

Approved: 6-16-21
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IPSWICH CONSERVATION COMMISSION
Meeting Minutes
May 19, 2021

Pursuant to a written notice posted by the Town Clerk and delivered to all Conservation Commission members, a meeting was held Wednesday, May 19, 2021 at 7:00 p.m. in Room A of the Ipswich Town Hall. Members present were Chairman Jennifer Hughes, Vice-Chair William Paulitz, Commissioners Sissy ffolliott, Catherine Carney-Feldman, Raymond Putnam, and James Stone. Also present were Agent Brendan Lynch and Recording Secretary Odile Breton.

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

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Citizen's Queries:

MATTER: Citizen's Query for 153 Argilla Rd by Mary Rimmer (Rimmer Environmental LLC)
<p>DISCUSSION: Present was Mary Rimmer, representing the owners of 153 Argilla Rd. She presented the plan for a new driveway on a 41 acre parcel. Current access is through the Russell Orchard parking lot and the traffic in the parking lot is a safety concern. The project is to construct a new driveway with its own access on the owner's property. She is looking for feedback on the feasibility of the project as there are 2 small wetlands crossings.</p> <p>Chair Hughes stated that if the proposed area is in ACEC (below elevation 10) that would prevent the project from going forward. Rimmer said a topographic survey needs to be done. As there is a current viable access DEP may not look favorably at the project Chair Hughes stated.</p> <p>No action by ICC required.</p>

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

MATTER: 36-1259: 357 Linebrook Rd. Justin McCarthy. (Graham). COC. <i>Cont from 10/7/2020</i>
DISCUSSION: No discussion
RECOMMENDATION OF AGENT: <i>Continue to June 16, 2021.</i>
<p>MOTION:</p> <p style="text-align: center;">◆ A motion was made by Commissioner Carney-Feldman to continue to June 16, 2021. The motion was seconded by Vice-Chair Paulitz and passed unanimously.</p>

MATTER: 36-508: 26 North Ridge. McCarthy. (Graham). COC. <i>Cont from 10/7/2020</i>
DISCUSSION: No discussion.
RECOMMENDATION OF AGENT: <i>Continue to June 16, 2021.</i>
<p>MOTION:</p> <p style="text-align: center;">◆ A motion was made by Commissioner Carney-Feldman to continue to June 16, 2021. The motion was seconded by Vice-Chair Paulitz and passed unanimously.</p>

Courtesy Positions for Town Projects

MATTER: Kamon Property Conservation Restriction discussion. Beth O'Connor, Open Space Steward
<p>DISCUSSION: Present were Beth O'Connor, Ipswich Open Space Program and Chris LaPointe, Director of Land Conservation at Essex County Greenbelt. The CR is approximately 93 acres and Greenbelt will be the fee owner at closing scheduled for the end of June 2021. A draft Conservation Restriction was presented for the ICC to review. then Town Counsel, then the Select Board, and finally the State. O'Connor said they are requesting feedback and questions from ICC and approval to move the Conservation Restriction forward to relevant parties. The Town and Greenbelt will close on the Conservation Restriction in July 2021.</p> <p>LaPointe reviewed restrictions and allowable activities. He noted it is a fairly standard land restriction. Commissioner Carney-Feldman had questions regarding the timing of harvesting hay and trail use for mountain bike activities. LaPointe said harvesting hay is managed on a case by case basis for each Greenbelt property. Harvesting is managed on a cycle for maximum nutritional value for the hay. Some properties hay is harvested after July 15. His sense is that this property will have a hybrid approach. There is no clear answer at this time. Activity has to be consistent with drinking water protection standards and conservation purposes. The farm plan</p>

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needs to be approved by the Town.

Mountain bikes are allowed on Greenbelt properties. Greenbelt is working with mountain bike groups to address how to appropriately build trails. Willowdale is 2400 acres with established trails. Additional signage will be added for trails. LaPointe does not foresee bike trail issues for this property.

Public Comment: Helen Weatherall, suggested bringing a bird expert to help assess the bird species and population on the property. LaPointe responded that is something to consider.

Chair Hughes asked about the next steps. LaPointe said the primary revision is to bring the hay production within the drinking water supply into the farm plan zone. It is a simple revision. If the ICC thinks it is a good draft, we would like to forward to Town Counsel. LaPointe said the document needs to go to the Select Board and State and it will not be the last time the ICC will see it. There were no additional comments from the ICC. Chair Hughes said the draft Conservation Restriction could move forward to Town Counsel.

