

Approved: June 5, 2019
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IPSWICH CONSERVATION COMMISSION
Meeting Minutes
May 15, 2019

Pursuant to a written notice posted by the Town Clerk and delivered to all Conservation Commission members, a meeting was held Wednesday, May 15, 2019 at 7:00 p.m. in Room A of the Ipswich Town Hall. Members present were Chairman Jennifer Hughes, Acting Vice-Chair Sissy ffollott, and Commissioners Brian O'Neill, Catherine Carney-Feldman, and Raymond Putnam. Also present were Agent Alicia Geilen and Recording Secretary Amy Scicchitani. Absent with prior notice was Commissioner Jim Stone and Vice-Chair William Paulitz.

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:

MATTER: Citizen's Query for 91 Turnpike Rd. by Tober.

DISCUSSION: Present was Mike DeRosa, DeRosa Environmental Inc representing owner. The OOC from 1988 was to install culverts across stream including wetland fill, with replication close to the impact area. Wetland crossing work is done but replication work never done. The Commission issued an EO for them to either remove the fill and restore the area or construct the replication area. A new planting plan was required either way. Mr. DeRosa suggested that the owner wants to keep the wetland fill but not do the replication, because the replication area was "intact". Instead of removing buffer zone to create wetlands, they can pay money to support a more valuable project. Agent Geilen noted that the state regulations and the OOC require replication. Chairman Hughes suggested that there might be another location that is more suitable for the replication. Discussion: Mr. DeRosa will do a site visit to look for a better replication area and submit a plan; Agent to be site-walk area after there is a plan. Per EO, replication plan was to submitted by May 8, 2019. Mr. DeRosa will submit a plan by 6/12/19 for the 6/19/19 meeting. Discussion: Commission directed the Agent to revise the EO, and then sign it herself.

RECOMMENDATION OF AGENT: *None*

MOTION:

◆ *None.*

ACTION ITEMS / SPECIAL INSTRUCTIONS:

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

- 36-1400: 33 Greens Point Rd. Greens Point Investment Trust. NOI to raze and rebuild existing dwelling and install tight tank in jurisdictional areas.
- 36-1384: 86 North Ridge Rd. William and Cynthia Clapp. NOI for coastal bank repairs.
- 36-1386: Labor In Vain Rd. 79 Labor in Vain Realty Trust. NOI to repair areas damaged by storms in jurisdictional areas.
- 36-1403: 2 Jay Rd. Shaw. NOI for septic system air in jurisdictional areas.
- 36-1407: 188 High St. Bolles. NOI for vestibule entry and exterior improvements in jurisdictional areas.
- 35-1405: 56 Fellows Rd. Knowlton, NOI for construction of single-family house with associated accessory building, septic, driveway and grading in jurisdictional areas.

DISCUSSION: There was no one present for these matters.

RECOMMENDATION OF AGENT: *Continue to June 5, 2019.*

MOTION:

◆ **A motion was made by Commissioner Carney-Feldman to continue to June 5, 2019. The motion was seconded by Commissioner Putnam and passed unanimously.**

ACTION ITEMS / SPECIAL INSTRUCTIONS:

❖ *None.*

DOCUMENT LIST: *Continuance requests.*

- 36-1362: 30 + 34 Town Farm Rd, 17 Locust Rd. McAllen. 30 Town Farm Rd LLC. NOI to construct an over 55, affordable housing (40B) development.

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DISCUSSION: There was no one present for this matter.
RECOMMENDATION OF AGENT: <i>Continue to June 19, 2019.</i>
MOTION: <p align="center">◆ A motion was made by Acting Vice-Chair ffolliott to continue to June 19, 2019. The motion was seconded by Commissioner O’Neill and passed unanimously.</p>
ACTION ITEMS / SPECIAL INSTRUCTIONS: <p align="center">❖ <i>None.</i></p>
DOCUMENT LIST: <i>Continuance request.</i>

Courtesy Positions for Town Projects:

