

DECEMBER

20, 2021



CITY OF PEABODY

2021 DEC 15 PM 2:29

CITY CLERK

City of Peabody Zoning Board of Appeals

City Hall • 24 Lowell Street • Peabody, Massachusetts 01960 • Tel. 978-538-5792

DECEMBER 20, 2021, ZBA AGENDA LEGAL NOTICE

NOTICE IS HEREBY GIVEN THAT THERE WILL BE A REGULAR AND SPECIAL MEETING
OF THE ZONING BOARD OF APPEALS ON
MONDAY, DECEMBER 20, 2021, AT 7:00 PM
AT THE WIGGIN AUDITORIUM, CITY HALL, 24 LOWELL STREET, PEABODY, MA

The applications and plans are available to the public and can be viewed by contacting Carla McGrath at carla.mcgrath@peabody-ma.gov or 978-538-5792 in prior to the Public Hearing.

You may submit emailed comments prior to the meeting date to Carla McGrath with the word "agenda" in the subject line and state whether you are "In favor" or "Opposed." Comments can also be submitted via U.S. Mail. In the body of your email/letter you must state your name, address, and the address you are commenting on. All emails and letters require a name and address. No anonymous communications will be accepted.

EXECUTIVE SESSION

Brian Barret, Assistant City Solicitor, requests an Executive Session to discuss the 11.15.21 Open Meeting Law Complaint filed by Ann Manning Martin.

REGULAR MEETING

1. Continued application of **Spero J. Demakes c/o Attorney John Keilty** for a **Variance from the Provision of the Zoning Ordinance 2019, as amended, Section 7.2 and Section 9**, as it applies to the premise known as **8 Bourbon St., Peabody, MA, Map 027, Lot 006A**. Petitioner seeks a variance to construct a 2-story addition and requires relief is to **Front** where 50' is required and 26' is proposed; **Rear** where 50' is required and 28' is proposed; **Side** where 40' is required and 26' is proposed; Parking where 73 spaces are required, and 65 spaces are proposed. The property is located in a **BR Zoning District**.
2. Application of **Danielle Caron**, for a **Variance from the Provision of the Zoning Ordinance 2019, as amended, Section 7.2**, as it applies to the premise known as **11 Anthony Rd., Peabody, MA, Map 073, Lot 045**. Petitioner seeks a variance to construct a garage and requires relief to Right Side Yard and Front Yard Setback. The property is in an **R1A Zoning District**.

3. Application of **Bryan Catanzono** for a **Variance from the Provision of the Zoning Ordinance 2019, as amended, Section 7.2**, as it applies to the premise known as 40 Trask Rd., Peabody, MA, Map 061, Lot 020. Petitioner seeks a variance to build a sunroom and requires relief to **Left Side Yard Setbacks** where 20' is required and 14.7' is proposed. The property is located in a **R1B Zoning District**.
4. Application of **Mr. and Mrs. Machado**, for a **Variance from the Provision of the Zoning Ordinance 2019, as amended, Section 7.2**, as it applies to the premise known as 14 Moulton Rd., Peabody, MA, Map 046, Lot 061. Petitioner seeks a variance to construct an addition and requires relief to Front Yard where 25' is required and 18.8' is proposed. The property is in an **R1 Zoning District**.
5. Application of **Julie Thibodeau, personal representative for Arthur and Ellen Collins c/o Attorney John R. Keilty** for a **Variance from the Provision of the Zoning Ordinance 2019, as amended, Sections 7.1.1, 7.1.5, 7.2, 9.4 and 10.5.1**, as it applies to the premise known as 6 Summer St., Peabody, MA, Map 085, Lot 159. Petitioner seeks a variance to allow for the reuse of existing structure on property to become a second residence on same lot and requires relief to **Rear Yard** where 35' is required and 1' is proposed; **Front Yard** where 15' is required and 2' is proposed; **Right Side** where 10' is required and 3' is proposed; **Landscaping; Construction Requirements; Lot Dimensions and Accessory Structure Use** The property is in an **R2 Zoning District**.

SPECIAL MEETING

1. Continued application of **Residence at Endicott, LLC c/o Attorney Jason Panos**, for a **Chapter 40B Comprehensive Permit** as it applies to the premise known as 40-42 Endicott St., Peabody, MA, Map 075, Lots 004 and 005. Petitioner seeks to construct 68 units. The property is located in an **R1A Zoning District**.

CORRESPONDENCE

11.04.21 Will Paulitz Memo

11.15.21 Will Paulitz Memo

11.08.21 Attorney Panos Memo including 11.8.21 Hayes Engineering memo to Will Paulitz, 11.2.21 revised architectural and 11.04.21 revised site plans

11.30.21 Attorney Keilty letter requesting continuance for 8 Bourbon St.

12.03.21 Attorney Panos Memo 27R Farm Ave.

12.07.21 GFS Memo

12.10.21 Hayes Engineering Memo

BUSINESS MEETING

Reschedule April 18, 2022 ZBA Date (Patriot's Day)

Reschedule June 20, 2022 ZBA Date (Juneteenth)

Attorney Panos 27R Farm Ave. decision scrivener's error correction

REPORTS

NEXT REGULAR MEETING JANUARY 24, 2022

Carla D. McGrath, Clerk Posted:



CITY OF PEABODY
2022 JAN 28 AM 11:42
CITY CLERK

DECEMBER 20, 2021 SPECIAL AND REGULAR ZBA MEETING MINUTES

A meeting of the Peabody Zoning Board of Appeals was held on Monday, December 20, 2021 at 7:00 p.m.
Peabody City Hall, 24 Lowell St., Wiggin Auditorium

MEMBERS PRESENT	MEMBERS ABSENT
Frances Bisazza-Gallugi, Chairperson	
Stephen Zolotas, Vice-Chairperson	
Julie Picardi	
Barry Osborne	
Keith Slattery	

Also in attendance...

Brian Barrett Asst. City Solicitor

Attorney Jason Panos

Athony Cappachietti Hayes Engineering Project Manager

Scott Thornton Vanasse and Associates

Will Paulitz City Engineer

Rod Emery World Tech

Janet Bernardo Horsley Witten

(Ms. Gallugi read the opening statement made part of these minutes)

Fran Gallugi: Before we begin tonight there is a matter before the board that must be discussed in executive session. The board will meet with legal privately and then return to open session.

Stephen Zolotas: Motion to enter into executive session

Julie Picardi: Second

Fran Gallugi: Roll call vote (5,0) in favor

EXECUTIVE SESSION

7:02 P.M. – 7:15 P.M. The Zoning Board of Appeals unanimously voted in favor of entering into an executive session as set forth on the agenda for purposes of discussing Open Meeting Law Complaint filed by Ann Manning Martin. In attendance were the following Board Members...

- Frances Bisazza-Gallugi
- Keith Slattery
- Julie Picardi
- Barry Osborne
- Stephen Zolotas

The board discussed the response to Ann Manning Martins complaint with Assistant City Solicitor Brian Barrett he executive session adjourned at 7:15PM whereupon the board returned to open session.

Fran Gallugi: Next is our regular agenda items and then we will hear the continued 40b application of 40-42 endicott street.