No ICC vote required.

MATTER: 36-1254: Old England Rd Culvert. TOI Department of Public Works. COC. *Cont from 4/21/2021*

DISCUSSION: Agent Lynch said the repair work is done.

RECOMMENDATION OF AGENT: Continue to September 1, 2021 to allow seed to take hold and for the bank to stabilize before issuing a COC.

MOTION:

♦ **A motion was made by Commissioner Ffolliott made a motion to continue to September 1, 2021. The motion was seconded by Commissioner Carney-Feldman 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. *Cont from 5/5/2021*

DISCUSSION: Present were Kevin McHugh (Coneco) and Mike Toohill (Coneco). Chair Hughes noted the Town intends to continue this process and is seeking information under Chapter 91 (The Massachusetts Public Waterfront Act). Chair Hughes said the ICC can only discuss the project before the ICC. The Town intends to make public access for canoe and kayaks a public discussion but that will not occur at tonight's meeting.

McHugh provided an update on the project. McHugh presented a site plan and pointed at work completed. The overall intent of the project is to repair and improve conditions. He noted a guard rail was added along the edge of Water Street for protection for the slope that will be revegetated. McHugh requested direction on the access as it is up to the Town on how to proceed. Toohill spoke about Chapter 91 and said this is a tidal river. He explained the bank restoration and headwall maintenance and how it relates to Chapter 91.

Chris Murray from Water Ways Committee (WWC) said it was understood that access would be preserved (May 2018 meeting). It's a landing area which is safe for kayaks. WWC would like it maintained as it has been used. Chair Hughes said access for kayaks should not be discussed this evening as it is not proposed in the plan presented. Access and its location should be discussed at a future date as it relates to the Wetlands Protection Act. Public Comment:

Isaac Ross, said the project proposes to eliminate access. There is a 1910 map that shows the access. He requested the guardrail be removed because it prevents access.

Peter Burbriski, 39 Summer Street, said multiple emails and letters were sent to Agent Lynch about the project. He requested that the letters go into the record. He said several people in the neighborhood are familiar with the existing access and were not aware of a plan to eliminate access.

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Linda Grimes, member of the Historical Commission, said the guardrail takes away the pedestrian access. There are photographs from the early 1900's that show the access. She requested that the project continue with the historic access. Historical Commission would like to be copied on hearings.

Rick Spalding, 39 Summer Street, asked about the ICC process and what actions will be taken tonight and at the next hearing.

Chair Hughes explained a continuance. She also explained Chapter 91 relates to waters owned by the State. She said the fill is part of the bank restoration. Toohill added background for Chapter 91 and its requirements.

Commissioner Paulitz said the public could look at the Town Conservation website for agendas. Agent Lynch spoke with Rick Clark from DPW and recommended the next hearing be pushed to July 21, 2021.

Larry Graham, 12 Labor In Vain Rd, has concerns about the stabilization of the bank and the trees and suggests that the project be bifurcated to repair the headwall. McHugh said it can be discussed with the Town.

No further comments.

MOTION:

♦ **A motion was made by Commissioner Stone made a motion to continue to July 21, 2021. The motion was seconded by Vice-Chair Paulitz and passed unanimously.**

DOCUMENTS: Letters from abutters.

Small Project Permits

MATTER: 12 Fowlers Lane. Gillis. New. Install a fence within 100' buffer to BVW. *New*

DISCUSSION: Agent Lynch said the property owners want to install a 6 ft. fence on the property line which is outside of the no build and no disturb zones. A diagram of the site was presented and Lynch pointed out the location of the proposed fence. The owners were required to correct some clearing and the restoration is to be done by September 1, 2021.

Chair Hughes asked how far the fence would be from the resource area. Lynch estimated 50 feet.

No further comments noted.

RECOMMENDATION OF AGENT: Lynch recommends approval.

MOTION:

♦ **A motion was made by Commissioner Carney-Feldman to issue the SPP with a condition for post construction inspection. The motion was seconded by Vice-Chair Paulitz and passed unanimously.**

DOCUMENTS: SPP dated 5-12-21

ACTION ITEMS / SPECIAL INSTRUCTIONS:

❖ *Lynch to document the distance from the resource zone on the plan and to conduct site visit post construction.*

Requests for Determination of Applicability:

MATTER: 70 North Ridge Rd. Harrigan (DeRosa Environmental Inc.). RDA for seven geotechnical borings. *New*

DISCUSSION: Present were Mike DeRosa and Bill Peterlein (Summit Engineering Services) Aerial views of the site were displayed and DeRosa explained geo tech work done at low tide. He said there is a Chapter 91 permit for the dock. Peterlein P.E., President of Summit Engineering, discussed the 7 borings for this project.. DeRosa said the project will come before the ICC with an NOI.

