



City of Peabody Conservation Commission

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

MINUTES

March 24, 2021

Via Zoom ID 837 2748 1813

Pursuant to Governor Baker's March 12, 2020 Order suspending certain provisions of the Open Meeting Law, G.L. c. 30A § 18, and the Governor's March 15, 2020 Order imposing strict limitation on the number of people that may gather in one place, this meeting of the Peabody Conservation Commission was conducted via remote participation to the greatest extent possible.

MEMBERS PRESENT

Chairman Michael Rizzo
Vice Chairman Bruce Comak
Michael Vivaldi
Arthur Athas
Travis Wojcik
Amanda Green (Alt.)

MEMBERS ABSENT

Secretary Stewart Lazares
Melissa Cantin

Also Present: City Councillor Mark O'Neill; Lucia DelNegro, Conservation Agent

CHAIRMAN RIZZO CALLED THE MEETING TO ORDER at 7:00 pm

Alternate Commissioner Amanda Green was giving voting rights in the absence of two commissioners.

EXTENSION REQUESTS

1. A continued Request for an Extension Permit on DEP File No. 55-673. The request is being made by Attorney Steven M Singer for Carl Crupi. The project is a single-family house located at 1 Antonio Drive (map 106, Lot 98). The Order expires on May 15, 2021. The applicant is asking for a one-year extension per the local ordinance.

Present: Attorney Steven M. Singer

Discussion ensued regarding legal issues with the development that the developer has been facing for years.

Motion to issue a one-year Extension adding 10 months (“tolling” period per SOE) extending said Order to March 15, 2023 as made by Mr. Wojcik. Seconded by Mr. Comak. Adopted unanimously.

REQUEST FOR DETERMINATION OF APPLICABILITY

2.A Public Hearing on a Request for Determination of Applicability submitted by Oak Consulting Group, LLC (Paul Avery). The proposed work is to raze the existing vacant office building. The property is known as 17 Centennial Drive, Map 82, Lot 3, Peabody MA.

Plans: Building Demolition Plan drafted by Oak Consulting Group, Scale: 1” = 30’ Sheets C1 (Demolition Plan- dated 1.4.21) & C2 (Erosion Control Notes- dated 1.4.21 with a revision of 3.25.21)

Present: Paul Avery (Oak Consulting Group) and Brian Cafferty (Combined Properties)

Summary: The consultant gave a brief project description regarding the building demolition and the stabilization of the property with loam and seed after. The item was open to members of the public. An Abutter Ann DiStefano was concerned with noise and air quality. The applicant took her personal information down and will be make sure she is aware of the project start date.

Motion to close the public hearing as made by Mr. Wojcik. Seconded by Mr. Comak. Adopted unanimously.

Motion to issue a Negative Determination of Applicability adding the following conditions: **1-** Conservation staff must be notified at least 48 hours in advance to inspect erosion control log, silt fence and catch basin protection. Haybales are not allowed and neither is plastic meshing; **2-** Work MUST be done per all building, health and DPS requirements; **3-** Clean fill MUST be used on site during leveling and other necessary groundwork; **4-** Evidence that asbestos all other hazardous material has been removed from the building before demolition can commence. CONDITION SATISFIED on 3.25.21; **5-** Bill of Lading shall be emailed to ConComm staff at lucia.delnegro@peabody-ma.gov when available as made by Mr. Vivaldi. Seconded by Mr. Wojcik. Adopted unanimously.

NOTICES OF INTENT

3.A Public Hearing on a Notice of Intent submitted by NATIVetec (Robert Marini) for Janice Schulte (owner). The proposed project is the construction of a garage and breezeway attached to a single-family residence. The property is known as 11 Glendale Avenue, Map 120, Lot 38, Peabody MA.

Documents: Site Plan- Land of Janice M Darisse, 11 Glendale Ave Peabody MA drafted by NATIVETec and Reid Land Surveyors signed by Robert E. Marini dated 2.22.2021. Scale: 1"=20'

Present: Janice Schultz (owner) and Robert Marini (NATIVETec)

Summary: The item was open to members of the public for comment. Jannelyn Spratt of Troy Street was in support of the project but wanted to speak on behalf of the wetlands. She stated she is not against the project but does not want to see anything dumped in the stream.

Motion to close the public hearing as made by Mr. Athas. Seconded by Mr. Wojcik. Adopted unanimously.

