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IPSWICH CONSERVATION COMMISSION
Meeting Minutes
August 18, 2021

Pursuant to a written notice posted by the Town Clerk and delivered to all Conservation Commission members, a meeting was held Wednesday, August 18, 2021 at 7:00 p.m. via ZOOM. Members present were Chair Jennifer Hughes, Vice-Chair William Paulitz, Commissioners Sissy Ffolliott, Catherine Carney-Feldman, Raymond Putnam, and James Stone. Associate Commissioner Jack Stone arrived at 7:30 pm. Also present were Agent Brendan Lynch and Recording Secretary Odile Breton. Absent with prior notice was Commissioner Jill Frier.

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

OOB – 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

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Citizen's Queries: None Noted

Matters Being Continued to FUTURE Sessions at the Applicant's Request:

MATTER: 36-1477: 88 Little Neck Rd. Cheever (Graham) COC. <i>Cont. from 7/21/2021</i>
DISCUSSION: Applicant requested to continue to September 1, 2021.
MOTION: <ul style="list-style-type: none"> ◆ A motion was made by Commissioner Carney-Feldman to continue to September 1, 2021. The motion was seconded by Vice-Chair Paulitz and passed unanimously.

MATTER: 36-1478: 45 Pineswamp Rd. DosSantos. NOI for single family dwelling. <i>Cont. from 7/21/2021</i>
DISCUSSION: Applicant requested to continue to September 15, 2021.
MOTION: <ul style="list-style-type: none"> ◆ A motion was made by Commissioner Carney-Feldman to continue to September 15, 2021. The motion was seconded by Vice-Chair Paulitz and passed unanimously.

Courtesy Positions for Town Projects

MATTER: 36-1433: Sewer Interceptor and siphon replacement. Town of Ipswich Water Dept. FA to revise bank stabilization. <i>Cont. from 8/4/2021</i>
DISCUSSION: Present was Emily Sadoway (Ipswich Utilities and Waste Water Management). Sadoway noted the County Street project was reviewed for its planting list. Revisions were made for plantings for this project to be consistent with other area projects. Carney-Feldman suggested a grey twig dogwood native planting for stabilization. Hughes suggested adding the grey twig dogwood in the conditions as an acceptable alternative. Sadoway noted that the Water Dept. is responsible for watering the plants. <p>Hughes suggested editing the monitoring term to begin after the planting. Hughes said condition #50 needs to be edited to be in line with the monitoring plan.</p> <p>Carney-Feldman is concerned with Northern Bayberry, Sweet Pepperbush and Arrowwood being used as plugs for planting. Sadoway said two gallon planters can be used and she anticipates planting in the fall. Carney-Feldman said sourcing is a challenge and plants may not be available for fall. The project may have to complete planting in the spring.</p> <p>No public comment noted.</p>
MOTION: <ul style="list-style-type: none"> ◆ A motion was made by Vice-Chair Paulitz to close the public hearing. The motion was seconded by Commissioner Carney-Feldman and passed unanimously. ◆ A motion was made by Commissioner ffolliott to issue an amended OOC as drafted/amended. The motion was seconded by Vice-Chair Paulitz and passed unanimously.

MATTER: 36-1430: Water Street. TOI Department of Public Works (Coneco). NOI reconstruction of headwall and bank restoration at end of Summer Street. <i>Cont. from 7/21/2021</i>
DISCUSSION: Lynch provided an update. He said DPW had a meeting with residents of the neighborhood and noted an answer regarding Chapter 91 license had not been received. DPW requested continuing to September 15, 2021. <p>Carney-Feldman noted there was an article in the local newspaper regarding the meeting with DPW and the</p>

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neighborhood residents and said it was worth reading (Ipswich Local News, August 18, 2021, Volume 2, Issue 42 “Residents in agreement on Water Street launch” by John Muldoon).

MOTION:

♦ **A motion was made by Vice-Chair Paulitz to continue to September 15, 2021. The motion was seconded by Commissioner Carney-Feldman and passed unanimously.**

MATTER: 36- : Plains Road Right of Way. TOI Department of Public Works. NOI to repair culvert and headwall to pre-existing conditions. *New*

DISCUSSION: DPW requested continuing to September 1, 2021.

MOTION:

♦ **A motion was made by Commissioner Carney-Feldman to continue to September 1, 2021. The motion was seconded by Commissioner Jim Stone and passed unanimously.**

Documents: NOI filing packet prepared by DPW dated 8-4-21

REQUESTS for DETERMINATION of APPLICABILITY (RDA):

MATTER: 18 Mineral St. Getchell. RDA for shed replacement. *New*

DISCUSSION: Present was the applicant Emily Getchell. Lynch displayed a plan that documented delineation and site photographs provided by Getchell. The project is to replace a shed and enlarge the footprint of the shed. The existing shed is between the 15 ft. NBZ and 25 ft. NDZ.

