

Approved: 6-16-21
Distributed: 6-30-21

IPSWICH CONSERVATION COMMISSION
Meeting Minutes
June 2, 2021

Pursuant to a written notice posted by the Town Clerk and delivered to all Conservation Commission members, a meeting was held Wednesday, June 2, 2021 at 7:00 p.m. in Room A of the Ipswich Town Hall. Members present were Chairman Jennifer Hughes, Vice-Chair William Paulitz (arrived late at 7:52 pm), Commissioners Sissy ffolliott, Catherine Carney-Feldman, Raymond Putnam, and James Stone. Also present was Recording Secretary Odile Breton. Agent Lynch was absent with prior notice.

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: 36-1467: Rosewood Dr., Units 60 and 61. Hubert LaBlanc Tr (Wetlands Land Mgmt). NOI to construct a duplex housing building. *Cont from 5/19/2021*

DISCUSSION: No discussion.

MOTION:

◆ A motion was made by Commissioner Carney-Feldman to continue to June 16, 2021. The motion was seconded by Commissioner Putnam and passed with 5 votes (Vice Chair Paulitz not present for vote).

MATTER: 36-895: 101 Jeffreys Neck Rd. Gonzales (Wetlands Mgmt). COC *Cont from 11/4/2020*

DISCUSSION: No discussion.

MOTION:

◆ A motion was made by Commissioner ffolliott to continue to August 4, 2021. The motion was seconded by Commissioner Putnam and passed with 5 votes (Vice Chair Paulitz not present for vote).

Courtesy Position for Town Projects

MATTER: Various locations. Planning Department, Ethan Parsons Director of Planning and Development. SPP for wayfinding signs. *New*

DISCUSSION: Present was Ethan Parsons. Parsons explained aluminum post wayfinding signs will be placed in various locations to direct motorists and pedestrians. Visuals of the various locations for the signs were presented. No public comments noted.

MOTION:

◆ A motion was made by Commissioner Carney-Feldman to issue the SPP with condition for post construction inspection. The motion was seconded by Commissioner Putnam and passed with 5 votes (Vice Chair Paulitz not present for vote).

DOCUMENTS: SPP prepared by Ethan Parsons dated 5-28-21

MATTER: 36-1475: Peatfield Street right of way, Peatfield Landing. TOI Planning Department, Open Space Program, Beth O'Connor. NOI for a seasonal dock. *New*

DISCUSSION: Present was Beth O'Connor, Open Space Steward.. O'Connor presented the proposal for a season dock for river access. She said the dock comes in sections (10ft. x 4 ft.) and will have a ramp. She noted the Harbormaster needs to approve the seasonal dock. The docks will come out in the fall and be stored in parking area. Waivers are requested for the No Disturb Zone and formal delineation.

No public comments noted.

MOTION:

◆ A motion was made by Commissioner ffolliott to grant waivers as requested. The motion was seconded by Commissioner Carney-Feldman and passed with 5 votes (Vice Chair Paulitz not present for vote).

◆ A motion was made by Commissioner Carnery-Feldman to continue to June 16, 2021. The motion was seconded by Commissioner Putnam and passed with 5 votes (Vice Chair Paulitz not present for vote).

DOCUMENTS: NOI prepared by Beth O'Connor dated 5-12-21

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ACTION ITEMS / SPECIAL INSTRUCTIONS:

- ❖ *Lynch to draft OOC for June 16, 2021 ICC meeting. Draft to include a condition for storing the seasonal dock in the parking lot.*

Ongoing Notices of Intent, Minor Modifications and Formal Amendments:

MATTER: 36-1473: 14 North Ridge Rd. Keady (Graham). NOI to repair existing seawall. *Cont from 5/19/2021*

DISCUSSION: No one was present for the matter and it was tabled to later in the meeting (see vote under Tabled matters below). The matter was untabled at 7:36pm. (see vote below).

Gerry McDonald (H.L. Graham & Associates) was present. He understands the concerns with shotcrete filling the voids in the seawall. He said plans were revised by the structural engineer and were submitted today which is too late for ICC members to have adequate time to review..

MOTION:

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

Enforcement Matters:

MATTER: 62 Jeffreys Neck Rd. Unpermitted fence within jurisdictional areas. *Cont from 5/19/2021*

DISCUSSION: No one was present for the matter and it was tabled for later in the meeting (see vote under Tabled Matters). At the end of the ICC meeting, no one was present for the matter. ICC decided to continue the matter.

MOTION:

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

MATTER: 121 Argilla Rd. Unpermitted work in jurisdictional areas. *Cont from 5/19/2021*

DISCUSSION: Present were Frank DiLuna and Kat Kenney (owner). DiLuna noted the Enforcement Order stated cease activity and attend Conservation Commission meeting to discuss. Di Luna stated it is normal agricultural activity to remove invasive species. Mike DeRosa has been retained to work on the project. Hughes noted issues with work occurring in the resource area and the ICC does not know what the area looked like before the work began. Hughes stated 3 items need to be resolved:

1. Delineation
2. Restoration species
3. New driveway addressed

Di Luna asked if the stones on the ground in the area could be moved to the existing stone wall. Commissioner Putnam stated that without more precise information, he is uncomfortable to vote on site work. Hughes said the ICC is not comfortable with activity until a plan is presented. Hughes said the delineation needs to be done and ICC should conduct a site visit before allowing any work in the area of violation.

