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IPSWICH CONSERVATION COMMISSION
Meeting Minutes
September 19, 2018

Pursuant to a written notice posted by the Town Clerk and delivered to all Conservation Commission members, a meeting was held Wednesday, September 19, 2018, at 7:00 p.m. in Room A of the Ipswich Town Hall. Members present were Chairman Jennifer Hughes, Vice-Chair Sissy ffollott, Commissioners Brian O'Neill, Catherine Carney-Feldman, and William Paulitz, Also present were Agent Alicia Geilen and Recording Secretary Amy Scicchitani. Absent with prior notice were Commissioners William Putnam and Jim Stone.

DEFINITION INDEX:

ACEC – Area of Critical Environmental Concern

BOH – Board of Health

BVW - Bordering Vegetative Wetland

COC – Certificate of Compliance

CR – Conservation Restriction

CZM - Coastal Zone Management

DCR - Department of Conservation and Recreation

DEP - Department of Environmental Protection

DPW- Department of Public Works

EC – Emergency Certificate

EO – Enforcement Order

ICC – Ipswich Conservation Commission

LIAU – Land in Agricultural Use

LSCSF – Land Subject to Coastal Storm Flowage

LSP – Licensed Site Professional

NOI – Notice of Intent

NBZ – No-Build Zone

NDZ – No-Disturbance Zone

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

ORAD – Order of Resource Area Delineation

COC – Certificate of Compliance

RDA – Request for Determination of Applicability (*below is a list of possible outcomes for RDAs*)

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

TEC – Temporary Erosion Controls

WPA – Massachusetts Wetlands Protection Act (310 CMR 10.00 *et seq.*)

ZBA – Zoning Board of Appeals

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Citizen's Queries: none

Matters Being Continued to Future Sessions At the Applicant's Request: none

Courtesy Position for Town Projects:

MATTER: 36-611: Town of Ipswich for South Main and Union Street. Riverwalk. Request for Certificate of Compliance. <i>Continued from September 5, 2018.</i>
DISCUSSION: There was no one present for this matter. A motion was made to table, and later to un-table matter, as there was no one present on the matter. Agent Geilen presented, noting that Director of Planning and Development, Glenn Gibbs, received a letter from MassDOT stating that all work was in accordance with the approved plans.
RECOMMENDATION OF AGENT: <i>Issue a full and final COC.</i>
MOTION: <ul style="list-style-type: none"> ◆ A motion was made by Vice Chair ffolliott to table matter. The motion was seconded by Commissioner O'Neill and passed unanimously. ◆ A motion was made by Commissioner Paulitz to un-table matter. The motion was seconded by Vice Chair ffolliott and passed unanimously. ◆ A motion was made by Commissioner Carney-Feldman for a motion for a full & final COC. The motion was seconded by Vice Chair ffolliott and passed unanimously.
ACTION ITEMS / SPECIAL INSTRUCTIONS: <ul style="list-style-type: none"> ❖ <i>None.</i>
DOCUMENT LIST: <i>Letter from MassDOT dated September 18, 2018.</i>

MATTER: Town of Ipswich for work on Argilla Road between the Crane Estate and Crane Beach entrances shown on Tax Map 45 Lot 004 and Tax Map 34 Lot 002 for a Small Project Permit to install six geotechnical borings in the roadway and three temporary tidal gauges in the Castle Neck River in jurisdictional areas.
DISCUSSION: Present was Frank Ventimiglia, DPW Operations Manager, representing the Town of Ipswich. Mr. Ventimiglia presented, noting that the town had received a grant from CZM to investigate raising Argilla Road approximately 1.5', from Great House entrance to the entrance to Crane Beach. Soils under the roadway and tidal flows through the culvert will be investigated. [Discussion: roadway under water during floods; soil boring and tidal gauges locations].
RECOMMENDATION OF AGENT: <i>Issue SPP</i>
MOTION: <ul style="list-style-type: none"> ◆ A motion was made by Commissioner Carney-Feldman to issue a SPP. The motion was seconded by Vice Chair ffolliott and passed unanimously.
ACTION ITEMS / SPECIAL INSTRUCTIONS: <ul style="list-style-type: none"> ❖ <i>None.</i>
DOCUMENT LIST: <i>Mandatory Pre-filing Checklist, Small Project Permit Form, Ipswich Wetlands Protection By-law Filing Fee Calculation Worksheet, Locus Map, Plan. Email from Ted Wickwire dated September 18, 2018; site photos.</i>

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MATTER: 36-1382: Town of Ipswich, Department of Public Works for work at 32 Heartbreak Road, 41 Plains Road, 33 Boxford Road, shown on Tax Map: 54D, 37D, 36 Lot: 014, 003E, 009 for NOTICE OF INTENT to install flow leveling devices to address beaver impacts at three locations and culvert replacement at Heartbreak Rd in jurisdictional areas.

