

Approved: 4-4-2018
Distributed: 4-5-2018

IPSWICH CONSERVATION COMMISSION
Meeting Minutes
February 21, 2018

Pursuant to a written notice posted by the Town Clerk and delivered to all Conservation Commission members, a meeting was held Wednesday, February 21, 2018 at 7:00 p.m. in Room A of the Ipswich Town Hall. Members present were Chairman Jennifer Hughes, Vice-Chair Sissy ffolliott, Commissioners Brian O’Neill, Catherine Carney-Feldman and Associate Commissioner Jim Stone. Also present was Agent Alicia Geilen and Recording Secretary Cathy Kirby. Absent with prior notice was David Standley, Michele Hunton and William Paulitz.

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
EC – Emergency Certificate
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
NBZ – **No-Build Zone**
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
RCOC – Request for Certificate of Compliance
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

IPSWICH CONSERVATION COMMISSION

Meeting Minutes

February 21, 2018

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 (PDA)– 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.*)

ZBA – Zoning Board of Appeals

Citizen's Queries:

None

Ongoing Matters Being Continued to FUTURE Sessions:

Requested continuance to March 7, 2018:

MATTER: 36-943: 82 Topsfield Rd. Habitech. Request for Certificate of Compliance. <i>Continued from February 7, 2018.</i>
DISCUSSION:
RECOMMENDATION OF AGENT: <i>Continue to March 7, 2018.</i>
MOTION: <ul style="list-style-type: none"> ◆ A motion was made by Commissioner Carney-Feldman to continue to March 7, 2018. The motion was seconded by Vice-Chair ffolliott and passed unanimously.
ACTION ITEMS / SPECIAL INSTRUCTIONS: <ul style="list-style-type: none"> ❖ <i>None</i>
DOCUMENT LIST: <i>None. Continue to March 7, 2018.</i>

MATTER: 36-943: 82 Topsfield Road. Habitech. Enforcement for unauthorized work beyond OOC. <i>Continued from February 7, 2018.</i>
DISCUSSION:
RECOMMENDATION OF AGENT: <i>Continue to March 7, 2018.</i>
MOTION: <ul style="list-style-type: none"> ◆ A motion was made by Commissioner Carney-Feldman to continue to March 7, 2018. The motion was seconded by Vice-Chair ffolliott and passed unanimously.
ACTION ITEMS / SPECIAL INSTRUCTIONS: <ul style="list-style-type: none"> ❖ <i>None</i>

IPSWICH CONSERVATION COMMISSION

Meeting Minutes

February 21, 2018

DOCUMENT LIST:

None. Continue to March 7, 2018.

MATTER: 4 Merganser Road. Robert Lang. Enforcement for unauthorized cutting of vegetation on Coastal Bank.

DISCUSSION:

RECOMMENDATION OF AGENT:

Continue to March 7, 2018.

MOTION:

◆ **A motion was made by Commissioner Carney-Feldman to continue to March 7, 2018. The motion was seconded by Vice-Chair ffolliott and passed unanimously.**

ACTION ITEMS / SPECIAL INSTRUCTIONS:

❖ *None*

DOCUMENT LIST:

None. Continue to March 7, 2018.

Requested continuance to March 21, 2018:

MATTER: 36-1353: Robert Warren for work at **3 Merganser Road** shown on **Tax Map: 15B Lot: 021** for a **NOTICE OF INTENT** to tear down and rebuild new residential home in buffer zone and upgrade septic improvements in jurisdictional areas.

DISCUSSION:

RECOMMENDATION OF AGENT:

Continue to March 21, 2018.

MOTION:

◆ **A motion was made by Vice-Chair ffolliott to continue to March 21, 2018. The motion was seconded by Commissioner Carney-Feldman and passed unanimously.**

ACTION ITEMS / SPECIAL INSTRUCTIONS:

❖ *None*

DOCUMENT LIST:

None. Continue to March 21, 2018.

MATTER: 36-1352: Jason Stanley for work at **42 Mitchell Road** shown on **Tax Map: 21 Lot: 018S** for a **NOTICE OF INTENT** for after-the-fact approval for parking lot upgrade with associated stormwater improvements in jurisdictional areas.

DISCUSSION:

RECOMMENDATION OF AGENT:

Continue to March 21, 2018.