Hughes said for consistency with applications, there needs to be one plan that documents both the location of the shed and wetland boundaries. Hughes said the shed should be moved out of the NBZ. Hughes suggested the applicant work with Lynch for the site plan and noted the wetlands are not on Getchell’s property. No public comment noted.

MOTION:

♦ **A motion was made by Commissioner Carney-Feldman to continue to September 1, 2021. The motion was seconded by Commissioner ffolliott and passed unanimously.**

ACTION ITEMS / SPECIAL INSTRUCTIONS:

❖ Lynch to work with applicant on site plan.

Documents: RDA filing packet dated 8-4-21

Ongoing Notices of Intent (NOI), Minor Modifications (MM) and Formal Amendments (FA):

MATTER: 36-1374: 21 River Rd. Torrissi (Graham). FA. *Cont. from 7/21/2021*

DISCUSSION: Present was Larry Graham (H.L. Graham & Associates). Graham noted the Little Neck Association approved the project via email on August 10, 2021 and noted that revised plans were submitted including changes requested by the ICC and included a letter dated August 5, 2021 describing the changes. Graham quantified the changes from the approved 2018 plan to the current 2021 plan as follows;

1. The retaining wall and steps on south west side of dwelling under the deck were removed and that elimination accounted for 37 sq. ft.
2. The foundation and landscaping walls on the east side of the dwelling under the deck were eliminated and accounted for approximately 50 sq. ft.
3. The 2018 plans showed a deck area of approximately 800 sq. ft. The revised plan reduces to the deck area

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<p>to 635 sq. ft.</p> <ol style="list-style-type: none"> 4. The 2018 has grading in the front of approximately 200 sq. ft. and that was reduced to 120 sq. ft. 5. The plans have resource area notes and note 3 changed from 1967 sq. ft. to 1802 sq. ft. 6. The plans have resource area notes and note 2 changed from 323 sq. ft. to 192 sq. ft. 7. The revised plan shows AC pads and propane tank which adds approximately 20 sq. ft. <p>No further comments from the ICC. No public comments noted.</p>
<p>MOTION:</p> <ul style="list-style-type: none"> ◆ A motion was made by Commissioner Stone to close the public hearing. The motion was seconded by Vice-Chair Paulitz and passed unanimously. ◆ A motion was made by Commissioner Stone to issue amended as drafted OOC. The motion was seconded by Vice-Chair Paulitz and passed unanimously. <p>Documents: Supplemental information and revised plan prepared by Graham Assoc. dated 8-5-21</p>
<p>ACTION ITEMS / SPECIAL INSTRUCTIONS:</p> <ul style="list-style-type: none"> ❖ <i>None.</i>
<p>MATTER: 36- xxxx : 58 North Ridge Rd. Napolitano (Graham) NOI for stair replacement on coastal bank. <i>Cont. from 7/21/2021</i></p>
<p>DISCUSSION: Present was Larry Graham (H.L. Graham & Associates). Graham noted a site visit by the ICC. The stairs and landing on the revised plan will end above the ACEC elevation 10. A ship retractable ladder made of aluminum was added to the plan. Graham said it is lighter and shorter than the original wooden retractable stairs proposed. Graham reviewed note 7 on the site plan. It indicates that once the stairs and landings are constructed the retractable stairs can be developed to allow for safe access. Graham noted the retractable stairs is a solution that works for the owner and the ICC. Hughes said the retractable stairs is a good solution. Putnam agreed and Paulitz said it was a good compromise. Hughes noted the project needs a DEP file number.</p>
<p>MOTION:</p> <ul style="list-style-type: none"> ◆ A motion was made by Commissioner Carney-Feldman to continue to September 1, 2021. The motion was seconded by Commissioner Putnam and passed unanimously.
<p>ACTION ITEMS / SPECIAL INSTRUCTIONS:</p> <ul style="list-style-type: none"> ❖ Lynch to prepare a draft OOC for the next ICC meeting. <p>Documents: Revised plan prepared by Graham Assoc dated 8/5/21</p>
<p>MATTER: 36-xxxx : 38 North Ridge Rd. Smith (Graham) NOI for stair replacement on coastal bank. <i>Cont. from 7/21/2021</i></p>
<p>DISCUSSION: Present was Larry Graham (H.L. Graham & Associates). Graham said this project is similar to 58 North Ridge Road. Hughes asked what is proposed for restoring the stone path. Graham said the stones are to be removed. Hughes suggested a drought tolerant seed mix that will do well in the shade. Hughes noted a DEP file number is needed.</p>
<p>MOTION:</p> <ul style="list-style-type: none"> ◆ A motion was made by Commissioner ffolliott to continue to September 1, 2021. The motion was seconded by Commissioner Carney-Feldman and passed unanimously.
<p>ACTION ITEMS / SPECIAL INSTRUCTIONS:</p> <ul style="list-style-type: none"> ❖ <i>None.</i> <p>Documents: Revised plan prepared by Graham Assoc dated 8/5/21</p>
<p>MATTER: 36-xxxx : 7 Fifth St. Martineau ANOI for addition. <i>Cont. from 8/4/2021</i></p>