Agent Lynch did not see a need for erosion control. He suggested a post construction visit.

No further comments noted.

MOTION:

♦ **A motion was made by Commissioner Putnam to issue an NDA #2 for work in resource area. The motion was seconded by Commissioner Carney-Feldman and passed unanimously.**

DOCUMENTS: RDA prepared by DeRosa Environmental Consulting dated 5-5-21.

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Requests for Certificates of Compliance:

MATTER: 36-943: 82 Topsfield Rd. COC. Cont from 8/21/19
<p>DISCUSSION: Agent Lynch said the ICC was waiting for final monitoring report for the plantings and maintenance of the drainage basin at Ipswich River Point Condos. The monitoring report was submitted late last year. A letter from an engineer confirmed the cleaning of the basin.</p> <p>Present was Sophocles Carinos, 71 River Point Drive, member of the Board of Trustees for River Point Condos. He clarified that there are two different parties involved in the matter. The original developer (Habitech) is seeking the COC. Carinos stated the original developer has two conditions to meet; (1) upgrading the storm water system plan (which was cleared) and a (2) two year monitoring of mitigation plantings. It is now the third growing season.</p> <p>Hughes suggested a site visit.</p>
RECOMMENDATION OF AGENT: Issue COC .
<p>MOTION:</p> <p style="text-align: center;">♦ A motion was made by Commissioner Carney-Feldman to continue to June 16, 2021. The motion was seconded by Vice-Chair Paulitz and passed unanimously.</p>
<p>ACTION ITEMS / SPECIAL INSTRUCTIONS:</p> <p style="text-align: center;">❖ <i>Lynch to schedule a site visit.</i></p>

MATTER: 36-1448: 28 North Ridge Rd. Lynch (Graham). COC. New
<p>DISCUSSION: Present was Larry Graham representing Brian Lynch. He submitted the request for the COC on May 3, 2021. The project was a stair replacement which is completed and in compliance with the issued order. Lynch said a post construction visit was completed earlier today by Field Agent Bill Decie and there were no issues..</p>
RECOMMENDATION OF AGENT: Issue COC.
<p>MOTION:</p> <p style="text-align: center;">♦ A motion was made by Commissioner Carney-Feldman to issue a full and final COC. The motion was seconded by Vice-Chair Paulitz and passed unanimously.</p> <p>DOCUMENTS: COC and COC plan prepared by Graham Assoc. dated 5-3-21.</p>

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

MATTER: 36-1474 : 47 Newmarch Street. St. Emery George (DeRosa). NOI to raze and rebuild an existing single family home. New
<p>DISCUSSION: Present were Mike DeRosa (DeRosa Environmental Inc.) and John Morin, site engineer (Morin-Cameron Group) and Emery George, applicant. DeRosa noted there is an outstanding COC request (related to prior owner). They are waiting for plants to grow in the restoration area. DeRosa explained the project and displayed site plans identifying resource areas and buffer zone lines. DeRosa noted that the home is connected to Town sewer. and described the drainage and reviewed impervious areas within resource areas. as well as native plantings that will be installed. Stormwater management was discussed by John Morin who will modify the drainage</p>

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calculations. Paulitz suggested a test pit to confirm soils and Hughes agreed.
Hughes suggested a site visit.

MOTION:

- ◆ **A motion was made by Commissioner ffolliott to continue to June 16, 2021. The motion was seconded by Commissioner Carney-Feldman and passed unanimously.**

DOCUMENTS: NOI prepared by DeRosa Environmental Consultants dated 5-5-21.

ACTION ITEMS / SPECIAL INSTRUCTIONS:

- ❖ *Moring to modify storm water / drainage calculations for Cornell numbers. Test pit to be completed to confirm soils. Lynch to schedule a site visit.*

Ongoing Notices of Intent, Minor Modifications and Formal Amendments:

MATTER: 36-1464: 61 River Rd. Harris (John Dick Senior Wetland Scientist Hancock Associates). NOI for demolition and reconstruction of a single family dwelling in Riverfront Area and buffer to Coastal Bank. *Cont from 5/5/2021*

DISCUSSION: Present was John Dick representing owners. Lynch read a letter from Steve Mangano, property manager for Little Neck Condo Association. The letter noted approval for the rebuild of the home and requests a copy of the OOC.