MOTION:

◆ **A motion was made by Vice-Chair ffolliott to continue to March 21, 2018. The motion was seconded by Commissioner Carney-Feldman and passed unanimously.**

IPSWICH CONSERVATION COMMISSION

Meeting Minutes

February 21, 2018

ACTION ITEMS / SPECIAL INSTRUCTIONS:❖ *None***DOCUMENT LIST:***None. Continue to March 21, 2018.***MATTER: Enforcement Matter: 42 Mitchell Road, Stanley.** Unauthorized construction in jurisdictional areas.**DISCUSSION:****RECOMMENDATION OF AGENT:***Continue to March 21, 2018.***MOTION:**

◆ **A motion was made by Vice-Chair ffollott to continue to March 21, 2018. The motion was seconded by Commissioner Carney-Feldman and passed unanimously.**

ACTION ITEMS / SPECIAL INSTRUCTIONS:❖ *None***DOCUMENT LIST:***None. Continue to March 21, 2018.****Requested continuance to June 20, 2018:*****MATTER: 36-1313: The Golf Club at Turner Hill, LLC** for work at **251 Topsfield Road** shown on **Tax Map: 51, Lot: 007** for a **NOTICE OF INTENT** to construct reservoir pond for additional irrigation water for golf course in jurisdictional areas. *Continued from October 4, 2017.***DISCUSSION:****RECOMMENDATION OF AGENT:***Continue to June 20, 2018.***MOTION:**

◆ **A motion was made by Commissioner O'Neill to continue to June 20, 2018. The motion was seconded by Vice-Chair ffollott and passed unanimously.**

ACTION ITEMS / SPECIAL INSTRUCTIONS:❖ *None***DOCUMENT LIST:***None. Continue to June 20, 2018.***Requests for Certificates of Compliance:****MATTER: 36-1104: 68 Town Farm Road. Fava.** Request for COC. *New, but continued from February 7, 2018.*

DISCUSSION: Present was Mr. John Hartley representing the applicant. Chairman Hughes asked about grading. Mr. Hartley stated that grading is as approved, but it is not shown on the as-built plan. Chairman Hughes asked for a submittal of a revised as-built showing the grades. Agent Geilen noted that required NDZ markers were not in, and the NDZ is being mowed, which is not allowed per the

IPSWICH CONSERVATION COMMISSION

Meeting Minutes

February 21, 2018

OOC. The NDZ markers need to be shown on the as-built plans as well as the grading required by Chairman Hughes.

RECOMMENDATION OF AGENT:

Continue to the May 16, 2018 meeting to allow time for monumentation to be installed and assurance that the mitigation areas will no longer be mowed, and submittal of revised as-built plans showing grading and NDZ markers.

MOTION:

◆ **A motion was made by Commissioner Carney-Feldman to continue to May 16, 2018. The motion was seconded by Vice-Chair ffolliott and passed unanimously.**

ACTION ITEMS / SPECIAL INSTRUCTIONS:

❖ *None*

DOCUMENT LIST:

WPA Form 8A-Request for Certificate of Compliance, Ipswich Wetlands Protection By-law Filing Fee Calculation Worksheet, As-Built plan entitled "Repair Septic System Plan" dated June 4, 2010 revised August 23, 2010, prepared by Eaglebrook Engineering, Letter of Substantial Compliance dated December 27, 2017, prepared by Eaglebrook Engineering.

MATTER: 36-1230: 29/31 Water Street. Nelson & Gardner. Request for COC. *New, but continued from February 7, 2018.*

DISCUSSION: There was no one present for this matter. Agent Geilen gave a review stating that this was for repairs to the upper portion of an existing seawall. She stated that the applicants had asked for a waiver of the letter of substantial compliance from the contractor, who had since retired and left the area. Inspector Decie, who did the pre-construction meeting, conducted a COC inspection and stated that all was as per the sketch plan.

RECOMMENDATION OF AGENT:

Issue a Full and Final COC.

MOTION:

◆ **A motion was made by Commissioner O'Neill to issue a full and final COC. The motion was seconded by Commissioner Carney-Feldman and passed unanimously.**

ACTION ITEMS / SPECIAL INSTRUCTIONS:

❖ *None*

DOCUMENT LIST:

WPA Form 8A-Request for Certificate of Compliance, Ipswich Wetlands Protection By-law Filing Fee Calculation Worksheet, As-Built plan entitled "Proposed wall repair".

