

**Approved: 5/20/2020**  
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**IPSWICH CONSERVATION COMMISSION**  
**Meeting Minutes**  
**April 1, 2020**

Pursuant to a written notice posted by the Town Clerk and delivered to all Conservation Commission members, a meeting was held Wednesday, April 1, 2020 at 7:00 p.m. via Zoom. Members present were Chairman Jennifer Hughes, Vice-Chair William Paulitz, Commissioners Sissy ffolliott, Brian O’Neill, Catherine Carney-Feldman, Raymond Putnam and James Stone. Also present were Agent Brendan Lynch and Secretary Andrea Mackinney.

**DEFINITION INDEX:**

- ACEC** – Area of Critical Environmental Concern
- ANRAD** - Abbreviated Notice of Resource Area Delineation (WPA Form 4A)
- BOH** – Board of Health
- BVW** - Bordering Vegetated Wetland
- Bylaw** – Ipswich Wetlands Protection Bylaw (Ch. 224)
- COC** – Certificate of Compliance (Request for COC = WPA Form 8A; COC = WPA Form 8B)
- CR** – Conservation Restriction
- CZM** – MA Office of Coastal Zone Management
- DCR** - Department of Conservation and Recreation
- DEP** – MA Department of Environmental Protection
- DPW**- Ipswich Department of Public Works
- EC** – Emergency Certificate
- EO** – Enforcement Order (WPA Form 9)
- ICC** – Ipswich Conservation Commission
- LIAU** – Land in Agricultural Use
- LSCSF** – Land Subject to Coastal Storm Flowage
- LSP** – Licensed Site Professional
- NOI** – Notice of Intent (WPA Form 3)
- NBZ** – No-Build Zone, per Ipswich Wetlands Protection Bylaw
- NDZ** – No-Disturbance Zone, per Ipswich Wetlands Protection Bylaw
- 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 (WPA Form 5)
- ORAD** – Order of Resource Area Delineation (WPA Form 4B)
- RDA** – Request for Determination of Applicability (WPA Form 1) (*below is a list of possible outcomes for RDAs; all issued on WPA Form 2*)
  - 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
- WPA** – Massachusetts Wetlands Protection Act (310 CMR 10.00 *et seq.*)
- ZBA** – Zoning Board of Appeals

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**CITIZEN'S QUERIES:**

Agent Brendan Lynch asked the Commission regarding the Spillers Lane dock and if the Commission would be okay with an RDA or Notice of Intent. Agent Lynch suggests a Notice of Intent if engineering plans are done and they go for a variance.

**ON-GOING NOTICES OF INTENT (NOI), MINOR MODIFICATIONS (MM) AND FORMAL AMENDMENTS (FA):**

• **MATTERS BEING CONTINUED TO FUTURE SESSIONS AT THE APPLICANT'S REQUEST:**

Continue to 4/15/20:

- **36-1414: 173 Linebrook Rd. Lot 25.** Symes Dev. NOI Open Space cluster development of residential dwelling units within jurisdictional areas. *Cont from 3/18/20*
- **36-1417: 173 Linebrook Rd. Road A.** Symes Dev. NOI stormwater management and grading within jurisdictional areas. *Cont from 3/18/20*
- **36-1415: 173 Linebrook Rd. Lot 21.** Symes Dev. NOI to construct a portion of a single-family dwelling and grading within jurisdictional areas. *Cont from 3/18/20*
- **36-1416: 173 Linebrook Rd. Lot 20.** Symes Dev. NOI to construct a portion of a single-family dwelling and grading within jurisdictional areas. *Cont from 3/18/20*
- **36-1439: Little Neck Rd.** TOI Planning Dept. (TEC). NOI to improve pedestrian accommodations along Little Neck Rd and Bayview Rd in proximity to Pavillion Beach to include sidewalks, drainage and green space. *Cont from 3/18/20*
- **Kamon Farm Drinking Water Supply Protection and Open Space Project.** Hannah Wilbur. *Cont from 3/18/20.*
- **36-1274: 114-116 County Rd.** Ipswich Junction. Catamount Mgmt. (Derosa). COC. *Cont from 3/18/20*
- **36-\_\_\_: Essex Country Trail Association.** (DeRosa). NOI. *New.*

A motion was made by Commissioner Catherine Carney-Feldman to continue to April 15, 2020. The motion was seconded by Commissioner James Stone and passed unanimously.