MATTER: 25 Green St. Town of Ipswich, Department of Public Works, RDA to install concrete pad for generator and trenching for new conduit to electrical box in jurisdictional areas. <i>New</i>
DISCUSSION: Present was Frank Ventimiglia, Town of Ipswich DPW. The Town is planning for long term power in building. The goal is to remove existing generator and to install permanent gas-powered generator for the building. Pad will be 5 feet off building. Natural gas will be one day installation project. Work will be done on a Saturday and paving will be done on a Monday.
RECOMMENDATION OF AGENT: <i>NDA 3 with special condition for a post-work inspection.</i>
MOTION: <p align="center">◆ A motion was made by Commissioner Carney-Feldman to approve NDA 3 with a special condition for post work inspection. The motion was seconded by Acting Vice-Chair ffolliott and passed unanimously.</p>
ACTION ITEMS / SPECIAL INSTRUCTIONS: <p align="center">❖ <i>None.</i></p>
DOCUMENT LIST:

MATTER: 36 South Main St, Town of Ipswich, Department of Public Works. SPP to install concrete pad for watering station. <i>New.</i>
DISCUSSION: Present was Frank Ventimiglia, Town of Ipswich DPW. This is for a small concrete pad 2½ x 2½ feet, to house a watering station, supplied by water from Haskell house. A small trench will go to watering station. This will be a one-day project, out of the sub-zones, with limited disturbance. Agent Geilen noted there is no SPP category for small concrete pad, but felt that it was similar to a sign post in terms of impact.
RECOMMENDATION OF AGENT: <i>Approve SPP with a special condition for a post-work inspection.</i>
MOTION: <p align="center">◆ A motion was made by Acting Vice-Chair ffolliott to approve the SPP with a special condition for post work inspection. The motion was seconded by Commissioner O’Neill and passed unanimously.</p>
ACTION ITEMS / SPECIAL INSTRUCTIONS: <p align="center">❖ <i>None.</i></p>

MATTER: 36-1411: 25 Green St. Town of Ipswich, Dept of Public Works. NOI for coastal bank restoration stormwater repairs and improvements and regrade and resurface a portion of the Shurcliff Riverwalk in jurisdictional areas. <i>New</i>

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DISCUSSION: Present was Frank Ventimiglia, Town of Ipswich DPW; Ashley Kulesza, Coneco Engineers & Scientists; and Jennifer Relstab, Horsely Witten Group. Mr. Ventimiglia noted this project began two years ago, with a grant from CZM to locate eroded areas along riverbank, in an attempt to try to identify shoreline stabilization projects and locations. Six main areas were identified. A second round of funding was granted to take one area through design and permitting for improved stormwater management and coastal bank stabilization using nature-based solutions. There will be two construction phases: Phase 2a: stormwater managements improvements (curbing on County Street, replace outfall pipe eroding into embankment, install manhole for drop inlet and install splash pad to reduce velocity; re-grade Riverwalk away from River, replace timber steps to Riverwalk and re-vegetate sides lopes); Phase 2b: and coastal bank restoration using nature-based green infrastructure techniques; remove some invasive trees and replace with native plants. Commissioner Carney inquired about cutting trees, leaving roots in. Agent Geilen noted top of coastal bank needs adjustment. DEP MEPA comments questioned stabilization of materials, two head walls, swale from headwalls. Response: using riprap to encourage stabilization. Discussion: town sewer main goes under path (chapter 91 permit from 1950's for installing sewer line in River, area made into Riverwalk). Ms. Relstab presented that Phase 2B is work on slope, edge of water. Undercutting of coastal bank must be addressed, maintain existing vegetations, foot path access has contributed to erosion (replanting of area), temporary fence to discourage movement during stabilization, stabilize bank (remove certain species), adding native trees. The Commission requested a three-year monitoring plan. Discussion: permit applications have been filed as grant ends June 30, 2019. Once permits are all approved, the town will apply for a CZM grant for construction. Agent Geilen will check linear feet of the bank being impacted, and send DEP and DMF comments to the ICC.