MOTION:

- ◆ **A motion was made by Commissioner Carney-Feldman to continue to June 16, 2021. The motion**

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was seconded by Commissioner ffolliott and passed with 5 votes (Vice Chair Paulitz not present for vote).

ACTION ITEMS / SPECIAL INSTRUCTIONS:

- ❖ *Commissioners to visit site prior to June 16, 2021 ICC meeting.*

Other Business:

MATTER: 36-1464: 61 River Rd. Harris (John Dick). NOI for demolition and reconstruction of a single family dwelling in Riverfront Area and buffer to Coastal Bank. *Cont from 5/19/2021*

DISCUSSION: No one was present. The ICC reviewed the draft OOC and made edits. A condition for authorization from the condominium association was requested to be included and referenced in the OOC. There was a question on mitigation sited in condition 31. Condition 62 should include offsite disposal related to erosion control.

MOTION:

- ◆ **A motion was made by Commissioner Carney-Feldman to issue the Order of Condition as drafted and amended. The motion was seconded by Commissioner Putnam and passed unanimously.**

MATTER: 36-1470: Argilla Rd. The Trustees of Reservations. Russell Hoppings (Rimmer Environmental). NOI for Great Marsh Integrated Restoration Project. *Cont from 5/19/2021*

DISCUSSION: ICC reviewed draft and made edits. OOC is for a 5 year OOC not 3 year. DEP signage location was noted to be on Argilla Road.

MOTION:

- ◆ **A motion was made by Vice-Chair Paulitz to issue an Order of Condition as drafted and amended. The motion was seconded by Commissioner ffolliott and passed unanimously.**

MATTER: 36-1471: 20 Lakeman Lane. Bernard. NOI for replacement of existing garage with family room. *Cont from 5/19/2021*

DISCUSSION: ICC reviewed draft and made edits. Paulitz questioned condition 62(g). Paulitz said there is no engineering plan. Paulitz suggested amending the condition as the foundation plan will be used. Hughes said condition 62(h) specifies foundation plan that is prepared by an engineer which is then submitted to the Building Inspector.

MOTION:

- ◆ **A motion was made by Commissioner Carney-Feldman to issue an Order of Condition as drafted. The motion was seconded by Vice-Chair Paulitz and passed unanimously.**

Tabled Matters and Discussion Items:

MATTER: 36-1473: 14 North Ridge Rd. Keady (Graham). NOI to repair existing seawall. *Cont from 5/19/2021*

DISCUSSION: No one was present and the matter was tabled.

MOTION:

- ◆ **A motion was made by Commissioner ffolliott to table the matter. The motion was seconded by Commissioner Putnam and passed with 5 votes (Paulitz not present for vote).**

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MATTER: 62 Jeffreys Neck Rd. Unpermitted fence within jurisdictional area. <i>Cont from 5/19/2021</i>
DISCUSSION: No one was present and the matter was tabled.
MOTION: ♦ A motion was made by Commissioner ffolliott to table the matter. The motion was seconded by Commissioner Stone and passed with 5 votes (Paulitz not present for vote).

Approval of Minutes: April 7, April 21, and May 5, 2021

Edits for April 7, 2021: Under Water Street matter, the matter was continued to April 7, 2021 and should be April 21, 2021. Under Small Projects, Labor in Vain and 58 Essex Road should have a vote action.

Edits for April 21, 2021: For the Executive Session noted, should add a reason for the session. Executive Session was held for ongoing litigation for Rosewood Drive.

Edits for May 5, 2021; Under 28 and 30 Mill Road – correction for erosion control. 14 Plains Rd – it was Lynch that said the applicant requested to continue to 9/1/2021. 58 Mitchell Rd – the enforcement order was sent to the incorrect person (tenant) and should go to the property owner and the tenant. Add “absent with prior knowledge” for absent member.

♦ A motion was made by Vice-Chair Paulitz to approve the minutes as drafted and amended. The motion was seconded by Commissioner Carney - Feldman and passed unanimously. Note, Chair Hughes abstained for May 5, 2021 minutes.

Other Matters:

Commissioner ffolliott asked about Hybrid Remote/In-Person meetings after the Emergency Declaration is rescinded on 6/15 and voiced a preference for staying remote. Chair Hughes didn't know at this time but that some Commissions were extending Zoom meetings until September.

Adjournment:

♦ A motion was made by Commissioner Carney-Feldman to adjourn at 8:29 p.m. The motion was seconded by Vice-Chair Paulitz 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.