Dick noted waivers are requested for the 25' No Disturb and 15' No Build ones.. The waiver requested is in the written narrative. The conditions are drafted and there is 21 days to issue the OOC. The ICC needs time to review conditions which will be provided to the applicant at the next ICC meeting.

MOTION:

- ◆ **A motion was made by Commissioner Stone to approve the request of waivers. The motion was seconded by Commissioner Carney-Feldman and passed unanimously.**

- ◆ **A motion was made by Commissioner ffolliott to close the public hearing. The motion was seconded by Commissioner Carney-Feldman and passed unanimously.**

ACTION ITEMS / SPECIAL INSTRUCTIONS:

- ❖ *Lynch to issue OOC by June 9, 2021.*

MATTER: 36-1467: Rosewood Dr., Units 60 and 61. Hubert LaBlanc Tr (Wetlands Land Mgmt). NOI to construct a duplex housing building. *Cont from 5/5/2021*

DISCUSSION: Present was Roger LeBlanc. LeBlanc said Bill Manuell (Wetlands Land Mgmt) is currently attending another meeting and will be available in the next 15-20 minutes. . The matter was tabled at 8:52pm and was untabled at 9:21pm.

Bill Manuell, Wetland Land Mgmt was present. He resubmitted revised plans that now include topography. He reviewed changes to the drainage system. He noted that "No Disturb" markers have been installed. The O & M plan has been submitted. He believes everything has been addressed on the punch list.

Vice Chair Paulitz noted the applicant proposes to send all roof stormwater to the rear infiltration system and it should be noted in the Order.

Chair Hughes questioned the location of monuments. Manuell said the monuments were installed based on an approved plan. Hughes located the plan and noted the monuments do not appear to be installed based on the approved plan. The approved plan shows the monuments in a uniform distance around the parcel. Chair Hughes said the monuments need to be corrected. An order has not been drafted. A Special Condition will be added for the monuments to be consistent with the CR plan. Mr. LeBlanc said it is not an issue to move monuments.

Agent Lynch to draft the Order for the next meeting and Chair Hughes stated it needs to reference all previous orders.

No public comments noted.

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MOTION:

◆ **A motion was made by Vice-Chair Paulitz to table the hearing. The motion was seconded by Commissioner Carney-Feldman and passed unanimously.**

◆ **A motion was made by Commissioner Carney-Feldman to untable the hearing. The motion was seconded by Vice-Chair Paulitz and passed unanimously.**

◆ **A motion was made by Vice-Chair Paulitz to continue to June 2, 2021. The motion was seconded by Commissioner Carney-Feldman and passed unanimously.**

DOCUMENTS: Revised Plan prepared by Eastern Land Survey dated 5-3-21

ACTION ITEMS / SPECIAL INSTRUCTIONS:

❖ *Applicant to provide a revised plan for the next ICC meeting. Agent Lynch to draft an OOC.*

MATTER: 36-1470 Argilla Rd. The Trustees of Reservations, Russell Hopping (Rimmer Env). NOI for Great Marsh Integrated Restoration Project. *Cont from 5/5/2021*

DISCUSSION: Present was Mary Rimmer from Rimmer Environmental LLC. Agent Lynch said the draft was not ready to review this evening but would be completed for the next ICC meeting. Rimmer requested a copy of the draft when it is ready. No public comment noted.

MOTION:

◆ **A motion was made by Vice-Chair Paulitz to close the public hearing. The motion was seconded by Commissioner Stone and passed unanimously.**

ACTION ITEMS / SPECIAL INSTRUCTIONS:

❖ *Lynch to complete the draft for ICC review. ICC to vote on OOC on June 2, 2021*

MATTER: 36-1466: 240 County Rd and Fellows Rd. New England Biolab (Meridian). NOI for new child care center to include vegetated areas, surface parking and entry drive. *Cont from 5/5/2021*

DISCUSSION: Present was Charlie Wear (Hancock Associates). The final letter from Bob Puff (peer reviewer) was received and it noted minor issues. Wear noted the Planning Board issued its approval of the project. Additional soil testing was requested by Bob Puff. The testing of soil in the rain garden was completed. More global (?) testing was requested. Wear said the timing of soil testing could be an issue. Weir said minor adjustments in the design can be made based on results of the tests. The Planning Board conditioned the soil testing during construction with the results going back to the Peer Reviewer and Planning Board. Any changes to design must go through the Planning Board and the Commission.

