

*City of Peabody  
Manning Marten*

CITY OF PEABODY

“Residences at Endicott,” a 6-story 68-unit condominium project in a congested neighborhood, is scheduled to be heard before the Peabody’s Zoning Board of Appeals (ZBA) on Monday, May 3<sup>rd</sup> at 7 PM via Zoom.

CITY CLERK

It is my view that the Endicott St. neighbors were short-changed at every step of the way throughout this process. It is my hope that the ZBA will right these wrongs, listen to the neighbors, review all the facts, and ensure the builder works collaboratively to build a reasonable structure for their neighborhood.

It began in early 2020 with a proposal too massive for, and its character inconsistent with, this neighborhood—a clear violation of our Zoning Ordinance. Dozens of neighbors objected and appeared in person at one of the very last in-person Council meetings prior to the pandemic. But before the neighbors were able to voice their objections, the council meeting was adjourned for spurious reasons. That was the last time the residents had a chance to speak on this project in person. Never before has a project this size been considered without in-person participation from the abutters and neighbors.

Neighbors then became the guinea pigs for the untested, unfair and inequitable virtual public hearings where, for those with internet access and computer savvy able to connect, experienced dropped calls, garbled voices, and loss of connectivity throughout the hearing(s). Nonetheless, the petitioner was granted the Special Permit with a vote of 9-2 to construct a 38-unit condominium project in a R1A residential housing zone restricted to single- and two-family homes.

These neighbors and abutters, justifiably upset by their Council’s decision, then exercised their right to defend their property and their quality of life through the appeal process afforded to them by law. Rather than allowing these property owners their day in Court, the carpenter decided to cut and run and intentionally defaulted in court and chose rather to file a 40B application through MassHousing, who subsequently issued a project eligibility letter for what is now a 6-story 68-unit monstrosity charmingly referred to as “Residences at Endicott.” In so doing, the neighborhood was cheated again, because the state (MassHousing) by-passed the required neighborhood and city official site meeting, which should have taken place OUTDOORS, by citing COVID.

M.G.L Chapter 40B is meant to be a tool for collaborative decisions between a city and a developer in order to achieve a meaningful goal to provide needed affordable housing. The spirit and intent of 40B is to provide sensible building with respect to its ultimate size and density while still allowing for a reasonable profit for the developer. This carpenter, although he had an approved Special Permit in hand to develop the project that he said he wanted to build, chose to file a 40B application effectively denying the neighborhood group their right to be heard. He was able to do so now rather than wait his turn because of a loophole in the 40B statute created by Peabody’s Inclusionary Zoning, evidence of our community’s commitment to increasing affordable housing. The carpenter’s end-run flies in the face of the spirit and intent of M.G.L.

Chapter 40B, and I question why the Legislature would allow this and why MassHousing, rather than challenge it, gave this carpenter their seal of approval.

I am confident that the many concerns surfaced by a project of this magnitude at that location, if addressed by fair negotiations between this carpenter and the ZBA, will result in a sensible structure with respect to its ultimate size and density while still allowing for a reasonable profit for the carpenter—who, by the way, has never engaged in a project of this magnitude. Should this goal not be achieved and the builder is dissatisfied with the ZBA's rejection, reduction in size, or attachment of conditions or changes, the petitioner still has recourse by filing an appeal with the State Housing Appeals Committee. Ironically, such an appeal would be the equivalent recourse for fair treatment that this petitioner denied the Endicott Street neighbors.

Carla McGrath

**From:** Laura Johnson <lj95gsj@gmail.com>  
**Sent:** Wednesday, April 28, 2021 12:25 PM  
**To:** Carla McGrath  
**Subject:** [External] Opposition of Residence at Endicott  
**Attachments:** Endicott ST-2.jpg

**WARNING** This email originated from outside the City of Peabody. Do not click on links or open attachments unless you trust the sender.

April 28, 2021

Hello-

I am writing in opposition of the currently submitted proposal for The Residence at Endicott, LLC for a 68 unit development. I am very familiar with the location as I grew up and lived across the street for quite a few decades. Below lists the reasons for my opposition.

**Traffic & Safety:** This is the biggest concern. Endicott Street is currently a heavily congested street and considered a cut through between Route 114 and Lowell Street. It is a straight road, where we have witnessed more times than normal, cars going 10, 20 or more mph over the speed limit.

Additional to the concern about speeding, is the width of the road. I have attached a photo from today showing while driving on the side the building is proposed (and yes I was stopped to take the picture), in order to pass the car that is illegally parked on the road, I need to go over the yellow line into the other lane. When more cars are parked on this road, it becomes an increasingly dangerous driving situation. An influx of cars associated with this project will just ramp up the traffic and parking, increasing the traffic and safety issue of more cars needing to cross the yellow line in order to safely travel down the street.

Crossing the street safely will be impacted with the influx of cars traveling and being parked on the street. It makes it a very dangerous situation for trying to cross the street as you have to be in the road to look past the parked cars in order to be able to cross safely.

And influx of cars associated with this project, no matter where they park, will cause additional traffic at already congested intersections of Endicott and Lowell & Warren and Central & Endicott and Andover St. Again, this reduces the quality of life for residents in a larger area as time it takes to get places will be increased due to traffic backup. If you would like an example of this, Endicott to Lowell around 3pm will have traffic backed up to Evans Flowers. And I would be remiss without mentioning that the intersection of Endicott & Lowell has already been deemed one of the worst intersections in the city.

The recurring theme from the above is influx in cars. With the approval of the current proposal, it will bring in more cars than the area can handle.

**Height of proposed building:** The current height of the proposed building will impede the sun exposure for those living directly across from the building. The reduced sun exposure will reduce the quality of life for residents that have become accustomed to it and have made decisions on landscaping based on the sun exposure. The height would cause undue financial burden on residents if they need to redo their already matured landscaping.

**Pressure on schools:** If school aged children will be living there, where will they go to school? It would be unthinkable to not address this issue. Throwing kids in schools that could be overcrowded puts additional strain on already limited resources, which ultimately reduces the schooling experience for not only kids in this neighborhood but also for kid's district wide. As a mother, whose child is in that particular district, I would be upset if her school experience and what she could get out of school was reduced because additional children were sent to an already strained school.

