



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, DECEMBER 10, 2014 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- January 14, 2015 AND February 11, 2015
Peabody City Hall Lower Level Conference Room

EXTENSION REQUEST

CERTIFICATE OF COMPLIANCE

1. The request for a **FULL** Certificate of Compliance made by Tyler R. Glode representing Kevin Lucey on DEP File No. 55-790. The property is known as 2 First Avenue (f/k/a 4 First Ave), Map 90, Lot 28A, Peabody MA.

NOTICE OF INTENT

2. A continued Public Hearing on a Notice of Intent submitted by the property owner Douglas White. The proposed work consists of dwelling replacement, cottage restoration, tree removal (numerous), wall removal, patio construction and utility enhancement. The property is known 15 Elginwood Road, Map 33, Lot 33x, Peabody MA.

3. A continued Public Hearing on a **Notice of Intent** submitted by Greg Hochmuth (Williams & Sparages LLC) for RTW Realty LLC- Fran Tower (property owner). The proposed work consists of drainage improvements. The property is known as 119 R Foster Street, Map 94, Lot 6C & 71, Peabody MA.

4. A continued Public Hearing on a **Notice of Intent** submitted by Michael Larkin, Esquire of Larkin Real Estate for Peabody Lodge 1409 of the Benevolent & Protective Order of Elks. The proposed work consists of redevelopment of site into 26 townhouse units, grading, utilities, driveways and landscaping. The property is known 40 Oak Street, Map 95, Lot 89x, Peabody MA.

REQUEST FOR DETERMINATION

5. A continued Public Hearing on a Request for Determination of Applicability submitted by Williams & Sparages, LLC (Greg Hochmuth) for Richardson's Farm, Inc. The applicant is requesting a decision as to whether the property is under Conservation jurisdiction. The property is known 0 Birch Street, Map 4, Lot 37, Peabody MA.

ABBREVIATED NOTICE OF RESOURCE AREA DELINEATION

6. A Public hearing for an Abbreviated Notice of Resource Area Delineation for Salem Country Club by Gregory Cincotta. The applicant is seeking confirmation for the extent and location of wetland resource

areas that may be subject to jurisdiction under the Massachusetts Wetland Protection Act and the City of Peabody Wetlands Ordinance within and surrounding the property known as 133 Forest Street, Map 59, Lot 81X, Peabody, MA.

ORDER OF CONDITIONS

7. A continued Public Hearing on a Notice of Intent/Order of Conditions submitted by Attorney John R. Keilty (the applicant is Robert Denisco). The applicant is asking to reopen the public hearing to address 21E issues. The proposed work discussed at previous hearings is the redevelopment of an existing mill site including new buildings, renovation of existing building, parking, utilities, grading and Landscaping. The property is known as 2 Corwin Street, Map 101, Lot 220 (portion), Peabody MA.

ENFORCEMENT ORDER

8. An **Enforcement Order** issued to 194 Turnpike LLC and All Pro Landscaping for the properties known as 190 and 190 Rear Newbury Street. The extent of violations is as follows: FRONT LOT: Guardrails need to be repaired along the perimeter and all debris (broken guardrails, trash and reclaimed asphalt piles) shall be removed out of the resource areas. BACK LOT: Construction of a parking lot with reclaimed bituminous asphalt without proper stormwater treatment; Stockpiling in buffer zones without proper erosion controls; Evidence of debris under parking lot (see pictures attached); Erection of structure (a company named All-Pro Landscaping office trailer and a temporary structure) as well as managing a landscaping company and storing landscaping equipment (per Fire Dept.-There is an aboveground tank which is approx. 1,000 gal of a chemical for the salt and landscaping vehicles and equipment). Front Lot Map 35, Lot 38X, back lot map 35, Lot 38A Peabody MA.

9. An **Enforcement Order** issued to Carpenter & Costin, Cedar Pond Village Condominiums and Crowninshield Management for the property known as 1200 Salem Street, Lynnfield MA. The mailing address is Lynnfield however the actual location of the violation is in Peabody located behind the townhouses along Brookside Path (map 98, Lot 500T). The violation is the removal of 35+ mature trees as well as vegetation along a portion of Goldthwaite Brook. All work was done in close proximity to or on said bank of brook. A valid Order of Conditions has never been issued for said work.

10. An **Enforcement Order** issued to Michael Chiaradonna. The property is known as 119 Foster Street Rear, Building 10, Map 04, lot 007B, Peabody MA. The illegal activity is storing pallets of Wet Blue Chrome Scraps (old leather hides). The property is bounded to the north by a channelized section of Goldthwaite Brook. This site is located entirely within the Riverfront (RF) associated with Goldthwaite Brook. The wet blue scraps are being stored in RF without a valid Order of Conditions.

11. An **Enforcement Order** issued to Rose Papanickolas for the property known as 7 Farm Avenue, Map 090, Lot 005, Peabody MA. An anonymous caller stated resource area was being altered, filled, cleared and an excavator working in close proximity to the resource area. Staff witnessed at a minimum buffer zone alteration without a proper permit.

12. An **Enforcement Order** issued to Lawrence and Dawn St. Pierre for the property known as 11 Beeman Road, Map 055, Lot 019, Peabody MA. It appears that resource area was altered and filled with woodchips. Staff believes at a minimum buffer zone was altered.

13. A continued hearing on an **Enforcement Order** issued to Spinelli's LLC for the property known as 10 Newbury Street, Map 88, lot 1, Peabody MA. The EO work is mandated under Order of Conditions file No. 55-757. The EO work must be complete and approved by staff before any approved work can start under the current OoC.

DISCUSSION ITEMS

NONE

COURT CASES PENDING LITIGATION

14. A continued hearing on an Enforcement Order issued to 60 Pulaski Street LLC with a business address of 65 Walnut Street Peabody MA. The alleged illegal activity was work in riverfront without a valid Order of Conditions. The matter is presently in the court system awaiting trial.

SUBCOMMITTEE REPORTS

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

APPROVAL OF MINUTES

. MINUTES- 11/12/2014

OTHER

- . Any other matter presented to the commission at this time.
- . Adjournment

Posted: 11/20/2014

By Lucia M. DeINegro