



City of Peabody Conservation Commission

City Hall • 24 Lowell Street • Peabody, Massachusetts 01960 • Tel. 978-538-5900

LEGAL NOTICE

NOTICE IS HEREBY GIVEN THAT THERE WILL BE A REGULAR MEETING OF THE PEABODY CONSERVATION COMMISSION ON WEDNESDAY, JULY 28, 2010 AT 7 PM. AT PEABODY CITY HALL, 24 LOWELL STREET, LOWER LEVEL CONFERENCE ROOM, PEABODY, MASSACHUSETTS 01960.

THE AGENDA SHALL BE AS FOLLOWS:

**PROPOSED NEXT MEETING DATES- NO AUGUST MEETING & September 15, 2010
Lower Level Conference Room – City Hall**

COMMUNITY DEVELOPMENT

- **Reports-** Brendan Callahan, City Planner

CERTIFICATE OF COMPLIANCE

1. A request for a **Full Certificate of Compliance** made by Scott DeSalvo. The **DEP file No. is 55-695**. The property is now known as 11 Robert Road, Map 9, Lot 158, Peabody MA.

NOTICE OF INTENT

2. A Public hearing on a **Notice of Intent** for the City of Peabody by the Department of Public Services, Robert Langley, 50 Farm Avenue, Peabody MA. The project consists of structural/maintenance repairs to an existing dam called "Elginwood Dam". The property is known as Lowell Street (between Cobb Avenue and Lake Street), Map 024, Lots 81 and 82, Peabody MA.

3. A Public hearing on a **Notice of Intent** for Scangas Brothers Realty by EA Engineering, Science and Technology. The project consists of remediation of a historical fuel oil release. Remediation will include excavation of contaminated soils and injection of proprietary chemical oxidation solution. The property is known as 10 Sylvan Street, Map 39, Lot 27B, Peabody MA.

4. A Public hearing on a **Notice of Intent** for Brooksby Village Inc. by Hancock Associates. The proposed work consists of repairs to existing paved roadways and sidewalks as well as replacement and/or upgrade of existing curbs. The property is known as Brooksby Village Drive, Map 27, Lot 005x, Peabody MA.

5. A Public hearing on a **Notice of Intent** for 194 Turnpike LLC by Attorney John R. Keilty. The proposed works consists of construction of additional storm drainage features, landscaping and final paving. The original Order of Conditions DEP file No. 55-660 expired and the scope of work has changed. This filing is to complete the project in accordance with regulations. The property is known as Latitudes Sport Club located at 194 Newbury Street, Map 35, Lot 38X, Peabody MA.

6. A Continued Public Hearing on a **Notice of Intent** for Mary Milne of 269 Forest Street, Peabody MA. The applicant submitted an "After the Fact" NOI for stabilization of a slope, grading and landscaping and the maintenance of an existing concrete patio. The property is known as 269 Forest Street, Map 69, Lots 500 and 501, Peabody MA.

7. A Continued Public Hearing on a **Notice of Intent** for OHC Walnut Place LLC (10 Dearborn Road, Peabody MA) by Hayes Engineering, Inc. with a business address of 603 Salem Street, Wakefield MA. The applicant proposes to construct multi family buildings with associated parking areas, drives, utility and drainage structure installation, pavement removal and grading. The property is known as 0 Hardy Street and 10 & 12 Munroe Street, Map 85, Lots 001, 002H and 0021, Peabody MA.

8. A Continued Public Hearing on a **Notice of Intent** for E.H. Porter Construction, Inc. 15-17 Wallis Street (PO Box 708), Peabody MA.. The applicant is proposing to redevelop the site for the construction of a new building to house, in part, the United States Post Office as shown on the plan for property known as 15-17 Wallis Street, Peabody MA, Map 85, Lot 41. The proposed work is in the buffer zone and riverfront area.