**SMALL PROJECT PERMITS (SPP):**

**171 Town Farm Rd.** Fred Ebinger (Morin Cameron). SPP for soil testing for septic repair. *Cont from 3/18/20*

John Morin, Morin Cameron Group, Present

He is doing a soil test for a septic repair. There is a porta potty on site now and no existing system. There will be six different test sites. They will use a small machine to do the test pits. A special condition will be erosion control for all pitches and a pre and post construction inspection.

A motion was made by Commissioner Sissy Ffolliott to issue a small project permit with conditions as discussed. The motion was seconded by Commissioner Catherine Carney-Feldman and passed unanimously.

**REQUESTS FOR DETERMINATION OF APPLICABILITY (RDA):**

- **54 South Main St.** Ipswich Museum (Derosa). RDA for construction of a 15 foot in diameter council circle at Sally's Pond. *Cont. from 3/18/20*

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Mike Derosa, Derosa Environmental, Present

The Museum has gotten some grant money to do the garden and an information panel is going in this summer. They would like the area to be used as a classroom for summer programs for students.

Some members of the Conservation Commission had a site visit. There is concern that the area picked is already disturbed and putting in large stones will upset the bank. Mr. Derosa stated that the circle will be constructed out of the 25' no disturb zone.

The conditions that the Conservation Commission expressed are that stones be placed on bare ground, the work be done under dry conditions, the 25' no disturb zone be staked on both sides and that a post construction inspection be done.

A motion was made by Vice Chairman William Paulitz to issue a negative determination with conditions as discussed. The motion was seconded by Commissioner Catherine Carney-Feldman and passed unanimously.

- **18 Spillers Lane.** Tanya Markos (Morin Cameron). RDA for overhead deck and minor deviations to previous filing 36-564. *Cont from 3/18/20*

John Morin, Morin Cameron Group, Present

There was an overhead deck constructed and there are issues of non-compliance which include the deck being 20 SF bigger with a stairway off of the deck, the walkway and parking area and standing propane tanks. Chairman Jennifer Hughes would like for the approximate location of the pool to be noted on the plan together with the no build and no disturb zone. Agent Brendan Lynch will check to see if the pool was ever permitted.

A motion was made by Commissioner Catherine Carney-Feldman to continue to April 15, 2020. The motion was seconded by Commissioner Brian O'Neill and passed unanimously.

**REQUESTS FOR CERTIFICATES OF COMPLIANCE (COC):**

- **36-564: 18 Spillers Lane.** Markos. (Morin Cameron). COC. *Cont from 3/18/20*

A motion was made by Commissioner Catherine Carney-Feldman to continue to April 15, 2020. The motion was seconded by Commissioner Brian O'Neill and passed unanimously.

- **36-992: Willowdale Circle.** S&K Homes (Graham) COC. *Cont from 3/18/20*

Gerry MacDonald, Present and Scott Audette, Present

The notice of intent filing was for the subdivision roadway, drainage, all utilities and detention basins. There is a plan before the planning board that has drainage within 100' buffer. All drainage is running properly and storm sectors are all clean.

Chairman Jennifer Hughes asked if there were any discrepancies in what was done versus the plan. The grading and basins are a little steeper.

Chairman Jennifer Hughes would like proof of maintenance that the storm water system has been maintained.

A motion was made by Commissioner Sissy ffolliott to continue to April 15, 2020. The motion was seconded by Commissioner Catherine Carney-Feldman and passed unanimously.

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- **36-1285: 1 Willowdale Circle.** Audette. (Graham) COC *Cont from 3/18/20*

The concern is the AC unit below the deck is in the no build zone. There was a granite marker which was moved to 50' from the no disturb zone. Agent Brendan Lynch will go to the property and take photos.

A motion was made by Commissioner Catherine Carney-Feldman to issue a Certificate of Compliance. The motion was seconded by Chairman Jennifer Hughes and passed unanimously.

- **36-1342: 3 Willowdale Circle.** Audette. (Graham) COC *Cont from 3/18/20*

The concern is that there is a gravel patio (3/4 stone) at the bottom of the stairs.

