

Approved: 7/1/2020  
Distributed: 7/7/2020

**IPSWICH CONSERVATION COMMISSION**  
**Meeting Minutes**  
**June 3, 2020**

Pursuant to a written notice posted by the Town Clerk and delivered to all Conservation Commission members, a meeting was held Wednesday, June 3, 2020 at 7:03 p.m. via Zoom. Members present were Chairman Jennifer Hughes, Vice-Chair William Paulitz, Commissioners Sissy ffolliot, Catherine Carney-Feldman, Brian O'Neill, Raymond Putnam and James Stone. Also present were 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

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

### Cont to 6/17/2020

- **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 5/20/20.*
- **36-1446: 1 Old England Rd.** Shields. (Derosa). NOI for implementation of a suburban garden habitat enhancement plan in jurisdictional areas. *Cont from 5/20/20*
- **36-1354: 30 Mill Rd.** Hilton. (Derosa). FA for addition of stone wall along existing horse path and addition of raised boardwalk in jurisdictional areas. *Cont from 5/20/20*
- **36-1413: 25 Eagle Hill Rd.** (Graham) COC.
- **36-1414: 173 Linebrook Rd. Lot 25.** Symes Dev. NOI Open Space cluster development of residential dwelling units within jurisdictional areas. *Cont from 5/20/20*
- **36-1417: 173 Linebrook Rd. Road A.** Symes Dev. NOI stormwater management and grading within jurisdictional areas. *Cont from 5/20/20*
- **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 5/20/20*
- **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 5/20/20*

A motion was made by Vice-Chair William Paulitz to continue to June 17, 2020. The motion was seconded by Commissioner Catherine Carney-Feldman and passed unanimously.

### Cont to 7/1/2020

- **36-1444: 158 Linebrook Rd.** LaBlanc (Wetlands Mgmt). ANRAD. *Cont from 5/6/20*

A motion was made by Vice-Chair William Paulitz to continue to July 1, 2020. The motion was seconded by Commissioner Sissy ffollott and passed unanimously.

### Continue to 7/15/20

- **36-1430: Water Street.** TOI DPW. (Coneco). NOI construction of headwall at boat launch. *Cont from 5/20/20.*
- **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 5/20/20*

A motion was made by Vice-Chair William Paulitz to continue to July 15, 2020. The motion was seconded by Commissioner James Stone and passed unanimously.

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

- **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 5/20/20*

Mike Toohill and Kevin McHugh from Coneco, Present

The project is being funded through a grant from FEMA. It is a reconstruction of a portion of Labor In Vain due to damage from a storm. Some rock and material will be taken out, the salt marsh area will be restored together with the area adjacent to the road.

Chair Jennifer Hughes asked how they intend to stabilize the road? The edge of the road will be sub-base material and there is no additional paving being added. From the shoulder on down, it will be rock material. There will also be a slope to the side. Fill will be removed from the resource area and replaced with bioengineering. The DPW will maintain it overtime.

There is no O&M plan for the area yet. An emergency certificate was issued in 2019.

Chair Hughes stated that more specific detail is needed to show slopes and more detail in the plantings. Also, need to see the O&M. Look into stretching repairs further north and signage for living shoreline.

Vice-Chair William Paulitz asked if it will be backfilled with native material. Rock will come down from the shoulder on a 1 to 1 slope. Kevin will make sure detail will be updated on the plan.

Commissioner Sissy ffollott asked what plants are being used on the lower elevation. They are using high tide bush.

Chairman Jennifer Hughes said that shrubs will be key to stabilize the bank and it should be put in the detail sheets. Chairman Hughes also asked if the DEP filing was submitted. It has been submitted and there have been no comments yet. Agent Lynch will reach out to Pam Merrill to ask her thoughts on the revisions.

Stockpiling needs to be discussed. Also, parking needs to be discussed with DPW.

Mike said that the guardrail on the west side is being extended.

A motion was made by Commissioner Brian O'Neill to continue to July 1, 2020. The motion was seconded by Commissioner Catherine Carney-Feldman and passed unanimously.

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

- **Town Wide.** US Fish and Wildlife Service. RDA for treatment of invasive plant perennial pepperweed. *New.*

Lauren Healey, US Fish and Wildlife Service, Present

This project is an RDA for town wide maintenance of pepperweed. There has been a recurring RDA since 2010.

Agenda Brendan Lynch will look into special conditions for the prior RDA's and BMP's.

A motion was made by Commissioner James Stone to issue a negative determination with special conditions as previously issued. The motion was seconded by Commissioner Catherine Carney-Feldman and passed unanimously.