DISCUSSION: Present was Frank Ventimiglia, DPW Operations Manager, representing the Town of Ipswich. Mr. Ventimiglia presented, stating that since the spring, beavers have been active in three locations. He noted that culverts have become clogged, and beaver deceivers® will be added. He also stated that a culvert on Heartbreak Road will be replaced, as it is crush and no water flows through, causing roadway flooding. Chairman Hughes was concerned about water levels, as the pipe being replaced has been submerged. Commissioner Carney-Feldman asked if any septic systems were affected when there is flooding on Heartbreak Road. [Discussion: where the water drains to (DPW yard); downstream flooding]. Chairman Hughes stated she is concerned about stream crossing standard, and says DEP comments are needed. [Discussion: stream crossing standards]. In attendance was Mrs. Ockemga, resident of 30 Heartbreak Rd, and most affected by water level. Mrs. Ockemga. Mrs. Ockemga has a 750 foot driveway in length, culvert is not operating resulting in water backing further up driveway.

RECOMMENDATION OF AGENT: Approve waiver requests, close the public hearing, and issue positive OOC.

MOTION:

♦ **A motion was made by Commissioner Carney-Feldman to approve waiver requests. The motion was seconded by Vice Chair ffollott and passed unanimously.**

♦ **A motion was made by Commissioner O’Neill to close public hearing and issue positive OOC as sent out for review. The motion was seconded by Vice Chair ffollott and passed unanimously.**

ACTION ITEMS / SPECIAL INSTRUCTIONS:

❖ *None.*

DOCUMENT LIST:

Mandatory Pre-filing Checklist, WPA Form 3 Notice of Intent Application, NOI Wetland Fee Transmittal Form, Ipswich Wetlands Protection By-law Filing Fee Calculation Worksheet, Plan; Legal Ad, Locus Map, Notification of Abutters, Abutters List and Affidavit of Service.

MATTER: 36- : Town of Ipswich, Department of Public Works for work at Labor in Vain Rd right of way east and west of the Labor in Vain Creek bridge for a **NOTICE OF INTENT** to repair town road and shoulders damaged by March 2018 and previous storms in jurisdictional areas.

DISCUSSION: Present was Larry Graham, H.L. Graham Associates; and Frank Ventimiglia, DPW Operations Manager, representing the Town of Ipswich. Mr. Graham presented, stating he has been contracted by Town of Ipswich to survey, engineer and permit an NOI for the road repair. Mr. Graham said that the road has deteriorated caused by flooding and higher water levels. The proposed plan highlights stabilizing the road side slopes, repairing the road, and removing sediment from salt marsh. Mr. Graham discussed the new technique to stabilize side slopes, using an with erosion control matt, made up concrete block “pillows” connected by ropes, as well as layers of fabric and mulch, which will allow vegetation to grow between the concrete “pillow”. He noted that erosion has accelerated by past winter by March storms. The plan also included a new parking area alongside the roadway shoulders of road. Most of the work needs to be done on east side of the bridge, including creating a 16 foot wide paved roadway and gravel shoulders. DPW has put in boulders to discourage parking on vegetated areas. Chairman Hughes noted the salt marsh area should be restored and not altered by filing for parking areas. [Discussion: roadside parking]. Mr. Graham noted the shoulders are now gone, it’s a dangerous situation to pedestrians. Guard rail exist on both sides of road but is hanging in spots. Mr. Graham distributed pictures of erosion control mat, which will be placed on the slope, in hopes of retaining this slope. Mr. Graham noted they are not filling salt marsh, but that the entire project is in ACEC. Commissioner Hughes asked why the Town is investing so much on repairs, when the road should be raised. [Discussion: similarities between Argilla Road and Labor in Vain Road]. Both Commissioners Paulitz and Carney-Feldman expressed concerns with filling beyond historic foot print of the road. Chairman Hughes noted a site visit is important and future analysis needs to be done, and duly