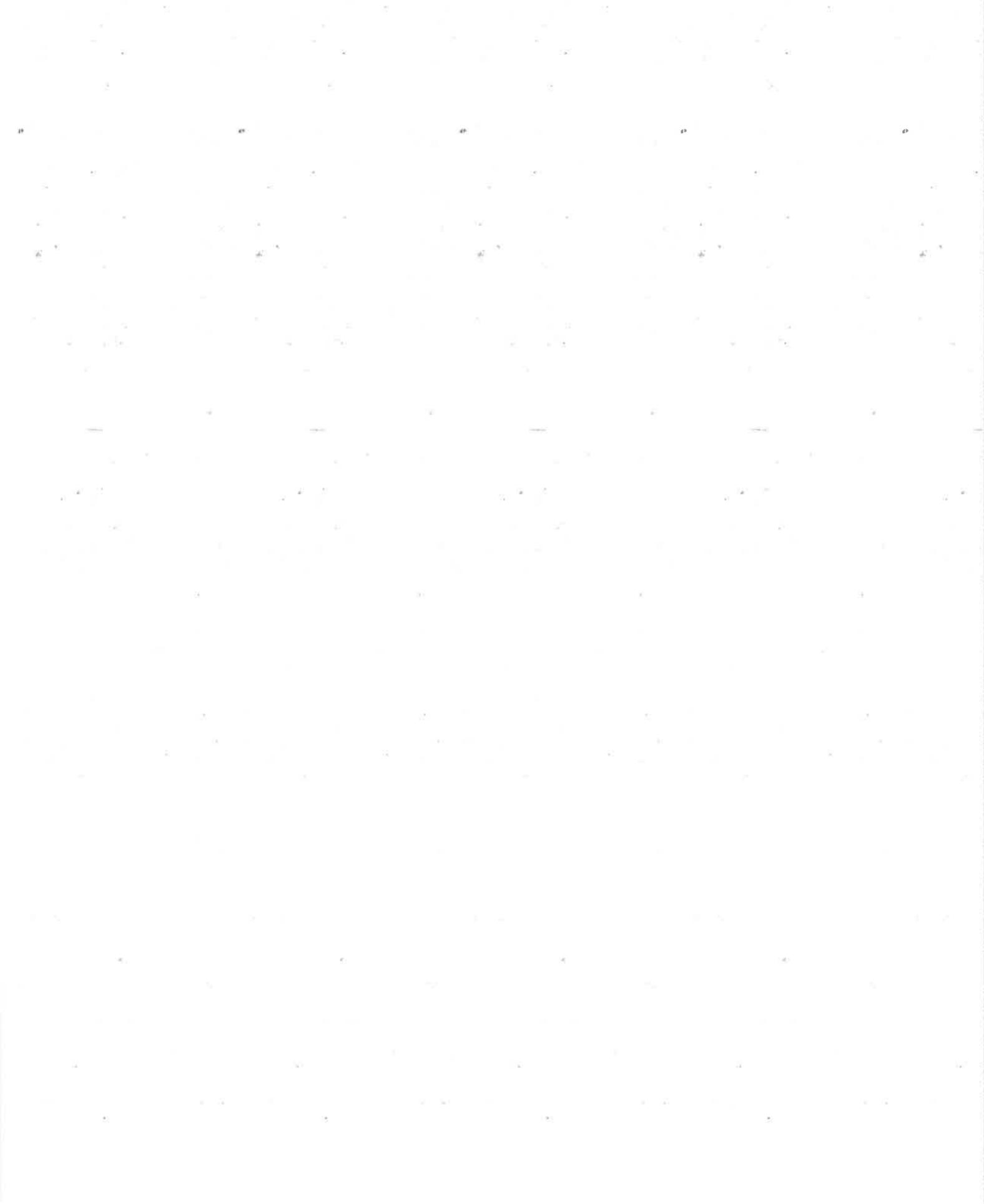
**Other developments:** With other developments, King Street & Oak Street, in the pipeline, it's unimaginable to understand how these three large scale developments all in Central Peabody will have a positive impact on the community. While I believe something should be done with the property, this proposal for a 68 unit complex is grossly out of scale for the already congested area. Just because something can be built, does not mean it should be built. There are plenty of other places AWAY from central Peabody that could be looked at for larger scale buildings. I do hope that the owner will want to work with residents who will be greatly impacted by this. It's a shame and distasteful to hear comments from those that do not live in the area since it does not directly impact their daily life.

**In closing:** I appreciate you taking the time to read this. These concerns are coming from someone who has lived in that neighborhood and knows first-hand. While I may have moved, the house is still owned by my family, which I still frequently visit. Quality of life may be something people brush off but families have invested time, money and resources over the years to have lived in a neighborhood and love living there. This proposal as is, will change that for many. Overcrowding from cars, within schools and on infrastructure should be considered when reviewing this proposal.

As I have heard the Boards' hesitation and opposition of the Kings Residences, I hope that the same amount of opposition will be had for the current proposal of this project.

With appreciation,

Laura Johnson  
7 Esquire Dr.  
Peabody



Carla McGrath

From: PATRICIA RENNICK <p.rennick@comcast.net>  
Sent: Thursday, April 29, 2021 10:28 AM  
To: Carla McGrath  
Subject: [External] 40-42 Endicott Street

CITY OF PEABODY  
2021 APR 29 PM 3:22  
CITY CLERK

**WARNING** This email originated from outside the City of Peabody. Do not click on links or open attachments unless you trust the sender.

I am writing in regards to the proposed project at 40-42 Endicott Street. I am vehemently opposed to this. The residents in this neighborhood have the right to live in the type of neighborhood they purchased their homes in. Some have been here for generations, some for decades, and many have more recently bought, built, and remodeled their homes. We all believed we were going to live in a residential, friendly neighborhood. We help our neighbors and enjoy knowing each other. This is a R1-R1A district. It is not right to build something so out of character amongst our homes. We already explained what a burden it would be on traffic, schools, parking, accidents, playgrounds, and losing our beautiful views of the sky and sunlight and friendly atmosphere. We welcome our new neighbors, but that proposal is too much. We met and tried to work with the developer to compromise and let him build something we could all live with and he could still make a profit on, but he was uncooperative and abruptly and rudely ended the last meeting stating he would get even more units and a bigger building. This is clearly all about money. The single family home obtained in this deal has already been sold so Mr. Todisco has already recouped this money, I'm sure at a profit. We never asked Mr. Todisco to lose money but Mr. Todisco should never have purchased the property thinking he was guaranteed to make such a HUGE profit at the expense of all the other taxpayers and citizens of the neighborhood. None of us neighbors deserve to lose money on our property values just so one person can make an exorbitant amount of money, with no benefit to anyone except himself. We don't deserve to be forced to live in an overcrowded neighborhood when it is not at all what we bought into. Please think about this when you look out your window and decide what is right. We are all taxpayers and citizens of this city. Don't trade the integrity of the neighborhood and the city for the benefit of one individual. WHO only wants to make extra large amounts of money. Thank you for listening and taking our concerns and feelings into your decision. Patricia and Edward Rennick

Carla McGrath

---

**From:** Joe Mello <j4mello@yahoo.com>  
**Sent:** Wednesday, April 28, 2021 7:15 PM  
**To:** Carla McGrath  
**Subject:** [External] 40-42 Endicott Street Peabody

CITY OF PEABODY

2021 APR 29 AM 9:16

CITY CLERK

**WARNING**

This email originated from outside the City of Peabody. Do not click on links or open attachments unless you trust the sender.

