

Approved: August 5, 2020
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IPSWICH CONSERVATION COMMISSION
Meeting Minutes
July 15, 2020

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

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:

Mike DeRosa, DeRosa Environmental and Charlie Wear, Present

Mike DeRosa represents the potential buyer of 214 High Street. They are proposing a change-in-use from a single family house to an 18-20 unit apartment building. The site is very constrained by wetlands and setbacks.

Chair Hughes stated that the swale was always there according to the Historic Aerials and she advised the applicant research the OOC for the Car Wash regarding the area and the abutting basin.

They would like to know if the Conservation Commission would work with them to make this project happen.

Chair Hughes reminded Mr. DeRosa that the Commission cannot advise in open session. Agent Brendan Lynch already did a site walk.

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

Cont to August 5, 2020:

- **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 7/1/20*
- **36-1446: 1 Old England Rd.** Sheilds. (DeRosa). NOI for implementation of a suburban garden habitat enhancement plan in jurisdictional areas. *Cont from 7/1/20*
- **36-1430: Water Street.** TOI DPW. (Coneco). NOI construction of headwall at boat launch. *Cont from 6/3/20.*
- **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 6/3/20*
- **36-1444: 158 Linebrook Rd.** LaBlanc (Wetlands Mgmt). ANRAD. *Cont from 7/1/20*

A motion was made by Commissioner Catherine Carney-Feldman to continue to August 5. The motion was seconded by Commissioner Raymond Putnam.

Cont to August 19, 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 6/17/20.*
- **36-1259: 357 Linebrook.** Justin McCarthy. (Graham) COC. *Cont from 6/3/20*

A motion was made by Commissioner Sissy ffollott to continue to August 19. The motion was seconded by Commissioner Catherine Carney-Feldman.

COURTESY POSITIONS FOR TOWN PROJECTS:

- **Market Street (between Saltonstall St and Central St).** TOI Utilities. Emily Sadoway. RDA for water main replacement, portion of drain and sewer replacement, CIPP repairs to existing underground utilities. *New.*

Emily Sadoway, Ipswich Wastewater Department, Present

The town is replacing the water main along Market Street. The work will be within the existing roadway and no deeper than 5'. The original water main was installed in 1898. The work was put to bid and contractor is the same as the High Street project. The staging and stockpile area will be out of Riverfront and silt socks will be used on all Catch Basins.

A motion was made by Commissioner Raymond Putnam to issue a negative #2 determination. The motion was seconded by Commissioner Catherine Carney-Feldman and passed unanimously.

REQUESTS FOR DETERMINATION OF APPLICABILITY (RDA):

- **10 Heartbreak Rd.** Bradford/Krafchuk. RDA for driveway repair. *New.*

Rex Bradford and Liz Krafchuk, Owners, Present

The homeowners are proposing to replace the driveway that is 13 years old. It will be regraded along with the installation of a cobblestone apron. There will be a silt sock in the area to be regraded. The applicant should check with the DPW for approval. There will be a pre and post construction inspection.

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

- **41 Kimball Ave.** Gaudenzi (Kneeland Const) RDA for construction of 25' x 16' addition in the front of house. *New.*

Carl Dumas, Kneeland Construction, Present

The homeowner is proposing to construct an addition of a bedroom on the front of the house.

Chair Jennifer Hughes asked if the resource area is a replication area and would recommend the use of trench siltration fence or a bark mulch sock to prevent anything washing into the road.

There will be a pre and post construction site visit. The site should be stabilized with grass before the post construction inspection.

A motion was made by Commissioner James Stone to issue a negative determination #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):

- **36-1414: 173 Linebrook Rd. Lot 25.** Symes Dev. NOI Open Space cluster development of residential dwelling units within jurisdictional areas. *Cont from 6/17/20*
- **36-1417: 173 Linebrook Rd. Road A.** Symes Dev. NOI stormwater management and grading within jurisdictional areas. *Cont from 6/17/20*
- **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 6/17/20*
- **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 6/17/20*

Richard Harrington, Engineer

Rich Harrington has submitted updated plans to the Planning Board. Agent Lynch reviewed the comments by the Peer Reviewer. There will be no sheet flow across the dirty site or disturbed soils. Chair Hushges stated that there will be an Independent Site Monitor for those projects who will submit weekly reports with photos. Easement Access: farm access Symes will take trees and stumps out but the rest of the work will be left to the Town to complete. Chair Hughes said we will need a Special Condition in regard to maintenance which can be added to the Master Deed. She also asked if there was an O & M Plan.

Some of the septic tanks will be in ground water. The dewatering plans are on sheet 18. There will be independent site monitoring to inspect the erosion control and dewatering. The monumentation will be highlighted for the Conservation Commission. There will be a condition that the landscape company understands the OOC. The trails will be maintained by the condo association. The Mile Lane stormwater maintenance (which is Phase 2) will be upkept by the condo association. The Planning Board meets on 7/30.

A motion was made by Commissioner Catherine Carney-Feldman to continue to August 5th. The motion was seconded by Commissioner Sissy ffollott and passed unanimously.

REQUESTS FOR CERTIFICATES OF COMPLIANCE (COC):

- **36-1210: 82 Labor in Vain Rd.** (DeRosa) COC. *Cont from 7/1/20*

Mike DeRosa, DeRosa Environmental, Present

A survey was done by Meridian after the monuments were installed. Commissioner commented that the monuments were only 2' high not 3' or more as is currently the Commissions requirement. Chair Hughes stated emphatically that mowing must be stopped behind the monuments and suggested that Agent Lynch check in at the end of November to see if there is compliance. There will be a condition for one more growing season to monitor behind monuments.