1. Continued application of **Spero J. Demakes c/o Attorney John Keilty** for a **Variance from the Provision of the Zoning Ordinance 2019, as amended, Section 7.2 and Section 9**, as it applies to the premise known as **8 Bourbon St., Peabody, MA, Map 027, Lot 006A**. Petitioner seeks a variance to construct a 2-story addition and requires relief is to **Front** where 50’ is required and 26’ is proposed; **Rear** where 50’ is required and 28’ is proposed; **Side** where 40’ is required and 26’ is proposed; Parking where 73 spaces are required, and 65 spaces are proposed. The property is located in a **BR Zoning District**.

Fran Gallugi: Attorney Keilty has requested a continuance.

(Letter read into the record by Stephen Zolotas)

Stephen Zolotas: Motion to accept 11.30.21 Attorney Keilty letter requesting continuance for 8 Bourbon St. to January 24, 2022

Julie Picardi: Second

Fran Gallugi: Roll call vote (5,0)

- Application of **Danielle Caron**, for a **Variance from the Provision of the Zoning Ordinance 2019, as amended, Section 7.2**, as it applies to the premise known as **11 Anthony Rd., Peabody, MA, Map 073, Lot 045**. Petitioner seeks a variance to construct a garage and requires relief to Right Side Yard and Front Yard Setback. The property is in an **R1A Zoning District**.

(Legal Ad was read)

Anthony Caron: Homeowner's father gave a brief overview of the previously granted variance that had lapsed to convert existing garage into a family room and build a new garage in front of that family room.

Fran Gallugi: Any questions by the Board? Anyone in the audience to speak in favor? In opposition? Hearing none the matter is before the Board.

Stephen Zolotas: Motion to close the public hearing.

Julie Picardi: Second

Stephen Zolotas: Motion to approve

Julie Picardi: Second

Fran Gallugi: Roll call vote (5,0) in favor

- Application of **Bryan Catanzono** for a **Variance from the Provision of the Zoning Ordinance 2019, as amended, Section 7.2**, as it applies to the premise known as **40 Trask Rd., Peabody, MA, Map 061, Lot 020**. Petitioner seeks a variance to build a sunroom and requires relief to **Left Side Yard Setbacks** where 20' is required and 14.7' is proposed. The property is located in a **R1B Zoning District**.

(Legal Ad was read)

Bryan Catanzono: Homeowner/Applicant gave a brief overview of relief requested to build a sunroom on the back of the home.

Fran Gallugi: Any questions by the Board? Anyone in the audience to speak in favor? In opposition? Hearing none the matter is before the Board.

Stephen Zolotas: Motion to close the public hearing.

Barry Osborne: Second

Stephen Zolotas: Motion to approve

Barry Osborne: Second

Fran Gallugi: Roll call vote (5,0) in favor

4. Application of **Mr. and Mrs. Machado**, for a **Variance from the Provision of the Zoning Ordinance 2019, as amended, Section 7.2**, as it applies to the premise known as **14 Moulton Rd., Peabody, MA, Map 046, Lot 061**. Petitioner seeks a variance to construct an addition and requires relief to Front Yard where 25' is required and 18.8' is proposed. The property is in an **R1 Zoning District**.

(Legal Ad was read)

Jeff Machado: Homeowner gave a brief overview of relief requested to build an addition to the front of the home. The 2 rear additions are by right and within the building envelope.

Fran Gallugi: Any questions by the Board? Anyone in the audience to speak in favor? In opposition? Hearing none the matter is before the Board.

Stephen Zolotas: Motion to close the public hearing.

Julie Picardi: Second

Stephen Zolotas: Motion to approve

Julie Picardi: Second

Fran Gallugi: Roll call vote (5,0) in favor

5. Application of **Julie Thibodeau, personal representative for Arthur and Ellen Collins c/o Attorney John R. Keilty** for a **Variance from the Provision of the Zoning Ordinance 2019, as amended, Sections 7.1.1, 7.1.5, 7.2, 9.4 and 10.5.1**, as it applies to the premise known as **6 Summer St., Peabody, MA, Map 085, Lot 159**. Petitioner seeks a variance to allow for the reuse of existing structure on property to become a second residence on same lot and requires relief to **Rear Yard** where 35' is required and 1' is proposed; **Front Yard** where 15' is required and 2' is proposed; **Right Side** where 10' is required and 3' is proposed; **Landscaping; Construction Requirements; Lot Dimensions and Accessory Structure Use** The property is in an **R2 Zoning District**.

(Legal Ad was read)

(Stephen Zolotas recused himself personal conflict)

Attorney Keilty: Attorney representing owners gave a brief overview of request to reuse a garage on the property as a second habitable space on the same lot and utilize the property which is a single-family residence as a two family and incorporate into that two-family utilization of the barn at the rear. If the variance is granted Attorney Keilty plans to go to the Planning Board not to divide the property but to ask that the Planning Board waive the provision that prohibits two structures on one lot.

Discussion ensued – Board had concerns with litigation for a different application with similar request that was denied.

Fran Gallugi: Anyone in the audience to speak in favor? In opposition?

The following residents spoke in opposition citing parking safety concerns already too close to property line, and varies too greatly from the zoning and the neighborhood...

John MacDonald 8 Summr St

Carmine Defuscio 8 Summer St

Constantina Defuscio 437 Lowell St

Paul McGinnity 13 Main St Army LLC

Attorney Keilty: Requested the application be withdrawn without prejudice.

Julie Picardi: Motion to accept the withdrawal request

Barry Osborne: Second

Fran Gallugi: Roll call vote (4 , 0) in favor

SPECIAL MEETING

Fran Gallugi: Let everyone know that Dan Sencabaugh has resigned from the Zoning Board

1. Continued application of **Residence at Endicott, LLC c/o Attorney Jason Panos**, for a **Chapter 40B Comprehensive Permit** as it applies to the premise known as **40-42 Endicott St., Peabody, MA, Map 075, Lots 004 and 005**. Petitioner seeks to construct 68 units. The property is located in an **R1A Zoning District**.

CORRESPONDENCE

11.04.21 Will Paulitz Memo ✓

11.15.21 Will Paulitz Memo ✓

11.08.21 Attorney Panos Memo including 11.8.21 Hayes Engineering memo to Will Paulitz ✓

11.2.21 revised architectural and 11.04.21 revised site plans

12.20.21 Late Correspondence Will Paulitz Memo ✓

2.03.21 Attorney Panos Memo 27R Farm Ave. ✓

12.07.21 GFS Memo ✓

12.10.21 Hayes Engineering Memo ✓

(all made part of these minutes)

Stephen Zolotas: Motion to accept correspondence above

Barry Osborne: Second

Fran Gallugi: All in Favor. Any opposed (4, 0)

Attorney Panos: Made a presentation to conclude the development traffic parking analysis and conclude the detailed analysis of civil items including water wastewater storm water 21e environmental for the proposed development as well as present development design features lighting and landscaping by correspondence and materials which were accepted into the record and made part of these minutes. The applicant and its development team are more in agreement than they are apart on substantive proposed project impacts with the dps memoranda and corresponding peer review. After the presentations the applicants peer review will conclude. An overview of the project was given. 62 unit building that's five stories above a parking deck with 92 parking spaces that's approximately one space per bedroom. The project will be served by municipal sewer and waste water and water access to the site is proposed to and from Endicott Street alone via two site driveways. Access to and from the site via the easement over Berry Street to the rear over city owned property is not proposed. After completion of construction however the applicant's legal rights in the way shall be maintained and emergency access through it along with access by service vehicles is proposed.