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<p>DISCUSSION: Lynch noted the applicant requested to continue to September 1, 2021 and the applicant is awaiting a DEP file number.</p>
<p>MOTION:</p> <p style="padding-left: 40px;">♦ A motion was made by Vice-Chair Paulitz to continue to September 1, 2021. The motion was seconded by Commissioner ffolliott and passed unanimously.</p>
<p>ACTION ITEMS / SPECIAL INSTRUCTIONS:</p> <p style="padding-left: 40px;">❖ <i>None.</i></p>

<p>MATTER: 36-1480: 301 Argilla Rd. Trustees of Reservations (Woods Hole Group) NOI for installation of Coastal Education Center at Crane Beach. <i>Cont. from 8/4/2021</i></p>
<p>DISCUSSION: Present was Elise Leduc (Woods Hole Group) and Cheri Ruane (Weston & Sampson). Leduc noted a DEP file number was received as well as comments from DEP on the stormwater management plan. Leduc said the project is waiting for a letter from National Heritage.</p> <p>Ruane said the comments from DEP were reviewed and adjustments to the plan were made. In response to ground water elevations, shallow stone leaching pits are proposed. Leduc anticipates construction to begin in the winter. Lynch to prepare conditions for the next ICC meeting and reference DEP comments and applicant response.</p> <p>No public comment noted.</p>
<p>MOTION:</p> <p style="padding-left: 40px;">♦ A motion was made by Commissioner Carney-Feldman to continue to September 1, 2021. The motion was seconded by Commissioner Putnam and passed unanimously.</p>
<p>ACTION ITEMS / SPECIAL INSTRUCTIONS:</p> <p style="padding-left: 40px;">❖ <i>Lynch to prepare draft order.</i></p> <p>Documents: NOI filing packet prepared by Woods Hole Group dated 7-19-21</p>

New Notices of Intent, Minor Modifications, Formal Amendments, and Extensions:

<p>MATTER: 36-xxxx : 28 Water Street Henry/Mendelson. (Graham) NOI for an addition to a single family residence. <i>New</i></p>
<p>DISCUSSION: Present were Larry Graham (H.L. Graham & Associates) and the applicants, Katie Mendelson and Jim Henry. Graham explained the project proposes an extension at the east end of the home. A sun room will be added with storage below for a boat. The proposed addition adds 97 sq. ft. to the RiverFront Area (RFA) and 246 sq. ft. to the 100-200 ft. RFA. Rain barrels are proposed to water plants. Mendelson is sad to lose trees but is excited to replant with native species.</p> <p>Hughes noted is a requirement under Massachusetts law for the first 100 ft. in the RFA remain vegetated. Graham presented an alternative plan however he feels it is more detrimental to the area. Hughes asked if the proposed addition could be reduced. Graham noted he is working with an architect's plan. Hughes stated the plans need to be revised to meet requirements. MA DEP has not commented on the project.</p> <p>No public comment noted.</p>
<p>MOTION:</p> <p style="padding-left: 40px;">♦ A motion was made by Vice-Chair Paulitz to continue to September 1, 2021. The motion was seconded by Commissioner ffolliott and passed unanimously.</p>
<p>ACTION ITEMS / SPECIAL INSTRUCTIONS:</p> <p style="padding-left: 40px;">❖ <i>None.</i></p> <p>Documents: NOI filing packet and Plans prepared by Graham Assoc dated 8-4-21</p>

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Enforcement Matters:

MATTER: 134 Town Farm Rd. Rousseau EO update. <i>Cont. from 4/7/2021</i>
DISCUSSION: Lynch provided an update on the junk yard-car lot. He said cars were removed from marsh area and the owner still needs to remove cars from Town property. Lynch spoke with the owner and clean up has been delayed due the significant amount of rain over the summer.
ACTION ITEMS / SPECIAL INSTRUCTIONS: ❖ <i>None.</i>

Approval of Minutes: August 4, 2021

- ◆ A motion was made by Commissioner Carney-Feldman to approve the minutes as drafted/amended. The motion was seconded by Vice-Chair Paulitz and passed unanimously.

Adjournment:

- ◆ A motion was made by Vice-Chair Paulitz to adjourn at 8:34 p.m. The motion was seconded by Commissioner Putnam and passed unanimously.

Respectfully submitted,
 Odile Breton

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.