

Approved: 9/16/20
Distributed: 10-23-20

IPSWICH CONSERVATION COMMISSION
Meeting Minutes
August 19, 2020

Pursuant to a written notice posted by the Town Clerk and delivered to all Conservation Commission members, a meeting was held Wednesday, August 19, 2020 at 7:00 p.m. via Zoom. Members present were Vice-Chair William Paulitz, Commissioners Sissy ffollott, Catherine Carney-Feldman and James Stone. Also present were Agent Brendan Lynch and Recording Secretary Andrea Mackinney. Absent: Chairman Jennifer Hughes and Commissioner Raymond Putnam with prior notification.

DEFINITION INDEX:

ACEC – Area of Critical Environmental Concern
ANRAD - Abbreviated Notice of Resource Area Delineation (WPA Form 4A)
BOH – Board of Health
BVW - Bordering Vegetated Wetland
Bylaw – Ipswich Wetlands Protection Bylaw (Ch. 224)
COC – Certificate of Compliance (Request for COC = WPA Form 8A; COC = WPA Form 8B)
CR – Conservation Restriction
CZM – MA Office of Coastal Zone Management
DCR - Department of Conservation and Recreation
DEP – MA Department of Environmental Protection
DPW- Ipswich Department of Public Works
EC – Emergency Certificate
EO – Enforcement Order (WPA Form 9)
ICC – Ipswich Conservation Commission
LIAU – Land in Agricultural Use
LSCSF – Land Subject to Coastal Storm Flowage
LSP – Licensed Site Professional
NOI – Notice of Intent (WPA Form 3)
NBZ – No-Build Zone, per Ipswich Wetlands Protection Bylaw
NDZ – No-Disturbance Zone, per Ipswich Wetlands Protection Bylaw
O & M Plan – Operations and Maintenance Plan: An O&M plan is an indication that a facility is in continued compliance with applicable regulations and permit conditions
OOC – Order of Conditions (WPA Form 5)
ORAD – Order of Resource Area Delineation (WPA Form 4B)
RDA – Request for Determination of Applicability (WPA Form 1) (*below is a list of possible outcomes for RDAs; all issued on WPA Form 2*)
 Negative #2 Determination (NDA) – This is an approval for work in in resource areas
 Negative #3 Determination (NDA) – This is an approval for work in in buffer zones
 Negative #5 Determination (NDA) – This is approval for work that meets the requirements of an exception under the WPA
 Negative #6 Determination– This is an approval for work under the Ipswich Wetland Protection Bylaw
 Positive Determination – This is a denial requiring an NOI to be filed should the applicant wish to pursue
RPA - Riverfront Protection Act
SWM – Storm Water Management
SPP – Small Projects Permit
WPA – Massachusetts Wetlands Protection Act (310 CMR 10.00 *et seq.*)
ZBA – Zoning Board of Appeals

CITIZEN'S QUERIES: NONE.

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

Cont to 9/2/2020:

- **36-1454: 100 County Road.** TOI Department of Public Works. NOI to install beaver deceiver or equal device to prevent beavers from building dams that block the inlet of an existing culvert. *New.*
- **36-1451: Father Ryc Playground,** 29 Kimball St. DPW. NOI for installation of a new half basketball court. *Cont from 8/5/20.*
- **36-1385: Labor in Vain Rd. Right of Way** at Labor in Vain Creek Bridge. (Coneco)TOI Department of Public Works. Notice of Intent to repair town road and shoulders. *Cont from 8/5/20*

A motion was made by Commissioner Catherine Carney-Feldman to continue to September 2. The motion was seconded by Commissioner Sissy ffolliott and passed unanimously.

Cont to 9/16/20:

- **36-1259: 357 Linebrook Rd.** Justin McCarthy. (Graham) COC. *Cont from 7/15/20*
- **36-1386: Labor In Vain Rd.** 79 Labor In Vain Realty Trust. (Graham) NOI to repair areas damaged by storms in jurisdictional areas. *Cont. from 7/15/20*

A motion was made by Commissioner Sissy ffolliott to continue to September 16. The motion was seconded by Commissioner James Stone and passed unanimously.

Cont to 10/7/20:

- **36-1430: Water Street.** TOI DPW. (Coneco). NOI construction of headwall at boat launch. *Cont from 8/5/20.*

A motion was made by Commissioner Catherine Carney-Feldman to continue to October 7. The motion was seconded by Commissioner James Stone and passed unanimously.

Cont to 11/18/20:

- **36-1435: Bowdoin Rd Storm Sewer.** TOI Department of Public Works (Coneco) NOI for reconstruction of storm sewer in existing location on Bowdoin Rd from number 12 to the outlet near the end of Bowdoin Rd. *Cont from 8/5/20*

A motion was made by Commissioner Catherine Carney-Feldman to continue to November 18. The motion was seconded by Commissioner James Stone and passed unanimously.

COURTESY POSITION FOR TOWN PROJECTS:

- **36-1453: 81 Pineswamp Rd.** TOI Department of Public Works. NOI to replace existing drainage pipe. *New.*

Frank Ventimiglia, Ipswich Public Works, Present

The town is planning to repave a section of Pineswamp Road. They found a damaged drainage pipe near 81 Pineswamp Road which needs to be replaced. Commissioner Sissy ffolliott asked about stream crossing which does not apply and also confirmed that the beaver deceivers would be installed by Skip Lisle. The length of the pipe will be the same or even decreased by one foot. Agent Brendan Lynch will draft an OOC for the next meeting.