Hi Carla,

My husband and I are opposed to the 68 units. We would like to see owner occupied units at that space. We live right across the street. We previously sent out an email to Mayor Ted Bettencourt regarding this matter.

Thank you  
Joe and Cindy Mello  
45R Endicott Street  
Peabody, MA

**Carla McGrath**

---

**From:** Shannon Fay <sfay88@gmail.com>  
**ent:** Wednesday, April 28, 2021 9:54 AM  
**To:** Carla McGrath  
**Subject:** [External] Re: 40-42 Endicott Street, Peabody

CITY OF PEABODY

2021 APR 28 AM 10:16

CITY CLERK

**WARNING** This email originated from outside the City of Peabody. Do not click on links or open attachments unless you trust the sender.

Dear Carla,

My name is Shannon Fay and I live on 11B Endicott Street in Peabody. While I agree with creating more housing in Peabody, building 68 units on Endicott Street is going to create a traffic nightmare for this area, worse than it already is. Andover Street and Lowell Street are already some of Peabody's busiest streets, and traffic has been a problem for a long time - especially around Halloween due to people commuting to/from Salem. This is only going to add to that, and will likely cause more accidents as well. Perhaps some townhouse units would be a better option so that the abandoned buildings will be gone and the townhouses create housing, but not so much that traffic would be greatly increased.

Thank you for your time.

Kindest regards,  
Shannon  
C: 617-605-8996

**Carla McGrath**

---

**From:** Priscilla Chancy <pchancy@gmail.com>  
**Sent:** Tuesday, April 27, 2021 6:06 PM  
**To:** Carla McGrath  
**Subject:** [External] Opposed

CITY OF PEABODY

2021 APR 28 AM 8:33

CITY CLERK

**WARNING** This email originated from outside the City of Peabody. Do not click on links or open attachments unless you trust the sender.

Good evening,

My name is Priscilla Chancy and I live at 37 Warren street in Peabody. I a, writing to express that I a, opposed to the proposed 68 unite for 40-42 Endicott street due to the amount of traffic that it will bring to the neighborhood. Thank you for your time and attention to this matter.

Priscilla Chancy

Priscilla Chancy  
401-347-4998  
[pchancy@gmail.com](mailto:pchancy@gmail.com)

**Carla McGrath**

**From:** Kim Seaberg <dc20oz@yahoo.com>  
**Sent:** Tuesday, April 27, 2021 6:27 PM  
**To:** Carla McGrath  
**Subject:** [External] 40-42 Endicott St

CITY OF PEABODY  
2021 APR 28 AM 8:33  
CITY CLERK

**WARNING** This email originated from outside the City of Peabody. Do not click on links or open attachments unless you trust the sender.

Hello Carla,

I wanted to voice my opposition to the proposed 68 unit project at 40-42 Endicott Street. I live across the street from this property and I am very concerned how this whole project has been handled.

I do not believe the developer nor the City has done all the due diligence to see if this is viable. Has any of the required State inspections happened? Has the city, specifically the Mayor even responded to the state or was he present at the inspection as is required?

It seems there are several 40B projects happening around the city but this one in particular is completely out of context for our R1A designated neighborhood.

I am strongly against this project and the way it has been handled for the past year. I hope you will forwarded this email to the zoning board members and Mayor.

Thank you,

Kim Seaberg  
4 Parkview Lane  
Peabody, MA 01960

**Carla McGrath**

---

**From:** Maria Sena-Rosales <sena.mariat@gmail.com>  
**Sent:** Tuesday, April 27, 2021 6:36 PM  
**To:** Carla McGrath  
**Subject:** [External] Opposition for 40-42 Endicott Street

CITY OF PEABODY  
2021 APR 28 AM 8:33  
CITY CLERK

**WARNING** This email originated from outside the City of Peabody. Do not click on links or open attachments unless you trust the sender.

Hi Carla,  
I received a letter in the mail today regarding the proposed units construction at 40-42 Endicott Street, Peabody MA 01960.

**I Maria Sena-Rosales of 46 Endicott St, Peabody, MA 01960 opposed the proposed 68 units for 40-42 Endicott Street, Peabody, MA.**

Thank you,  
Maria Sena-Rosales  
46 Endicott St,  
Peabody, MA 01960

**Carla McGrath**

---

**From:** Erin Murphy <emurphy08@comcast.net>  
**Sent:** Tuesday, April 27, 2021 8:54 PM  
**To:** Carla McGrath  
**Subject:** [External] Opposition to 40-42 Endicott

CITY OF PEABODY  
2021 APR 28 AM 8:33  
CITY CLERK

WARNING This email originated from outside the City of Peabody. Do not click on links or open attachments unless you trust the sender.

My fiancé and I are opposed to the proposal for 68 units for 40-42 Endicott Street Peabody.

Sincerely  
Erin Murphy  
Alexander Saltzman  
11 Endicott St. Unit 11  
Peabody MA

Sent from my iPhone

**Carla McGrath**

---

**From:** Gwendolyn Niven <gwendolynniven@gmail.com>  
**Sent:** Tuesday, April 27, 2021 9:34 PM  
**To:** Carla McGrath  
**Subject:** [External] Opposition to development on Endicott street

CITY OF PEABODY

2021 APR 28 AM 8:33

CITY CLERK

**WARNING** This email originated from outside the City of Peabody. Do not click on links or open attachments unless you trust the sender.

Hi,

This is Gwendolyn Niven of 37 Warren St. I'm opposed to the proposed development on Endicott street.



**City of Peabody**  
Office of Inspectional Services  
24 Lowell Street, Peabody, MA 01960  
Phone 978-538-5786

CITY OF PEABODY  
2021 APR 29 AM 9:16  
CITY CLERK

April 28, 2021

Re: 40-42 Endicott St  
Map 075 Lots 004 and 005

Dear ZBA Board Members,

I have received notification for the proposed residential development at 40-42 Endicott Street. I understand that this 40B process will be exclusively handled by the Zoning Board, but please be aware that the construction development will fall directly under my purview.

As with all our large-scale proposals of this type, I require a third-party review before issuance of any building permit. The review will follow the guidelines designated to me under G.L. c.44, §53G which I have attached and can also be viewed on the Building Department's web-page, <https://www.peabody-ma.gov/inspector/construction-control-document-initial-06-11-2013.pdf>.

To expedite this quickly, the applicant or representative will need to reach out to me ([albert.talarico@peabody-ma.gov](mailto:albert.talarico@peabody-ma.gov)), so I may provide them with our third party reviewer contact information.

Sincerely,

A handwritten signature in black ink, appearing to read 'A. Talarico'.

Albert Talarico, CBO  
Building Commissioner  
City of Peabody



## *City of Peabody*

*Office of Building Inspector*

*24 Lowell Street*

*Peabody, MA 01960*

*Phone: 978-538-5785*

### **RULE REGARDING IMPOSITION OF CONSULTANT FEES**

The following Rule is adopted, pursuant to G.L. c.44, §53G.