No public comment noted.

Draft conditions were reviewed and edited. Edits include adding monumentation and two full growing seasons and monitoring reports as well as new MS4 requirements. Applicant to submit report annually on O & M to ICC by October 31.

MOTION:

◆ **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 Vice-Chair Paulitz to issue a positive OOC as drafted and amended. The motion was seconded by Commissioner Carney-Feldman and passed unanimously.**

ACTION ITEMS / SPECIAL INSTRUCTIONS:

❖ *Agent Lynch to add Special Condition regarding additional soil testing to determine soil classification and compare with Planning Board condition.*

MATTER: 36-1472: 40 North Ridge Rd. Phillips (Dan Johnson). NOI for replacement of septic system. *Cont from 5/5/2021*

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DISCUSSION: Present was Dan Johnson, Domestic Septic Design, representing owners for the project. Johnson provided an update on the project and a site plan was presented. He said the property has been delineated. The septic system is out of the ACEC 150 ft buffer.

No public comment noted.

The draft OOC was reviewed. Waivers requested for work in the No Build and No Disturb Zone for abandonment of the old septic system. Johnson made a verbal request for the waivers and will submit a written request.

MOTION:

◆ **A motion was made by Commissioner Carney-Feldman to approve the verbal request of waivers which will be provided in writing. The motion was seconded by Vice-Chair Paulitz and passed unanimously.**

◆ **A motion was made by Vice-Chair Paulitz to close the public hearing. The motion was seconded by Commissioner ffolliott and passed unanimously.**

◆ **A motion was made by Commissioner Carney-Feldman to issue a positive OOC as drafted and amended upon receipt of the revised plan. The motion was seconded by Vice-Chair Paulitz and passed unanimously.**

ACTION ITEMS / SPECIAL INSTRUCTIONS:

- ❖ *Waiver request needs to be in writing and revised plans need to include no build and no disturbance zones.*

MATTER: 36-1170: Turner Hill Golf Course. Extension request. *Cont from 5/5/2021*

DISCUSSION: Agent Lynch said the matter had been continued so that the ICC could review Solitude's means and methods and chemical use. Monitoring reports and annual reports were available for review. Putnam noted Solitude is using two herbicides and had no concerns. Lynch said the extension request is for three years to continue the management.

MOTION:

◆ **A motion was made by Commissioner Putnam to extend the permit for as requested. The motion was seconded by Vice-Chair Paulitz and passed unanimously.**

MATTER: 36-1471: 20 Lakemans Lane. Bernard. NOI for replacement of existing garage with family room. *Cont from 5/5/2021*

DISCUSSION: Present was homeowner Dan Bernard. He is proposing to add an AC/heating unit to the plan. The unit would have a condenser. Paulitz asked if the unit could be moved out of the No Build Zone. Bernard said he would work with the contractor to move it. Bernard provided a photograph of the unit which does not need to be placed on concrete pad. Putnam suggested it could be attached to the house.

Paulitz noted that there is no engineering plan and questioned how the ICC would know the project will stay in the same footprint. Lynch noted he spoke with the Building Inspector and there is a requirement for a foundation plan for this project. Hughes said it is a standard condition to submit a foundation plan.

No public comment noted.

Waivers were requested for work in the No Build Zone, the No Disturbance Zone and waiver for submitting a formal engineering plan and requirement for an updated wetland delineation plan.

MOTION:

◆ **A motion was made by Commissioner ffolliott to grant the request of waivers. The motion was seconded by Commissioner Carney-Feldman and passed with 5 votes (Hughes recused).**

◆ **A motion was made by Commissioner Carney-Feldman to close the public hearing. The motion was seconded by Commissioner Stone and passed with 5 votes (Hughes recused).**

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ACTION ITEMS / SPECIAL INSTRUCTIONS:

- ❖ *Lynch to prepare draft OOC. Two additional monuments to be added to the plan along the vegetation line.*

MATTER: 36-: 14 Northridge Rd. Keady (Graham). NOI for replacement of existing garage with family room. *Cont from 5/5/2021*

DISCUSSION: Agent Lynch forwarded CZM comments to the applicant. The applicant was not present and the matter was tabled.

