



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, MAY 11, 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- June 8, 2016 AND July 27, 2016
LOCATION TO BE DETERMINED.**

NOTICE OF INTENT

1. A Public hearing on a **Notice of Intent** submitted by Emmanuel Papanickolas. This is an "after the fact" filing. The property owner is requesting the commission to allow existing recycled asphalt and fencing to remain in the buffer zone. Stormwater components are proposed. The property is known as 25 Farm Avenue, Map 69, Lot 6, Peabody MA.

DETERMINATION OF APPLICABILITY

2. A continued 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.

NOTICE OF INTENT

3. 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.

4. A Public Hearing on a **Notice of Intent** submitted by SOLitude Lake Management. The property owner is Cedar Pond Village Condominiums. The applicant is seeking approval for an Aquatic Management Program to control nuisance and non-native plant and algae growth. The property is known as 1200 Salem Street, Lynnfield/Peabody, Map 098, Lots 500 to 754, Peabody MA.

5. A continued Public Hearing on a **Notice of Intent** submitted by Wetlands Preservation Inc. (Joseph Orzel) for Group 1 Automotive, Inc. The property owner is SJND Realty Trust. The proposed project is the construction of an auto inventory lot with associated stormwater management facilities. The property is known as 0 Willowdale Avenue, Map 39, Lot 24, Peabody MA.

ABBREVIATED NOTICE OF RESOURCE AREA DELINEATION

6. A Public Hearing for an **Abbreviated Notice of Resource Area Delineation** by Peter Pommersheim of Meridian Associates, Inc. The property owner is 72-74 Andover Street 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 74R Andover Street, Map 28, Lot 2A, Peabody, MA.

CERTIFICATE OF COMPLIANCE

7. A request for a **FULL Certificate of Compliance** made by Michael Rie for AvalonBay Communities, Inc. on DEP File No. 55-674. The property is known as 56 Prospect Street, Map 39, Lot 1.

8. A request for a **FULL Certificate of Compliance** made by Michael Rie for AvalonBay Communities, Inc. on DEP File No. 55-499. The property is known as 68 Prospect Street, Map 39, Lot 4 and 4A.

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** 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.

14. 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**

15. 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**

SUBCOMMITTEE REPORTS

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

APPROVAL OF MINUTES

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OTHER

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

Posted: 4/25/2016 By Lucia M. DeINegro