Chairman Jennifer Hughes recommends six-month monitoring by Agent Brendan Lynch.

A motion was made by Commissioner Catherine Carney-Feldman to issue a COC with check in by the end of November regarding monuments. The motion was seconded by Commissioner James Stone and passed unanimously.

- **36-1413: 25 Eagle Hill Rd.** (Graham) COC. *Cont from 6/17/20*

Agent Brendan Lynch met with the homeowner regarding taking out the gravel. He recommends a continuance as the grass has not come in and the current OOC is still good.

A motion was made by Commissioner Sissy ffollott to continue to October 21. The motion was seconded by Commissioner Raymond Putnam and passed unanimously.

- **36-895: 101 Jeffreys Neck Rd.** Gonzales. (Wetlands Mgmt). COC *Cont from 11-20-19.*

Agent Brendan Lynch stated that this is an after the fact COC request. The plantings have been installed and the grass is not coming in well. He recommends a continuance until the grass comes in.

A motion was made by Commissioner Catherine Carney-Feldman to continue to October 21. The motion was seconded by Commissioner James Stone and passed unanimously.

- **36-1437: 2 Jay Rd.** Godin. (CG Johnson). COC. *New.*

Agent Brendan Lynch was on site yesterday and the grass has come in. He recommends issuing the 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.

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

- **36-___: 2 Jay Rd.** Godin (Graham). NOI for addition to dwelling. *New.*

Larry Graham, H.L. Graham Associates, Present

The applicant is proposing to construct a 15X19 addition in the southwest corner of the house which overlies a deck. Besides the addition, there will be a low height retaining wall under the deck which is in the NBZ which is necessary to provide a break in the grade. A stairway will also be added off the existing deck. There will also be a driveway reconstruction.

The homeowner is requesting that they do their own plantings. Applicant is offering Stormwater features in lieu of mitigation and plantings.

Chair Jennifer Hughes would like granite bounds and posts. Agent Brendan Lynch will go out to the site and point out where they should be.

Chair Jennifer Hughes also asked what the plan is for under the deck. The homeowner stated that it is dirt right now along with a big stump. Chair Jennifer Hughes said that crushed stone would be fine to use.

George Soffron, a neighbor, asked about filtration and is it above or below the ground. Larry stated that it is below ground. He also stated that they have monuments on their property.

Agent Lynch will draft something for the next meeting.

A motion was made by Commissioner Catherine Carney Feldman to issue a waiver request for no build zone. The motion was seconded by Commissioner Sissy ffollott and passed unanimously.

A motion was made by Commissioner Sissy ffollott to continue to August 5th. The motion was seconded by Commissioner Catherine Carney-Feldman and passed unanimously.

- **36-____: 28 North Ridge Rd.** Lynch. (Graham). NOI for stair replacement on coastal bank. *New.*

Larry Graham, H.L. Graham Associates, Present

The applicant is submitting an NOI to replace previously approved but not built stairs on coastal bank. The width and length of the stairs will be the same as the old stairs. There is very little vegetation. The cinder blocks will be removed. The stairs will be above elevation ten. There is one proposed landing with cantilevered bench and a kayak rack to be attached above the breakaway section of the stairs.

A motion was made by Commissioner Sissy ffollott to continue to August 5. The motion was seconded by Commissioner Raymond Putnam and passed unanimously.

- **36-____: 3 Bayview Rd.** Stringer. (Graham). NOI for repair to corner of concrete retaining wall. *New.*

Larry Graham, H.L. Graham Associates, Present

The homeowners wish to repair a corner of a retaining wall. There will be no new footings and it will be 2' down. The stock piling will be sand only on the beach. The top of the wall excavation will be left in the yard. The Town will have to sign the NOI. There will need to be temporary disturbance measurements. Native plants will be used in prior areas of planting for restoration. Agent Lynch will draft an OOC that will include that native vegetation will be replaced at the top of the wall.

A motion was made by Commissioner Catherine Carney-Feldman to continue to August 5th. The motion was seconded by Commissioner James Stone and passed unanimously.

ENFORCEMENT MATTERS:

- **Corliss Brothers.** Review tree removal. *Cont from 7/1/20*

Agent Brendan Lynch updated

Corliss Brother has been in touch with NRCS to get help with the conservation plan. They are thirteenth in line for review. Everything is in line to be approved. Agent Lynch is waiting for Mike to send a copy for his review.

- **58 Mitchell Road.** Grading within buffer zone. *New.*

Agent Brendan Lynch updated

Brendan received calls regarding machine work being done on the property. Grading was being done within the buffer zone. The person who is interested in purchasing the property was doing site work according to plans and GIS. Agent Lynch met with the potential buyer and Hancock Associates. All work has stopped and they will be coming before the Conservation Commission for a Notice of Intent.

APPROVAL OF MINUTES: 4/15/20, 6/17/20

Commissioner Sissy ffollott made minor edits.

A motion was made by Commissioner Catherine Carney-Feldman to approve the April 15, 2020 and June 17, 2020 minutes 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 9:27 p.m. The motion was seconded by Commissioner Raymond Putnum 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.