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IPSWICH CONSERVATION COMMISSION
Meeting Minutes
May 6, 2020

Pursuant to a written notice posted by the Town Clerk and delivered to all Conservation Commission members, a meeting was held Wednesday, May 6, 2020 at 7:00 p.m. via Zoom. Members present were Chairman Jennifer Hughes, Vice-Chair William Paulitz, Commissioners Sissy ffolliott, Catherine Carney-Feldman and James Stone. Also present was Agent Brendan Lynch and recording 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

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:

NONE.

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

Continued to May 20, 2020, requested by applicant:

- **36-1430: Water Street.** TOI DPW. (Coneco). NOI construction of headwall at boat launch. *Cont from 4/15/20.*
- **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 4/15/20*
- **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 4/15/19.*
- **36-1414: 173 Linebrook Rd. Lot 25.** Symes Dev. NOI Open Space cluster development of residential dwelling units within jurisdictional areas. *Cont from 4/15/20*
- **36-1417: 173 Linebrook Rd. Road A.** Symes Dev. NOI stormwater management and grading within jurisdictional areas. *Cont from 4/15/20*
- **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 4/15/20*
- **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 4/15/20*
- **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 4/15/20.*

A motion was made by Commissioner Sissy ffollott to continue to May 20, 2020. The motion was seconded by Commissioner Catherine Carney-Feldman and passed unanimously.

COURTESY POSITIONS FOR TOWN PROJECTS:

- **36-1445: Town Farm Rd Culvert.** DPW (Coneco). NOI for reconstruction of Town Farm Rd over a culvert near 148 Town Farm Rd. *New.*

Kevin McHugh and Mike Toohill of Coneco, Present

The project is funded through a FEMA grant. The culvert was damaged from past storms. There are two culverts that need to be repaired and the road will be reconstructed. No work will be done under the actual road. There are guardrails to be removed and replaced. A DEP number has not been issued.

Commissioner Catherine Carney-Feldman asked if the work will be done this summer or fall. Kevin said that it depends on the DPW.

Chairman Jennifer Hughes asked if the DEP had any comments and said that their input is needed.

Vice-Chairman William Paulitz mentioned special conditions 46 and 48 and to make sure the applicant is aware of those conditions.

Kevin McHugh mentioned there will be a stockpiling area to dump and place material.

Chairman Jennifer Hughes said that there needs to be erosion control and if stock piling if left over night, it needs to be covered.

Kevin McHugh mentioned that the riprap that is there will not be touched.

A motion was made by Chairman Catherine Carney-Feldman to continue to May 20, 2020. The motion was seconded by Commissioner James Stone and passed unanimously.

- **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 4/15/20.*

Jake Carmody from TEC, Present

This project is being funded by a Mass DOT grant for a construction of a sidewalk from Pirate Park to the parking lot area. The project has two rain gardens within the existing parking area. The existing catch basins have clogged pipes and will be abandoned. The new catch basins will have a deep sump pump and a manhole will be installed. The storm water will go into the rain garden.

Agent Brendan Lynch will check with the DPW about O&M details.

The plantings will be relocated and the Garden Club will need to be notified.

There will need to be a revision to the O&M that it needs to be in compliance with the MS4 permit.

Condition 33 needs to be updated with resource areas and a storm water condition needs to be added. There needs to be maintenance to perpetual conditions added and a condition that concrete trucks cannot be washed out on site.

A motion was made by Commissioner Catherine Carney-Feldman to close the public hearing. The motion was seconded by Commissioner Sissy ffolliott.

A motion was made by Vice-Chairman William Paulitz to issue a positive OOC as amended with the requirement of the revision to the O&M. The motion was seconded by Commissioner James Stone and passed unanimously.

- **Heartbreak Culvert** Update (Coneco) *Cont from 4/15/20*

Kevin McHugh and Mike Toohill from Coneco, Present

An Order of Conditions is in place. Additional information was presented after the Order of Conditions was issued. A vegetation plan was submitted. The DPW suggested using 1 cubic yard sandbags, one on each side. Once it is installed, they will be pulled out.

Chairman Jennifer Hughes asked what the downstream impacts were. Kevin McHugh said that the new culvert is 18" higher.

A motion was made by Commissioner James Stone to approve the dewatering methodology and lift the Enforcement Order. The motion was seconded by Commissioner Brian O'Neill and passed unanimously.

REQUESTS FOR DETERMINATION OF APPLICABILITY (RDA):

- **11 Marshview Road.** Harvey Schwartz. RDA for constructing a 16'x16' studio.

Sandra Hamilton, Property Owner, Present

The project is to construct a shed for an art studio which will be 16'x16' on 4 piers. It will be out of the 25' no disturb and 15' no build zone. The contractor proposed to cut down vegetation and additional plantings will be done.

Commissioner Sissy ffolliott suggested native plantings.

A motion was made by Commissioner Sissy ffolliott to grant a negative #2 and #3 special condition for temporary erosion control and pre and post inspection. The motion was seconded by Commissioner Brian O'Neill and passed unanimously.

REQUESTS FOR CERTIFICATE OF COMPLIANCE (COC):

- **36-467: 12 Abbott Ln.** Calvani. *Cont. from 4/3/19.*

Agent Brendan Lynch recommended issuing a COC.