MATTER: 36-0971: 49 Turnpike Rd. Curran. Request for COC. *New, but continued from February 7, 2018.*

DISCUSSION: Present was Mike DeRosa of DeRosa Environmental Consulting, Inc. He stated that an NOI for site development was coming up later in the meeting and that this was just to close out the old OOC. Chairman Hughes asked if the plan for the NOI reflected the current conditions at the site. Mr. DeRosa stated that they had a new set of plans. [Discussion: what work was done/not done under this OOC/nothing built/no stormwater management structures installed/some clearing and grading done.] Chairman Hughes stated that she would like to leave the COC open until they issue the new one. If they leave it open it is recorded against the property. Once the new order is issued it negates the old one.

IPSWICH CONSERVATION COMMISSION

Meeting Minutes

February 21, 2018

<p>RECOMMENDATION OF AGENT: <i>Continue to March 7, 2018.</i></p>
<p>MOTION: <p align="center">◆ A motion was made by Commissioner Carney-Feldman to continue to March 7, 2018. The motion was seconded by Commissioner O’Neill and passed unanimously.</p> </p>
<p>ACTION ITEMS / SPECIAL INSTRUCTIONS: <p align="center">❖ <i>None</i></p> </p>
<p>DOCUMENT LIST: <i>WPA Form 8A-Request for Certificate of Compliance, Ipswich Wetlands Protection By-law Filing Fee Calculation Worksheet, As-Built plan entitled “Site Plan” dated December 5, 2017, , prepared by Thomas Mannetta Associates. ICC Meeting Minutes dated May 17, 2006. ICC Meeting Minutes dated September 6, 2006, WPA Form 5 Order of Conditions 036-971, Letter of Peer Review from Thomas Mannetta dated January 25, 2018, William Paulitz comments, Letter of Peer Review from Cammett Engineering dated January 17, 2018, Site Plan prepared by JM Greneir Associates dated October 7, 2005.</i></p>
<p>MATTER: 36-1244: 114 Essex Road. Soffron. New.</p>
<p>DISCUSSION: There was no one present for this matter. Agent Geilen gave a review stating that she spoke with the applicant who was unable to attend the meeting tonight, and apologized for unauthorized work. They did not think landscaping was something the Commission regulated. He wanted to be at the meeting but already had a previous commitment and asked if they could continue to March 7, 2018.</p>
<p>RECOMMENDATION OF AGENT: <i>Continue to March 7, 2018.</i></p>
<p>MOTION: <p align="center">◆ A motion was made by Commissioner Carney-Feldman to continue to March 7, 2018. The motion was seconded by Commissioner O’Neill and passed unanimously.</p> </p>
<p>ACTION ITEMS / SPECIAL INSTRUCTIONS: <p align="center">❖ <i>None</i></p> </p>
<p>DOCUMENT LIST: <i>WPA Form 8A-Request for Certificate of Compliance, Ipswich Wetlands Protection By-law Filing Fee Calculation Worksheet, As-Built plan entitled “Plot Plan” dated January 24, 2017, prepared by Donohoe Survey. Site photos, NOI plans dated December 2014 prepared by PARE. Monument plan dated April 2015 prepared by PARE.</i></p>
<p>MATTER: 36-1294: 29 Jefferys Neck Road. Desrochers. New.</p>
<p>DISCUSSION: There was no one present for this matter. Agent Geilen gave a review stating that the POOC required the removal of yard waste from wetlands and the NDZ. Her site visit showed that there was still yard waste (grass clippings, brush, logs from a cut tree) in ICC jurisdiction. She said she needed to get in touch with the homeowners so that can be taken care of prior to COC issuance.</p>
<p>RECOMMENDATION OF AGENT: <i>Continue to March 21, 2018 to allow time for removal of yard waste.</i></p>
<p>MOTION: <p align="center">◆ A motion was made by Commissioner O’Neill to continue to March 21, 2018. The motion was seconded by Commissioner Carney-Feldman and passed unanimously.</p> </p>
<p>ACTION ITEMS / SPECIAL INSTRUCTIONS: <p align="center">❖ <i>None</i></p> </p>

IPSWICH CONSERVATION COMMISSION

Meeting Minutes

February 21, 2018

DOCUMENT LIST:

WPA Form 8A-Request for Certificate of Compliance, Ipswich Wetlands Protection By-law Filing Fee Calculation Worksheet, As-Built plan entitled "As Built of Septic System" dated January 19, 2018, prepared by DSD, Inc. Plan of Septic dated October 20, 2014, site photos.