Tony Cappachietti and Scott Thornton: Gave a presentation outlining the project and any changes. **Presentation is made part of these minutes.**

Will Paulitz: Gave an overview of his most recent memo responses. **Memo is made part of these minutes**

Fran Gallugi: Anyone in the audience to speak in favor? In opposition? Please come up to the podium.

The following spoke in opposition citing concerns with traffic, safety issues, size, density, parking on street, asking for too much relief, overcrowded schools, too tall, not enough parking, rodents, poor quality of life, noise, not a good fit for the neighborhood, haven't seen the full project, applicant is greedy.

Suzanne Murray Warren St.

Patricia Rennick 49 Endicott St

Maria Senna 46 Endicott

Steven Kline 25 Warren St

Donna Kline 35 Warren St read letters read that were already accepted into the record

Stephanie Peach 19 Margin Terrace

Stephanie Peach: made a request to the Board to extend the deadline and continue the meeting since it is so close to Christmas and covid rate is climbing and have a possible remote participation option.

Fran Gallugi: Asked Attorney Panos if he would extend the deadline and continue to next month

Attorney Panos: Declined to extend the deadline

Fran Gallugi: Explained the 180 day deadline for 40bs. Our ZBA dates are made a year in advance.

Barry Osborne: Had a question about a plan of action during construction. For example, construction vehicles parking on main roads. Also questioned if Will Paulitz' memo conditions were state law or in addition to state law. Dismayed there will not be a continuance.

Will Paulitz: That would be through the Police Department during Site Plan review. Some conditions are state law and the majority are in addition to state law

(Discussion ensued about a continuance and the project size being too big)

Stephen Zolotas: Motion to close the public hearing

Julie Picardi: Second

Fran Gallugi: Roll call vote (4,0) in favor. We now have 40 days to render a decision. We will meet again on January 24, 2022 to vote.

BUSINESS MEETING

Reschedule April 18, 2022 ZBA Date (Patriot's Day)

Reschedule June 20, 2022 ZBA Date (Juneteenth)

Revised dates made part of these minutes

Stephen Zolotas: Motion to accept new 2022 ZBA dates

Barry Osborne: Second

Fran Gallugi: All in favor. Any opposed. (5,0)

Attorney Panos 27R Farm Ave. decision scrivener's error correction made part of these minutes

Stephen Zolotas: Motion to accept correction

Keith Slattery: Second

Fran Gallugi: All in favor Any opposed (5,0)

Memo from City Council made part of these minutes

Stephen Zolotas: Motion to accept late correspondence

Barry Osborne: Second

Fran Gallugi: All in favor Any opposed (5,0)

Meeting adjourned

REPORTS

NEXT REGULAR MEETING JANUARY 24, 2022

Carla D. McGrath, Clerk Posted:

Room 5/11/17

THE RESIDENCES AT ENDICOTT

*A proposed 62-unit multi-family,
residential apartment rental
community*



Endico

Southwest, Inc.



Praise The Lord Trinity



PROJECT SUMMARY

- Project location is 40-42 Endicott Street located in the Single-Family Residence (RIA) Zoning District.
- 62 Units of Rental Housing (All 62 units count toward Subsidized Housing Inventory)
 - 40 One-Bedroom
 - 15 Two-Bedroom
 - 7 Three-Bedroom
- Proposed 86,190 +/- sf., six story (5 story above parking deck) building
- 92 parking spaces (>1 space per bedroom - 1.5 sp/unit)
- Served by municipal water and wastewater



Endicott

Southpark Rd

Praise The Lord Trinity



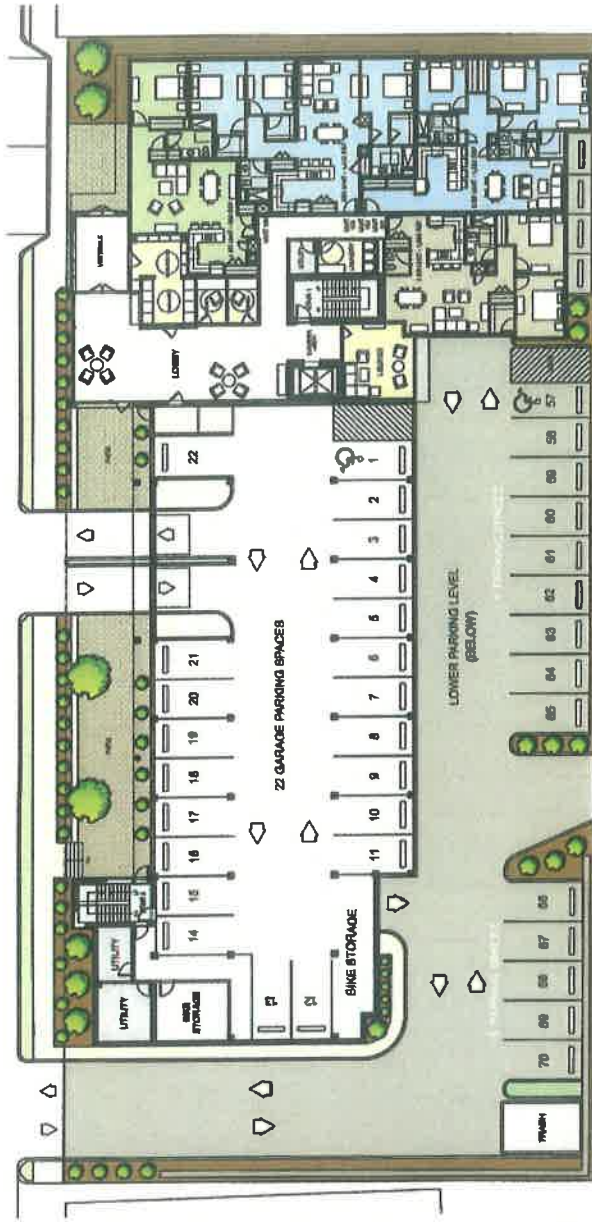
PROJECT UPDATE

- Traffic Study Completed by Vanesse Associates, Inc (VAI) and submitted to DPS and Peer Reviewer on 11/8/21
- Response to minor remaining Stormwater Comments submitted to DPS and Horsley Whitten on 11/8/21
- Minor revisions to first floor parking deck, relocating entrance to mid-building, opposite Parkview Lane intersection
- DPS Review on 12/20/21 closing outstanding items with recommendation for conditions that are agreeable to the Applicant

TRAFFIC

Vanasse & Associates, Inc.