RECOMMENDATION OF AGENT: *Continue to June 5, 2019.*

MOTION:

◆ **A motion was made by Commissioner Carney-Feldman to continue to June 5, 2019. The motion was seconded by Acting Vice-Chair ffolliott and passed unanimously.**

ACTION ITEMS / SPECIAL INSTRUCTIONS:

❖ *Schedule site visit, check linear feet of the bank being impacted, and send DEP and DMF comments to the ICC.*

Small Project Permits

MATTER: 4 Merganser. Robitaille. SPP soil testing. *New*

DISCUSSION: Present was Larry Graham, and Dennis Robitaille, homeowner. Larry is requesting SPP to perform additional soil testing. There is an existing OOC to install a septic system above the house, repair leach field. The top of coastal bank data transacts have been submitted, but delineation cannot be approved with SPP. Discussion: stabilize after work is complete.

RECOMMENDATION OF AGENT: *Approve SPP with special condition to stabilize after work is complete.*

MOTION:

◆ **A motion was made by Commissioner Carney-Feldman to approve the SPP with special condition to stabilize after work is complete. The motion was seconded by Acting Vice-Chair ffolliott and passed unanimously.**

ACTION ITEMS / SPECIAL INSTRUCTIONS:

❖ *None.*

MATTER: 25 Eagle Hill Rd. Ward SPP soil testing. *New*

DISCUSSION: Present was Jerry McDonald, H.L. Graham Associates, with Lisa Ward, owner. Mr. McDonald is requesting SPP to perform soil testing on the hill above the house, but he does not want to actually do the testing, because if testing is done they won't be able to install a tight tank (per BOH rules). They asked the commission to

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deny the SPP. There is no place on site that is out of the Subzones and 10 feet away from adjacent properties. Agent Geilen noted that the owner had also filed an NOI (see below) to install a tight tank in the floodplain and NDZ to ACEC and the River. Agent Geilen asked if vegetation will be cut to access the test pit site. Mr. McDonald said no. Chairman Hughes noted the Commission should not be made to decide if a tight tank could be installed or not; this is the BOH's jurisdiction. Discussion: mini-excavator to be used for test pits; test pits in lawn area; they need to submit access method/location for ICC approval; septic system would be in Subzones whether on hill or in floodplain, but would be farther from the River and from ACEC on the hill; septic system will be 10 feet from abutting neighboring deck; site visit needed to see if hill (which includes coastal bank) is a better location for septic system under the WPA regulations, versus in the floodplain. Commission members to go on their own to visit the site.

RECOMMENDATION OF AGENT: *Continue to June 5, 2019 for site visit.*

MOTION:

◆ **A motion was made by Commissioner Carney-Feldman to continue to June 5, 2019. The motion was seconded by Acting Vice-Chair ffolliott and passed unanimously.**

ACTION ITEMS / SPECIAL INSTRUCTIONS:

❖ *Site-walk by ICC members on their own.*

MATTER: 187 County Rd. Eddy. After the fact SPP for retaining wall. *New*

DISCUSSION: Present was Mike DeRosa, DeRosa Environmental Inc. representing the Eddy's. This is a SPP for after-the-fact approval of an existing retaining wall on 200-foot river front area. The wall is eroding and is within the jurisdiction area. Discussion: in the future, after-the-fact approval needs to be an RDA.

RECOMMENDATION OF AGENT: *Issue SPP with no special conditions.*

MOTION:

◆ **A motion was made by Commissioner Carney-Feldman to approve the SPP with no special conditions. The motion was seconded by Commissioner Putnam and passed unanimously.**

ACTION ITEMS / SPECIAL INSTRUCTIONS:

❖ *None.*

Requests for Determination of Applicability:

MATTER: 282 Linebrook Rd. Streeter. RDA for trail improvements including a bridge within jurisdictional areas. *New*

DISCUSSION: Present was Daniel Streeter of the New England Mountain Bike Association. This matter is the replacement of 50-foot trail bridge which will bring total length to 160 feet. The detailed plan shows new bridge to follow existing trail alignment. NO cutting of vegetation is required. A beaver pond has elevated water level by 1 foot and trail has deteriorated. The current bridge is inadequate and dangerous. Discussion: trail is for bikes and people, not horses; with special conditions for pre- and post-work inspections, and naturalizing "bootleg" trail used to get around wet area of trail.

