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IPSWICH CONSERVATION COMMISSION
Meeting Minutes
June 17, 2020

Pursuant to a written notice posted by the Town Clerk and delivered to all Conservation Commission members, a meeting was held Wednesday, June 17, 2020 at 7:03 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 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 7/15/20:

- **36-1386: Labor In Vain Rd.** 79 Labor In Vain Realty Trust. (Graham) NOI to repair areas damaged by storms in **36-1414: 173 Linebrook Rd. Lot 25.** Symes Dev. NOI Open Space cluster development of residential dwelling units within jurisdictional areas. *Cont from 6/3/20*
- **36-1417: 173 Linebrook Rd. Road A.** Symes Dev. NOI stormwater management and grading within jurisdictional areas. *Cont from 6/3/20*
- **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 6/3/20*
- **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 6/3/20*
- jurisdictional areas. *Cont. from 6/3/20*

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

COURTESY POSITIONS FOR TOWN PROJECTS:

- Open Space Plan Update, Hannah Wilbur

Hannah Wilber, Open Space Manager

Open Space Committee has been working over the past year to update the open space plan and is hoping to finish and submit it on July 15th. She provided the Conservation Commission with a portion of the plan for their input. Agent Brendan Lynch will get the commission’s comments and send them to Hannah by June 22nd.

SMALL PROJECT PERMITS (SPP):

- **Union St. Parking Lot. Ebsco.** DPW. SPP for temporary installation of groundwater monitoring wells. *New.*

Kaitlyn Shaw, Ipswich River Water Association

Kaitlyn submitted a small project permit application to drill four temporary groundwater monitoring wells at Ebsco.

Commissioner Sissy ffollott asked if all four locations are on the plan as there were 3 locations on the plan in the packets. Kaitlyn will send Agent Brendan Lynch a pdf of the plan to show all four locations.

They will be looking at the various levels of the water throughout the year. The monitoring well can be removed, if necessary.

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

- **30 Old England Rd.** Blessington. (Graham). SPP for test pits for Septic. *New.*

Larry Graham, H.L. Graham Associates, Present

Larry was engaged to help the homeowner’s through the permitting process. The existing dwelling is in very poor condition and it will be a complete teardown and rebuild. There was no Title 5 done on the existing cesspool as it failed. The wetlands have been delineated. The SPP was filed to do soil testing.

Chair Jennifer Hughes recommends post construction inspection.

A motion was made by Commissioner Brian O'Neill to issue the SPP. The motion was seconded by Commissioner Sissy ffolliott and passed unanimously.

- **10 North Ridge Rd.** McNiff. (Graham) SPP for test pits for Septic. *New.*

Larry Graham, H.L. Graham Associates, Present

The filing of the SSP is to do soil testing to determine if they are able to do a tight tank or conventional system. The test pits will be near the road. The neighboring properties all have tight tanks.

The conditions will be stabilization and post construction inspection.

A motion was made by Commissioner James Stone to issue the SPP. The motion was seconded by Commissioner Brian O'Neill and passed unanimously.

REQUESTS FOR DETERMINATION OF APPLICABILITY (RDA):

- **191 Linebrook Rd.** Mullen. RDA for above ground pool. *New.*

Agent Brendan Lynch speaks for the homeowner

This is for a 16x24 above ground pool. There is no vegetation and it is 50' from the edge of the wetlands to the corner of the pool.

Chairman Jennifer Hughes asked about backwashing. The project description says no backwashing. This needs to be made as a condition. She also asked about leveling and Agent Lynch said it is minimal.

The report says it is not 50' from the wetland that needs to be corrected.

Chair Jennifer Hughes would like pre and post construction inspections, erosion control and a non-back-washing filter as part of the conditions.

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

ONGOING NOTICES OF INTENT (NOI), MINOR MODIFICATIONS (MM), FORMAL AMENDMENTS (FA):

- **36-___: 88/89 Little Neck Rd.** Cheever (Graham). NOI to add second level to single level residence on the existing foundation. *Cont from 6/3/20*

Larry Graham, H.L. Graham Associates, Present

A Notice of Intent has been filed for the modification of the existing one level house to add a second level. At the last meeting he was asked to clarify some issues. He had a home survey which is on sheet 1. The filtration and erosion control will be in phase 1 and 2. Cedar trees will be removed and the owner provided a sketch of the new plantings. The DEP file # is 0361447.

Chair Hughes stated that on the order there needs to be drywell detail and also asked to include maintenance of the drywell.

A motion was made by Commissioner Brian O'Neill to issue the NOI as drafted and amended. The motion was seconded by Commissioner James Stone and passed unanimously.

- **36-1440: 10 North Ridge Rd.** McNiff. (Graham) NOI for seawall cap. *Continued from 5/20/20.*

Larry Graham, H.L. Graham Associates, Present

Larry Graham asked to withdraw his NOI request.

A motion was made by Commissioner Catherine Carney-Feldman to accept the NOI withdrawal request. The motion was seconded by Commissioner Brian O'Neill and passed unanimously.

- **36-1334: 64 Paradise Rd.** Miles River Sand and Gravel. (Derosa). Extension Request. *Cont from 5/20/20*

Mike DeRosa, DeRosa Environmental, Present

There is a current management plan in place and they are asking for a 3-year extension. Agent Brendan Lynch went to the site with Tyler Ferrick. Tyler submitted an annual report. The site walk showed ABC pile shrinking, that the boat yard is compliant and the dredge pond was good. When the 3-year extension is up, they will come back with a formal amendment to make it a perpetual condition.

Chair Jennifer Hughes asked if is for the Master Plan or the frag plan too. It is only for the Master Plan.