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considered. Mr. Graham noted that the FEMA flood elevation is 13 and road is at 7 feet.
RECOMMENDATION OF AGENT: <i>Continue to October 17, 2018 for a site visit and CZM comments.</i>
MOTION: ♦ A motion was made by Commissioner Carney-Feldman to continue to October 17th, 2018. The motion was seconded by Commissioner Paulitz and passed unanimously.
ACTION ITEMS / SPECIAL INSTRUCTIONS: ❖ <i>None.</i>
DOCUMENT LIST: <i>Mandatory Pre-filing Checklist, WPA Form 3 Notice of Intent Application, NOI Wetland Fee Transmittal Form, Ipswich Wetlands Protection By-law Filing Fee Calculation Worksheet, Plan entitled "Permit Plan" dated September 5, 2018, prepared by Graham Associates, Legal Ad, Locus Map, Notification of Abutters, Abutters List and Affidavit of Service; photos.</i>

Small Project Permits

MATTER: Milaschewski for work at 27 Island Park Road shown of Tax Map: 23C Lot: 35 for a Small Project Permit to install a bulkhead in jurisdictional areas.
DISCUSSION: Present was Bill Milaschewski, homeowner. Mr. Milaschewski noted that the crawl space is damp, and he would like to put bulkhead in back corner of house to allow access and ventilation. Commission Paulitz asked if excavation under the house was needed. Mr. Milaschewski, said no.
RECOMMENDATION OF AGENT: <i>Approve the SPP.</i>
MOTION: ♦ A motion was made by Commissioner Carney-Feldman to approve the SPP, with post construction inspection. The motion was seconded by Commissioner Paulitz and passed unanimously.
ACTION ITEMS / SPECIAL INSTRUCTIONS: ❖ <i>None.</i>
DOCUMENT LIST: <i>Mandatory Pre-filing Checklist, Small Project Permit Form, Ipswich Wetlands Protection By-law Filing Fee Calculation Worksheet, Locus Map, Plan.</i>

MATTER: Gritz for work at 3 Tansey Lane shown on Tax Map: 42B Lots: 001, 002, 003, 004, 005 for a Small Project Permit to repair and resurface existing asphalt roadway.
DISCUSSION: Present was Bob Gritz, one of the homeowners along this private roadway, and owner of 3 Tansey Lane. The residents need to asphalt roadway, which services four residences. Mr. Gritz is appealing to Commission for permission to repave. He stated the road and shoulders will not be widened, and repairs to existing asphalt will improve water management. The work will be less than the maximum allowed under a SPP (5000 square feet). [Discussion: erosion control to be placed around catch basin, cover with filter fabric.]
RECOMMENDATION OF AGENT: <i>Approve the SPP.</i>
MOTION: ♦ A motion was made by Vice Chair ffolliott to approve the SPP with pre/post inspection with erosion control. The motion was seconded by Commissioner Paulitz and passed unanimously.

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<p>ACTION ITEMS / SPECIAL INSTRUCTIONS:</p> <p align="center">❖ <i>None.</i></p>
<p>DOCUMENT LIST: <i>Mandatory Pre-filing Checklist, Small Project Permit Form, Ipswich Wetlands Protection By-law Filing Fee Calculation Worksheet, Locus Map, Plan; photo.</i></p>
<p>MATTER: John and Lianne Halloran for work at 10 Bowdoin Road shown on Tax Map 15D Lot 027 for a Small Project Permit to install two additional test pits for septic repair in jurisdictional areas.</p>
<p>DISCUSSION: Present was John Morin, from Morin Cameron Group, representing new owners, John and Lianne Halloran. Mr. Morin noted that soil tests were done in July 2018, but based on BOH comments, to be in compliance with health regulations, the owner had to prove that the septic system could not be located outside of ICC jurisdiction. This required more test pits, which are greater than 100' from Coast Bank, but within the 150' ACEC Buffer. While on site, Mr. and Mrs. Halloran would like to dig one additional test pit in front of the house, in the 100' Buffer Zone because state regulations require two test pits per septic area. Commissioner Paulitz asked if house sits on a foundation or slab. Per Mr. Morin said that it is on a foundation now, but it will be razed and rebuilt. Chairman Hughes noted that last test pits were not in compliance with the SPP, and were never stabilized.</p>
<p>RECOMMENDATION OF AGENT: <i>Approve the SPP with special conditions that all areas be stabilized after work is complete.</i></p>
<p>MOTION:</p> <p>◆ A motion was made by Commissioner Carney-Feldman to approve SPP with conditions. The motion was seconded by Commissioner Paulitz and passed unanimously.</p>
<p>ACTION ITEMS / SPECIAL INSTRUCTIONS:</p> <p align="center">❖ <i>None.</i></p>
<p>DOCUMENT LIST: <i>Mandatory Pre-filing Checklist, Small Project Permit Form, Ipswich Wetlands Protection By-law Filing Fee Calculation Worksheet, Locus Map, Plan entitled "Sketch Plan" dated September 12, 2018, prepared by Morin Cameron Group.</i></p>
<p>Requests for Certificates of Compliance:</p>
<p>MATTER: 36-130: 108 Jeffreys Neck Road, Greenwood. New</p>
<p>DISCUSSION: Present was Larry Graham, H.L. Graham Associates. Mr. Graham presented stating that the as-built survey notes several things that are different than the approved plans. These include: the location of the valve; pavement rolled instead of curbed (overflow directed in same location); gravel was disturbed but since been extra gravel has been added. Agent Geilen noted Field Inspector Decie did site visit, and confirmed that all is stable. Commissioner Paulitz wanted to do a site visit to review the curbing substitution to ensure it functions as planned. Chairman Hughes noted communication on all projects are important, and when project plans changed, the owner should have asked the Commission for approval.</p>
<p>RECOMMENDATION OF AGENT: <i>Continue to 10/3/2018.</i></p>
<p>MOTION:</p> <p>◆ A motion was made by Commissioner Carney-Feldman to continue to October 3, 2018. The motion was seconded by Vice Chair ffolliott and passed unanimously.</p>
<p>ACTION ITEMS / SPECIAL INSTRUCTIONS:</p> <p align="center">❖ <i>None.</i></p>
<p>DOCUMENT LIST: <i>Mandatory Pre-filing Checklist, Small Project Permit Form, Ipswich Wetlands Protection By-law Filing Fee Calculation Worksheet, Locus Map, Plan entitled "Certificate of Compliance Plan" dated September 5, 2018, prepared by Graham Associates; Approved Plan; As Built Plan.</i></p>