RECOMMENDATION OF AGENT: *NDA 2+3 with special conditions for pre- and post-work inspections, and naturalizing "bootleg" trail.*

MOTION:

◆ **A motion was made by Commissioner Putnam to issue an NDA 2+3 with special conditions as recommended. The motion was seconded by Commissioner Carney-Feldman and passed unanimously.**

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ACTION ITEMS / SPECIAL INSTRUCTIONS:

❖ *None.*

MATTER: 20 Spillers Lane. Roesler. RDA to replace walkway, retaining wall & fence within jurisdictional areas. *New.*

DISCUSSION: Present was Rob Roesler, homeowner. Mr. Roesler noted that the retaining wall along driveway has failed and is falling down. The homeowner is seeking to replace the rock wall, update walkway, and replace wooden fence (within subzone) on property line, and finally removing the tree. All work is in front yard. This site has a recorded OOC, which has expired and a COC from has been recorded. I am not sure what this means. It sounds as though the property owner never sought a COC and needs to do so now for an expired OOC.

RECOMMENDATION OF AGENT: *Issue NDA 2+3 with special conditions for pre- and post-work inspection.*

MOTION:

◆ **A motion was made by Commissioner Carney-Feldman to issue an NDA 2+3 with Special Conditions as recommended. The motion was seconded by Commissioner O'Neill and passed unanimously.**

ACTION ITEMS / SPECIAL INSTRUCTIONS:

❖ *None.*

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

MATTER: 36-1408: 20 South Main St. Skillman. NOI addition to auto repair shop. *Continued from May 1, 2019.*

DISCUSSION: Present was Larry Graham, H.L. Graham Associates and Andy Skillman, owner and applicant. Larry submitted revisions to applications, along with a revised plan. Discussion: Fees paid, revised plan and SWM Report, DEP comments, delineation not based on field work but aerial mapping, waiver request of formal delineation must be submitted in writing). Mr. Graham stated he revised the Stormwater Report narrative, and O&M plan, resubmitted fees, and filed with DPW and Utilities Department for connections to their systems. Discussion: stormwater discharge point is into the floodplain next to the river, not the river itself. Agent Geilen will reach out to Commissioner Paulitz and Frank Ventimiglia (DPW) for their SWM comments. The hearing cannot be closed, because the OOC and Special Conditions have not been prepared and it is 21 days to the next meeting. Mr. Skillman expressed frustration at the delay in approval.

RECOMMENDATION OF AGENT: *Continue to June 5, 2019.*

MOTION:

◆ **A motion was made by Commissioner Carney-Feldman to continue to June 5, 2019. The motion was seconded by Acting Vice-Chair ffollott and passed unanimously.**

ACTION ITEMS / SPECIAL INSTRUCTIONS:

❖ *None.*

MATTER: 36-1395: 19 Sagamore Rd. Hollingsworth. NOI for implementation of an ecological restoration plan and proposed raze and rebuild of an existing structure in jurisdictional areas. *Continued from May 1, 2019.*

DISCUSSION: Present was Mike DeRosa, DeRosa Environmental, and Ann Hollingsworth, owner. Mr. DeRosa reviewed changes to the plans submitted on April 9th (added was sleeve to sewer line by pond, confirmation from septic contractor that a pump out hose will meet distance to new septic tank. Mr. DeRosa noted that they had filed with BOH on 5/14/2019, and that they will file with the ZBA on Thursday, May 16, 2019. Also, added to the plan is a small wall that needs repair, additional fees were added and requests for certain waivers (work in Subzones). Discussion: is historic fill on site the current homeowner's responsibility, cantilever the deck in NBZ to avoid

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sono-tubes. Robert Budzinski, an abutter, spoke of post 1992 historic fill. Mr. Budzinski submitted a letter from September 9, 1998, to the Conservation Committee stating that the previous owner admitted to the filling of area. Abutter wished Conservation Committee to review the file.