MATTER: 36-1176: 149 County Rd, Ayre. Request for COC. *Continued from January 17, 2018.*

DISCUSSION: Present was Chris Gajeski of Meridian Associates. Mr. Gajeski stated that this was just an update to check the number and location of the NDZ boundaries. Chairman Hughes asked if they could move boundary markers #2 & #3 around the corner to not cut off the 50 ft NDZ. Mr. Gajeski stated they could make that modification. They were proposing granite monuments. He said they were hoping to get this done in the spring. Commissioner O'Neill brought up a problem with the trees that were planted along the river access road. He said that whoever planted the trees did not take care of them. He hand-watered them himself. They were planted incorrectly. He would like to see the trees replaced and put in properly. Mr. Gajeski stated that those trees were outside of ICC jurisdiction. He noted that the Planning Department had required them, and they had signed off on the permit, so it was too late. Commissioner O'Neill stated that this can't be correct. Agent Geilen will check with the Planning Department on what can be done.

RECOMMENDATION OF AGENT:

Continue to the May 1, 2017 meeting for monumentation of the NDZ, submittal of SWM reports/proof of proper O&M, an update on the tank, and an assessment of the trees along the water access drive.

MOTION:

◆ **A motion was made by Commissioner Carney-Feldman to continue to May 1, 2018. The motion was seconded by Vice-Chair ffollott and passed unanimously.**

ACTION ITEMS / SPECIAL INSTRUCTIONS:

❖ *Agent to check with Planning Dept.*

DOCUMENT LIST:

WPA Form 8A-Request for Certificate of Compliance, Ipswich Wetlands Protection By-law Filing Fee Calculation Worksheet, As-Built plan entitled "Record Conditions Plan" dated July 27, 2015, prepared by Meridian Associates, Grading/Storm Drainage Plan and Post Construction Maintenance Plan prepared by Meridian Associates, dated June 14, 2012, Monument Plan dated January 30, 2018.

Small Projects Permits

MATTER: 5 Bayview, Abor Inn Trust. Request to install test pits for septic system repair. *New.*

DISCUSSION: Present was Larry Graham of H.L. Graham Associates, Inc. Mr. Graham was requesting a Small Project Permit for voluntary replacement of a septic system. Chairman Hughes inquired as to why it was voluntary. Mr. Graham said that the house was changing hands and they want to be on top of it. He showed the proposed plan and understood that the outstanding OOC needed to be closed out.

RECOMMENDATION OF AGENT:

Issue a SPP with special conditions that all disturbed areas are to be reseeded.

MOTION:

◆ **A motion was made by Vice-Chair ffollott to issue a small project permit with special conditions that all disturbed areas are to be reseeded. The motion was seconded by**

IPSWICH CONSERVATION COMMISSION

Meeting Minutes

February 21, 2018

Commissioner Carney-Feldman and passed unanimously.
ACTION ITEMS / SPECIAL INSTRUCTIONS: ❖ <i>None</i>
DOCUMENT LIST: <i>Mandatory Pre-filing Checklist, Small Project Permit Form, Ipswich Wetlands Protection By-law Filing Fee Calculation Worksheet, Locus Map, Plan entitled "General Site Plan".</i>

Requests for Determination of Applicability:

MATTER: Gary Zabelski for work at Eagle Hill River Tidal Flats for a REQUEST FOR DETERMINATION OF APPLICABILITY for soft shell clam aquaculture in jurisdictional areas. <i>New, but continued from February 7, 2018.</i>
DISCUSSION: Present was Gary Zabelski and Scott LaPreste, Town Shellfish Warden. Mr. LaPreste presented the proposal which had been endorsed by the Shellfish Advisory Committee. He stated that the aquaculture area will be marked by wooden stakes with floats on all four corners. Any gear will be able to be removed quickly, and nothing will be left behind. They will use nylon nets to secure the corners. [Discussion: reproduction of soft shell clams.]
RECOMMENDATION OF AGENT: <i>NDA 2 with no Special Conditions.</i>
MOTION: ♦ A motion was made by Vice-Chair ffolliott to issue a NDA 2 with no Special Conditions. The motion was seconded by Commissioner Carney-Feldman 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, Ipswich Wetlands Protection By-law Filing Fee Calculation Worksheet, Legal Ad, Locus Map, Plan entitled "Proposed Private Shellfish Grant".</i>