ENDICOTT STREET



SEARCHING FOR



Praise The Lord Trinity

SK

44

- The Project will generate 282 vehicles per day (vpd)
This represents 4% of the observed 6,700 vpd
- There will be 23 trips generated during the AM peak hour
This represents 3.6% of the observed 624 vph
- There will be 24 trips generated during the PM peak hour
This represents 2.9% of the observed 829 vph

TRIP GENERATION

Warren St. Ext

Proctor-Brook

5000-3000-1005

ERICOL



Praise The Lord Trinity

Trackside Bar & Grill
Takeout

505

Warren St Q Nails & Spa



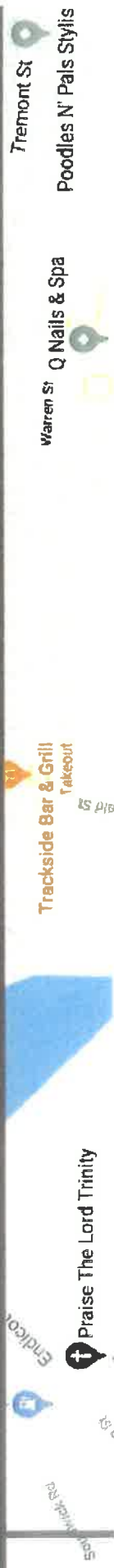
Tremont St

Poodles N' Pals Stylist

- Endicott Street at Warren Street Intersection
The intersection will operate under LOS D under both the no-build and build conditions. This represents a delay of 25.1 to 35.0 seconds per vehicle, on average, at the intersection.
- The proposed site driveways for the project are both estimated to operate at LOS B. This represents an average delay of 10.1 to 15.0 seconds per vehicle.
- Intersections operating above LOS E are acceptable under the MassHighway TIAS guidelines.
- The Project will have no adverse impact on the prevailing traffic conditions.

LEVEL OF SERVICE

Warren St Ext
Proctor Brook



**Table 5
SIGHT DISTANCE MEASUREMENTS^a**

Location/Sight Distance	Distances Based on 85 th Percentile Speed	Measured Distances (Feet)
Endicott Street at Northeast Site Driveway		
<i>Stopping Sight Distance:</i>		
Looking north to the northeast site driveway	216 ^b	336(500+) ^c
Looking south to the northeast site driveway	226 ^d	500+
<i>Intersection Sight Distance</i>		
Looking north from the northeast site driveway	364 ^e	287(500+) ^f
Looking south from the northeast site driveway	353 ^b	207(500+) ^f
Endicott Street at Southwest Site Driveway		
<i>Stopping Sight Distance:</i>		
Looking north to the southwest site driveway	216 ^b	196(476) ^c
Looking south to the southwest site driveway	226 ^d	500+
<i>Intersection Sight Distance</i>		
Looking north from the southwest site driveway	364 ^e	500+
Looking south from the southwest site driveway	353 ^b	141(500+) ^f

^aRecommended minimum values obtained from *A Policy on Geometric Design of Highways and Streets*, 7th Edition; American Association of State Highway and Transportation Officials (AASHTO), 2018.

^bBased on 85th percentile speed limit of 32 mph.

^cBased on 85th percentile speed limit of 33 mph.

^dCars parked on Endicott Street impeded sight distance. Value in (f) indicated the sight distance available if no cars were parked on Endicott Street.

SIGHT DISTANCE

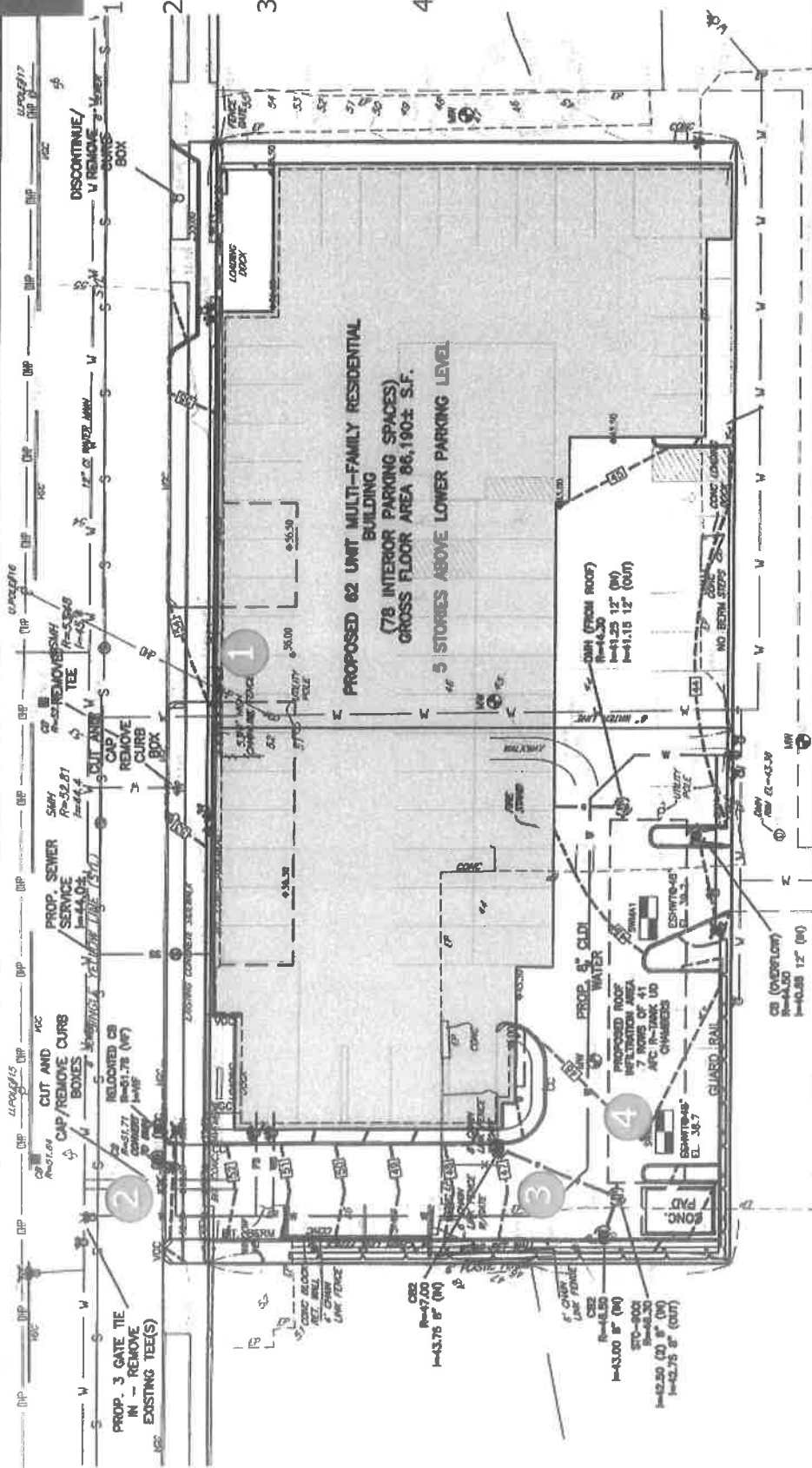
Warren St Ext

Proctor Brook



Warren St
Proctor Brook
Tremont St
Poodles N' Pals Stylis
Q Nails & Spa
Warren St
Trackside Bar & Grill Takeout
Praise The Lord Trinity