1. When reviewing any application or conducting any inspection or investigation within the scope his jurisdiction under the State Building Code, City of Peabody Ordinances or any other applicable federal, state or local requirements or regulations, the Building Commissioner or his designee ("Building Commissioner") may determine that the assistance of outside consultants is warranted. The Building Commissioner may require that an applicant or property owner deposit a lump sum with the Building Department in order to retain such consultants. In the event that such sum is insufficient to fund the necessary consulting services, the Building Commissioner may require additional deposits.
2. In hiring outside consultants, the Building Commissioner may engage engineers, scientists, financial analysts, planners, lawyers, urban designers or other appropriate professionals who can assist him to ensure compliance with all relevant laws, ordinances, standards and regulations. Such assistance may include, but shall not be limited to, analyzing an application, monitoring or inspecting a project or site for compliance with the applicable statutes, codes, ordinances, regulations and conditions, or inspecting a project during construction or implementation.
3. Funds received by the Building Department pursuant to this section shall be deposited with the Chief Financial Officer, who shall establish a special account for this purpose, consistent with the terms and provisions of G.L. c. 44, §53G. Expenditures from this special account may be made at the direction of the Building Commissioner without further appropriation. Expenditures from this special account shall be made only for services rendered in connection with a specific project or projects for which a project review fee has been or will be collected. Accrued interest may also be spent for this purpose. Failure of an applicant or property owner to pay a review fee shall be grounds for denial of the application and shall be referred to the City Solicitor. Alternatively, approval of any such application may be conditioned upon payment of any outstanding review fees.
4. At the completion of the Building Commissioner's review, any excess amount in the account, including interest, attributable to a specific project shall be repaid to the applicant or the applicant's successor in interest. A final report of said account shall be made available to the applicant or applicant's successor in interest upon request. For the purpose of this regulation, any person or entity claiming to be an applicant's successor in interest shall provide the Building Commissioner with documentation establishing such succession in interest.



## *City of Peabody*

*Office of Building Inspector*

*24 Lowell Street*

*Peabody, MA 01960*

*Phone: 978-538-5785*

5. Any applicant or property owner assessed such a consultant fee may take an administrative appeal from the selection of the outside consultant to the City Council. Such appeal must be made in writing and may be taken only within seven days after the Building Commissioner has provided notice to the applicant of the selection. The grounds for such an appeal shall be limited to claims that the consultant selected has a conflict of interest or does not possess the minimum, required qualifications. The minimum qualifications shall consist either of an educational degree in, or related to, the field at issue or three or more years of practice in the field at issue or a related field. The required time limit for action upon an application by the Building Commissioner shall be extended by the duration of the administrative appeal. In the event that no decision is made by the City Council within one month following the filing of the appeal, the selection made by the Building Commissioner shall stand.

Albert Talarico, CBO  
Peabody Building Commissioner



City of Peabody  
**Conservation Commission**

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

---

CITY OF PEABODY  
2021 APR 28 PM 1:57  
CITY CLERK

**MEMORANDUM**

To: Honorable Members of Zoning Board of Appeals  
From: Lucia DelNegro, Conservation Commission  
Subject: **40-42 Endicott Street**  
Date: April 7, 2021      Hearing date: May 3, 2021

---

- ▶ Commission staff has reviewed the REVISED Wetland Resource Area Analysis dated 4.7.2021 drafted and signed by Ann Marton-LEC Environmental Consultants, Inc. (see attachment). Staff agrees with the current assessment of said property.
- ▶ A portion of the proposed site is jurisdictional under the Wetlands & Rivers Protection Ordinance Chapter 32- the Code of the City of Peabody. It is assumed that the applicant is asking ZBA for a waiver of said By-Law. If the project remains a 40B the applicant would not need to file formally if said waiver is granted by the issuing authority.
- ▶ If the proposed "use" of the site changes from a 40B development the proponent will need to file an RDA application at a minimum with the local commission.



April 7, 2021

Email (todiscoproperty@gmail.com)

Mr. Pat Todisco  
Todisco Properties LLC  
28 Jennifer Lane  
Peabody, MA 01960

**Re: REVISED Wetland Resource Area Analysis  
40-42 Endicott Street  
Assessor's Parcel IDs: 075-004 & 075-005  
Peabody, Massachusetts**

[LEC File #: TPLLC\20-203.02]

Dear Mr. Todisco:

Pursuant to your request, on June 26, 2020 LEC Environmental Consultants, Inc., (LEC) conducted a site evaluation and Wetland Resource Area Analysis for 40-42 Endicott Street in Peabody, Massachusetts. Our site evaluation was conducted in accordance with the *Massachusetts Wetlands Protection Act* (the Act, M.G.L. c. 131, s. 40) and its implementing *Regulations (Act Regulations, 310 CMR 10.00)*, and the City of Peabody *Wetlands Protection Ordinance* (the Ordinance) and the City of Peabody *Wetlands and Rivers Protection Regulations* (Chapter 32, the Ordinance Regulations), and the criteria provided in *Delineating Bordering Vegetated Wetlands Under the Massachusetts Wetlands Protection Act* (March 1995) and *Field Indicators for Identifying Hydric Soils in New England* (May 2017). The following report provides a general site description and a brief description of an off-site Wetland Resource Area.

**General Site Description**

The 0.72± acre Project Site is located immediately south of Endicott Street in the northwestern portion of Peabody, Massachusetts. Residential development associated with Endicott Street occurs north, west, and southwest of the Project Site, while a parcel owned by the City of Peabody occurs to south and east. An off-site intermittent stream occurs farther to the east within an abandoned railroad corridor (see Figures 1 and 3).

The Project Site contains two vacant commercial warehouse structures (formerly occupied by Safety Seal and Brick House Movers) and a small paved parking lot accessed via a 15-foot wide easement extending from the terminus of Berry Street across a parcel owned by the City of Peabody.

The adjacent City of Peabody parcel contains two apparently abandoned or vacant buildings, paved parking lot and access, and two forested uplands to the east and southeast. The forested upland to the east also extends into the abandoned railroad corridor. These uplands contain a canopy of Norway maple (*Acer platanoides*), box elder (*Acer negundo*), and black locust (*Robinia pseudoacacia*), with scattered catalpa (*Catalpa speciosa*) and gray birch (*Betula populifolia*). The understory contains saplings from the canopy, multiflora rose (*Rosa multiflora*), common buckthorn (*Rhamnus cathartica*), glossy buckthorn (*Frangula alnus*), common elderberry (*Sambucus canadensis*), and sumac (*Rhus* sp.). The lianas and ground cover includes American bittersweet (*Celastrus scandens*), Virginia creeper (*Parthenocissus*

<b>LEC Environmental Consultants, Inc.</b>				<a href="http://www.lecenvironmental.com">www.lecenvironmental.com</a>
12 Resnik Road Suite 1 Plymouth, MA 02360 508.746.9491	380 Lowell Street Suite 101 Wakefield, MA 01880 781.245.2500	100 Grove Street Suite 302 Worcester, MA 01605 508.753.3077	P.O. Box 590 Rindge, NH 03461 603.899.6726	680 Warren Avenue Suite 3 East Providence, RI 02914 401.685.3109
PLYMOUTH, MA	WAKEFIELD, MA	WORCESTER, MA	RINDGE, NH	EAST PROVIDENCE, RI



*quinquefolia*), poison ivy (*Toxicodendron radicans*), periwinkle (*Vinca minor*), grape (*Vitis* sp.), garlic mustard (*Alliaria petiolata*), common burdock (*Arctium minus*), goldenrod (*Solidago* sp.), and violet (*Viola* sp.).