A motion was made by Vice Chairman William Paulitz to issue a Certificate of Compliance. The motion was seconded by Commissioner Catherine Carney-Feldman and passed unanimously.

- **36-1336: 5 Willowdale Circle.** Audette. (Graham) COC *Cont from 3/18/20*

The concern is that the stairway leads down the driveway to the back yard where there is also a patio. The patio was not on the proposed plan. An amendment to the plan will need to be made.

A motion was made by Commissioner Sissy ffolliott to continue to April 15, 2020. The motion was seconded by Commissioner Catherine Carney-Feldman and passed unanimously.

- **36-1366: 7 Willowdale Circle.** Audette. (Graham) COC *Cont from 3/18/20*

A motion was made by Vice Chairman William Paulitz to issue a Certificate of Compliance. The motion was seconded by Commissioner Sissy ffolliott and passed unanimously.

- **36-1337: 10 Willowdale Circle.** Audette. (Graham) COC *Cont from 3/18/20*

As part of the order of conditions, the post and rail fence was installed. The rip rap on the slope that extended into the no disturb zone was removed. Chairman Jennifer Hughes asked Agent Lynch if the drainage in basin needs to be addressed before the COC is issued and Agent Lynch responded yes.

A motion was made by Commissioner Sissy ffolliott to continue to April 15, 2020. The motion was seconded by Commissioner Catherine Carney Feldman and passed unanimously.

**NEW NOTICES OF INTENT (NOI), MINOR MODIFICATIONS (MM) AND FORMAL AMENDMENTS (FA):**

- **36-1440: 10 North Ridge Rd.** McNiff. (Graham) NOI for seawall cap. *New.*

Larry Graham, HL Graham Associates, Present

The house was built in the 1960's. After reviewing the survey, it was noted that the top of the wall constructed was 6" lower in height. They would like to put a 12" seawall cap on top of the tier. They would like to be able to re-build the house where it is now. The other option would be to rebuild 35' back, which they would lose their view.

The Commission feels that putting a seawall cap, with fill behind it, would be artificially altering the bank topography so the Top of Coastal Bank delineation falls on top of the seawall.

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A motion was made by Commissioner Catherine Carney-Feldman to continue to May 6, 2020. The motion was seconded by Commissioner Sissy ffolliott and passed unanimously.

- **36-1441: 56 North Ridge Rd. Shelzi.** (CG Johnson) NOI for septic repair. *New.*

Chuck Johnson, CG Johnson Engineering, Present

A notice of intent was issued in November, 2008 for a 2,500 gallon tank. Additional soil testing has been approved by the Board of Health. Vice Chairman William Paulitz asked it if is possible to have another way of protection further away from where there will be digging. He also asked if cross sections on coastal bank can be labeled.

A DEP file number has not been issued yet. Agent Brendan Lynch will do a site visit and will also draft conditions.

A motion was made by Commissioner Brian O’Neill to continue to April 15, 2020. The motion was seconded by Vice Chairman William Paulitz and passed unanimously.

- **36-1328: 121 Little Neck Rd. Baugh.** (Baugh) Extension Request for 1 year. *New.*

Gerry MacDonald, Present

A retaining wall that had fell into disrepair has been repaired and part of the Notice of Intent was to do plantings. They are doing the plantings in the spring and need a one-year extension.

A motion was made by Vice Chairman William Paulitz to grant extension for one year. The motion was seconded by Commissioner Sissy ffolliott and passed unanimously.

**OTHER BUSINESS:**

Corliss Brothers

Agent Brendan Lynch has already sent a letter to Corliss. Chairman Jennifer Hughes would like an enforcement order that work needs to stop and it will be addressed at the second meeting in May.

Signing Documents

Agent Brendan Lynch will leave documents for signature in one of the town vehicles for the board members to sign so that they do not have to come into Town Hall. Agent Lynch will let everyone know details of which vehicle he will leave the documents in.

**APPROVAL OF MINUTES:**

NONE

**ADJOURNMENT:**

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A motion was made by Commissioner Catherine Carney-Feldman to adjourn at 9:50 p.m. The motion was seconded by Commissioner Brian O'Neill and passed unanimously.

Respectfully submitted,

Andrea Mackinney  
Recording Secretary

**These minutes are the summary of a taped or video-recorded 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 or video-recording, nor does it exclusively rely upon them.**