RECOMMENDATION OF AGENT: *Continue to June 5, 2019.*

MOTION:

◆ **A motion was made by Commissioner Carney-Feldman to continue to June 5, 2019. The motion was seconded by Acting Vice-Chair ffolliott and passed unanimously.**

ACTION ITEMS / SPECIAL INSTRUCTIONS:

❖ *None.*

MATTER: 36-1294: 74 North Ridge Rd. Vitale. Extension request for OOC. *New*

DISCUSSION: Present was Larry Graham, H.L. Graham Associates, representing Meg Vitale. The owner had asked for a 6-month extension, but Agent Geilen stated that since this was the first extension, she should be given a full year, just to be sure that she has sufficient time to complete the project.

RECOMMENDATION OF AGENT: *Approve one-year extension.*

MOTION:

◆ **A motion was made by Commissioner Carney-Feldman to approve a one-year extension. The motion was seconded by Commissioner Putnam and passed unanimously.**

ACTION ITEMS / SPECIAL INSTRUCTIONS:

❖ *None.*

MATTER: 36-727: 14 Plains Rd. Iacobucci. Extension request for OOC. *New.*

DISCUSSION: Present was Ray Iacobacci, homeowner. Mr. Iacobacci noted that the project has been delayed. The home was delivered in mid-October 2018. Septic system is late in being installed and not in yet. Soil has been stabilized. Field inspector Deice has visited the site and noted erosion control issues. Mr. Iacobacci was requesting an additional year. Agent Geilen said that she recommended only 6 months. Chair Hughes stated that this would be the last continuance. Agent Geilen noted that the Commission has said that each of the last two one-year extensions would be the last. Mr. Iacobacci said he needed more than 6 months.

RECOMMENDATION OF AGENT: *Approve 6-month extension.*

MOTION:

◆ **A motion was made by Commissioner Putnam to approve a one-year extension. The motion was seconded by Commissioner O'Neill and passed unanimously.**

ACTION ITEMS / SPECIAL INSTRUCTIONS:

❖ *None.*

MATTER: 35-1409. 8 Mill Rd. Essex County Trails Association. NOI for culvert and shed in jurisdictional areas. Continued from May 1, 2019.

DISCUSSION: Present was Mike DeRosa, DeRosa Environmental representing Essex County Trail Association for the installation of a culvert. Mr. DeRosa discussed the site walk with the Commission, and noted that this is the same type arched culvert previously approved at other sites; existing flooded trail will be restored with native plants. Discussion: the new "shed" is actually a three-sided, lean-to shelter with screening on the front (facing the river); current building has collapsed; since it must be completely rebuilt it must be moved out of the Subzones (revised plans needed). Discussion: access will be through Snow's property; DEP comments say it is a stream so

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stream crossing standards must be met and applicant must respond to those comments. Agent Geilen was asked to send DEP comments to Commission.

RECOMMENDATION OF AGENT: *Continue to June 5, 2019.*

MOTION:

♦ **A motion was made by Acting Vice-Chair ffolliott to continue to June 5, 2019. The motion was seconded by Commissioner Carney-Feldman and passed unanimously.**

ACTION ITEMS / SPECIAL INSTRUCTIONS: *None.*

Requests for Certificates of Compliance:

MATTER: 36-943: 82 Topsfield Road. Habitech. COC and Enforcement. *Continued from April 17, 2019.*

DISCUSSION: Present was George Gallagher, Habitech Communities. Mr. Gallagher acknowledged that that cattails in middle of the pond were just cut, but will be fully removed. Discussion: spring grow report by Mary Trudeau says plant survival looks good. Agent Geilen will review report and perform site visit.

RECOMMENDATION OF AGENT: *Continue to June 19, 2019.*

MOTION:

♦ **A motion was made by Commissioner Carney-Feldman to continue to June 19, 2019. The motion was seconded by Commissioner O'Neill and passed unanimously.**

ACTION ITEMS / SPECIAL INSTRUCTIONS:

❖ *None.*

MATTER: 36-1018/A: 187 County Rd. Eddy. *Continued from April 3, 2019.*

DISCUSSION: Present was Mike DeRosa, DeRosa Environmental.