Based on our investigation, LEC observed an off-site intermittent stream/drainage ditch (green dashed line on aerial imagery) within the abandoned railroad corridor, east of the railbed (see Figure 3). No flow was observed during our site investigation; however, based on review of aerial imagery the ditch is hydrologically connected to a phragmites marsh approximately 1,500 linear feet to the north.

According to Section 32-2 Definitions, Buffer Zone of the Ordinance Regulations Buffer Zone includes "200 feet horizontally from the boundary of any resource area defined in Section 32-2. Definitions Resource Area (I). Resource Area (I.) includes any river, stream, creek, brook, whether intermittent or continuous, natural or man-made. Therefore, under the Ordinance, the Buffer Zone from the aforementioned stream/drainage ditch extends 200 feet.

#### **Natural Heritage and Endangered Species Program (NHESP) Designation**

According to the 14th Edition (August 1, 2017) of the Natural Heritage Endangered Species Program (NHESP) Massachusetts Natural Heritage Atlas, the Project Site is not located within an Estimated Habitat of Rare Wildlife or Priority Habitat for Rare Species. In addition, there are no mapped certified or potential vernal pools on or in proximity to the Project Site (see Figure 3).

#### **FEMA Floodplain Designation**

According to the July 16, 2014 Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM) for Essex County, Massachusetts (Community Panel 250009C 0416G), no portion of the Site is located within the 100-year floodplain (see Figure 2).

#### **Summary**

LEC conducted a site evaluation on June 26, 2020 to determine the extent of protectable Wetland Resource Areas jurisdictional under the *Act* and *Act Regulations*, and *Ordinance* and *Ordinance Regulations* within 100 feet of 40-42 Endicott Street, Peabody, Massachusetts. Based on our site evaluation, review of pertinent maps, and observations of adjacent City of Peabody property and an abandoned railroad corridor, LEC determined that an Intermittent Stream/ditch occurs within the railroad corridor that is approximately 125 linear feet from the Project Site. Therefore, no portion of the Project Site is located within the jurisdiction of the *Act* or the *Act Regulations*, but a portion of the site is jurisdictional under the *Ordinance* and *Ordinance Regulations*.

Thank you for the opportunity to provide these services. Should you have any questions or require additional information, please do not hesitate to contact me in our Wakefield office at 781-245-2500 or via email at [amarton@lecenvironmental.com](mailto:amarton@lecenvironmental.com).

Sincerely,

**LEC Environmental Consultants, Inc.**

Ann M. Marton, President

Director of Ecological Services

amm:projects\20-203 TPLLC Endicott St Peabody\Corrected\Site Inspection Letter Report 4-7-2021 Corrected