A motion was made by Commissioner James Stone to issue a three-year extension for the Master Plan. The motion was seconded by Commissioner Catherine Carney-Feldman. Vice-Chair William Paulitz abstained.

- **36-1446: 1 Old England Rd.** Sheilds. (Derosa). NOI for implementation of a suburban garden habitat enhancement plan in jurisdictional areas. *Cont from 6/3*

Mike DeRosa, DeRosa Environmental, Present

A site walk was done since the last meeting. An alternative analysis was submitted to the commission. Portions of the abandoned tennis court are within the no build and no disturb zone.

The project is for growing plants. Chair Jennifer Hughes is fine with planters inside the no build zone. Everything needs to be kept outside the no disturb zone. The shed needs to be outside of the no build zone.

A motion was made by Commissioner Catherine Feldman-Carney to continue to July 1st. The motion was seconded by Commissioner James Stone and passed unanimously.

- **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 6/3/20*

Mike DeRosa, DeRosa Environmental, Present

A site walk was done since the last meeting. They removed the boardwalk from the plan. The stone wall will be kept and will be dry laid. The woody adelge will be kept controlled. Four dead oaks will be cut away from the trail.

Chair Jennifer Hughes expressed concerned that the trees should be pruned and not removed.

Mike said that the trim limbs will be pruned and no trees will be removed.

Agent Brendan Lynch will draft an amendment for the next meeting. Mike will get something to Agent Lynch to help him with the draft.

A motion was made by Commissioner Raymond Putnam to continue to July 1st. The motion was seconded by Vice-Chair William Paulitz. Being a direct abutter Commissioner Catherine Carney-Feldman recused herself from commenting and voting on this property.

- **36-1344: 8 Candlewood.** (DeRosa) Extension to ORAD. *New.*

Mike DeRosa, DeRosa Environmental, Present

They are asking for a one-year extension. Agent Brendan Lynch did not walk the property. He did speak with Bill today who said that the lines have not changed.

A motion was made by Commissioner Catherine Carney-Feldman to grant the one-year extension. The motion was seconded by Commissioner Sissy ffolliott and passed unanimously.

- **36-1341: 230 Topsfield Rd,** Foote Brothers (DeRosa). Ext to OOC. *New.*

Mike DeRosa, DeRosa Environmental, Present

They would like an extension for a dam repair. The last permit was issued in January. They would like a 3-year extension.

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

REQUESTS FOR CERTIFICATES OF COMPLIANCE (COC):

- **36-1318: Willowdale Forest Culvert Plan.** ECTA (DeRosa) COC. *Cont. from 5/20/20*

Mike DeRosa, DeRosa Environmental, Present

Agent Brendan Lynch had a site visit with Carol Lloyd and Jamie Warren from TW Excavating. They are going to remove half the stone on the south side down to the existing grade, loam, seed and vegetate.

A motion was made by Commissioner Catherine Carney-Feldman to continue to July 1st. The motion was seconded by Commissioner James Stone and passed unanimously.

- **36-1221: 82 Labor in Vain Rd.** (Derosa) COC. *New.*

Mike DeRosa, DeRosa Environmental and Charlie Wear, Meridian, Present

Agent Brendan Lynch and Tyler walked the site. There is a 5' section that exceeded the plan at the end of the boardwalk. Agent Brendan Lynch recommends issuing the COC.

A motion was made by Commissioner Catherine Carney-Feldman to issue the COC for the boardwalk. The motion was seconded by Vice-Chair William Paulitz. Commissioner Brian O'Neill abstained.

- **36-1210: 82 Labor in Vain Rd.** (DeRosa) COC. *New.*

Mike DeRosa, DeRosa Environmental, Present

Monumentation needs to be installed. Agent Brendan Lynch needs to go onsite to meet with Mike DeRosa and Charlie Wear to come up with locations (for condition #64).

Agent Lynch points out that there are two minor discrepancies which include the gravel area is bigger than proposed and the generator is in a fenced in area and not on a concrete pad.

A motion was made by Commissioner Sissy ffollott to continue to July 1st. The motion was seconded by Commissioner Catherine Carney-Feldman. Commissioner Brian O'Neill abstained.

- **36-1413: 25 Eagle Hill Rd.** (Graham) COC. *Cont from 6/3/20*

Agent Brendan Lynch stated that the COC from the fall/winter was for the septic. He looked at the stabilization of the site for grass coming in. The gravel pile has mostly been removed and the remaining gravel is in the process of being removed.

A motion was made by Commissioner Sissy ffollott to continue to July 15th. The motion was seconded by Commissioner Catherine Carney-Feldman and passed unanimously.

- **36-626: 14 Greens Point Rd.** McCormack (Morin Cameron) COC. *New*

John Morin, Morin, Cameron Group, Present

An OOC was issued in 1999 for an addition. Two monuments need to be installed. The building footprint is smaller than what was approved. The driveway configuration was changed for vehicle purposes. The driveway is pitched away from the wetlands. Chair Jennifer Hughes is fine with the deviations.

A motion was made by Vice-Chair William Paulitz to issue the COC. The motion was seconded by Commissioner Sissy ffollott and passed unanimously.

ENFORCEMENT MATTERS:

- **134 Town Farm Rd.** Rousseau. EO. *Cont from 12/4/19*

Agent Brendan Lynch reports that there are a lot less cars than last fall. There is one area near the shop and another area near the back end of the marsh. More cars will be removed within the next few weeks.

A motion was made by Vice-Chair William Paulitz to continue to September 16, 2020. The motion was seconded by Commissioner James Stone and passed unanimously.

ADJOURNMENT:

A motion was made by Commissioner Brian O'Neill to adjourn at 9:03 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.