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

MOTION:

♦ **A motion was made by Commissioner O'Neill to issue a full and final COC. The motion was seconded by Commissioner Carney-Feldman and passed unanimously.**

ACTION ITEMS / SPECIAL INSTRUCTIONS:

❖ *None*

MATTER: 36-728: 251 Topsfield Rd. Turner Hill Gold Course. Request to amend a COC. *Continued from May 1, 2019.*

DISCUSSION: Present was Curt Young, Wetlands Preservation, Inc. (WPI), and John Sadowski, Superintendent of Turner Hill Golf Course. Peer review report confirms WPI's conclusion that course activities have not adversely impacted vernal pools. Both Mr. Young and Mr. Sadowski have been working with ICC Subcommittees. Discussion: sample some Vernal Pools (VPs) annually for 5 years; at end of 5 years sample all pools except #7 and if any pool doesn't meet VP certification criteria, it would revert to annual sampling. Testing for nitrates in spring time will not be productive because they won't have fertilized yet. Discussion: nitrogen trigger 5 mg/l. Water quality sampling has been two sampling events per year. Water Quality Subcommittee wanted to add VP #5, but Mr. Young noted this is not a good idea and peer reviewer agreed. Mr. Young noted that there may be dry pools by end of year (if pool is dry it cannot be sampled). Exceedance reports regarding nitrates and 150% increase reports not historically given to Commission. In the future if there is a spike in a parameter, it should be brought to the Commission's attention in a timely manner. Eliminate requirement to report changes in data of 150%.

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Discussion: spot sample VPs spring, chemical parameters to be eliminated.

RECOMMENDATION OF AGENT: *Continue to June 19, 2019.*

MOTION:

◆ **A motion was made by Acting Vice-Chair ffolliott to continue to June 19, 2019. The motion was seconded by Commissioner Carney-Feldman and passed unanimously.**

ACTION ITEMS / SPECIAL INSTRUCTIONS:

❖ *None.*

MATTER: 36-1369: 350 Linebrook Rd. Allen. New.

DISCUSSION: Present was Arthur Allen, homeowner. This is a COC request for a house renovation project, including removal of an in-ground pool and debris. Agent Geilen noted that based on an interim as-built plan she reviewed there was work beyond the approved plan. She recommends they file an after-the-fact approval; a minor modification or formal amendment. Chairman Hughes noted this is a formal amendment, and triple fees are required.

RECOMMENDATION OF AGENT: *Continue to June 19, 2019.*

MOTION:

◆ **A motion was made by Acting Vice-Chair ffolliott to continue to June 19, 2019. The motion was seconded by Commissioner Carney-Feldman and passed unanimously.**

ACTION ITEMS / SPECIAL INSTRUCTIONS:

❖ *None.*

MATTER: 36-1274: 114-116 County Rd. Catamount Mgmt. Continued from May 1, 2019.

DISCUSSION: Present was Mike DeRosa, DeRosa Environmental, Inc. and April Ferraro, Meridian Properties. Discussion: site walk with Commission was done. The 200 square foot of gravel area will be converted back to turf. Snow storage signs were installed though Conservation Commission is not happy with their placement. Dumpster issue has been resolved. Garlic mustard, and Japanese knotweed will be removed. Client wishes to keep Airstream trailer and gravel behind building intact, but the Commission noted is was in the NBZ. The Commission stated that they must submit this as an after-the-fact request for a formal amendment. Discussion: boulders not large enough and signs should be moved to top versus bottom of posts.

RECOMMENDATION OF AGENT: *Continue to July 17, 2019.*

MOTION:

◆ **A motion was made by Commissioner Carney-Feldman to continue to July 17, 2019. The motion was seconded by Acting Vice-Chair ffolliott and passed unanimously.**

ACTION ITEMS / SPECIAL INSTRUCTIONS:

❖ *None.*

MATTER: 36-1351: 1 Hodges Way. Taggard. COC Request. Continued from May 1, 2019.

DISCUSSION: Present was Karen Taggard, homeowner. The failed septic has been replaced. A plan was submitted, planting shrubs to NDZ is proposed.