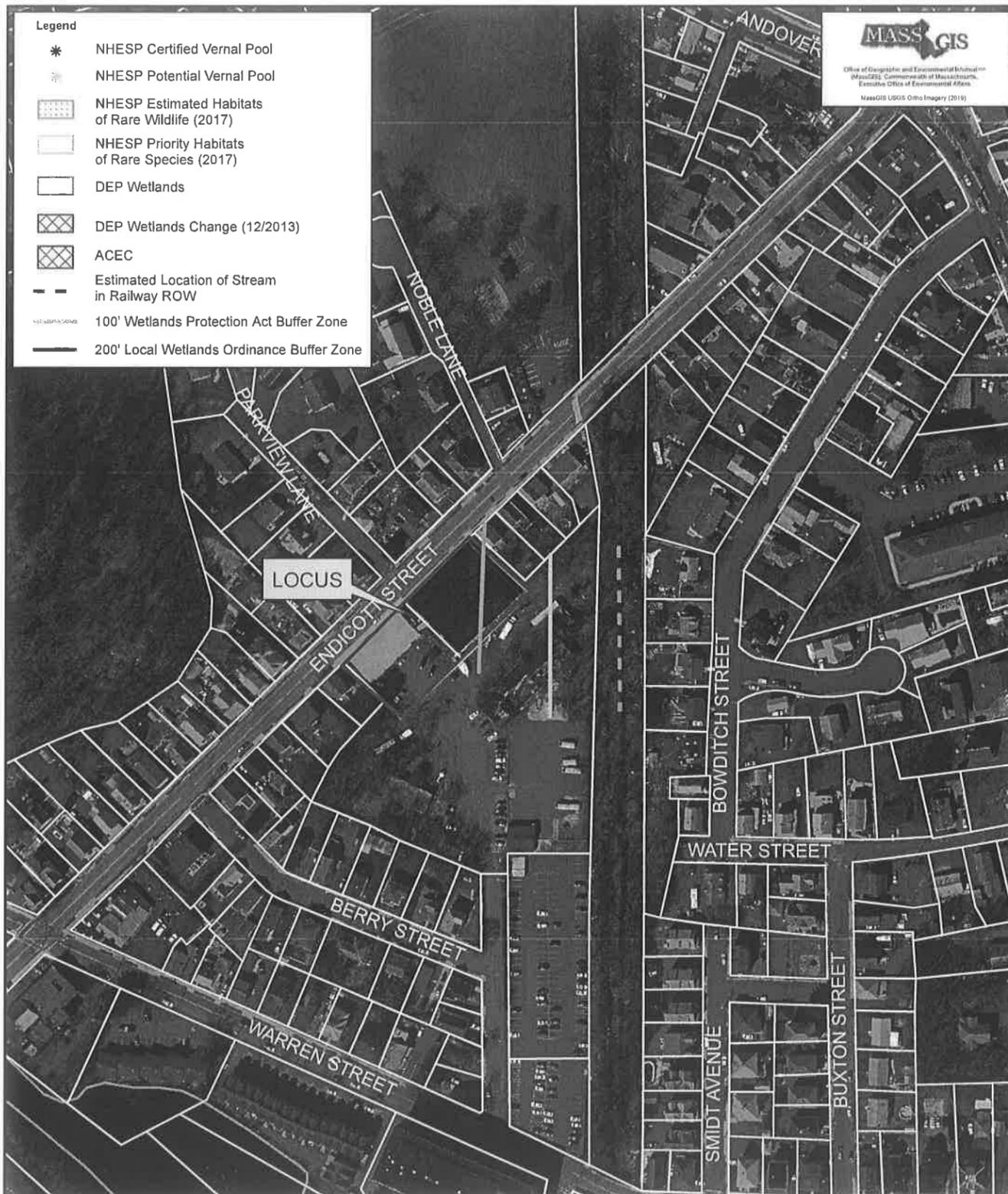
---

**Attachments**

Figure 1: USGS Topographic Map

Figure 2: FEMA Flood Insurance Rate Map

Figure 3: MassGIS Color Ortho Aerial Imagery



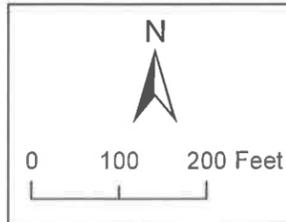
**LEC**

Environmental Consultants, Inc.  
 Wakefield, MA  
 781.245.2500

www.lecenvironmental.com

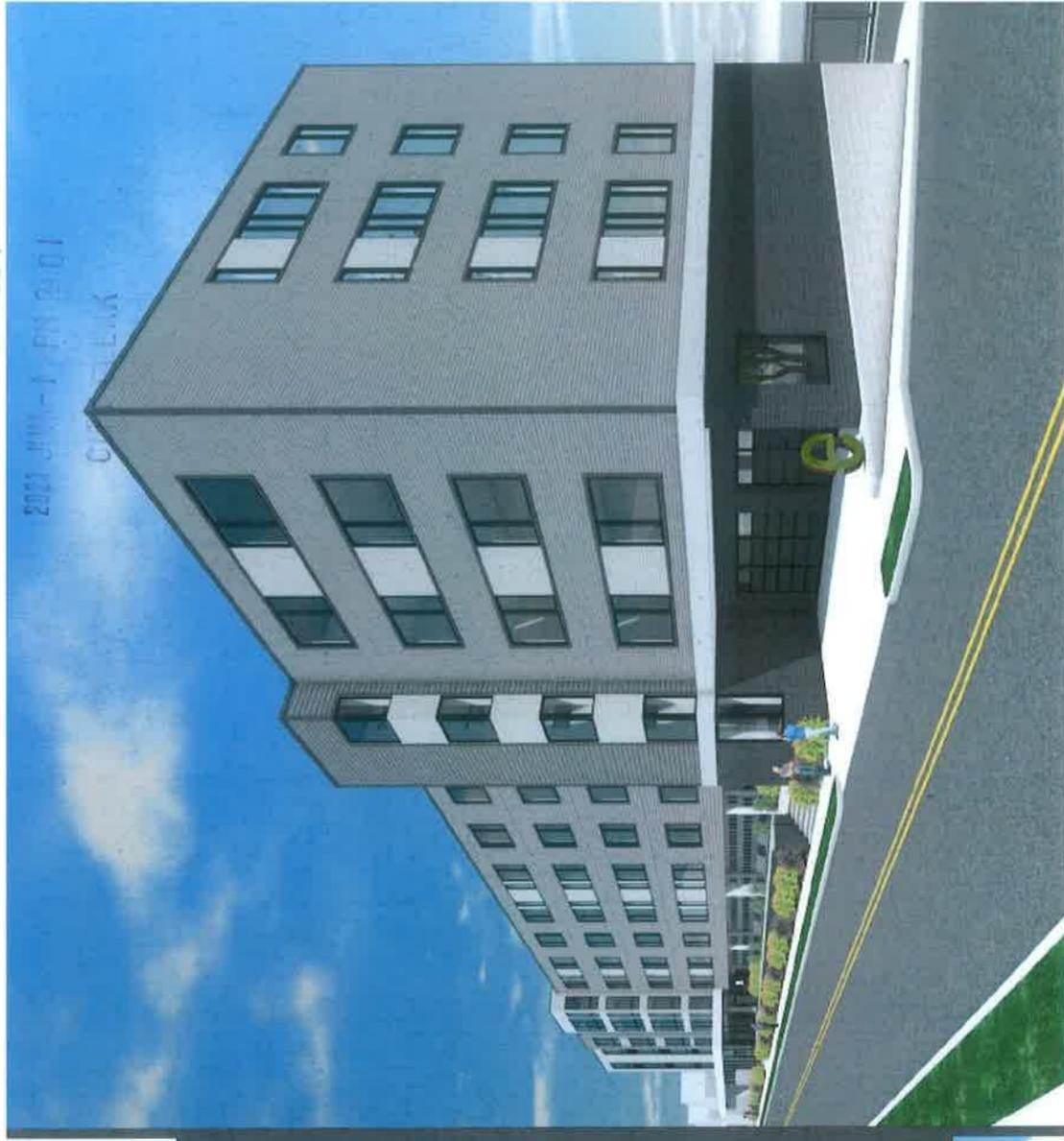
Figure 3: MassGIS Orthophoto & NHESP Map  
 40-42 Endicott Street  
 Peabody, MA

April 7, 2021



# THE RESIDENCES AT ENDICOTT

*A proposed 68-unit multi-family residential apartment rental community*



# DEVELOPMENT TEAM

Applicant:

The Residences at Endicott, LLC

Property Owner:

The Residences at Endicott, LLC

Developer Consultant/Contractor:



Attorney:



The Panos Law Group

Architect:



Boston • Brighton  
147 Crescent Street  
Brighton, MA 02302  
508.483.5602  
30 North Street, Suite 1100

Housing Consultant:

Dean Harrison

Civil Engineer:



603 Salem Street  
Wakefield, MA 01880  
Tel: (781) 246-2900  
Fax: (781) 246-7596



*“Given the substantial numbers of residents who are paying too much for their housing...and the gaps between the need and supply of existing housing ...there is a pressing need to produce more subsidized housing units in Peabody. The major obstacle to meeting these underserved needs is the gap between the level of need and the resources available.”*

## PEABODY HOUSING PRODUCTION PLAN APRIL 2021

Warren St. Ext  
Proctor-Brook



# PROJECT SUMMARY

- Project location is 40-42 Endicott Street located in the Single-Family Residence (RIA) Zoning District.
- 68 Units of Rental Housing (All 68 units count toward Subsidized Housing Inventory)
  - 44 One-Bedroom
  - 17 Two-Bedroom
  - 7 Three-Bedroom
- Proposed 86,190 +/- sf., six story (5 story above parking deck) building
- 88 parking spaces (0.89 spaces per bedroom)
- Served by municipal water and wastewater

# PARKING SUMMARY

- Of the 88 parking spaces, 78 are proposed within the structure with 22 on grade spaces and 56 below grade spaces and 10 outdoor spaces.
- A total of 3 accessible parking spaces for the facility in compliance with ADA and Mass AAB guidelines.
- Parking exceeds ITE recommendation of 0.8 spaces per bedroom.
- Parking is based on approximately 1 space per 1-bedroom unit, 1.5 spaces per 2-bedroom unit and 2 spaces per 3-bedroom unit.