MATTER: Murray Cunningham for work at 378 Linebrook Road shown on Tax Map: 37B, Lot: 013 for a REQUEST FOR DETERMINATION OF APPLICABILITY to replace a septic system in jurisdictional areas. <i>Continued from January 3, 2018.</i>
DISCUSSION: Present was Larry Graham of H.L. Graham Associates, Inc. Agent Geilen presented stating that this matter had been continued so that she could check the flags. This had been done and she recommended issuance of a NDA. Mr. Graham reminded the Commission that this was for replacement of a failed system and that the leach field was as far away as possible from jurisdictional areas.
RECOMMENDATION OF AGENT: <i>PDA 2a and NDA 3 with Special Conditions for pre- and post-construction site visits.</i>
MOTION: ♦ A motion was made by Commissioner O'Neill to issue a PDA 2a and NDA 3 with Special Conditions for pre- and post-construction site visits. The motion was seconded by Commissioner Carney-Feldman and passed unanimously.

IPSWICH CONSERVATION COMMISSION

Meeting Minutes

February 21, 2018

ACTION ITEMS / SPECIAL INSTRUCTIONS:

❖ *None*

DOCUMENT LIST:

None. Continued from January 3, 2018.

New Notices of Intent, Minor Modifications and Formal Amendments:

MATTER: 36-1316: Charles Kierner for work at **55 River Road** shown on **Tax Map: 24C, Lot: 069-5** for a **FORMAL AMENDMENT** to an existing Order of Conditions for after the fact approval to remove a patio and replace with grass; add retaining walls and add patio pavers for an outdoor shower in jurisdictional areas. *New, but continued from February 7, 2018.*

DISCUSSION: Present were Charles Kierner and Gary Church. Mr. Kierner stated that they were requesting a formal amendment to remove a patio and replace the area with grass. Chairman Hughes stated that the mitigation plantings were for work done for the initial requirement and that they had planted more than the original and this was just finalizing. Vice-Chair ffolliott asked about the fencing around the propane tank. Mr. Kierner said that no one had questioned him about it.

RECOMMENDATION OF AGENT:

Close the hearing and issue a positive amended OOC with Special Conditions.

MOTION:

♦ **A motion was made by Commissioner Carney-Feldman to close the public hearing and issue a Positive Amended OOC with Special Conditions. The motion was seconded by Vice-Chair ffolliott and passed unanimously.**

ACTION ITEMS / SPECIAL INSTRUCTIONS:

❖ *None*

DOCUMENT LIST:

Request for Formal Amendment Letter dated January 15, 2018 prepared by Wetlands Land Management, Ipswich Wetlands Protection By-law Filing Fee Calculation Worksheet, Proposed Site Plan Changes entitled "Site Plan of Land" dated January 17, 2018, prepared by Morin Cameron,, Legal Ad, Locus Map, Notification of Abutters, Abutters List and Affidavit of Service, Ipswich Conservation Commission – Formal Amendment Filing Procedure.

MATTER: 36-1360: Curran & Sons Construction for work at **49 Turnpike Road** shown on **Tax Map: 38A, Lot: 34** for a **NOTICE OF INTENT** to construct an office building with parking lot, stormwater management, landscaping and associated appurtenances within jurisdictional areas. *New, but continued from February 7, 2018.*

DISCUSSION: Present was Mike DeRosa of DeRosa Environmental Consulting, Inc. Mr. DeRosa presented the matter stating that they had the DEP number but no comments. He discussed the plan. [Discussion: setbacks/infiltration trench/retaining wall/grading/detention basin and level spreader.] Mr. DeRosa stated that the SWM was done and met all the standards. Chairman Hughes thought there was rip-rap in the no build zone. Mr. DeRosa will have the engineer look at that. Vice-Chair ffolliott stated that she clearly remembers that the previous approved project at this site had been required to design an engineered slope due to the steepness of the slope. She believes that this project should have an engineered slope as well as part of its approval. Agent Geilen will look at past minutes to obtain more information about the engineered slope requirement. Vice-Chair ffolliott asked where the snow storage location was. Mr. DeRosa did not see it on the plan and will check. Chairman Hughes stated that they

IPSWICH CONSERVATION COMMISSION

Meeting Minutes

February 21, 2018

need to add “no snow storage” signs to the plan and have designated areas or removal. Vice-Chair ffolliott was also concerned with the location of the dumpster. Agent Geilen said that they also need NDZ signs on the plan.

