



CITY OF PEABODY
2016 FEB 19 A 11: 25
CITY CLERK

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, MARCH 9, 2016 AT 7 PM. AT PEABODY CITY HALL, 24 LOWELL STREET, WIGGIN AUDITORIUM, PEABODY, MASSACHUSETTS 01960.

THE AGENDA SHALL BE AS FOLLOWS:

**PROPOSED NEXT MEETING DATES- April 13, 2016 and May 11, 2016
LOCATION TO BE DETERMINED.**

ABBREVIATED NOTICE OF RESOURCE AREA DELINEATION

1. A continued Public Hearing for an **Abbreviated Notice of Resource Area Delineation** for James Decoulos of Old House Realty Trust. 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 **0 Andover Street**, Map 39, Lot 25, Peabody, MA.

NOTICE OF INTENT

2. A continued Public Hearing on a **Notice of Intent** submitted by Cyprus Design, Inc. for Arthur Pimental, 194 Turnpike LLC. The proposed work consists of the construction of a three (3) story Hotel building with associated site work. The property is known as **190R Newbury Street**, Map 35, Lot 38A, Peabody MA.

3. A Public Hearing on a **Notice of Intent** submitted by Gregory Cincotta (Sanders Farm LLC). The proposed work consists of construction of a temporary paved area, enclosures and stormwater management facilities in a buffer zone. The property is known as **150 Forest Street**, Map 70, Lot 3(portion), Peabody MA.

4. A Public Hearing on a **Notice of Intent** submitted by William Manuell (Wetlands & Land Management, Inc.) for Jonna Moses. The proposed work is the construction of an in-ground swimming pool in the buffer zone. The property is known as **9 Leonard Street**, Map 105, Lot 28, Peabody MA.

5. A Public Hearing on a **Notice of Intent** submitted by John R. Keilty, Esquire for James Kaloutas. The proposed work is the construction of additional stories over apportion of an existing commercial building, addition of a deck area, reconfiguration of existing parking, addition of landscaping and a grass channel. The property is known as **34 Railroad Avenue**, Map 85, Lot 236, Peabody MA.

6. A Public Hearing on a **Request for Determination of Applicability** submitted by Michael McGonigle (Coneco Engineers & Scientists, Incorporated) for Onyx Renewable Partners, LP. The proposed work is the installation of a ground mounted solar array. Approximately 88,478 SF of vegetation will be cleared from the site. The property is known as **0 Old County Road/Esquire Circle**, Map 52, Lot 89, Peabody MA.

7. A Public Hearing on a **Request for Determination of Applicability** submitted by Michael McGonigle (Coneco Engineers & Scientists, Incorporated) for Onyx Renewable Partners, LP. The proposed work is the installation of a ground mounted solar array. Approximately 87,580 SF of vegetation will be cleared from the site. The property is known as **201 Warren Street Ext.**, Map 63, Lot 95, Peabody MA.

8. A Public Hearing on a **Notice of Intent** submitted by Denis Blais (TRC Environmental) for Maritimes and Northeast Operating Company (Douglas Parcher). The proposed work consists of the installation of a natural gas transmission pipeline cathodic protection system including header cabling and array anodes. The work is required by USDOT regulations to maintain adequate corrosion control of the existing pipeline. Work is located in riverfront and buffer zone. The property is known as **Glen Drive**, Map 001 & 002, Lots 20, 28 and **bike path**, Peabody MA.

CERTIFICATE OF COMPLIANCE

9. A continued request for a **FULL Certificate of Compliance** made by Peter N. Decoulos for Kancov Investment LTD Partnership on DEP File No. 55-454. The property is known as 262 Andover Street, Map 29 and lot 21, Peabody MA. **SEE ENFORCEMENT ORDER SECTION**

10. A continued request for a **FULL Certificate of Compliance** made by Gregory Cincotta for Salem Country Club on DEP file No. 55-706. The property is known as 133 Forest Street, Map 72 and lot 01, Peabody MA.

11. A continued request for a **FULL Certificate of Compliance** made by Wetlands Preservation Inc. representing Group 1 Automotive Inc. on DEP file No. 55-782. The property is known as 252 Andover Street and 0 Andover Street, Map 39 and lots 25C and 25, Peabody MA.

ENFORCEMENT ORDER

12. An **Enforcement Order** issued to Willowdale Realty Trust (Peter N. and Paul N. Decoulos, Trustees) for the property known as **262 Andover Street**, Map 29, Lot 21, Peabody MA. Work was not done in compliance with the original Order of Conditions DEP File No. 55-454 that was issued on 11/24/1997. All work must be brought up to compliance to have the EO withdrawn.

13. A continued **Enforcement Order** issued to Azorean Brotherhood of the Divine Holy Ghost, Inc. for the property known as **18 Howley Street** (FKA 166R Main Street), Map 086, Lot 150, Peabody MA. The violation is the removal of trees and all vegetation on property as well as soil disturbance in riverfront to Strongwater Brook and FEMA Flood Zone. Proper permits have not been issued for any work. The site is also a 21E site with a RTN 3-577 as well as an existing AUL.

14. A continued **Enforcement Order** Emmanuel N. and Rose Papanickolas of 16 Chestnut Street, Peabody MA for the property known as **25 Farm Avenue**, Map 069, Lot 006, Peabody MA. The violation is the removal of trees and vegetation, disturbance of soils, placement of fill and reclaimed bituminous asphalt to construct a parking lot without a valid Order of Conditions. All work is in buffer zone to a protected resource.

15. A continued **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. **CONTINUED UNTIL SPRING OF 2016**

16. A continued **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. **CONTINUED UNTIL SPRING OF 2016**

17. 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.

SUBCOMMITTEE REPORTS

- Land Acquisition Committee- Chairman Rizzo
- Flood Mitigation- Chairman Whitman
- Kinder Morgan Pipeline- Open Discussion

APPROVAL OF MINUTES

. MINUTES- 12/9/2015

OTHER

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

Posted: 2/19/2016

By Lucia M. DelNegro