ENDICOTT STREET

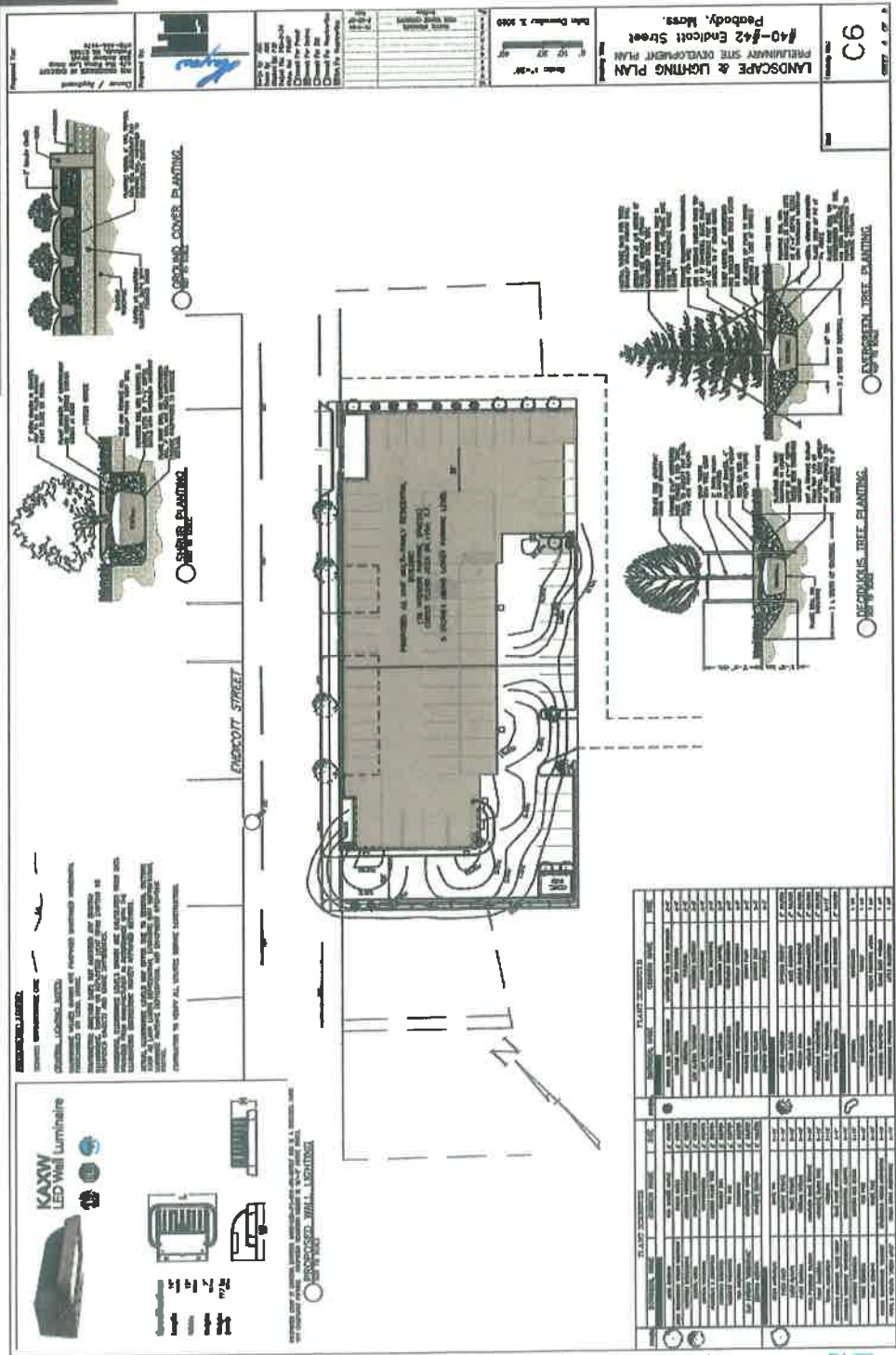


1. Relocated upper driveway entrance
2. Relocated catch basin out of driveway
3. Added on-site catch basins and a Storm -ceptor to increase TSS removal
4. Expanded infiltration system to maximum extent practicable

SITE PLAN CHANGES

Warren St
Q Nails & Spa

Herriott St
Poodles N' Pals Stylist



LANDSCAPE & LIGHTING PLAN
 PRELIMINARY SITE DEVELOPMENT PLAN
 #40-#42 Endcott Street
 Peabody, Mass.

Scale: 1"=20'
 Date: December 2, 2020

Project No: C6

PLANT	SYMBOL	QUANTITY	DATE
SPRING PLANTING	(Symbol)	1	12/2/20
GROUND COVER PLANTING	(Symbol)	1	12/2/20
MATURE TREE PLANTING	(Symbol)	1	12/2/20
EMERGENT TREE PLANTING	(Symbol)	1	12/2/20

REVISIONS:

DATE: 12/2/20

BY: [Signature]

DESCRIPTION: [Revision details]

NOTES:

1. ALL PLANTING SHALL BE INSTALLED AS SHOWN.

2. VERIFY ALL EXISTING UTILITIES PRIOR TO CONSTRUCTION.

3. CONSULT WITH THE CITY OF PEABODY FOR ALL PERMITS AND REGULATIONS.

LEGEND:

SPRING PLANTING: [Symbol]

GROUND COVER PLANTING: [Symbol]

MATURE TREE PLANTING: [Symbol]

EMERGENT TREE PLANTING: [Symbol]

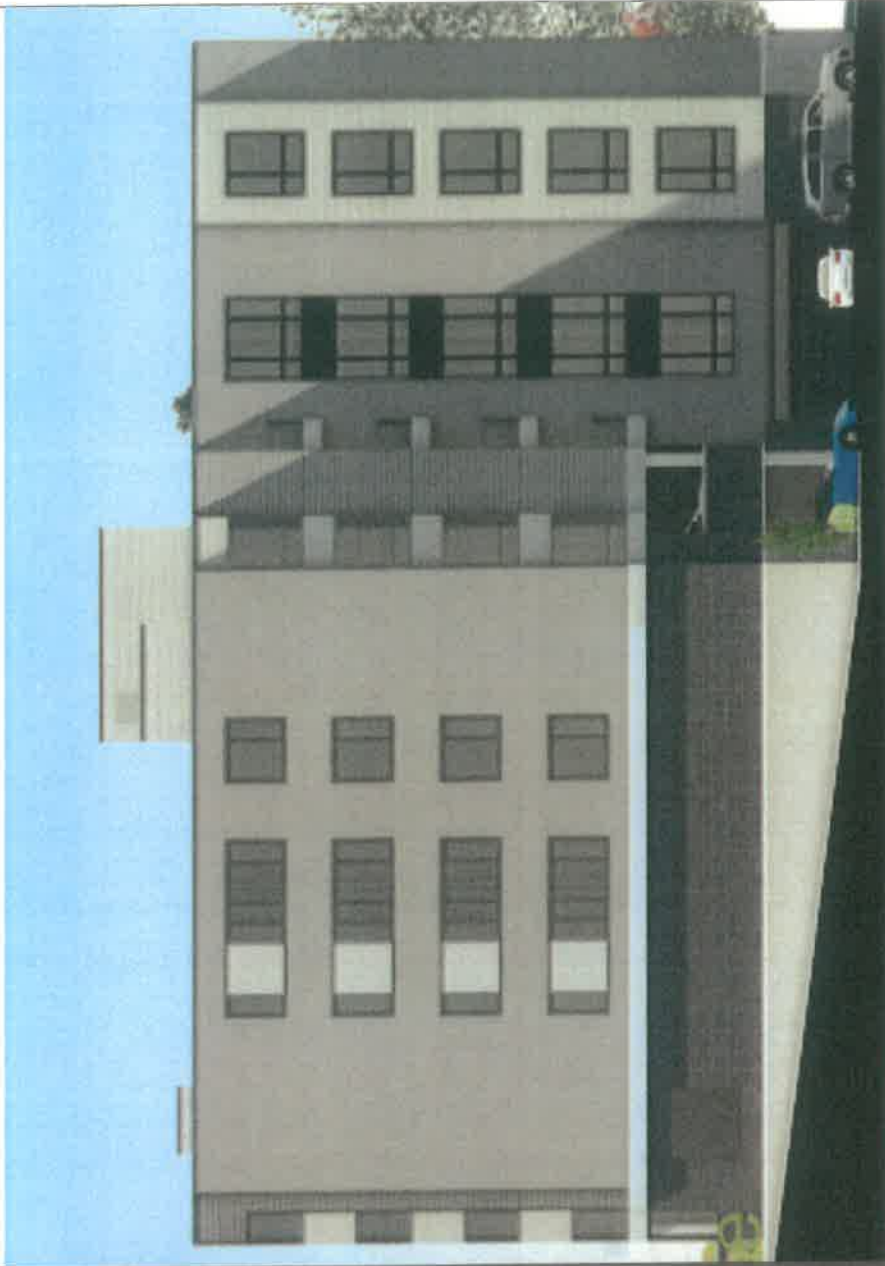
PRODUCTS:

KAWI LED Wall Luminaire

Industrial Solutor

Proctor Brook

PLANT	SYMBOL	QUANTITY	DATE
SPRING PLANTING	(Symbol)	1	12/2/20
GROUND COVER PLANTING	(Symbol)	1	12/2/20
MATURE TREE PLANTING	(Symbol)	1	12/2/20
EMERGENT TREE PLANTING	(Symbol)	1	12/2/20



ARCHITECTURE

BKA Architects

Endico



Praise The Lord Trinity

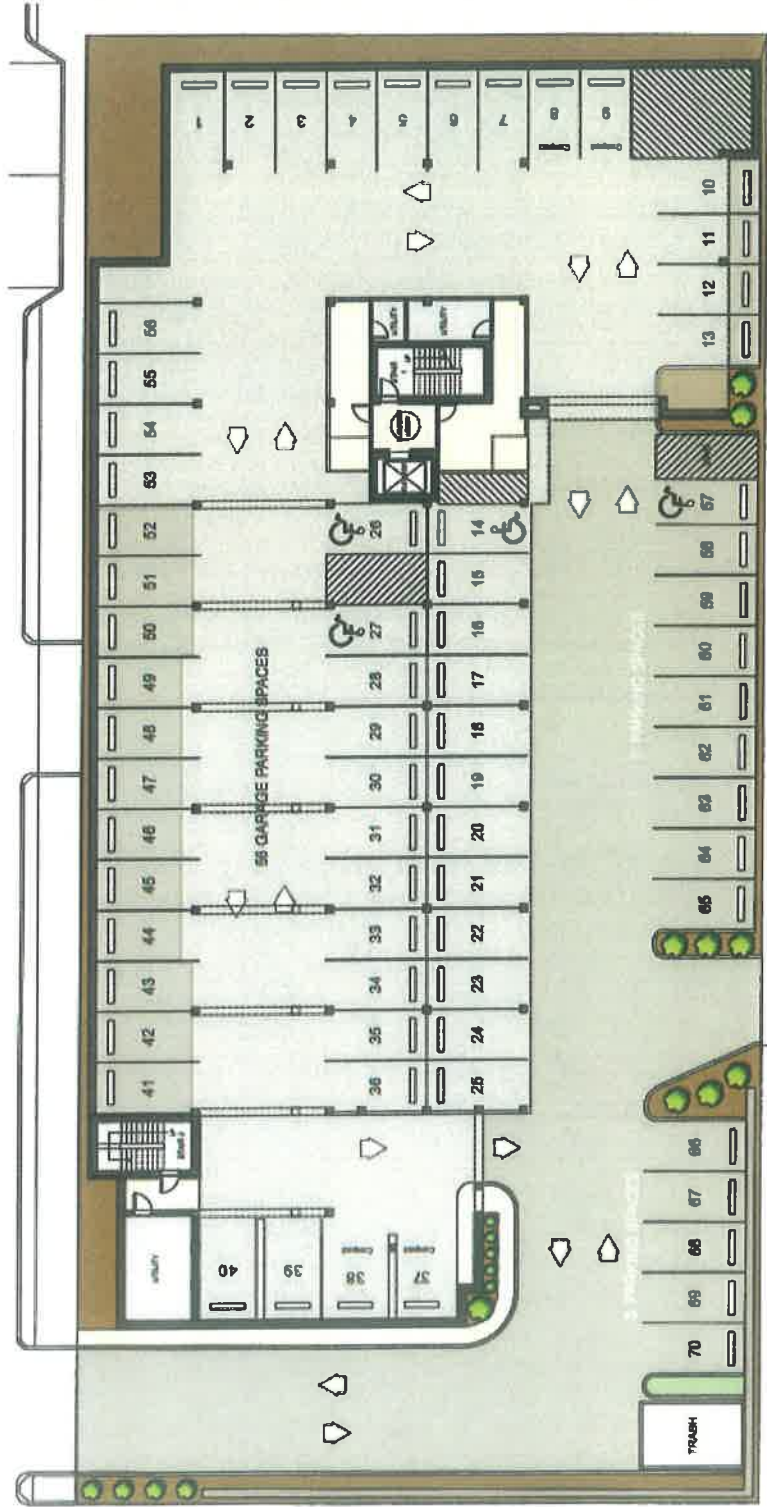


Southwest 8th

25

14

ENDICOTT STREET



Farran St. Ext

Proctor-Brook

Industrial Solutions

Lowell St

John So

KS

Fremont St
Poodles N' Pails Stylist

M. Farran St
Q Nails & Spa

ARCHITECTURE

ENDICOTT STREET



Public

Warren St. Ext
Proctor Brook

Industrial Solutions

Lowell St

John Southwick

Ampet Gas

Marble & Granite

Garage Bay

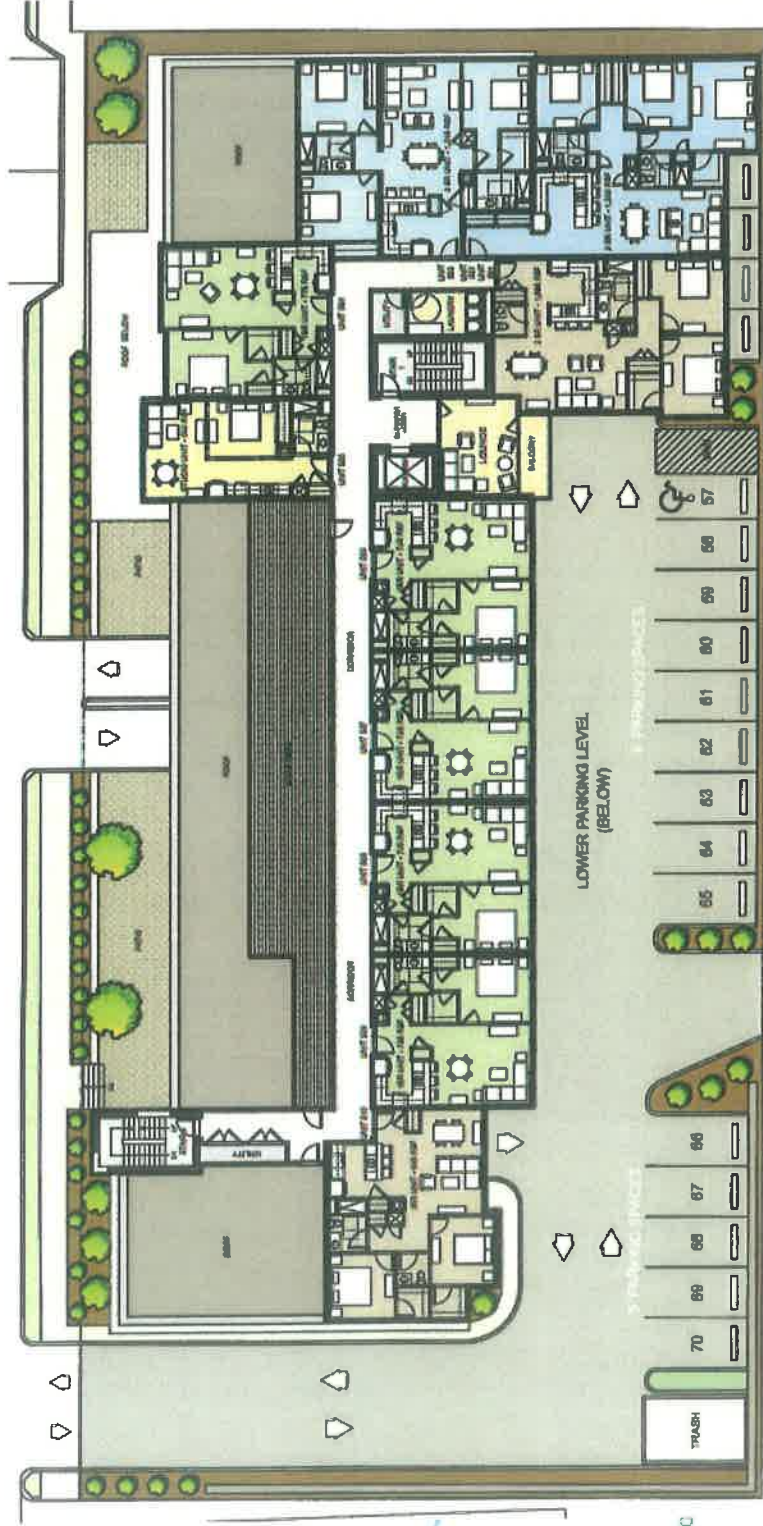
WILMONT ST

Warren St
Q Nails & Spa

Poodles N' Pals Stylist

ARCHITECTURE

ENDICOTT STREET



Warren St Exit

Proctor Brook

Industrial Solutions

John So

Lowell St

KS

Warren St

Q Nails & Spa

Poodles N' Pals Stylist

ARCHITECTURE

- 62 units of affordable housing that all count to SHI
- I&I project to increase sewer capacity in the Lowell Street area paid for by the Developer in amount in excess of \$100k
- Farnum Park improvements for pedestrian safety to be paid for and constructed by the Developer
- Stormwater improvements to treat previously untreated runoff from the site and ultimately improve quality on abutting properties.
- Bike Racks and NSTMA membership to encourage alternative modes of transportation
- Dark sky compliant lighting with no light trespass from site lighting
- No snow stockpiling that will affect on-site parking

CONCLUSION & BENEFITS

Warren St. Ext

Proctor Bree





City of Peabody
DEPARTMENT OF PUBLIC SERVICES

50 FARM AVENUE
PEABODY, MASSACHUSETTS 01960-3902

CITY ENGINEER
MUNICIPAL GARAGE
SOLID WASTE

TELEPHONE (978) 536-0600 • FAX (978) 535-3754

WATER SUPPLY
SANITARY SEWERS
STREETS & DRAINAGE

MEMO TO: Peabody Zoning Board of Appeals

FROM: William Paulitz, P.E., City Engineer *William Paulitz 11/4/21*

SUBJECT: 40-42 Endicott Street

DATE: November 4, 2021

CC: Robert LaBossiere, Director (via email)
Curt Bellavance, Community Development Director (via email)
Janet Bernardo, P.E., Horsley Witten Group (via email)
Anthony Capachietti, P.E., Hayes Engineering (via email)
Jason Panos, Esquire (via email)

The Department of Public Services is in receipt of the following documents for 40-42 Endicott Street:

- 1) The Residences at Endicott Chapter 40B Comprehensive Permit Application
- 2) BKA Architectural Plans for The Residences at Endicott dated 12/3/2020
- 3) BKA Architectural Plans for The Residences at Endicott dated 9/28/2021