RECOMMENDATION OF AGENT:

Continue to March 21, 2018.

MOTION:

◆ **A motion was made by Commissioner Carney-Feldman to continue to March 21, 2018. The motion was seconded by Vice-Chair ffolliott and passed unanimously.**

ACTION ITEMS / SPECIAL INSTRUCTIONS:

❖ *Agent to look at past minutes regarding engineered slope.*

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, Plan entitled “Permit Site Development Plan” dated December 5, 2017, prepared by Thomas Mannetta Inc., Legal Ad, Locus Map, Notification of Abutters, Abutters List and Affidavit of Service. Powerpoint presentation.

MATTER: 36-1359: Patrick Pierce for work at **25 Bunker Hill Road** shown on **Tax Map: 23B, Lot 64** for a **NOTICE OF INTENT** to install septic system upgrade in jurisdictional areas. *New.*

DISCUSSION: Present was Jim Scanlan of Scanlan Engineering, LLC and applicant Patrick Pierce. Mr. Scanlan presented the proposal to upgrade the septic system, stating that the plans had been approved by the BOH. He stated the leach area was 73’ from the wetlands. Chairman Hughes suggested they add two more monuments along the NDZ, one granite and one wood.

RECOMMENDATION OF AGENT:

Close the public hearing and approve the NOI with recommendations for monumentation as discussed.

MOTION:

◆ **A motion was made by Commissioner Carney-Feldman to close the public hearing and approve the NOI with recommendations for monumentation as discussed. The motion was seconded by Vice-Chair ffolliott 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, Plan entitled “Subsurface Sewage Disposal System Upgrade” dated January 11, 2018,, prepared by Scanlan Engineering, Legal Ad, Locus Map, Notification of Abutters, Abutters List and Affidavit of Service.

Ongoing Notices of Intent, Minor Modifications and Formal Amendments:

MATTER: 36-1307: Mark Ivanov for work at **31 River Road** shown on **Tax Map: 24C Lot: 069-020** for a **NOTICE OF INTENT** to **demolish and reconstruct an existing condominium** in jurisdictional areas. *Continued from January 17, 2018.*

IPSWICH CONSERVATION COMMISSION

Meeting Minutes

February 21, 2018

DISCUSSION: Present was Mike DeRosa of DeRosa Environmental Consulting, Inc. and Larry Graham of H.L. Graham Associates, Inc. Mr. DeRosa stated that the initial plans submitted in September of 2016 had changed because of FEMA designation of the 100 year floodplain. This impacted the location of top of Coastal Bank. The Commission had required them to them to redesign and keep within the existing footprint as much as possible. The matter of Coastal Bank had been determined by the Commission for this site, as part of the NOI filing for 29 Middle Road. Mr. DeRosa stated that Coastal Bank now goes through house, at the limit of the 100 year floodplain. The revised plans show a total increase of 30 sq. ft. in the 25' ft NDZ and an increase of 75 sq. ft. in 15' NBZ. [Discussion: drainage/gravel bed under deck/wall in back retaining hillside.] Chairman Hughes asked if there was any effort to make the structures resilient to flooding events. Mr. Graham said there was and discussed flood openings in structures in two places. Chairman Hughes asked about the planting plan. Mr. DeRosa stated it was in the plan. O&M, pre- and post-construction meeting requirements. Waivers requested for NBZ and NDZ.

RECOMMENDATION OF AGENT:

Approve waivers as requested, close the public hearing and issue a Positive OOC.

MOTION:

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

◆ **A motion was made by Commissioner Carney-Feldman to close the public hearing and issue a Positive OOC as drafted. The motion was seconded by Commissioner O'Neill and passed unanimously.**

ACTION ITEMS / SPECIAL INSTRUCTIONS:

❖ *None*

DOCUMENT LIST:

NOI supplemental information prepared by DeRosa Environmental dated January 31, 2018, Permit Plan prepared by Graham Associates dated September 7, 2016, Powerpoint presentation.

