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IPSWICH CONSERVATION COMMISSION
Meeting Minutes
September 7, 2022

Pursuant to a written notice posted by the Town Clerk and delivered to all Conservation Commission members, a meeting was held Wednesday, September 7, 2022, at 7:00 p.m. via ZOOM. Members present were Chair Jennifer Hughes, Vice-Chair William Paulitz, Commissioners Sissy ffollott, Catherine Carney-Feldman, Jim Stone, and Jack Stone. Also present were new Agent Jenna Pirrotta and Recording Secretary Odile Breton. Absent with prior notice was Commissioner Raymond Putnam.

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: None noted.

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

MATTER: 46 North Ridge Rd. Enforcement Order. <i>New</i>
DISCUSSION: The matter is being continued without discussion.
MOTION: <p align="center">◆ A motion was made by Commissioner Jim Stone to continue to September 21, 2022. The motion was seconded by Commissioner ffolliott and passed unanimously.</p>
ACTION ITEMS / SPECIAL INSTRUCTIONS: <p align="center">❖ <i>None.</i></p>

MATTER: 36-1508: 110 and 113 Little Neck Rd. Chace (Hancock). NOI for demolition and reconstruction of single-family home. <i>Cont. from 8/17/2022</i>
DISCUSSION: The matter is being continued without discussion.
MOTION: <p align="center">◆ A motion was made by Commissioner Jim Stone to continue to September 21, 2022. The motion was seconded by Commissioner ffolliott and passed unanimously.</p>
ACTION ITEMS / SPECIAL INSTRUCTIONS: <p align="center">❖ <i>None.</i></p>

MATTER: 36-1507: 40 North Ridge Rd. Radcliffe-Walsh (DeRosa). NOI to raze and rebuild single-family home. <i>Cont. from 8/17/2022</i>
DISCUSSION: The matter is being continued without discussion.
MOTION: <p align="center">◆ A motion was made by Commissioner Jim Stone to continue to September 21, 2022. The motion was seconded by Commissioner ffolliott and passed unanimously.</p>
ACTION ITEMS / SPECIAL INSTRUCTIONS: <p align="center">❖ <i>None.</i></p>

MATTER: 36-1511: 26-40 Market Street. Cutter (DeRosa). NOI to raze and rebuild accessory structure. <i>Cont. from 8/17/2022</i>
DISCUSSION: The matter is being continued without discussion.
MOTION: <p align="center">◆ A motion was made by Commissioner Jim Stone to continue to September 21, 2022. The motion was seconded by Commissioner ffolliott and passed unanimously.</p>
ACTION ITEMS / SPECIAL INSTRUCTIONS: <p align="center">❖ <i>None.</i></p>

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Requests for Determination of Applicability:

<p>MATTER: 4 Pineswamp Rd. Town of Ipswich (CHA Consulting). RDA for site clearing for site survey and site test pits. New</p>
<p>DISCUSSION: Present were Laura Jolly and Joe Sullivan (CHA Consulting). Jolly noted the test pits were approved under a Small Projects permit earlier this year. This application is for clearing needed to complete a site survey and selective mowing for 9 test pits. All test pits are outside NDZ. A revised plan was reviewed. CHA Consulting will revise the plan to include the location of all approved test pits. Hughes suggested conditions; Stabilize test pit locations, no trees to be cut down, and no machinery to go in wetland resource area. RDA will issue when a revised plan and all complete information is received.</p>
<p>MOTION:</p> <p style="padding-left: 40px;">♦ A motion was made by Commissioner Carney-Feldman to issue an NDA with Special Conditions for 4 Pineswamp Road. The motion was seconded by Commissioner ffolliott and passed unanimously.</p>
<p>ACTION ITEMS / SPECIAL INSTRUCTIONS:</p> <p style="padding-left: 40px;">❖ <i>CHA Consulting to update site plan as requested by ICC.</i></p> <p>Documents: RDA filing package dated 8-17-22 prepared by Laura Jolly; updated plan submitted 8-30-22</p>

Ongoing Notices of Intent, Minor Modifications and Formal Amendments:

<p>MATTER: 36-1506: 17 Bay Rd. Holden (John Dick). NOI for addition to existing single-family home. <i>Cont. from 8/17/2022</i></p>
<p>DISCUSSION: No one was present, and the matter is continued.</p>
<p>MOTION:</p> <p style="padding-left: 40px;">♦ A motion was made by Commissioner Carney-Feldman to continue to September 21, 2022. The motion was seconded by Vice-Chair Paulitz and passed unanimously.</p>
<p>ACTION ITEMS / SPECIAL INSTRUCTIONS:</p> <p style="padding-left: 40px;">❖ <i>None.</i></p>

<p>MATTER: 36-1512: 2 Riverside Dr. Hockenberry. NOI to construct an addition to single-family dwelling. <i>Cont. from 8/17/2022</i></p>
<p>DISCUSSION: Present was Nate Hockenberry (owner/applicant). A proposed Planting Plan was submitted. Paulitz suggested the applicant request a waiver for engineered plans. Hockenberry to submit the waiver request. Hockenberry noted an “as-built” foundation plan will be submitted to the Building Department. Hockenberry to update the plan to add erosion controls and document 1 (boulder) monument that needs to be moved towards the house in alignment with the other monuments. ICC reviewed conditions. Condition #32 – remove “except for”. A monumentation condition needs to be added for the 1 monument that needs to be moved. Stormwater management condition needs to be removed. Condition #60 – change “low” to “no”. Condition #62 – add “animal waste”. A condition needs to be added for submittal of “as-built” foundation plan to the Conservation Department. No public comment noted.</p>
<p>MOTION:</p> <p style="padding-left: 40px;">♦ A motion was made by Commissioner ffolliott to approve the request of waiver for engineered plans. The motion was seconded by Vice-Chair Paulitz and passed unanimously.</p> <p style="padding-left: 40px;">♦ A motion was made by Commissioner Carney-Feldman to close the public hearing. The motion was seconded by Vice-Chair Paulitz and passed unanimously.</p>

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<p>◆ A motion was made by Commissioner Jim Stone to issue a positive OOC as drafted/amended and upon receipt of materials requested (updated plan and written waiver request). The motion was seconded by Vice-Chair Paulitz and passed unanimously.</p>
<p>ACTION ITEMS / SPECIAL INSTRUCTIONS:</p> <p>❖ <i>Hockenberry to update plan as requested and submit written waiver request.</i></p> <p>Documents: Proposed plan received 9-6-22; email from Nate Hockenberry dated 8-24-22; Special permit dated 8-31-22</p>
<p>MATTER: 36-1515: 26 Turkey Shore Rd. Cummings. NOI for landscaping, patio and deck board replacement. <i>Cont. from 8/17/2022</i></p>
<p>DISCUSSION: Present was Josh Cummings (owner/applicant) and Emily Cannon. An updated plan was submitted and presented. DEP file number was received. Hughes noted information was missing from the plan. Hughes asked what will stabilize area by the river. Cannon expressed frustration with the ICC and the procedures. Shee said everything the ICC requested was done and submitted to the Conservation Department. She feels that the ICC continues to add more and more items. Hughes said the plans need to comply with regulations. Cannon pointed out the locations for plantings. Paulitz explained that all work proposed by the applicant (including a note for the concrete blocks to be removed from the riverbank) must be on the final plan. The plan cannot be vague. Hughes said erosion controls must also be on the plan and pointed out that the Town website has a checklist for applicants to use. No public comment noted.</p>
<p>MOTION:</p> <p>◆ A motion was made by Commissioner Ffolliott to continue to September 21, 2022. The motion was seconded by Commissioner Carney-Feldman and passed unanimously.</p>
<p>ACTION ITEMS / SPECIAL INSTRUCTIONS:</p> <p>❖ <i>Pirrotta to review file and work with applicant on missing information for the plan.</i></p> <p>Documents: Email dated 8-30-22 – Cannon grade changes; scan plan received 9-7-22</p>
<p>MATTER: 36-1513: 39 Bay Rd. Little Neck Condo Assoc. NOI to intercept drainage from Hilltop Rd. and Bay Rd. to minimize erosion at 31 Bay Rd. <i>Cont. from 8/17/2022</i></p>
<p>DISCUSSION: Present was Jacqui Trainer PLA (Allen & Major Associates, Inc.). Trainer provided an update and responses to questions from the last meeting. Trainer does not have information on ground water. She said anti-flotation rings will be installed on catch basins in case ground water is encountered. That information is unknown. Paulitz met Trainer on site last week and he provided his observations. Paulitz said a vegetated swale is suggested for the site. Hughes said DEP comments need to be addressed. DEP pointed out the project is in a critical area. Trainer reviewed GEOWEB which will be used on the Coastal Bank. Trainer to submit revisions for the next meeting. No public comment noted.</p>
<p>MOTION:</p> <p>◆ A motion was made by Vice-Chair Paulitz to continue to September 21, 2022. The motion was seconded by Commissioner Carney-Feldman and passed unanimously.</p>
<p>ACTION ITEMS / SPECIAL INSTRUCTIONS:</p> <p>❖ <i>Trainer to submit revised plan for next meeting.</i></p>

