



Peabody Planning Board Minutes

**FOR NOVEMBER 7, 2024, MEETING
APPROVED NOVEMBER 21, 2024**

Planning Board Minutes

November 7th, 2024

Time: 7:00—7:23p.m.

Location: The Wiggin Auditorium and simulcast on Peabody Access TV.

Members Present: Mr. Thomas Bettencourt, Mr. John Ford, Attorney Peter Arvanites, Mr. Roy Simoes, Mr. Joseph Gagnon, Dr. Judith Otto, Mr. Matthew Genzale, Mr. Sean Walsh, Mr. Tom French, Dennis Feld

Others Present: Andrew Levin, Attorney John Keilty, Engineer from Engineering Alliance

► Chairman of the Board Thomas Bettencourt called the meeting to order at 7:00 p.m.

A. Approval of Minutes: 10/17/2024

→**Motion:** Attorney Peter Arvanites—Move to approve the minutes of the October 17th, 2024, meeting.

→**Seconded:** Dr. Judith Otto

Unanimously approved and 1 Present.

B. ANR/Land Court: None.

C. Site Building Permit Plan Reviews:

1. 15 NEWBURY STREET (Map 88, Lot 6)

- i. This is an application by GR Development, LLC—seeking a site plan review to construct a car wash to be located at 15 Newbury Street, Peabody, MA. The proposed development involves a single 69,360 s.f. Parcel. The property is located in the {BR1} Zoning District, where a car wash use is permitted by Special Permit from the City Council. The development will include a 4,765 s.f. car wash building with a 135' long single tunnel wash, an equipment room, restroom, office area, and customer service area. To review plans and corresponding documents for this agenda item, please contact Andrew Levin, andrew.levin@peabody-ma.gov, 978-538-5783.

► CONTINUED FROM 10/17/2024

► ACTION CONTINUED TO 11/7/2024

● Mr. Andrew Levin informed the Board that today he spoke with Mr. Chris York over at GPI Engineering—they're still waiting for final "Peer Review" on water. Mr. Chris York sent Mr. Levin an e-mail requesting a continuance to the December 5th meeting.

→**Motion:** Mr. John Ford—In the matter of 15 Newbury Street I move to receive an e-mail communication sent to Mr. Levin from Mr. Christopher York, Project Manager. The time on the e-mail is November 7th, 11:18 a.m., and it has a stamp of November 7th, 11:24 a.m., move to receive the communication and grant the extension of time until December 5th, 2024.

→**Seconded:** Mr. Matthew Genzale & Dr. Judith Otto

Unanimously approved.

D. Appointments:

1. Submitted by Attorney John Keilty on October 17th, 2024, drainage modification for 128 Newbury Street A, 128R Newbury Street and 128 Newbury Street B {Parcel ID: 057-74, 74T, 74U, 74Z}—Re: Revise the sub-surface infiltration system [P2] which provided mitigation for the driveway servicing the subject. The modification request is as follows:

- Change the material of the sub-surface system from 8 rows of 100-If of 48” perforated pipe to 4 rows of 40 Cultec 902 chambers.
- Slide the system to the north to preserve the buildable portion of the front lot.

●Attorney John Keilty {40 Lowell Street, Pebody, MA 01960} appearing on behalf of the applicant this evening for a minor modification. There’s an access driveway which had been approved as part of a 40B and approved with respect to “Permits Issued” for other uses on this land. Attorney Keilty elaborated at length on the subject and requested that the Board consider a conditional approval—and that condition being that they would comply with any recommendation made by the Horsley Witten Group. Mr. Andrew Levin informed the Board that he received a memo this morning from Mr. William Paulitz regarding this request—this would be considered a “late add.” In this memo Mr. Paulitz acknowledges that he has received this request and has sent it out to “Peer Review.” Mr. Levin feels that this would be a de-minimus change, however, if the Board feels that they might want to continue this request until they hear back from Horsley Witten...Mr. Levin then proceeded to outline some of his concerns on a conditional approval and elaborated at length. Mr. Roy Simoes then asked a question of the Engineer regarding drawing C5—there’s a 16 Bay building, correct. The Engineer confirmed. Mr. Simoes’ follow up dealt with what was above the 16 Bay building...is that more infiltration. The Engineer’s response was yes...up at the top of the plan that has not changed since previously approved. Mr. Simoes then asked if it was always there, and the Engineer confirmed. A discussion was held on why it was not noted on the other sheets. The only thing that has changed is down at the access driveway [the stormwater system that Attorney John Keilty had mentioned] and again it’s really just relocating it off of the property outside the access driveway. The Engineer also noted that as Attorney Keilty mentioned the dimensions have changed a bit—it has gotten a little bit longer and a little less wide. Mr. Simoes then asked if one ever got built...it’s not like there’s one there now. The Engineer’s response was no it has not been noted that is correct—it’s not removing anything it’s a change before anything has actually been built there...The discussion continued between Mr. Simoes and the Engineer on the subject and Attorney John Keilty joined in on the discussion. Mr. John Ford then requested that the Engineer touch upon the reduced capacity. The Engineer explained that the stormwater had been submitted and calculations show that the system is fully capable of holding and infiltrating a 100-year storm—the previous system was specified as corrugated metal pipe; this new system has Cultec chambers—it’s a subsurface chamber underneath wrapped in filter fabric and stone so the capacity of it is still capable of infiltrating that 100-year storm. Mr. Ford then inquired on the soil conditions—are they the same under the road as they are off to the side of the road. The Engineer confirmed and elaborated. Mr. Matthew Genzale then inquired with Attorney Keilty about the triangular shaped lot—if it was under common ownership with the storage facility or are they two separate owners. Attorney Keilty explained that there are three owners in this instance and elaborated. Mr. Sean Walsh commented that given that this has gone to “Peer Review” he would feel more comfortable waiting for the “Peer Review” results. Attorney John Keilty then respectfully requested that this matter be continued to the November 21st, 2024, meeting.

→**Motion:** Mr. John Ford—Move to allow the petitioner the extension of time.

→**Seconded:** Mr. Sean Walsh

Unanimously approved.

E. Subdivision Board Action: None.

F. Correspondence:

1. Regional Notices.
2. 2025 Planning Board Meeting dates.

●Mr. Andrew Levin discussed the issue of MBT 3A Zoning and the surrounding communities. Mr. Levin also pointed out that in the Board’s 2025 meeting schedule there will only be one meeting in June due to the Juneteenth holiday, but should the need arise a “Special Meeting” can be scheduled.

G. City Council: None.

H. Other Matters before the Board: None.

I. Adjournment: 7:23p.m.

→**MOVE to adjourn:** Dr. Judith Otto

→**Seconded by:** Mr. Sean Walsh

Unanimously approved.

An audio and visual recording of the meeting is available by following the link below or copying this link into an internet browser: <https://www.youtube.com/watch?v=1wWPN5UO-Z8>.