A motion was made by Commissioner Sissy ffolliott to continue to September 2, 2020. The motion was seconded by Commissioner Catherine Carney-Feldman and passed unanimously.

SMALL PROJECT PERMITS (SPP):

- **29 Upper River Rd. Hone.** SPP to convert existing patio to wooden deck. *New.*

Brian Hone, Applicant, Present

The project is to replace an existing brick patio with low wood decking. The size is 8x24 and it will be expanded by 100 square feet (not to exceed more than 120 sf). There will be crushed stone used under the deck for drainage. Agent Brendan Lynch recommends approving the project.

A motion was made by Commissioner James Stone to approve the SPP with a post site visit. The motion was seconded by Commissioner Catherine Carney-Feldman and passed unanimously.

REQUESTS FOR DETERMINATION OF APPLICABILITY (RDA):

- **151 Labor in Vain Rd. Marshview Farm.** RDA to upgrade existing electrical power line. *New.*

The old main power line coming into the property that needs to be upgraded. Existing pole will be cut flush to the ground so a transformer can be installed in it's place. Trenching work will be 2' deep by 3' wide. Agent Brendan Lynch suggests erosion control and pre and post-site inspection. A fiberglass pad will be provided by the Town of Ipswich.

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

ON-GOING NOTICES OF INTEND (NOI), MINOR MODIFICATIONS (MM) AND FORMAL AMENDMENTS (FA):

- **36-1442: Essex County Trails Assoc.** (DeRosa) NOI for trail management. *Cont from 8/5/20*

Evin Guvendiren, DeRosa Environmental and Carol Lloyd, ECTA, Present

At the last meeting, there were questions regarding the in-perpetuity clauses for Hamilton and Wenham. Agent Brendan Lynch said that the way that the OOC is drafted in-perpetuity, that it takes the administrative aspect out of it. Agent Lynch will run it by Town Counsel and plans to use Wenham's conditions to draft one for the Town of Ipswich.

Commissioner Catherine Carney-Feldman is comfortable with in-perpetuity.

A motion was made by Commissioner Catherine Carney-Feldman to continue to September 2. The motion was seconded by Commissioner James Stone and passed unanimously.

- **36-1452: 439 Linebrook Rd.** (Graham). NOI for stormwater infiltration. *Cont from 8/5/20*

Larry Graham, H.L. Graham, Present

Agent Brendan Lynch drafted the OOC. The soil evaluator will go out when the infiltration system is put in to confirm soil texture type. Within ten days, the soil evaluator will confirm with Agent Lynch what he found on the site. There is no waiver needed for minor grading within the NBZ.

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

A motion was made by Commissioner Sissy ffolliott to approve the NOI with one revision. The motion was seconded by Commissioner James Stone and passed unanimously.

- **36-1265: 1 Jay Rd.** (Soffron) Extension Request

Agent Brendan Lynch recommends granting a one-year extension.

A motion was made by Commissioner Catherine Carney-Feldman to grant a one-year extension of the OOC. The motion was seconded by Commissioner Sissy ffolliott and passed unanimously.

REQUESTS FOR CERTIFICATES OF COMPLIANCE (COC):

- **36-1318: Willowdale Forest Culvert Plan.** ECTA (DeRosa) COC. *Cont. from 7/1/20*

Evin Guvendiren, DeRosa Environmental and Carol Lloyd, ECTA, Present

Evin provided photos of the bank stabilization. The grass is growing but sparse. Agent Brendan Lynch walked the site and the jute matting looks great. More rain is needed for it to grow in. Agent Lynch will provide a comfort letter to Carol if it will suffice.

A motion was made by Commissioner Catherine Carney-Feldman to continue to September 2, 2020. The motion was seconded by Commissioner Sissy ffolliott and passed unanimously.

- **36-1131: 191 County Rd.** Crudele. COC. *Cont from 6/3/20*
- **36-1223: 191 County Rd.** Crudele. COC. *Cont from 6/3/20*

Agent Brendan Lynch said that the second growing season is almost over. Field Inspector Bill Decie has gone out a few times in the last month. Agent Lynch recommends issuing both COC's.

A motion was made by Commissioner Sissy ffolliott to issue both COC's. The motion was seconded by Commissioner James Stone and passed unanimously.

ENFORCEMENT MATTERS: NONE.

APPROVAL OF MINUTES: NONE.

ADJOURNMENT:

A motion was made by Commissioner Catherine Carney-Feldman to adjourn at 7:50 p.m. The motion was seconded by Commissioner Sissy ffolliott and passed unanimously.

Respectfully submitted,

Andrea Mackinney
Recording Secretary

These minutes are the summary of a taped or video-recorded meeting and of secretarial notes. As such, the Ipswich Conservation Commission reserves the right to supplement these minutes with tapes and vice versa, to reflect the proceedings. The Ipswich Conservation Commission does not guarantee the quality of the tapes or video-recording, nor does it exclusively rely upon them.