



City of Peabody Conservation Commission

City Hall • 24 Lowell Street • Peabody, Massachusetts 01960 • Tel. 978-538-5782

MINUTES

November 8, 2023

Link: <https://peabodytv.org/videos-on-demand/?vid=1132>

At this time the Peabody Conservation Commission hearings will continue to be held remotely. Remote participation is allowed in accordance with Section 20 of Chapter 22 of the Acts of 2021 signed into law by Governor Baker on February 12, 2022, suspending provisions of the Open Meeting Law, G.L. c. 30A, Section 18. as extended by Section 20 of Chapter 22 of the Acts of 2022 and further extended by the Final Compromise Bill enacted by the House and Senate on March 23, 2023, and signed by Governor Maura Healey on March 29, 2023.

MEMBERS PRESENT

Chairman Stewart Lazares
Vice Chairman Michael Rizzo
Sec. Michael Vivaldi
Bruce Comak (arrived at 7:05pm)
Arthur Athas
Amanda Green
Ritamarie Cavicchio (left at 8:50pm)

MEMBERS ABSENT

None

2 alternate member openings
(Please forward resume to Mayor's
office if interested in being appointed)

Also Present: Lucia DelNegro, Conservation Agent

CHAIRMAN LAZARES CALLED THE MEETING TO ORDER at 7:00 PM

NOTICES OF INTENT

1. A continued Public Hearing on a Notice of Intent submitted by Attorney John R. Keilty for Josephine Cooke (owner). The proposed work is the construction of a single-family house with associated utilities, grading and driveway. The property is known as 29 Glendale Avenue aka 25 Glendale Avenue, Map 120, Lot 27, Peabody MA.

Present: Attorney John R Keilty

Summary: The plan is being revised and currently in review with DPS.

Motion to continue as made by Ms. Green. Seconded by Mr. Athas. Adopted unanimously 7-0.

2. A continued Public Hearing on a Notice of Intent submitted by LEC Environmental Consultants, Inc. (Andrea Kendall) for DeOliver Estates, LLC (Daniela DeOliver-owner). The proposed work is the construction of a 360SF single-story addition to the existing commercial building within the riverfront of Strongwater Brook. The property is known as 168 Main Street, Map 86, Lot 159, Peabody MA.

Present: Andrea Kendall (LEC Environmental Consultants, Inc.), Daniela DeOliver (owner) and Attorney John R Keily (legal counsel)

Summary: The commission is waiting for revised plans. **Discussion** continued about past commission requests, snow storage and easement procurement.

Motion to continue as made by Mr. Athas. Seconded by Mr. Rizzo. Adopted unanimously 7-0.

3. A continued Public Hearing on a Notice of Intent submitted by Attorney John R Keilty for The Farhat Group (owner) and the applicant AGA Foster LLC. The proposed work is the redevelopment of a former leather factory for a commercial storage building. The property is known as 47 Tremont Street, Map 75, Lot 165, Peabody MA.

Present: Attorney John R Keilty (legal counsel)

Summary: The plans and NOI are still being reviewed by DPS.

Motion to continue as made by Mr. Rizzo. Seconded by Ms. Green. Adopted unanimously 7-0.

4. A continued Public Hearing on a Notice of Intent submitted by Williams & Sparages LLC (Thorsen Akerley) for Ray Falite. The proposed work is the construction of a commercial building, driveways, parking, landscaping, utilities, stormwater, public walking trail with canoe launch and riverfront area restoration. The property is known as 60 Pulaski St, Map 53, Lot 85, Peabody MA.

Motion to continue as made by Mr. Rizzo. Seconded by Ms. Cavicchio. Adopted unanimously 7-0.

5. A Public Hearing on a Notice of Intent submitted by BSC Group, Inc. (Alison Milliman) for New England Power Company (NEP-Andrew Cole). The proposed work is exploratory soil borings and access for planning and design purposes associated with future utility work on the S145E/T146E Transmission Line. Soil borings are proposed within BVW, Outstanding Resource Waters, 100-foot buffer zone to BVW and 200 riverfront area. The property is known as S145E/146# Transmission Line ROW, Map/Lots: 113/002, 113/005, 114/089, 114/085A, 120/064, 120/171, 121/093, Peabody MA.

Present: Catherine Colliton (BSC Group, Inc.)

Summary: The representative for BSC group gave a presentation. There was a discussion about erosion controls and other best management practices. There were no members of the public that wished to speak.

Motion to close the public hearing as made by Mr. Rizzo. Seconded by Ms. Green. Adopted unanimously.

