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**IPSWICH CONSERVATION COMMISSION**  
**Meeting Minutes**  
**April 15, 2020**

Pursuant to a written notice posted by the Town Clerk and delivered to all Conservation Commission members, a meeting was held Wednesday, April 15, 2020 at 7:00 p.m. via Zoom. Members present were Chair Jennifer Hughes, Vice-Chair William Paulitz, Commissioners Sissy ffollott, Catherine Carney-Feldman, Brian O'Neill, Raymond Putnam and James Stone. Also present was Agent Brendan Lynch.

**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  
**OOC** – 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

## **CITIZEN'S QUERIES:**

### **2 Bowdoin Road.** Coastal Bank Restoration Questions

Scott Finlay, Present

Scott Finlay talks about a coastal bank restoration to expedite permitting for a set of stairs to the beach.

Chair Jennifer Hughes says that they can't guarantee the issuance of a stairway. Commissioner Sissy ffolliott is concerned that it will set a bad precedent.

It would be an NOI filing.

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

Continued to May 6, 2020, requested by applicant:

- **36-1435: Bowdoin Rd Storm Sewer.** TOI Department of Public Works (Coneco) NOI for reconstruction of storm sewer in existing location on Bowdoin Rd from number 12 to the outlet near the end of Bowdoin Rd. *Cont from 3/18/19*
- **Heartbreak Culvert** Update (Coneco) *Cont from 3/18/20*
- **36-1430: Water Street.** TOI DPW. (Coneco). NOI construction of headwall at boat launch. *Cont from 3/18/20.*
- **36-1385: Labor in Vain Rd. Right Of Way** at Labor in Vain Creek Bridge. (Coneco)/TOI Department of Public Works. Notice of Intent to repair town road and shoulders. *Cont from 3/18/20*
- **36-1386: Labor In Vain Rd.** 79 Labor In Vain Realty Trust. (Graham) NOI to repair areas damaged by storms in jurisdictional areas. *Cont. from 3/18/20*

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.

## **COURTESY POSITIONS FOR TOWN PROJECTS:**

- **36-1439: Little Neck Rd.** TOI Planning Dept. (TEC). NOI to improve pedestrian accommodations along Little Neck Rd and Bayview Rd in proximity to Pavilion Beach to include sidewalks, drainage and green space. *Cont from 3/18/20*

Jake Carmody, TEC, Present

Jake is working with the Ipswich Planning Department and DPW. The project is for installation of granite curbing and a concrete sidewalk to connect Pirate Park to the beach parking area. The rain garden will be two feet deep. There will be no granite on seaward side of rain garden. There is not enough separation of ground water. There will be an increase of greenscape. They looked into replacing the existing pipe from Hillside Rd, but it requires an ENF. Chairman Jennifer Hughes is concerned with taking away CB at the end of Hillside. A site visit by the Commission will be conducted.

A motion was made by Vice-Chair William Paulitz to continue to May 6, 2020. The motion was seconded by Commissioner Catherine Carney-Feldman and passed unanimously.

- **37 County Street.** Gail Anderson. RDA for replacing existing sewer connection. *New.*

Emily Sadoway, Ipswich Wastewater, to present RDA

There is an issue with the sewer service and it is seeping into the homeowner's basement. The proposed new sewer service will run out of the corner of the basement into a manhole. The trench will be 4-5' deep and the work will take 1-2 days. No vegetation will be removed. Chair Jennifer Hughes asks about abandonment procedure for old line. The

contractor will plug inside of the house and the town will plug service with existing line with no need to pump. She also recommends a compost/bark mulch sock must be used instead of straw wattles.

Vice-Chair William Paulitz asks for pre and post inspection and mulch sock as conditions.

A motion was made by Commissioner Brian O’Neill to issue a negative 2/3. The motion was seconded by Vice-Chair William Paulitz and passed unanimously.

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

- **18 Spillers Lane.** Tanya Markos (Morin Cameron). RDA for overhead deck and minor deviations to previous filing 36-564. *Cont from 4/1/20.*

John Morin, Morin Cameron Group, Present

The plan has been updated to add the pool and patio. The no disturb zone and no build zone were also added to the plan.