MOTION:

◆ **A motion was made by Vice-Chair Paulitz to table the matter. The motion was seconded by Commissioner ffolliott and passed unanimously.**

◆ **A motion was made by Vice-Chair Paulitz to untable the matter. The motion was seconded by Commissioner Carney-Feldman and passed unanimously.**

◆ **A motion was made by Vice-Chair Paulitz to continue to June 2, 2021. The motion was seconded by Commissioner Carney-Feldman and passed unanimously.**

MATTER: 36-1425: 4 Merganser Rd. Robitaille (Graham). FA to construct a set of steps from the drive level to the lower level of the dwelling. *New*

DISCUSSION: Present was Larry Graham (H.L. Graham & Associates). He said the application is for a Formal Amendment to an existing OOC. The existing OOC is for a septic system repair. The new septic system has been installed. An area below the retaining wall has been used as a path and is in poor condition. Graham identified the resource areas on the site plan. The proposal is to construct a unit block retaining wall that starts at the north east corner of the existing dwelling. ?? Graham pointed out existing posts that support the decks and noted they are in poor condition. and the footings need to be replaced. Merganser is a private road. Graham stated there are no waivers requested.

No public comment noted.

MOTION:

◆ **A motion was made by Vice-Chair Paulitz to continue to June 16, 2021. The motion was seconded by Commissioner Stone and passed unanimously.**

DOCUMENTS: FA and Permit Plan prepared by Graham Assoc. dated 4-9-21

ACTION ITEMS / SPECIAL INSTRUCTIONS:

- ❖ *Graham to revise plans to include detail of the wall and the stone drainage and pipe.*

Enforcement Matters:

MATTER: 62 Jeffreys Neck Rd. Unpermitted fence within jurisdictional areas. *Cont from 5/5/2021*

DISCUSSION: Agent Lynch said the matter will be continued to June 2, 2021 as the owner would like time to prepare a mitigation plan to present to the ICC. Hughes and Lynch did a site visit and Hughes noted the fence is potentially in the wetland area.

MOTION:

◆ **A motion was made by Commissioner Carney-Feldman to continue to June 2, 2021. The motion was seconded by Commissioner ffolliott and passed unanimously.**

MATTER: 121 Argilla Rd. Unpermitted work within jurisdictional area. *New*

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<p>DISCUSSION: Agent Lynch spoke with the owners today and noted they received all the information that was sent to them. The owners were not available to attend the meeting.</p> <p>Hughes requested confirmation that no further work was to be done until the ICC speaks with the owners. Lynch will discuss and confirm with the owners when he speaks with them tomorrow. Hughes explained that clearing in the wetland occurred and driveway was being constructed on the property.</p>
<p>MOTION:</p> <p style="text-align: center;">♦ A motion was made by Vice-Chair Paulitz to continue to June 2, 2021. The motion was seconded by Commissioner Carney-Feldman and passed unanimously.</p>
<p>ACTION ITEMS / SPECIAL INSTRUCTIONS:</p> <p style="text-align: center;">❖ <i>Lynch to get details of planning and if anything was discussed.</i></p>

<p>MATTER: Clark beach Access Road. Association of Great Neck</p>
<p>DISCUSSION: Agent Lynch provided an update. The Enforcement Order had a date of restoration completion of May 15, 2021. Lynch contacted the President of the Association, John Shaw. Shaw sent a letter stating the Association plans on being compliant with what the Enforcement Order entails. The Association is hoping to get the contractor back out there and hope the work can be done by end of June 2021. Lynch forwarded letter to ICC and DEP.</p> <p>Chair Hughes clarified that the Association is choosing to violate the requirement for the work to be done by May 15, 2021. Hughes said the work needs to be completed by June 16, 2021 or the Association will be fined. It's an Enforcement Order and the Association does not get to choose a date to complete required work.</p>
<p>MOTION:</p> <p style="text-align: center;">♦ A motion was made by Commissioner Carney-Feldman to continue to June 16, 2021. The motion was seconded by Vice-Chair Paulitz and passed unanimously.</p>
<p>ACTION ITEMS / SPECIAL INSTRUCTIONS:</p> <p style="text-align: center;">❖ <i>Lynch to contact the Association about the enforcement order and date of completion for required work. Lynch to update the enforcement order with new date and resubmit to DEP.</i></p>

Approval of Minutes: March 17, 2021, April 7, 2021 and April 21, 2021

Ffolliot said she only reviewed the March 17, 2021 minutes. She suggested voting on the minutes (3/17, 4/7 and 4/21) at the next ICC meeting.

Adjournment:

♦ **A motion was made by Vice-Chair Paulitz to adjourn at 11:16 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.