Motion to issue a standard Order of Conditions 1-50 adding the following special conditions: **51)** The conservation Agent shall be notified via email to lucia.delnegro@peabody-ma.gov once the BMPs are installed and BEFORE any work commences. **DPS Conditions: 52)** Additional matting (1000SF) should be available at the site in case field conditions change due to precipitation etc. ; **53)** All vehicles should be fueled OFF SITE and as far from the resource areas as practicable. There shall be no fueling in buffer zones or resource areas. Spill kits should be readily available on site at all times as made by Mr. Rizzo. Seconded by Ms. Green. Adopted unanimously 7-0.

6. A Public Hearing on a Notice of Intent submitted by Allen & Major Associates, Inc. (Jacqui Trainer). The proposed work is the construction of an addition to the building encompassing 82,760SF of the west side of the existing building. The existing detention basin will be enlarged to accommodate the increased impervious surface. The property is known as 140 Summit Street, Map 093, Lot 008, Peabody MA.

Present: David Robinson (Allen & Major Associates, Inc.)

Summary: The consultant gave a brief presentation of the proposed work. The proposed work is the construction of an addition to the building encompassing 82,760SF of the west side of the existing building. The existing detention basin will be enlarged to accommodate the increased impervious surface. DPS is sending this project out for a peer review. ConComm staff is waiting for the peer review to finalize her comments and conditions.

Motion to continue as made by Mr. Rizzo. Seconded by Mr. Vivaldi. Adopted unanimously.

7. A Public Hearing on a Notice of Intent submitted by LEC Environmental Consultants, Inc. (Ann Marton) for 8 Centennial Drive Owner, LLC c/o Tishman Speyer Development, LLC (Rustom Cowasjee). The proposed work is the redevelopment of the former Analogic building to include razing and removing all buildings and infrastructure. The construction of four new commercial industrial warehouse buildings with internal circulation, parking, loading facility and supporting infrastructure. Portions of the project occur in the buffer zone to BVW. No work is proposed in riverfront. The property is known as 8 Centennial Drive, Map 91, Lot 6, Peabody MA.

Present: Ann Marton (LEC Environmental Consultants, Inc.), Steven Morris (Tishman Speyer) Suz King (BL Group) and Attorney John R Keilty (legal counsel)

Summary: The consultants gave a brief overview of the proposed work. Discussion ensued regarding phasing the project and other items. DPS is sending the project out for a peer review. ConComm staff is waiting for the peer review to finalize her comments and conditions.

Motion to continue as made by Mr. Rizzo. Seconded by Mr. Comak. The motion passed 6-1 with Ms. Cavicchio no longer present.

ENFORCEMENT ORDERS/VIOLATION ORDERS

8. A continued Enforcement Order issued to the Salem Country Club- for the following activities: Removal of living trees/grinding/grubbing stumps in buffer zone/in close proximity to jurisdictional resource areas and depositing woodchips in buffer zones and along local riverfront woods. The property address is known as 133 Forest Street, Peabody MA.

ITEM CONTINUED UNTIL DECEMBER 13 HEARING. No motion is necessary.

MINOR PERMITS AND TREES

- **Minor Permit- 18 Crowninshield St-Remove wall in FEMA flood plain. Remove portion of wall in FEMA/repoint sections that can be saved. See project narrative for detailed description of work.**
- **Minor Permit-41 Beacon Bld.- trenching next to the house to create an egress door for bedroom in basement.**
- **Tree Permit-0 Forest Street (behind property located at 12 Crestwood Lane)**

Motion to approve Minor Permit and Tree Permits as made by Ms. Green. Seconded by Mr. Rizzo. The motion passed 6-1 with Ms. Cavicchio no longer present.

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•Tree Permit/Utility exemption work along easement- PMLP and Forestry Department to trim along ROW between Crystal Lake and Elginwood Pond-Bike Path/Crystal Drive). Vegetation Management Plan submitted for review.

Motion to approve the PMLP Vegetation Management Plan as submitted and as made by Ms. Green. Seconded by Mr. Rizzo. The motion passed 6-1 with Ms. Cavicchio no longer present.

OTHER ITEMS

• MINUTES- October 11, 2023

No motion. To be voted on at the December hearing.

• Adjournment

Motion to adjourn as made by Ms. Green. Seconded by Mr. Vivaldi. The motion passed 6-1 with Ms. Cavicchio no longer present.

The meeting adjourned at 9:14 PM

Respectfully submitted, (To be signed electronically)

Chairman Stewart Lazares