Requests for Certificates of Compliance:

<p>MATTER: 36-1157: 19 Hayward St. (Meridian). COC. <i>Cont. from 8/17/2022</i></p>
<p>DISCUSSION: Present were Evin Guvendiren (DeRosa Environmental) and David Kelley (Meridian Associates). Guvendiren submitted information on 3 granite markers and on-site plantings. An inventory of plantings was completed. Photographs were displayed and some plant species were identified. Guvendiren pointed out the location of the 3 granite markers. Hughes is concerned invasive species (esp. Japanese Knotweed) will take over</p>

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next 2 weeks.
<p>MOTION:</p> <p>◆ A motion was made by Vice-Chair Paulitz to continue to September 21, 2022. The motion was seconded by Commissioner ffolliott and passed unanimously.</p>
<p>ACTION ITEMS / SPECIAL INSTRUCTIONS:</p> <p>❖ <i>ICC site visit.</i></p> <p>Documents: Supplemental letter from DeRosa Env. Dated 8-23-22; photos 9-6-22</p>
<p>MATTER: 36-1299: 6 Fox Creek Rd. and 198 Argilla Rd. Ed Monnolley. COC. <i>Cont. from 8/17/2022</i></p>
<p>DISCUSSION: No one was present for the matter but Hughes noted the additional items requested were submitted. No ICC comments.</p>
<p>MOTION:</p> <p>◆ A motion was made by Vice-Chair Paulitz to issue a full and final COC. The motion was seconded by Commissioner ffolliott and passed unanimously.</p>
<p>ACTION ITEMS / SPECIAL INSTRUCTIONS:</p> <p>❖ <i>None</i></p> <p>Documents: COC filing application</p>
<p>MATTER: 36-1434: Turner Hill (Graham). COC. <i>New</i></p>
<p>DISCUSSION: Present were Larry Graham (H.L. Graham & Associates) and John Sadowski (Turner Hill). Graham noted there are 3 COC requests related to Turner Hill. He requested reviewing 36-1434 separately from the other 2 COC requests. This project was for an irrigation well on site. Pirrotta visited the site with Field Agent Decie and it appears to be in compliance. Erosion controls need to be removed.</p>
<p>MOTION:</p> <p>◆ A motion was made by Vice-Chair Paulitz to issue a full and final COC when confirmation of erosion controls removal is received. The motion was seconded by Commissioner ffolliott and passed unanimously.</p>
<p>ACTION ITEMS / SPECIAL INSTRUCTIONS:</p> <p>❖ <i>Erosion controls removal.</i></p> <p>Documents: COC filing package dated 8-17-22 and plans prepared by HL Graham Assoc. dated 5-25-22</p>
<p>MATTER: 36-1130 & 36-1226: Turner Hill (Graham). COCs. <i>New</i></p>
<p>DISCUSSION: Present were Larry Graham (H.L. Graham & Associates) and John Sadowski (Turner Hill). Graham provided history on the applications. He noted in 2014 a modification was applied for and issued. Hughes asked if there were any issues with the pond or drought impacts.</p>
<p>MOTION:</p> <p>◆ A motion was made by Commissioner Carney-Feldman to issue a full and final COC for DEP file numbers 36-1130 and 36-1226. The motion was seconded by Commissioner ffolliott and passed unanimously.</p>
<p>ACTION ITEMS / SPECIAL INSTRUCTIONS:</p> <p>❖ <i>None</i></p> <p>Documents: COC filing package and plans prepared by HL Graham Assoc. dated 8-17-22</p>