9. A Continued Public Hearing on a **Notice of Intent** for Crowninshield Corp., 18 Crowninshield Street, Peabody MA by Attorney John R. Keilty, 40 Lowell Street, Peabody MA. The proposed project consists of the redevelopment of an existing parking lot into a multi family resident building with parking, landscaping and utilities. The property is known as 13 Crowninshield Street, Map 75, Lots 285 and 274A , Peabody MA 01960.

ENFORCEMENT ORDER

10. An **Enforcement Order** on DEP File No. is 55-657 and the property is known as 119R Foster Street, Map 94, Lot 187, Peabody MA. The violator's representative Civil Environmental Consulting LLC (Peabody MA) submitted a Request for a Full Certificate of Compliance with staff Commission on 4/15/2010. Staff conducted numerous site visits and noted that the plan approved with the Amended Order of Conditions (OOC) did not match the As Built Plan submitted with the request. The property is bounded to the north by a channellized section of Goldthwaite Brook. This site is located entirely within the Riverfront associated with Goldthwaite Brook. The original OOC allowed work in a previously developed Riverfront Area. The following are in violation of the OOC: 1) constructing a wall to extend the height of the channellized section of Goldthwaite Brook (varies 2-4 feet) ; 2) creating impervious surface (parking lot) in an area that was approved on submitted plans to be a landscaped strip. The area is also entirely in FEMA Flood Zone A.

11. A continued **Enforcement Order** issued to Joseph Missagni c/o Tom Camire (property manager). The property that the violation occurred is 18-20 Pleasant Street, Map 95, Lot 151, Peabody MA. The observed violation was performing work in Riverfront (Strongwater Brook) and in a FEMA flood zone without obtaining a valid Order of Conditions. The violator constructed a retaining wall (approximately 6' in one area) and brought in fill to create a parking lot for an existing duplex.

12. A continued **Enforcement Order** issued to Adam and Doreen Kobierski. The property is known as 503 Lowell Street, Map 36, Lot 008B, Peabody MA. The illegal activity observed was altering, filling and grading within 200 feet of a vernal pool as well as the construction of a rip rap type retaining wall to extend their backyard. It appears that the construction of the rip rap wall is taking place in the "No Cut Zone" as depicted on approved plans under the original Order DEP file no. 55-569.

13. A continued **Enforcement Order** issued to Cape Ann Equipment LLC and 58 Pulaski Street LLC. The property is known as 58 Pulaski Street, Map 53, Lot 47, Peabody MA. The illegal activity is stockpiling of contaminated (chromium) soil in Riverfront to Waters River.

MODIFICATION and EXTENSION

- **NONE**

ORDER OF CONDITIONS

14. A Public hearing on an **Amendment to an issued Orders of Conditions DEP File No. 55-422**. The request is being made by HW Moore Associates, Inc. for the Jewish Rehabilitation Center for the Aged of the North Shore (JRC). The proposed amendment is a reconfiguration of buildings in Phase III of the project. The property is known as 240 Lynnfield Street, Map 99, Lot 15A, Peabody MA.

REQUEST FOR DETERMINATION

- NONE

ABBREVIATED NOTICE OF RESOURCE AREA DELINEATION

- NONE

FINDING OF NON SIGNIFICANCE

- NONE

CITY COUNCIL- Special Permits- Motions

- NONE

VIOLATION ORDER

- NONE

EMERGENCY CERTIFICATION

- NONE

CORRESPONDENCE- APPOINTMENT

15. Discussion regarding "Aggregate Roadway Improvement" Order of Conditions DEP file No. 55- 665 as presented by TF Bernier, Inc. by Timothy F. Bernier.

SUBCOMMITTEE REPORTS

- Land Acquisition Committee- Chairman Rizzo
- Flood Mitigation- Chairman Whitman

APPROVAL OF MINUTES

- Minutes- May 12, 2010 & June 9, 2010

OTHER

16. Any other matter presented to the commission at this time.

17. Adjournment

Lucia DelNegro
Conservation Commission

Posted: 7/14/2010