MATTER: 36-1306: Daniel Veno for work at **35 River Road** shown on **Tax Map: 24C Lot: 069-018** for a **NOTICE OF INTENT to demolish and reconstruct an existing condominium** in jurisdictional areas. *Continued from December 6, 2017.*

DISCUSSION: Present was Mike DeRosa of DeRosa Environmental Consulting, Inc. and Larry Graham of H.L. Graham Associates, Inc. Mr. DeRosa presented stating that this matter was like the matter above. Chairman Hughes stated that is seemed that more impervious was being added in this case. Mr. DeRosa stated that they had increased the NDZ by 215 sq. ft. Chairman Hughes stated that ICC does not usually allow that much increase in the NDZ. Mr. Graham explained that the increase was designed that way because the driveway configuration, as it is now, the owner can't get into their own driveway area without going onto the common area of the other condo owners. Agent Geilen suggested that if the Commission would allow the parking area maybe they could use pea stone or gravel vs. pavers. Mr. Graham added that many pavers are now permeable. Chairman Hughes said that she did not have an issue with the pavers but suggested that what was proposed needed to be minimized. [Discussion: no need for walkways and walls/vegetated as much as possible/stone set in soil for walkway.] Mr. DeRosa suggested putting in drivable grass (open paver system with grass in opening). Agent Geilen asked about the patio areas. Mr. Graham stated that they were gardens and functional for drainage. (100% of roof run-off goes into the ground.) ICC thought stepping stones would be best for

IPSWICH CONSERVATION COMMISSION

Meeting Minutes

February 21, 2018

walkway. [Discussion: pea stone area in back/possible use of “stepable plants”.] Agent Geilen stated that the Commission needs a revised O&M plan.
RECOMMENDATION OF AGENT: <i>Continue to March 21, 2018.</i>
MOTION: <p align="center">◆ A motion was made by Commissioner Carney-Feldman to continue to March 21, 2018. The motion was seconded by Commissioner O’Neill and passed unanimously.</p>
ACTION ITEMS / SPECIAL INSTRUCTIONS: <p align="center">❖ <i>None</i></p>
DOCUMENT LIST: <i>NOI supplemental information prepared by DeRosa Environmental dated February 14, 2018, Permit Plan prepared by Graham Associates dated September 7, 2016, Powerpoint presentation.</i>

Enforcement Matters:

MATTER: 36-1212 & 36-1282: 80-82 Turnpike Road, New England Properties. Improper snow storage, trash in wetlands, and stormwater management (SWM) structure, failure to submit SWM report, and failure to request Certificates of Compliance.
DISCUSSION: Tim Donahue of Donahue Lawn Care was present. Agent Geilen gave a review of the matter. Mr. Donahue apologized because he did not realize they were supposed to mow the SWM structures. He said that will change, and they will routinely remove trash from the area. Agent Geilen stated that New England Properties are the owners of both properties and have submitted two RCOCs to close out the OOCs. They have also completed all work required in the EO. Mr. Donahue now has a copy of the O&M plan, to ensure that it is followed. Agent Geilen stated that no motion was needed because everything was submitted in a timely manner.
RECOMMENDATION OF AGENT: <i>None</i>
MOTION: <p align="center">◆ N/A</p>
ACTION ITEMS / SPECIAL INSTRUCTIONS: <p align="center">❖ <i>None</i></p>
DOCUMENT LIST: <i>Aerial of 78 Turnpike Road, EO Cover letter dated January 18, 2018, Transmittal from Alicia Geilin to Matt Darling dated January 31, 2018 and February 1, 2018.</i>

MATTER: 134 Town Farm Road, Maurice Rousseau. Unauthorized storage of vehicles (“auto salvage yard”) in jurisdictional areas and encroachment onto Town Conservation Land.
DISCUSSION: Agent Geilen gave a review of the matter, which includes WPA violations, and encroachment onto Conservation property, as well as General Municipal property. She noted that the property was an auto repair shop that appears over time to have expanded into an auto salvage yard. She said that at a site visit she had determined that cars are being stored in wetlands and the Buffer Zone to wetlands, as well as likely in ACEC and its 150’ buffer. Chairman Hughes stated that ICC had become