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RECOMMENDATION OF AGENT: *Approve planting plan as submitted. Continue to second meeting in May of 2020.*

MOTION:

◆ **A motion was made by Commissioner Carney-Feldman to approve the planting plan. The motion was seconded by Commissioner ffolliott and passed unanimously**

◆ **A motion was made by Commissioner Carney-Feldman to continue to second meeting in May 2020. The motion was seconded by Commissioner ffolliott and passed unanimously.**

ACTION ITEMS / SPECIAL INSTRUCTIONS:

❖ *None.*

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

MATTER: 36- : 7 Woods Lane. Davis

DISCUSSION: Present was Judy Davis, homeowner and Carl Gardner, contractor. Ms. Davis stated that a 2017 water main brake flooded the driveway and compromised the foundation of the garage. The building had been condemned. Homeowner would like to keep the existing driveway area for additional parking, but shift the main driveway away from the wetlands. All work is outside of the Subzones. Discussion: straw wattles not allowed; use silt fence or compost/bark mulch sock. No DEP number received yet. Delineation review must be paid for, wetland line must be review by the agent.

RECOMMENDATION OF AGENT: *Continue to June 5, 2019.*

MOTION:

◆ **A motion was made by Commissioner Carney-Feldman to continue to June 5, 2019. The motion was seconded by Commissioner Putnam and passed unanimously.**

ACTION ITEMS / SPECIAL INSTRUCTIONS:

❖ *None.*

MATTER: 36-1412: 33 Upper River Rd. Petrie. NOI

DISCUSSION: Present was Larry Graham, H.L. Graham Associates. This is a NOI for septic system replacement in jurisdictional area. Wetland was flagged by Mary Rimmer, but they didn't pay review fee. Soils tests were performed under an SPP. A 36-inch oak tree needs to be removed. Discussion: can the septic box be moved out of the subzones? Mr. Graham said no. Agent Geilen will review wetland line after the fee is paid.

RECOMMENDATION OF AGENT: *Continue to June 5, 2019.*

MOTION:

◆ **A motion was made by Commissioner Carney-Feldman to continue to June 5, 2019. The motion was seconded by Commissioner Putnam and passed unanimously.**

ACTION ITEMS / SPECIAL INSTRUCTIONS:

❖ *None.*

MATTER: 36- : 25 Eagle Hill Rd. Ward. NOI for septic system repair in jurisdictional areas. New.

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DISCUSSION: There was no one present for this matter. They have requested a continuance to June 5, 2019 for the Commission to decide if test pits can be installed on the hill, under the above-mentioned SPP.
RECOMMENDATION OF AGENT: <i>Continue to June 5, 2019.</i>
MOTION: <p align="center">◆ A motion was made by Acting Vice-Chair ffolliott to continue to June 5, 2019. The motion was seconded by Commissioner Carney-Feldman and passed unanimously.</p>
ACTION ITEMS / SPECIAL INSTRUCTIONS: <p align="center">❖ <i>None.</i></p>

Enforcement Matters:

MATTER: 347 Linebrook Rd. Tober.
DISCUSSION: Present was Paul Tober, homeowner. Mr. Tober noted he had purchased the property in 1985. Abutting undeveloped lot purchased in 1997. In 2003, a building permit signed by then-Commission David Standley allowed homeowner to install two sheds. Trees have fallen toward main property and hit hen house. Wetlands are now closer to the sheds than they were in the past. A report of filling (gravel) near the wetlands was investigated by Field Inspector Decie, who performed a site-visit and issued a cease and desist letter. Discussion: gravel must come out; aerial views shows trees have been removed. Agent Geilen will perform a site-visit to determine the distance of the work to the wetlands.
RECOMMENDATION OF AGENT: <i>Continue to June 5, 2019.</i>
MOTION: <p align="center">◆ <i>No vote was required.</i></p>
ACTION ITEMS / SPECIAL INSTRUCTIONS: <p align="center">❖ <i>Site-visit.</i></p>

Other Business: none

Tabled Matters and Discussion Items:

Approval of Minutes: None

Document Signage: (No Vote Required)

- 36-1387: 44 River Road. *Denied at May 1, 2019 meeting.* Special Conditions were amended and Order was signed.

Adjournment:

◆ **A motion was made by Acting Vice-Chair ffolliott to adjourn at 10:55 p.m. The motion was seconded by Commissioner O'Neill and passed unanimously.**

Respectfully submitted,



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Amy Scicchitani
Recording Secretary

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