A motion was made by Commissioner Catherine Carney-Feldman to issue a COC. The motion was seconded by Commissioner James Stone and passed unanimously.

- **36-1372: 140 Jeffreys Neck.** Gore. COC. *Cont. for report. Cont. from 12/4/19.*

Agent Brendan Lynch did a site inspection to review the plantings. He could not get a good look because it was high tide.

A motion was made by Commissioner Sissy ffollott to continue to May 20, 2020. The motion was seconded by Commission Raymond Putnum and passed unanimously.

- **36-727: 14 Plains Rd.** Iacobacci. (Holt). COC. *Cont from 1/22/20*

Agent Brendan Lynch said that the lawn needed to be replanted and it did not take. The owners need to replant the entire lawn.

A motion was made by Commissioner Sissy ffollott to continue to September 2, 2020. The motion was seconded by Commissioner Catherine Carney-Feldman and passed unanimously

- **36-398: 7 Alderson.** Fionda. COC. *New.*

Matthew and Christine Fionda, Present

The original plan had no shed and a smaller driveway. Matthew and Christine are the original owners and have been there for 24 years.

Chairman Jennifer Hughes suggested wetland markers be laid out. Agent Brendan Lynch will do a site visit and determine where the wetland markers will go.

A motion was made by Commissioner Catherine Carney-Feldman to continue to May 20, 2020. The motion was seconded by Commissioner James Stone. Vice-Chairman William Paulitz recused himself from this matter.

- **36-1034: Town wide trail maintenance.** ECTA. (Derosa) COC. *New.*

Evin Guvendiren from Derosa, Present

Agent Brendan Lynch said that the culvert work was looked at. The COC is acceptable. A town wide maintenance plan was submitted.

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

- **36-1318: Willowdale Forest Culvert Plan.** ECTA (Derosa) COC. *New.*

Evin Guvendiren from Derosa, Present

Three failing culverts were replaced. The work was done according to the OOC.

Chairman Jennifer Hughes said that the area where the stones are needs to be improved as there is too much stone. Removal of some of the stone is suggested to naturalize the area.

A motion was made by Commissioner Catherine Carney-Feldman to continue to May 20, 2020. The motion was seconded by Commissioner James Stone and passed unanimously.

- **36-1390: Willowdale Forest 282 Linebrook Rd.** ECTA (Derosa) COC. *New.*

Evin Guvendiren from Derosa, Present

The culvert is 6-8 feet wide and everything is functioning as it should.

A motion was made by Commissioner Catherine Carney-Feldman to issue a COC. The motion was seconded by Commissioner Raymond Putnum and passed unanimously.

- **36-1336: 5 Willowdale Circle.** Audette. (Graham) COC *Cont from 4/15/20*

Larry Graham, H.L. Graham, Present

A Minor Modification was mistakenly filed. The patio area was not shown on the Notice of Intent. Chairman Jennifer Hughes stated that the COC needs to reference the recording of a new Order of Conditions.

A motion was made by Commissioner Sissy ffollott to continue to May 20, 2020. The motion was seconded by Vice-Chair William Paulitz and passed unanimously.

NEW NOTICES OF INTENT (NOI), MINOR MODIFICATIONS, FORMAL AMENDMENTS, ANDAD:

- **36-1444: 1 Kennedy Drive.** Wicks (Williams & Sparages). NOI to remove and replace existing shed, install new fence, remove deck and replace with patio, walkway and landscaping improvements. *New.*

Greg Hochmuth from Williams & Sparages, Present

Presently there is a wood deck, koi pond, stone walkway and landscaped area. The property borders Kimball Brook. The property owners want to remove the deck and koi pond and construct a new patio, walkway and firepit. They also want to remove the shed and put up a new shed, which will be moved out of the No Disturbance Zone. A DEP file # has been issued. Greg stated that additional erosion control could be done, if needed.

A motion was made by Commissioner Catherine Carney-Feldman to close the public hearing. The motion was seconded by Commissioner Brian O'Neill and passed unanimously.

The NOI will issue within 21 days.

- **36-1336: 5 Willowdale Circle.** Audette. (Graham). FA for approval of a slab stairway and paver patio. *New*

Larry Graham, H.L. Graham, Present

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

- **158 Linebrook Rd.** LaBlanc (Wetlands Mgmt). ANRAD. *New.*

Bill Manuell from Wetlands Management, Present

A site visit needs to be conducted to look at wetland delineation.

Gary Evans, whose represents an abutter, would like to be notified when site visit is scheduled.

A motion was made by Commissioner Catherine Carney-Feldman to continue to June 3, 2020. The motion was seconded by Sissy ffolliott and passed unanimously.

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

- **36-1440: 10 North Ridge Rd.** McNiff. (Graham) NOI for seawall cap. *Continued from 4/1/20.*

A motion was made by Commissioner Catherine Carney-Feldman to continue to May 20, 2020. The motion was seconded by Vice-Chair William Paulitz and passed unanimously.

ENFORCEMENT MATTERS

- **Corliss Brothers.** Review tree removal.

This will be discussed at the May 20, 2020 meeting

APPROVAL OF MINUTES:

NONE.

ADJOURNMENT:

A motion was made by Commissioner Sissy ffilloitt to adjourn at 9:15 p.m. 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.