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MATTER: 36-402: 196 Country Club Way. Silverstein. <i>New</i>
DISCUSSION: Present was Stephen Silverstein, homeowner. Mr. Silverstein stated that in 1994, as part of house construction, a manmade drainage ditch as flagged wetlands was relocated. A COC was never obtained for his property, and now he needs the OOC closed out so he can sell his property. He does not want to have an as-built plan prepared because he believes the wetlands are actually not jurisdictional. Mr. Silverstein reviewed the history of the site, with assistance from Agent Geilen. Approximately 6 years ago, the abutter received a Determination from the Commission that the drainage ditch was not a jurisdictional wetlands, based on a report by Mike DeRosa. Mr. Silverstein therefore requested that he be issued a full and final COC without an as-built plan, since technically the work never required an OOC. Alicia notes this is a complicated matter. Agent Geilen agreed an as-built should not be required. Field Inspector Bill Decie had done a site visit and confirm the area looked the same as it did when the Determination was made previously. [Discussion: which box to check on the COC form].
RECOMMENDATION OF AGENT: <i>Issue a full and final COC.</i>
MOTION: <p align="center">◆ A motion was made by Vice Chair ffollott to issue a full and final COC. The motion was seconded by Commissioner Paulitz and passed unanimously.</p>
ACTION ITEMS / SPECIAL INSTRUCTIONS: <p align="center">❖ <i>None.</i></p>
DOCUMENT LIST: <i>WPA Form 8A-Request for Certificate of Compliance, Ipswich Wetlands Protection By-law Filing Fee Calculation Worksheet, As-Built plan dated August 9, 1994, prepared by Meridian Engineering, Letter of Substantial Compliance prepared by Steven Silverstein.</i>

MATTER: 36-943: 82 Topsfield Rd. Habitech. <i>Continued from September 5, 2018</i>
DISCUSSION: Present was Mary Trudeau and George Gallagher (Habitech). Ms. Trudeau presented, stating that the combined planting plan was prepared as required. The plan provides for revegetation, meeting restoration and mitigation efforts. [Discussion: moving the fence by the pond, reference to restoration area, draining work, erosion control.] Commissioner Carney-Feldman asked about maintenance of plants. Ms. Trudeau noted that Habitech will water plants until established using a water truck if necessary. Sophocles Carinos, a River Point Road resident, and Board of Trustee member, shared concerns that four plantings shown by the fence at the pond should be moved on other side of fence. [Discussion: cleanout of retention pond]. Ms. Trudeau noted the pond clean out will be maintenance, and annual mowing would suffice. Lastly, Mr. Carinos requested that homeowners would like notification prior of work being done.
RECOMMENDATION OF AGENT: <i>Amend EO to incorporate new planting plan, and require repairs to pond to be done by 11/15/2018.</i>
MOTION: <p align="center">◆ A motion was made by Commissioner Carney-Feldman amending EO to include planting plan. The motion was seconded by Vice Chair ffollott and passed unanimously.</p>
ACTION ITEMS / SPECIAL INSTRUCTIONS: <p align="center">❖ <i>None.</i></p>

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DOCUMENT LIST:

WPA Form 8A-Request for Certificate of Compliance, Ipswich Wetlands Protection By-law Filing Fee Calculation Worksheet, As-Built plan entitled dated September 4, 2018, prepared by Meridian Engineers.