Prior building permits were issued by Conservation Department in 1985 for the pool and in 1996 for pergola. There was also a permit in 2000 to replace the pool.

A motion was made by Commissioner Sissy ffollott to issue a negative 3. The motion was seconded by Commissioner Catherine Carney-Feldman and passed unanimously.

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

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

Chuck Johnson, CG Johnson, Present

At the prior meeting, he did not have a DEP file number. It has since been issued (DEP file #036-1441).

A special condition will be pre and post site inspection.

A motion was made by Commissioner Sissy ffollott to approve waivers for work in the no build zone. The motion was seconded by Commissioner Catherine Carney-Feldman. Commissioner James Stone abstained.

A motion was made by Vice-Chair William Paulitz to close the public hearing and issue a positive OOC as drafted. The motion was seconded by Commissioner Sissy ffollott and passed unanimously.

- **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*

Richard Harrington, Present

The Planning Board is reviewing the stormwater.

Chair Jennifer Hughes asked who will take care of the O&M. Richard clarified that the condo association will.

Richard asked where split rail fencing is preferred? Chair Jennifer Hughes said behind lots 42 and 43.

Richard stated that they chose to go subsurface instead of basin to minimize grading.

If there is a landscaping contract, a condition will be that the association will be required to advise the Conservation Commission who the company is and if the company changes, so that the OOC can be provided to the new company.

Chair Hughes suggests that granite posts be placed at the property points and not cement markers. She also asked if there is a planting plan for the rain garden. Richard will provide the plan. Commissioner Catherine Carney-Feldman would like to see all natives.

- **36-1417: 173 Linebrook Rd. Road A.** Symes Dev. NOI stormwater management and grading within jurisdictional areas. *Cont from 3/18/20*

O&M – When asked Richard Harrington hoped that the town would accept the road as public and he will speak to the DPW.

Agent Brendan Lynch will start drafting the OOC for Road A, Lot 20 and 21.

Monumentation needs to be 4 foot above ground.

- **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*

A motion was made by Vice-Chair William Paulitz to continue to May 6, 2020. The motion was seconded by Commissioner Catherine Carney-Feldman and passed unanimously.

- **36-1336: 5 Willowdale Circle.** Audette. (Graham). Minor Modification. *New.*

They need to file for an amendment.

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

## **REQUESTS FOR CERTIFICATE OF COMPLIANCE (COC):**

- **36-564: 18 Spillers Lane.** Markos. (Morin Cameron). COC. *Cont from 4/1/20*

A motion was made by Commissioner Catherine Carney-Feldman to issue Certificate of Compliance. The motion was seconded by Commissioner Brian O'Neill and passed unanimously.

- **36-1394: 66 Town Farm Rd.** Nicholas Steenhaut. COC. *New.*

This project was never started - Agent Brendan Lynch recommends an invalid COC.

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

- **36-992: Willowdale Circle.** S&K Homes (Graham) COC. *Cont from 4/1/20*

There will be mounted sediment traps on catch basins. In perpetuity, notify ICC of change in contractor. Chair Jennifer Hughes would like perpetual conditions spelled out in the COC and cover letter. A receipt will have to be provided to the commission for the work on basins.

A motion was made by Commissioner Sissy ffollott to issue the COC for the roadway. The motion was seconded by Commissioner Brian O'Neill and passed unanimously. .

- **36-1336: 5 Willowdale Circle.** Audette. (Graham) COC *Cont from 4/1/20*

A formal amendment needs to be filed.

A motion was made by Commissioner Catherine Carney-Feldman to continue to May 6, 2020. The motion was seconded by Vice-Chair William Paulitz and passed unanimously.

- **36-1337: 10 Willowdale Circle.** Audette. (Graham) COC *Cont from 4/1/20*

The commission was concerned regarding the retention basin and it has been taken care of.

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

### **APPROVAL OF MINUTES:**

None.

### **ENFORCEMENT UPDATES:**

Agent Brendan Lynch said that the Corliss Brothers matter will be on the May 6<sup>th</sup> Agenda.

### **ADJOURNMENT:**

A motion was made by Commissioner Sissy ffollott to adjourn. The motion was seconded by Commissioner Catherine Carney-Feldman 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.**