- 4) Hayes Engineering, Inc.'s Preliminary Site Development for Multi-Family Residential Development dated 12/3/2020
- 5) Hayes Engineering, Inc.'s Preliminary Site Development for Multi-Family Residential Development dated 12/3/2020 revised 9/29/2021
- 6) Hayes Engineering, Inc.'s Stormwater Management Plan dated 3/19/2021
- 7) Hayes Engineering, Inc.'s Form 11 Soil Suitability Assessment dated 6/3/2021
- 8) Hayes Engineering Letter to Department of Public Services Regarding Water and Wastewater dated 9/29/2021
- 9) Hayes Engineering Letter to Department of Public Services Regarding Stormwater Management & Environmental Due Diligence dated 9/29/2021
- 10) Hayes Engineering Letter to Zoning Board of Appeals dated 10/4/2021
- 11) WorldTECH Engineering Traffic Peer Review Letter dated 6/2/2021
- 12) Horsley Witten Group Stormwater Peer Review Letter dated 6/14/2021
- 13) Horsley Witten Group Environmental Peer Review Letter dated 6/30/2021
- 14) Horsley Witten Group Stormwater Peer Review Letter dated 10/19/2021
- 15) Weston & Sampson Peer Review Letter dated 8/30/2021
- 16) Weston & Sampson Peer Review Letter dated 10/12/21
- 17) Tighe & Bond Peer Review Letter dated 9/3/2021

Peabody Zoning Board of Appeals
40-42 Endicott Street
November 4, 2021
Page 2

We offer the following comments:

Stormwater & Environmental

Be advised the applicant shall address the Horsley Witten Group's recommendations within their peer review letters dated June 30, 2021 and October 19, 2021, attached to this memorandum. **To date our department has not received any correspondence from the applicant's environmental consultant Geological Field Services, Inc. in respect to Horsley Witten Group's peer review letter dated June 30, 2021.**

The following comments correlate our July 6, 2021 departmental memo. **Follow up comments are provided in bold font:**

- 1) The applicant shall use NOAA Atlas 14 precipitation rates in their stormwater analysis.

Comment satisfied, no further comment.

- 2) The applicant's environmental consultant, Geological Field Service, Inc. shall signoff on the proposed onsite stormwater infiltration design.

Comment still stands. Our department is waiting for Geological Field Service, Inc. to sign off on the applicant's stormwater infiltration design.

- 3) The applicant shall justify why parking lot stormwater is not being infiltrated onsite.

Our department recommends that the applicant install a best management practice (BMP) to treat the parking lot stormwater runoff and reduce total suspended solids (TSS) leaving the site. In addition, the applicant should infiltrate all roof runoff up to and including the 10-year storm event.