MATTER: 36-1176: 149 County Rd, Ayre. *Continued from September 5, 2018*

DISCUSSION: Present was Charlie Wear of Meridian Engineering. Per Mr. Wear, boulders were placed along the NDZ at the roadway end, and an additional NDZ bound was placed at the rear. Vegetation in the NDZ looked good. Agent Geilen noted that storm water management issues had been resolved.

RECOMMENDATION OF AGENT: *Issue a full and final COC.*

MOTION:

◆ **A motion was made by Commissioner Carney-Feldman to issue a full and final COC. The motion was seconded by Vice Chair ffolliott and passed unanimously.**

ACTION ITEMS / SPECIAL INSTRUCTIONS:

❖ *None.*

DOCUMENT LIST:

No new documents submitted.

MATTER: 36-791: 83 Turnpike Rd. United Pipe & Steel. *Continued from September 5, 2018*

DISCUSSION: Present was Mike DeRosa, DeRosa Environmental Consulting, Inc. Mr. DeRosa shared an update, noting that the guard rail was installed, followed by curbing. The as-built will then be updated, including Meridian's survey of pond.

RECOMMENDATION OF AGENT: *Continue to 11/7/2018*

MOTION:

◆ **A motion was made by Commissioner Carney-Feldman to continue to November 7, 2018. The motion was seconded by Commissioner Paulitz and passed unanimously.**

ACTION ITEMS / SPECIAL INSTRUCTIONS:

❖ *None*

DOCUMENT LIST:

Continuation Request.

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

MATTER: 36- : Clapp, for work at 86 North Ridge Road shown on Tax Map: 15B Lot: 005 NOTICE OF INTENT to repair tow of Coastal Bank damaged by March 2018 storms in jurisdictional areas.

DISCUSSION: Present was Larry Graham, H. L. Graham Associates, representing Bill Clapp, homeowner. A NOI had been filed for the property for repair of coastal bank, which is badly eroding at the bottom. Since this past March 2018, erosion has continued and now within inches of the footings of lower deck. Agent Geilen visited property in June/July 2018. In addition, a site visit was done on August 16, 2018 with Kathryn Glenn and Rebecca Haney of CZM along with Brian O'Neill, James Stone, and Sissy ffolliott. At that time, it was proposed to stop this erosion should be done by replacing boulders at bank bottom and additional boulders behind/above. The proposal is for coble fill at bottom of bank and bring it back to top of bank to stop toe of the bank, Mr. Graham is proposing gabions baskets, covered with boulders to stop corner bank from sloping off and losing footing. Agent Geilen

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noted that this technique is an engineered structure, which is not allowed on coastal bank unless it is to protect a pre-1978 house. Chairman Hughes noted further alteration is not in the interest of coastal bank, and that the entire bank is now covered by shallow-rooted invasive plant species and the bank is deteriorating. [Discussion: research is being done on coastal erosion and what happens to the wave action, marsh is being destroyed, stabilizing coastal bank; CZM needs to evaluate plan]. Agent Geilen noted that no deliberations can be done at the site visit. CZM notes from the August site visit stated previous OOC (36-533) required managing storm water at top of slope. [Discussion: Look at top of slope for management of storm water; removing the lower deck; changing grade to stabilize coastal bank]. Chairman Hughes encouraged Mr. Clapp to visit the CZM website. Agent Geilen offered to review previous notes and share with Conservation Commission. Mr. Clapp noted same erosion happens no matter landscape of property, is happening everywhere on his property.

RECOMMENDATION OF AGENT: *Continue for a site visit at low tide.*

MOTION:

◆ **A motion was made by Commissioner Carney-Feldman to continue to October 3, 2018. The motion was seconded by Vice Chair ffolliott and passed unanimously.**

ACTION ITEMS / SPECIAL INSTRUCTIONS:

❖ *None.*

DOCUMENT LIST:

Mandatory Pre-filing Checklist, WPA Form 3 Notice of Intent Application, NOI Wetland Fee Transmittal Form, Ipswich Wetlands Protection By-law Filing Fee Calculation Worksheet, Plan entitled "Permit Plan" dated September 5, 2018, prepared by Graham Associates, Legal Ad, Locus Map, Notification of Abutters, Abutters List and Affidavit of Service. CZM Comments.