■ M.G.L. Chapter 40B §§20-23 authorizes the issuance of a single, or comprehensive, local permit issued by the Zoning Board of Appeals, with exemptions from generally applicable local bylaws and regulations.

■ The statute was enacted to:

- Facilitate the construction of low- and moderate-income housing;
- Avoid perceived long delays in developers' proposals to construct affordable housing;
- Allow waiver of local by-laws that are not "consistent with local needs".
- Units produced are not subsidized housing it is a mix of market rate and affordable housing designed to assist City residents earning at or below 80% of the area median income...that income bracket includes, starting teachers, fire prevention, police officers, nurses and other critical front-line workers.

## CHAPTER 40B PURPOSE

Warren St Ext  
Proctor Brook



- “Consistency with Local Needs” is the central issue

- Means either:

- (a) one or more of the grounds set forth in 760 CMR 56.03(1) have been met, or
- (b) Local Requirements are reasonable in view of the regional need for Low and Moderate Income Housing, considered with the number of Low Income Persons in the affected municipality and with Local Concerns, and if such Local Requirements and Regulations are applied as equally as possible to both subsidized and unsubsidized housing.
- The primary consideration before the ZBA under the Act is whether the need for affordable housing in the City is consistent with local needs and, as it contemplates any conditions, whether those conditions make the operation or construction of the proposed housing “Uneconomic” and not “Consistent with Local Needs” as defined in 760 CMR 56.00.
- Presumption weighs in favor of a proposed affordable housing development over local needs considerations when the municipality is below 10% of its Subsidized Housing Inventory (“SHI”) as is the case in the City of Peabody.

## GENERAL STANDARDS



■ The City of Peabody needs to increase the supply of housing at a variety of levels of affordability, including both rental and homeownership options.

■ The City of Peabody needs to increase the supply of housing at a variety of levels of affordability, including both rental and homeownership options.

■ The Residences at Endicott will revitalize and spur future high-quality development in the surrounding area.

■ The City of Peabody has met approximately 9.3% of the required subsidized housing inventory mandate. The Residences at Farm Avenue will achieve the City's 10% requirement consistent with the City's Housing Production Plan with 6 units to spare.

■ The City's Inclusionary Zoning Ordinance would only require 17 affordable units as opposed to the 29 units proposed pursuant to this Application. All 68 units, however, will count toward the subsidized housing inventory under the LIP.

## CONSISTENCY WITH CITY OF PEABODY HOUSING PRODUCTION PLAN

Warren St Ext  
Proctor-Brook



- Provide much needed housing for workers in the City of Peabody and surrounding area conveniently located between two of the cities most active commercial corridors at Centennial Office Park, Route 1 and Route 128.
- Estimated wastewater flow is 10,890 GPD
- Minimal traffic impacts. Project will decrease weekday peak hour trip ends when compared to prior use.
- Minimal impacts on schools due to focus on 1- and 2-bedroom units (90% of units are 1 or 2 bedroom).
- The Residences will have minimal impacts on the surrounding area.

## COMMUNITY IMPACTS

Warren St Ext  
Proctor Brook



■ The Development is pursued under MassHousing's Rental Program requiring, in part, a minimum of 25% of construction financing be obtained through the Federal Home Loan Bank of Boston's New England Fund.

■ 25-percent of units must be subject to affordability use restrictions to ensure that they remain in a community's affordable housing stock and must be rented on a fair and open basis.

■ **All 68 Units will count toward the City's Subsidized Housing Inventory.**

■ **The Residences at Endicott is not subsidized housing**; it is a mix of market rate and affordable housing designed to assist City residents earning at or below 80% of the area median income... **that income bracket includes, starting teachers, fire prevention, police officers, nurses and other critical front-line workers.**

■ The Residences at Endicott will designate 70% of these affordable units for local preference, the maximum allowed helping to close the affordable housing shortage gap identified in the City's Housing Production Plan.

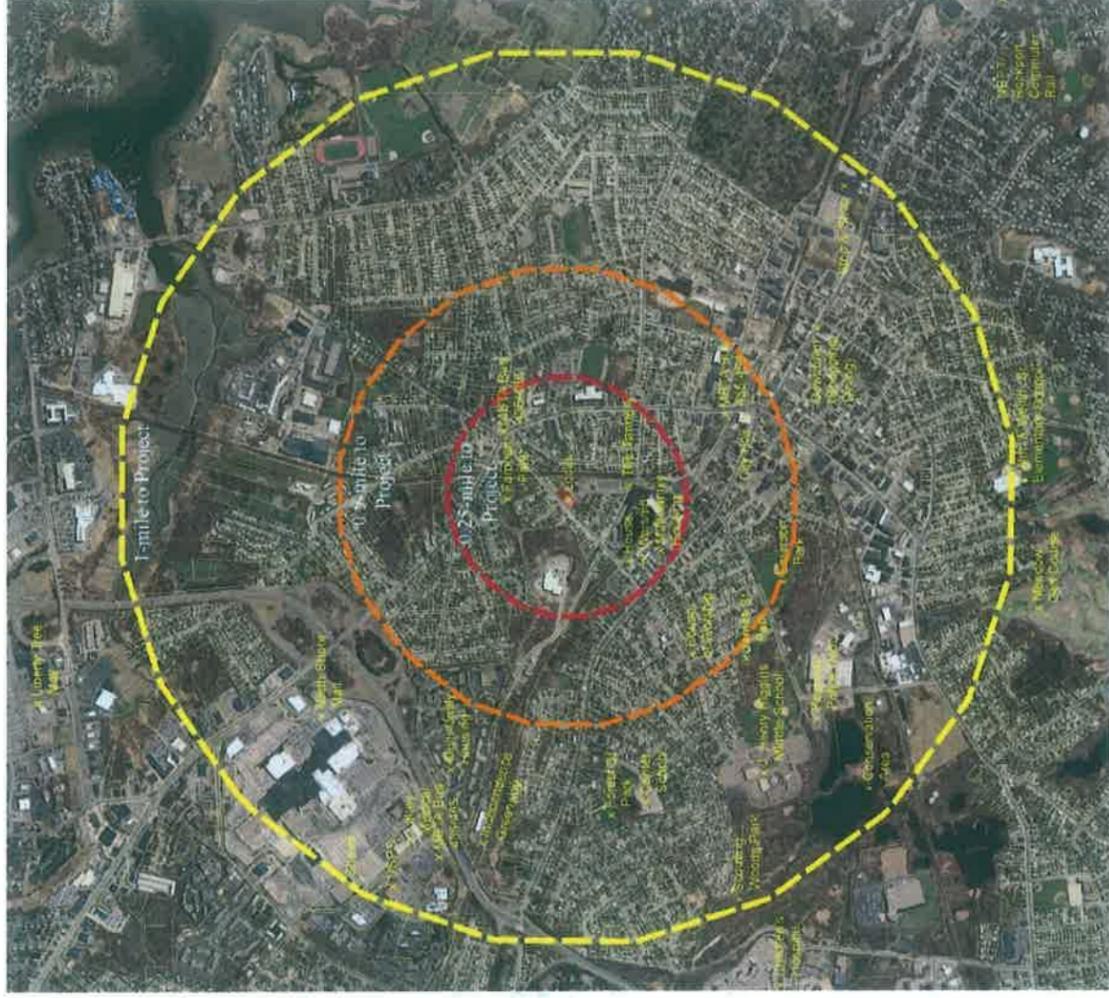
## DEVELOPMENT OVERVIEW

Warren St Ext  
Proctor Brook



# SITE LOCATION

- Conveniently located near Route 114, 195 and the Route 1 Commercial Corridors accessible by MBTA transit.
- The Site is conveniently located in near Peabody's downtown, North Shore Mall, Centennial Park and other centers of economic activity.
- The Site is located in walkable distance from parks, including Fairham Park, recreational areas, schools, city offices and facilities and green spaces.
- The neighborhood is a mix of single, two and high-density multi-family housing.