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

MATTER: 36-1514: 41 River Road. Scannell (Graham). NOI replace/extend stone stairway, extend to new roof deck with stairway, repair retaining wall, replace paved area, install subsurface propane tank. <i>New</i>
DISCUSSION: Present were Gerry McDonald (H.L. Graham & Associates) and Frank Scannell (owner/applicant). McDonald reviewed existing conditions plan and proposed conditions plan. McDonald pointed out resource areas and noted the entire site is Coastal Bank. McDonald pointed out the location of the proposed subsurface propane tank. Hughes noted DEP comments for the project must be addressed. Hughes also noted there is no narrative, and it is difficult to understand how the project meets performance standards. There needs to be an analysis on the impact to Coastal Bank. Hughes asked about mitigation for site alterations And suggested reviewing the CZM Guidelines for permitting on Coastal Banks. McDonald noted approximately 218 sq. ft. of disturbance. Hughes noted that no projects on Little Neck will move forward until the Little Neck Condo Association provides an update on stormwater management for Little Neck. Hughes suggested an ICC site visit.
MOTION: <p style="text-align: center;">♦ A motion was made by Commissioner Ffolliott to continue to September 21, 2022. The motion was seconded by Commissioner Carney-Feldman and passed unanimously.</p>
ACTION ITEMS / SPECIAL INSTRUCTIONS: <p style="text-align: center;">❖ <i>ICC site visit.</i></p> <p>Documents: NOI filing package prepared by HL Graham Assoc. dated 8-17-22; plan prepared by HL Graham revised 8-31-22</p>

Enforcement Matters:

MATTER: 3 Willowdale Circle. Unpermitted tree cutting. <i>Cont. from 8/17/2022</i>
DISCUSSION: No one was present for the matter. The mitigation plantings were not completed.
MOTION: <p style="text-align: center;">♦ A motion was made by Vice-Chair Paulitz to continue to September 21, 2022. The motion was seconded by Commissioner Jim Stone and passed unanimously.</p>
ACTION ITEMS / SPECIAL INSTRUCTIONS: <p style="text-align: center;">❖ <i>None.</i></p>

MATTER: 81 Old Right Rd. <i>Cont. from 8/17/2022</i>
DISCUSSION: No one was present for the matter. Pirrotta to follow up with owner. ICC requested a planting plan.
MOTION: <p style="text-align: center;">♦ A motion was made by Commissioner Carney-Feldman to continue to September 21, 2022. The motion was seconded by Vice-Chair Paulitz and passed unanimously.</p>
ACTION ITEMS / SPECIAL INSTRUCTIONS: <p style="text-align: center;">❖ <i>None.</i></p>

Other Business:

MATTER: Request to issue an EO for Peatfield Street
DISCUSSION: Pirrotta noted work done near the Town launch (Peatfield Landing) and Ipswich River. Pirrotta noted piles of dirt in the Ipswich River. Hughes said there may be a prior violation and suggested reviewing the file. Hughes suggested issuing an EO.

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◆ A motion was made by Commissioner ffolliott to issue an EO for 20 Peatfield Street. The motion was seconded by Commissioner Jim Stone and passed unanimously.

ACTION ITEMS / SPECIAL INSTRUCTIONS:

❖ *None.*

Approval of Minutes: August 17, 2022

◆ 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 10:29 p.m. The motion was seconded by Commissioner Jim Stone 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.