MATTER: 36- : 79 Labor In Vain Realty Trust for work on the south side of a private section of **Labor In Vain Rd** across the property of **79 Labor In Vain Rd** shown on **Tax Map: 32/43 A Lot: 005E/005** for a **NOTICE OF INTENT** to repair shoulder area of private road damaged by March 2018 storms in jurisdictional areas.

DISCUSSION: Present was Larry Graham, H.L. Graham Associates. Mr. Graham presented stating that an NOI had been filed for two owners (Stephen Tucker and Mike Ryan) of the private road. The NOI is to repair shoulders of Labor In Vain Rd (easterly side). In 2017, Conservation Commission approved RDA to repave the road. In March 2018 storm came with 1+ foot water over road, resulting in degradation of southerly edge of road. The high tide and surge washed out shoulder. The road shoulders were repaired under the state's March 2018 emergency declaration. Now the owners are concerned with losing entire road in same scenario. No parking is being proposed, nor is widening of pavement but utilizing concrete block matting to stabilize slope and prevent erosion. Commissioner Paulitz asked about shoulders of road, and if they will be widened. Mr. Graham said no. [Discussion: No fill in salt marsh is being proposed]. Mr. Graham noted salt marsh line on the plan was taken off the 2017 RDA plan, along with wetland line. Agent Geilen asked about impact numbers from filling wetlands for side slope regrading. She said the prohibition on filling salt marsh is a state requirements that cannot be waived. [Discussion: culvert will not be touched]. Agent Geilen asked about outwash on plan, which shows sediment over salt marsh, and wanted confirmation that this will be cleaned up. Mr. Graham said yes. Agent Geilen asked for restoration details (e.g., by hand/machine). Commissioner Paulitz noted that in March 2018, no notification was given to Conservation Commission regarding stabilization work. Mr. Graham stated that the state's emergency declaration required notification of DEP and the Conservation Agent, both of which were done. Agent Geilen confirmed this. Chairman Hughes asked about riverfront. Mr. Graham said that he will review the issue.

RECOMMENDATION OF AGENT: *Continue to October 17, 2018 for a site visit.*

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<p>MOTION:</p> <p>◆ A motion was made by Commissioner ffolliott to continue to October 17, 2018. The motion was seconded by Commissioner Carney-Feldman and passed unanimously.</p>
<p>ACTION ITEMS / SPECIAL INSTRUCTIONS:</p> <p>❖ <i>None.</i></p>
<p>DOCUMENT LIST: <i>Mandatory Pre-filing Checklist, WPA Form 3 Notice of Intent Application, NOI Wetland Fee Transmittal Form, Ipswich Wetlands Protection By-law Filing Fee Calculation Worksheet, Plan entitled "Permit Plan" dated September 5, 2018, prepared by Graham Associates, Legal Ad, Locus Map, Notification of Abutters, Abutters List and Affidavit of Service.</i></p>

<p>MATTER: 36- 1210: 82 Labor In Vain Road. Sullivan. Request for Extension of OOC.</p>
<p>DISCUSSION: Present was Mike DeRosa, who presented the matter, stating that a 1 year extension was requested. He noted the project almost done, and that restoration plantings are growing well.</p>
<p>MOTION:</p> <p>◆ A motion was made by Commissioner Carney-Feldman to grant one year extension. The motion was seconded by Commissioner Paulitz and passed unanimously.</p>
<p>ACTION ITEMS / SPECIAL INSTRUCTIONS:</p> <p>❖ <i>None.</i></p>
<p>DOCUMENT LIST: <i>Extension Request Letter dated September 6, 2018, prepared by Meridian Engineers ; Ipswich Wetlands Protection By-law Filing Fee Calculation Worksheet, Ipswich Conservation Commission – Extension of Orders Filing Procedure.</i></p>

Ongoing Notices of Intent, Minor Modifications and Formal Amendments:

<p>MATTER: 36-1383: Danyelle Desjardins for work at 26 Turkey Shore Rd, shown on Tax Map: 42A Lot: 51 for a NOTICE OF INTENT for repair and reconstruction of existing seawall in jurisdictional areas. <i>Continued from September 5, 2018.</i></p>
<p>DISCUSSION: No one was present for this matter. Agent Geilen presented, stating that this was continued for a DEP file number (received). [Discussion: special conditions.] Commission Paulitz requested a special condition that required work to be done during low tide.</p>
<p>RECOMMENDATION OF AGENT: <i>Approve the request of waivers, close the public hearing and issue Positive OOC.</i></p>
<p>MOTION:</p> <p>◆ A motion was made by Commissioner O’Neill approve the request of waivers as requested. The motion was seconded by Vice Chair ffolliott and passed unanimously.</p> <p>◆ A motion was made by Commissioner Carney-Feldman to close the public hearing and issue Positive OOC, as amended. The motion was seconded by Vice Chair ffolliott and passed unanimously.</p>
<p>ACTION ITEMS / SPECIAL INSTRUCTIONS:</p> <p>❖ <i>None.</i></p>

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DOCUMENT LIST:

No new documents submitted.