IPSWICH CONSERVATION COMMISSION

Meeting Minutes

February 21, 2018

<p>aware of the encroachment into town land when there was a violation at a neighboring property, and that the Commission had asked the former Agent to look into it. She thought that in this case, the initial focus should be the encroachment onto town property. Chairman Hughes suggested that a letter be sent jointly from the Board of Selectmen and ICC. Since portions of these encroachments exist in wetland areas, ICC can address the WPA violation requiring removal of the encroaching cars. Chairman Hughes suggested a survey of the property and delineation of wetlands as a condition for the EO. Agent Geilen will contact DEP to find out what permits are needed for a junk yard. Agent Geilen will also check with the Board of Health, Fire and Planning Departments. Commissioner O'Neill asked how long the current owner had owned the property. Agent Geilen said since 1999. However, aerial photos show that some encroachment had already occurred by the time of the purchase.</p>
<p>RECOMMENDATION OF AGENT: <i>Continue to March 7, 2018.</i></p>
<p>MOTION: <p align="center">◆ A motion was made by Vice-Chair ffolliott to continue to March 7, 2018. The motion was seconded by Commissioner Carney-Feldman and passed unanimously.</p> </p>
<p>ACTION ITEMS / SPECIAL INSTRUCTIONS: <p align="center">❖ <i>Agent to contact boards.</i></p> </p>
<p>DOCUMENT LIST: <i>Encroachment into town land, several site photos.</i></p>

<p>MATTER: 38 Chattanooga: Potential enforcement matter; unpermitted chicken coop near possibly jurisdictional wetlands.</p>
<p>DISCUSSION: Agent Geilen gave a review of the matter stating that when she was investigating wetlands at 30 Chattanooga, she observed a new chicken coop at 38 Chattanooga, which she believes is in ICC jurisdiction, but she could not be 100% sure until there was a formal delineation. She noted that the owner of 30 Chattanooga said she was planning to delineate the wetlands because it impacts the future development of 30 Chattanooga. Once that is done, and the Commission makes a determination on the wetlands line, then we will know for sure about 38 Chattanooga. Therefore, no further action is needed at this time.</p>
<p>RECOMMENDATION OF AGENT: <i>None</i></p>
<p>MOTION: <p align="center">◆ N/A</p> </p>
<p>ACTION ITEMS / SPECIAL INSTRUCTIONS: <p align="center">❖ <i>None</i></p> </p>
<p>DOCUMENT LIST:</p>

<p>MATTER: 180-190 High Street. Russell Bolles, for unauthorized paving and failure to obtain three COCs. <i>Sign revised EO with new deadlines, per 1/17/18 meeting.</i></p>
<p>DISCUSSION: Agent Geilen gave a review of the matter stating that this was just an update and that the matter needed to be continued until the spring so that the consultant could complete a thorough review of the site.</p>

IPSWICH CONSERVATION COMMISSION

Meeting Minutes

February 21, 2018

RECOMMENDATION OF AGENT: <i>Continue to May 2, 2018.</i>
MOTION: ♦ A motion was made by Vice-Chair ffolliott to continue to May 2, 2018. The motion was seconded by Commissioner Carney-Feldman and passed unanimously.
ACTION ITEMS / SPECIAL INSTRUCTIONS: ❖ <i>None</i>
DOCUMENT LIST: <i>None. Continued to May 2, 2018.</i>

Other Business:

MATTER: Annual Election of Conservation Commission Officers.
DISCUSSION: Chairman Hughes suggested that the Commission wait to vote on the election of officers when more Commissioners were present.
RECOMMENDATION OF AGENT: <i>None</i>
MOTION: ♦ N/A
ACTION ITEMS / SPECIAL INSTRUCTIONS: ❖ <i>None</i>
DOCUMENT LIST: <i>None submitted.</i>

Tabled Matters and Discussion Items:

Interim Reports of Special Project Subcommittees

- Commissioner Carney-Feldman announced that on Wednesday, February 28 at 7 p.m. in room A of the Ipswich town hall, Benjamin Gahagan, of the Mass Division of Marine Fisheries will present a program titled, "*Restoring and Monitoring Migratory Fish Populations in North Shore Watersheds*". This program is part of the Conservation Commission Speakers Series and is free and open to the public.
- Agent Geilen welcomed new member Jim Stone to the Commission.

Approval of Minutes: 1/17/18

- ♦ A motion was made by Commissioner Carney-Feldman to approve the minutes from January 17, 2018 as drafted and amended. The motion was seconded by Vice-Chair ffolliott and passed unanimously.

Document Signage: (No Vote Required)

- 36-312: 21 Lakemans Lane. Re-sign COC for recording purposes.

IPSWICH CONSERVATION COMMISSION
Meeting Minutes
February 21, 2018

Adjournment:

◆ A motion was made by Vice-Chair ffolliott to adjourn at 8:45 p.m. The motion was seconded by Commissioner Carney-Feldman and passed unanimously.

Respectfully submitted,



Cathy Kirby
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.