Motion to issue a Standard Order of Conditions 1-50 stating all work must be done as shown on plans submitted and approved adding the following special conditions **51)** All work must be done on the owner's property. NO work is be allowed on the paper street/bank area; **52)** Erosion controls must be inspected before work can commence. Fence should remain erected during length of project to also act a secondary erosion control. Compost logs shall be used. No haybales or plastic meshing allowed as made by Mr. Wojcik. Seconded by Mr. Comak. Adopted unanimously.

4.A continued Public Hearing on a Notice of Intent submitted by Joseph Salvaggio (owner). The proposed project is the construction of a single-family home, attached garage, driveway, utilities, lawn and stormwater features. The property is known as 73 Lake Street, Map 45, Lot 62, Peabody MA.

Documents: ► Sheets 1 and 2 of plan entitled "Site Development Permit Plan located in Peabody MASS- 73 Lake Street prepared by Eastern Land Survey Associates Inc. prepared for Erika & Joseph Salvaggio" dated April 27, 2018 and revised on December 26, 2019 with a FINAL REVISION date of January 21, 2020. Scale: 1"=20' stamped by Christopher R Mello.

Present: Joseph Salvaggio (owner)

Summary: The applicant stated he could not meet all of the requirements as stated in the city engineering memo from William Paulitz. Chairman Rizzo felt the project could be voted on without any changes.

Motion to close the public hearing as made by Mr. Vivaldi. Seconded by Mr. Comak. The vote passed 5-1 with Mr. Wojcik not voting.

Motion to issue Standard Order of Conditions 1-50 stating all work must be done as shown on plans submitted and approved adding the following special condition **51)** Although there is no record or knowledge of a pipe/culvert/infrastructure under the existing lot; If a culvert/pipe or any obstruction is encountered below the surface while doing soil borings; work will stop immediately. The General Contractor or whomever is on site will cease and desist all work. They will contact the Department of Public Services at 978-536-0600 and conservation staff at 978-538-5782 immediately to come up with a remediation plan as made by Mr. Vivaldi. Seconded by Mrs. Green. The motion passed 5-10 with Mr. Wojcik not voting.

5.A continued Public Hearing on a Notice of Intent submitted by Attorney John R. Keilty for Joseph Ruggiero (applicant) and Todisco Properties LLC (owner). The proposed project is the renovation of existing professional office building to a funeral home with access-egress alteration upgrade in riverfront and FEMA Flood zone. This is an after-the-fact-filing. Work has commenced but has been halted by the building department. The property is known as 10 Chestnut Street, Map 85, Lot 187, Peabody MA.

Motion to continue as made by

CETIFICATES OF COMPLIANCE

6.A continued request for a Full Certificate of Compliance as made by William Manuell (Wetlands and Land Management) for Roy Simoes (PMLP) for DEP File No. 55-840. The project was known as the PMLP Substation at Russell Street.

Present:

Summary:

7.A continued request for a FULL Certificate of Compliance as made by Peter Blaisdell, Jr. (Williams & Sparages) on behalf of AMConCorp (Patrick Coburn) for DEP File No. 55-865. The project was the construction of a commercial building and parking area (demo/rebuild, stormwater features and parking). The address is known as 3 Mount Pleasant Drive, Map 029, Lots 006, Peabody MA.

8.A continued request for a FULL Certificate of Compliance as made by Frederick Hostrop (Neptune Engineering) on behalf 160 Main Street Realty LLC (Nikolay Polinovskiy) for DEP File No. 55-793. The project was the redevelopment of a previously degraded site for commercial and residential use. The address is known as 166 Main Street, Map 086, Lot 150B, Peabody MA. Partial CC has been issued. Item will remain on agenda until a Full CC can be requested (TBD late 2021) ITEM CONTINUED UNTIL JUNE 2021

ENFORCEMENT ORDER

9.Enforcement Order issued to Daniel Ruiz for the property known as 44 Bartholomew Street, Peabody MA. The alleged violation is bringing multiple truckloads of fill onto the site. Buffer zone and resource area was altered. A valid Order of Conditions has never been issued for said work.

CONTINUED UNTIL 2021 WHEN VEGETATION HAS GROWN IN – TBD

OTHER

- **MINUTES- December 16, 2020 and February 17, 2021 remotely held TBD**
- **Adjournment**

Motion to adjourn as made by Mr. Wojcik. Seconded by Mr. Athas. Adopted unanimously.

The hearing adjourned at 9:33 PM

Respectfully submitted,
To be signed electronically

Chairman Michael Rizzo