MATTER: 36-1379: Cameron, for work at **64 Town Farm Rd** shown on **Tax Map: 21 Lot: 090** for a **NOTICE OF INTENT** to raze and rebuild an existing barn in jurisdictional areas. *Continued from September 5, 2018*

DISCUSSION: Present was Mike DeRosa, DeRosa Environmental Consulting, Inc. Mr. DeRosa reviewed the revised plan, which included red maples, removing gravel from the NDZ (returning it to grass), installing two granite posts (at either end) and three wooden posts to demarcate the NDZ. Chairman Hughes noted the placement of another post. [Discussion: not waiving the NDZ or NBZ].

RECOMMENDATION OF AGENT: *Close the public hearing and issue a positive OOC.*

MOTION:

◆ **A motion was made by Vice Chair ffollott to close the public hearing and issue a positive OOC as drafted/amended. The motion was seconded by Commissioner O'Neill and passed unanimously.**

ACTION ITEMS / SPECIAL INSTRUCTIONS:

❖ *None.*

DOCUMENT LIST:

Plan entitled "Permit Plan Revision 1" dated July 18, 2018" prepared by Graham Associates.

MATTER: 36-1381: Brian Bilo for work at 104 Little Neck Road shown on **Tax Map: 23D Lot: 015** **NOTICE OF INTENT** to raze and rebuild existing single-family dwelling within the same footprint with new septic system in jurisdictional areas. *Continued from September 5, 2018.*

DISCUSSION: Present was Larry Graham, H.L. Graham Associates and Brian Bilo, applicant. Mr. Graham stated that revisions had been made to the plans, as requested. Mr. Grant reviewed the plan changes, including an underground propane tank, underground power, revised drywell specifications, replaced catch basin grate to a solid cover, adding a T coming out of tank into drywell, adding permeable pavers, and a note requesting DPW approval of work in right away of Little Neck Road. DPW sent an email approving the work, but they are concerned with snow plowing of erosion controls. All items were addressed. Commissioner Paulitz noted that there is no "driveway" to access the property, as noted in the special condition. Chairman Hughes noted that a 1.5-3 inch gravel pad would suffice, and equipment stored overnight should be on that pad.

RECOMMENDATION OF AGENT: *Close public hearing and issue Positive OOC*

MOTION:

◆ **A motion was made by Vice Chair ffollott to close the public hearing and issue OOC. The motion was seconded by Commissioner Carney Feldman and passed unanimously.**

ACTION ITEMS / SPECIAL INSTRUCTIONS:

❖ *None.*

DOCUMENT LIST:

Plan entitled "Permit Plan" dated August 15, 2018 prepared by Graham Associates. Email from DPW dated September 17, 2018.

Other Business:

MATTER: 251 Topsfield Rd, Turner Hill. Site-wide compliance update. *Continued from September 5, 2018*

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<p>DISCUSSION: Present was Geoff Andrews, of Wetlands Preservation Inc., who is moving Florida, and will no longer be involved in project. Also present was Curt Young of Wetlands Preservation Inc. Mr. Andrews presented, stating that they will be seeing a modification of COC continuing conditions. In addition, he noted that Geohydrocycle will no longer be performing annual ground water sampling. Another company has been contracted. He stated that monitoring of vernal pool water and invasive species has continued. A final report is coming to n Commission but Turner Hill wants to make changes. There will be a meeting on September 20, 2018 with General Manager and Superintendent. Commissioner Hughes asked about impacts to the abutting property, and stated that communication must exist between the parties. Mr. Andrews noted that a full site walk scheduled for September 6, 2018, and he will check out drainage issue. Agent Geilen noted requested changes will require a site visit by then Commission.</p>
<p>RECOMMENDATION OF AGENT: <i>None.</i></p>
<p>MOTION: None.</p>
<p>ACTION ITEMS / SPECIAL INSTRUCTIONS: ❖ <i>None.</i></p>
<p>DOCUMENT LIST: <i>No new documents submitted.</i></p>