42 Endicott Street (front entrance)  
Looking Northeast toward Wilson Square

SITE MAP



# VIRTUAL TOUR OF 40-42 ENDICOTT





**SITE MAP**  
(Looking East toward Berry Street)

42 Endicott Street (front entrance)



# VIRTUAL TOUR OF 40-42 ENDICOTT

Warren St Ext

Proctor-Brook





**SITE MAP**  
(Looking North toward Farnham Park)

40 - 42 Endicott Street (rear parking lot)



# VIRTUAL TOUR OF 40-42 ENDICOTT





**PROPOSED DEVELOPMENT**  
(Looking Northeast toward Wilson Square)

**SITE MAP**



# VIRTUAL TOUR OF 40-42 ENDICOTT





### SITE MAP

(Looking Southwest toward Lowell Street)

### PROPOSED DEVELOPMENT



# VIRTUAL TOUR OF 40-42 ENDICOTT





**SITE MAP**  
(Looking North toward Farnham Park)

**PROPOSED DEVELOPMENT**



# VIRTUAL TOUR OF 40-42 ENDICOTT



# SITE DESIGN

Hayes Engineering, Inc.



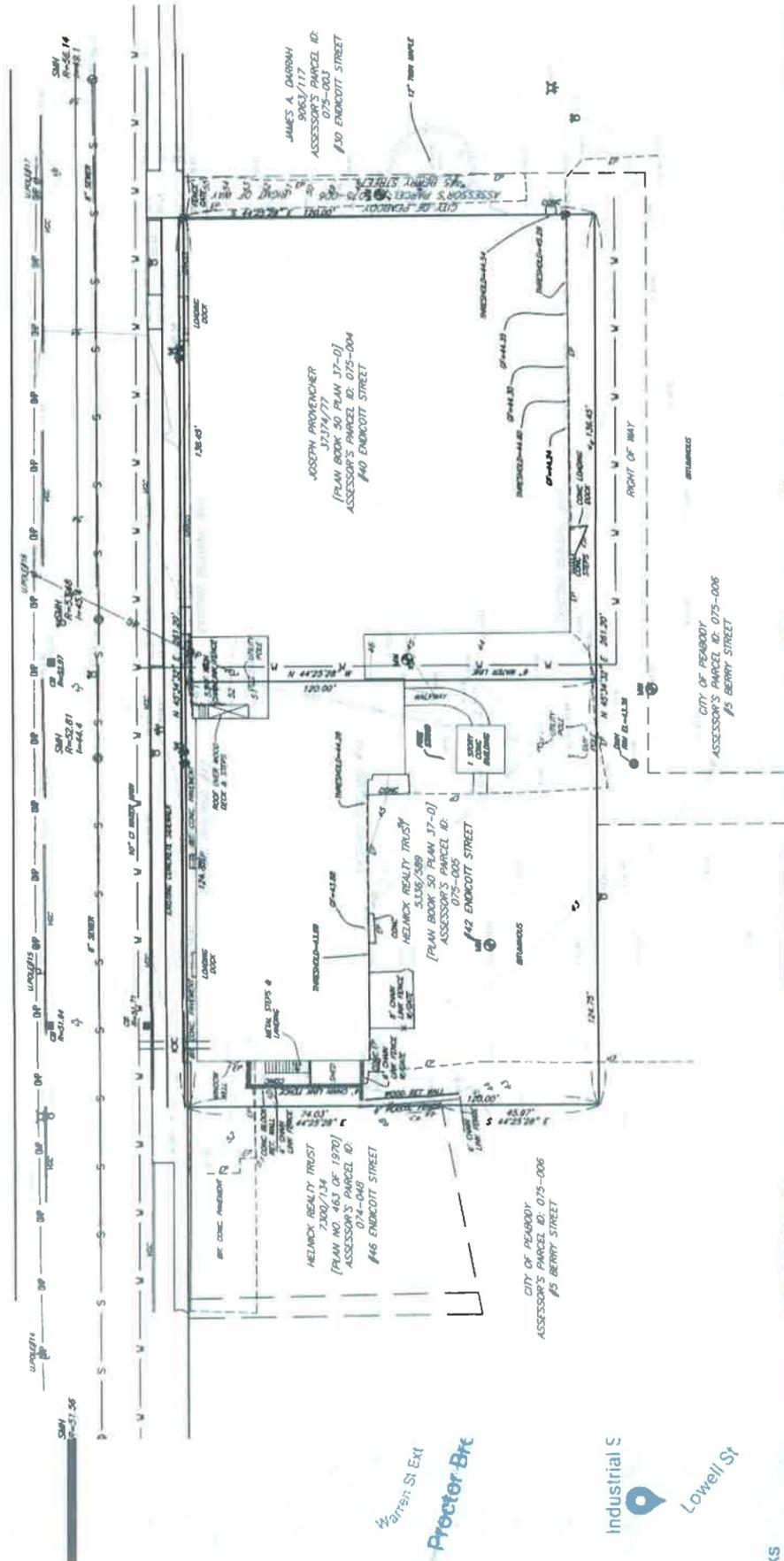
- Site is currently occupied by 19,625+/- SF industrial building
- Site is almost wholly impervious
- Water line runs under existing building without benefit of easement
- Rights to a 15-foot wide Right-of-Way of City of Peabody Land to Berry Street

## EXISTING CONDITION

Warren St Ext  
Proctor-Brook



ENDICOTT STREET



Warren St Ext  
Proctor Bk

Industrial S  
Lowell St

CS

# EXISTING CONDITIONS

REIMONT ST  
Poodles N' Pals S  
Warren St  
Q Nails & Spa

- Building uses existing difference in height from Endicott Street to provide for parking below building
- Additional at grade parking occupies half of first floor
- Large patio at frontage sets first story back from street line and improves existing streetscape.
- Replacing existing sidewalks along entire project frontage
- The proposed use is more conforming to the surrounding residential uses than the previous industrial use(s).

## SITE DESIGN

Warren St Ext  
Proctor Brook

