP and Water Dept. on August 30, 2016. DEP issued a Declaration of Threat on August 31, 2016, and the Water Department requested an EC and submitted details of what was work to occur on September 1, 2016. Agent Geilen issued an EC for this work on September 1, 2016. DEP issued a Water Emergency on September 3, 2016. Colleen Fermon (Director of Public Health) issued a beaver trapping approval. The culvert was unblocked on September 3, 2016, and water was flowing freely until the beaver plugged it up again over the weekend. Trapping will likely late this week, after which they'll unplugging the culvert again. Beaver deceiver replacement will occur soon thereafter.

Several members of the ICC noted that they were not in favor of trapping. Chairman Hughes stated that trapping was not in ICC jurisdiction and that they were only approving emergency actions and the beaver deceiver. Commissioner O'Neill stated that there had not been any progress made on communication to others about trapping and that the town should have a better management plan. Agent Geilen will speak with Colleen Fermon about avoiding trapping whenever possible and to put in a pond leveler first, in lieu of trapping. Commissioner Carney-Feldman stated that beavers are important to the environment and that people need to be educated. Chairman Hughes stated they need to make it known that the Commission prefers using beaver deceiver over trapping. Commissioner Standley discussed other areas with long-term beaver management plans. ICC has taken positive steps for comprehensive long term plans for such situations.

RECOMMENDATION OF AGENT:

Confirm the Emergency Certificate as issued.

MOTION:

- ◆ **A motion was made by Commissioner Standley to confirm the Emergency Certificate as issued. The motion was seconded by Vice-Chair ffolllott and passed with 5 votes and one abstention by Commissioner Carney-Feldman.**

ACTION ITEMS / SPECIAL INSTRUCTIONS:

- ❖ *None*

DOCUMENT LIST:

Enforcement Order dated 9/1/16, and prepared by Agent Geilen, Powerpoint Presentation entitled "9 Sand Pebble Drive Emergency Certification to Restore Flow to Bull Brook Reservoir" prepared by Agent Geilen, Document entitled "Beaver Solutions, Fence and Pipe Flow Device" not dated and prepared by Beaver Solutions LLC, Email Re: EC Request dated 9/1/16, and prepared by Vicki Halmen, Ipswich Water Director, Plan entitled "Culvert Off Linebrook/Sand Pebble, Bull Brook Zone A, Water Supply Protection Area" not dated and Plan entitled "9 Sand Pebble Drive" dated 8/23/16, and provided by CAI Technologies.

Tabled Matters and Discussion Items:

Interim Reports of Special Project Subcommittees: None

Note: Commissioner Standley commented on the DPW management plan in which he had serious concerns for regarding stream cleaning. Agent Geilen suggested they discuss this further in a public hearing.

Approval of Minutes: 7/6/16, 7/20/16, 8/3/17

- ◆ **A motion was made by Commissioner Standley to approve the minutes from July 7, 2016; July 20, 2016 and August 3, 2016. The motion was seconded by Commissioner Carney-Feldman and passed unanimously.**

Document Signage: (No Vote Required)

Adjournment:

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♦ A motion was made by Commissioner Standley to adjourn at 8:42 p.m. The motion was seconded by Vice-Chair ffollott and passed unanimously.

Respectfully submitted,

A handwritten signature in cursive script that reads "Cathy Miaskiewicz".

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.