Enforcement Matters

<p>MATTER: 34, 36, 38 Mitchell Road. Tom McMillan. Update. Continued from September 5, 2018</p>
<p>DISCUSSION: Present was Tom McMillan, one of owners of 34, 36, 38 Mitchell Road. Agent Geilen noted that a review of aerial photographs show that disturbance of the property has changed, specifically in the wetland buffer zone. Chairman Hughes stated that a wetland scientist must be hired to delineate wetlands. After that an assessment can be made as to what unauthorized work occurred, and what restoration, if any, is required. Agent Geilen also noted that disturbance of more 10,000 square feet requires a local storm water management permit. Mr. McMillan said that he was told in 2008 that the Conservation Commission had no jurisdiction over this area, when he had applied for installation of a sewer line. Agent Geilen noted there was an NDA for sewer line. Chairman Hughes reiterated that altering resource area, storing vehicles, and any work done within 100 feet of wetland or 200 feet from river requires permitting with Conservation Commission.</p>
<p>RECOMMENDATION OF AGENT: <i>Continue to November 7, 2018 for delineation of the wetlands.</i></p>
<p>MOTION: ♦ A motion was made by Commissioner O’Neill to continue to November 7, 2018. The motion was seconded by Vice Chair ffolliott and passed unanimously.</p>
<p>ACTION ITEMS / SPECIAL INSTRUCTIONS: ❖ <i>None.</i></p>
<p>DOCUMENT LIST: Aerial Photos; EO letter dated September 6, 2018; FIRMette.</p>

<p>MATTER: 36-1197: 30 Mitchell Rd/1 Brady Ln. D&M Realty Trust. Update. Continued from September 5, 2018</p>
<p>DISCUSSION: Present was Larry Graham, H.L. Graham, Associates. Mr. Graham asked for a continuance to December 5, 2018 to get the as-built done.</p>

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RECOMMENDATION OF AGENT: <i>Continue to December 5, 2018</i>
MOTION: <p style="text-align: center;">◆ A motion was made by Commissioner Carney-Feldman to continue to December 5, 2018. The motion was seconded by Commissioner Paulitz and passed unanimously.</p>
ACTION ITEMS / SPECIAL INSTRUCTIONS: <p style="text-align: center;">❖ <i>None.</i></p>
DOCUMENT LIST: <i>No new documents submitted.</i>
MATTER: 4 Merganser Rd. Update on restoration status. Update. <i>Continued from September 5, 2018</i>
DISCUSSION: Present was Mike DeRosa, DeRosa Environment Consulting, Inc. and Larry Graham, H.L. Graham & Associates. Mr. DeRosa noted that a perspective home buyer would like to make alterations to property which may affect how restoration is designed. Mr. DeRosa noted that erosion control blankets will be placed on the slope to stabilize the area for winter. Mr. Graham noted that there is a perspective buyer is not planning on razing the house. They will submit an ANRAD for determination of coastal bank at a later date.
RECOMMENDATION OF AGENT: <i>Continue to October 17, 2018.</i>
MOTION: <p style="text-align: center;">◆ A motion was made by Commissioner Carney-Feldman to continue to October 17, 2018. The motion was seconded by Commissioner O'Neill and passed unanimously.</p>
ACTION ITEMS / SPECIAL INSTRUCTIONS: <p style="text-align: center;">❖ <i>None.</i></p>
DOCUMENT LIST: <i>No new documents submitted.</i>
MATTER: 25 Water Street, Boat stored on Coastal Bank and cutting of wetland vegetation. <i>Continued from September 5, 2018</i>
DISCUSSION: No one was present. Agent Geilen updated the Commission.
RECOMMENDATION OF AGENT: <i>None.</i>
MOTION: <p style="text-align: center;">None.</p>
ACTION ITEMS / SPECIAL INSTRUCTIONS: <p style="text-align: center;">❖ <i>None.</i></p>
DOCUMENT LIST: <i>Email from Alicia dated September 17, 2018.</i>

Tabled Matters and Discussion Items:

- *None.*

Approval of Minutes:

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◆ A motion was made by Commissioner Carney-Feldman to approve the September 5, 2018 minutes of as drafted/amended. The motion was seconded by Commissioner Paulitz and passed unanimously.

Document Signage: (No Vote Required)

- *None.*

Adjournment:

◆ A motion was made by Commissioner Carney-Feldman to adjourn at 10:10 p.m. The motion was seconded by Commissioner Paulitz and passed unanimously.

Respectfully submitted,



Amy Scicchitani
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.