- **9 Turkey Shore Dr.** Mitchell, Prosser. RDA for kitchen addition. *New.*

Bill Mitchell, Homeowner, Present

The RDA is needed for an addition off of the back of the dwelling for a kitchen. There was a prior RDA for a deck, which is where the kitchen will be. It is 150' from the Ipswich River and there is a gravel driveway. There was also an RDA for the front of the yard for earth movement and landscaping.

Chairman Jennifer Hughes asked about stockpiling. Bill said that it will be managed in the gravel driveway.

A motion was made by Commissioner Sissy ffollott to issue a negative determination #2 with a requirement of stockpiling to the back of the driveway and erosion control. The motion was seconded by Commissioner James Stone and passed unanimously.

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

- **36-673: 180-190 High St.** Russell Bolles, Ipswich Bottle Shop (Bill Manuell). COC. *Cont from 1/8/20*

Agent Brendan Lynch said that Bill Manuell was not available tonight and speaks regarding the project. There was monitoring over the winter and all three items have been checked out. Agent Lynch went out to the site this morning.

Commissioner Sissy ffollott asked about a dumpster that was in the back. Agent Lynch confirmed that it was a tenant's dumpster and it has been removed.

A motion was made by Commissioner Brian O'Neill to issue a COC with a requirement regarding halting the no disturb zone mowing. The motion was seconded by Commissioner Catherine Carney-Feldman and passed unanimously.

- **36-1131: 191 County Rd.** Crudele. COC. *Cont from 2/5/20*
- **36-1223: 191 County Rd.** Crudele. COC. *Cont from 2/5/20*

Agent Brendan Lynch said that Bill Decie went out last week and that most everything looks healthy. It needs one more growing season.

A motion was made by Commissioner Sissy ffollott by continue to October 7, 2020. The motion was seconded by Vice-Chair William Paulitz and passed unanimously.

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

Larry Graham, H.L. Graham, Present

The developer picked up the document to be recorded and had an issue at the Registry of Deeds so it is not on record yet.

A motion was made by Commissioner Catherine Carney-Feldman to continue to July 1, 2020. The motion was seconded by Vice-Chair William Paulitz and passed unanimously.

- **36-1259: 357 Linebrook.** Justin McCarthy. (Graham) COC.

A motion was made by Vice-Chair William Paulitz to continue to July 15, 2020. The motion was seconded by Commissioner Sissy ffollott and passed unanimously.

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

- **36-\_\_\_: 88/89 Little Neck Rd.** Cheever (Graham). NOI to add second level to single level residence on the existing foundation. *New.*

Larry Graham, H.L. Graham, Present

The NOI is needed to add a second level to a single-family residence. The front and side entrances will be changed, a fence will be removed and replaced as needed, the driveway will be reconstructed and widened 2-3 feet. There will be conventional gutters and downspouts.

Laura Smith, a neighbor, wanted elaboration regarding the fence. It was explained that the fence was not near her property line and that it is a chain link fence for the dogs.

Vice-Chair William Paulitz asked if it will be tied into the town's catch basin. This will need to be discussed with the DPW.

Vice-Chair William Paulitz asked if there will be three cross sections for the coastal bank delineation. Larry answered yes, if it is required.

Chair Jennifer Hughes asked if the front entry will remain grass and Larry confirmed that it will. Chairman Hughes also asked if a DEP file number has been issued yet and it was confirmed that it has not.

Backup data is needed for the coastal bank and natives. Larry thinks that the DPW will likely need a plan filed.

Chairman Jennifer Hughes asked about erosion control. Larry said that he will add it to the plan.

Agent Brendan Lynch will draft the NOI for the next meeting.

A motion was made by Vice-Chair William Paulitz to continue to June 17, 2020. The motion was seconded by Commissioner Catherine Carney-Feldman and passed unanimously.

**TABLED MATTERS AND DISCUSSION ITEMS:**

- **Letter of Support for Argilla Road Reconstruction CZM Grant**

A motion was made by Commissioner Sissy ffollott for Chairman Jennifer Hughes to sign the letter of support for Argilla Road Reconstruction CZM Grant. The motion was seconded by Catherine Carney-Feldman and passed unanimously.

**APPROVAL OF MINUTES:**

3/18/20, 5/6/20, 5/20/20

A motion was made by Commissioner Catherine Carney-Feldman to approve the minutes for 3/18, 5/6 and 5/20 as amended. The motion was seconded by Commissioner Sissy ffollott and passed unanimously.

**ADJOURNMENT:**

A motion was made by Commissioner Sissy ffollott to adjourn at 8:30 p.m. The motion was seconded by Vice-Chair William Paulitz 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.**