- 4) Soil testing needs to be completed within the infiltration area. It is recommended the applicant relocate the proposed infiltration system to the area where soil testing has been conducted.

Comment satisfied, no further comment.

- 5) The stormwater infiltration bed needs to be installed a minimum of 2-feet above the estimated seasonal high groundwater table.

Comment satisfied, no further comment.

- 6) The applicant shall provide groundwater mounding calculations for the onsite infiltration area.

The applicant is to address concerns raised in Horsley Witten Group's 10/19/21 review letter in respect to the groundwater mounding calculations.

- 7) The applicant shall show the stormwater flow path for any surface flow that leaves the site. It is unclear where this water ultimately drains to.

The applicant is to provide a plan showing the catch basin that will receive overland flow from the project. Is this catch basin expected to receive additional flow from the site?

- 8) The plan shows a new driveway cut being proposed in front of the Endicott Street catch basin. A detail shall be added to the plan showing how the existing catch basin will continue to function, or the catch basin shall be relocated.

The catch basin shall be converted to a drain manhole and a new catch basin shall be installed along the curb line of Endicott Street 40-ft closer to Central Street. This work shall be done by the applicant as part of the project at their own expense.

- 9) Prior to the City issuing a building permit the applicant shall provide this Department with a copy of the finalized roof connection plan showing the roof drainage tying into the infiltration bed.

Comment satisfied, no further comment.

- 10) A bed bottom inspection shall be conducted of the proposed infiltration bed by the applicant's licensed soil evaluator and this Department. This inspection shall take place prior to the installation of any stone within the infiltration beds.

Our Department recommends that any decision issued by the Board for this project shall reflect this condition.

- 11) The parking lot shall be re-graded to ensure that the parking garage access drive is pitched away from the building a minimum of a 4% slope for 20-feet.

The applicant will need to either increase the slope the property is pitched away from the garage to a 4% slope (for a minimum of 20-feet) or install a trench drain and/or mountable curbing to keep water from entering the garage area. Stormwater that enters the garage will discharge to the city's sewer system, which this department will not permit. The applicant may need to adjust their parking to accommodate this requirement.

- 12) All fill material is to be removed from under the infiltration area and replaced with Title 5 approved sand.

The applicant is to add a note to the plan to reflect this condition.

- 13) The area of the infiltration bed is not to be used for stockpiling, temporary sedimentation basins or any other activities that may negatively impact their ability to properly operate in the future.

Comment satisfied, no further comment.

Peabody Zoning Board of Appeals
40-42 Endicott Street
November 4, 2021
Page 4

- 14) The property owner shall mail proof of inspections and cleaning of the stormwater system to the Public Services Department c/o Environmental Engineer, 50 Farm Avenue, Peabody, MA 01960 by October 31st of every year and is to retain a copy for themselves.

The stormwater operations & maintenance plan (O&M) shall be updated to reflect this condition.

- 15) At least 14 days prior to commencing land disturbance activities, the applicant shall provide copies of the following documents to the City:
 - a) Signed Operation & Maintenance Plan
 - b) Signed Illicit Discharge Statement

Our Department recommends that any decision issued by the Board for this project shall reflect this condition.

Traffic & Pedestrian Accommodations

Our department is waiting to receive additional information from the applicant prior to proceeding with our review in respect to traffic and pedestrian accommodations.

Be advised, the Horsley Witten Group peer review memos dated June 30, 2021, and October 19, 201 are attached to this memorandum.

Horsley Witten Group

Sustainable Environmental Solutions

112 Water Street • 6th Floor • Boston, MA 02109
657-283-6193 • horsleywitten.com



June 30, 2021

William G. Paulitz, P.E.
City Engineer
City of Peabody
Department of Public Services
50 Farm Avenue
Peabody, MA 01960

Re: Environmental Peer Review
40-42 Endicott Street
Peabody, MA

Dear Mr. Paulitz and Board Members:

The Horsley Witten Group, Inc. (HW) is pleased to provide the Peabody Zoning Board of Appeals (ZBA) with this letter report summarizing our initial technical peer review of the environmental due diligence provided for the property at 40-42 Endicott Street, Peabody, MA. A peer review conducted by HW, dated June 14, 2021, regarding the stormwater management design was previously provided to the ZBA.

Environmental Due Diligence Review: ASTM Phase I Report

HW conducted a peer review of the report titled *ASTM Phase I - Environmental Site Assessment*, prepared by Geological Field Services, Inc., dated July 8, 2020 (the "2020 Phase I Report"). This peer review focused on determining the completeness of the 2020 Phase I Report regarding Recognized Environmental Conditions (RECs), Historical Recognized Conditions (HRECs) and Controlled Recognized Conditions (CRECs). ASTM E 1527-13 defines these as follows:

- REC: "the presence, or likely presence of any hazardous substances or petroleum products in, on or at a property: (1) due to release to the environment, (2) under conditions indicative of a release to the environment, or (3) under conditions that pose a material threat of a future release to the environment. De minimis conditions are not recognized environmental conditions."
- HREC: "a past release of any hazardous substances or petroleum products that has occurred in connection with the property and has been addressed to the satisfaction of the applicable regulatory authority or meeting unrestricted use criteria established a regulatory authority, without subjecting the property to any required controls (for example, property use restrictions, activity and use limitations, institutional controls, or engineering controls)."
- CREC: "a recognized environmental condition resulting from a past release of hazardous substances or petroleum products that has been addressed to the satisfaction of the applicable regulatory authority (for example, as evidenced by the

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@HorsleyWittenGroup



Horsley Witten Group, Inc.

issuance of a no further action letter or equivalent, or meeting risk-based criteria established by regulatory authority), with hazardous substances or petroleum products allowed to remain in place subject to the implementation of required controls (for example, property use restrictions, activity and use limitations, institutional controls, or engineering controls)."

The 2020 Phase I Report identified the following:

- At the time of reconnaissance, the 0.7-acre property was improved with two vacant buildings. The report indicates that previous tenants included a tannery, a laundry, a chemical company, an oil company, a plastics company, a laboratory, a construction company, and brick warehouse.
- A small dry well was observed in a grassy area. According to the 2020 Phase I Report, *"The dry well was lined with cinder blocks and appeared slightly darkened but had no odor. The dry well was likely for boiler blowdown water and is in the vicinity of the old boiler room."*
- A flammable storage shed with a concrete floor is located at the site. The shed contained a few empty plastic drums and had a cracked concrete floor. No staining was observed on the floor.
- A production well is located off the southeast corner of Building 40 and a groundwater monitoring well was observed in the vicinity of a former underground storage tank (UST) area that was investigated between 1993 and 2005. Additional details about the UST investigation are set forth below.
- Three USTs were removed from the site in 1997. The USTs contained No. 6 fuel oil, No. 2 fuel oil, and an unspecified liquid. The USTs were removed from the area south of building 40. According to the 2020 Phase I Report *"Soil contamination was noted at the time of UST removal, but no soil was removed from the site. Investigations conducted between 1993 and 2005 identified petroleum in soil in the vicinity of the USTs, which straddles both parcels. Some minor amounts of leather scraps were found in shallow soil in a few borings. Soil contamination extended beneath building #40 in the garage area. Soil vapor points within the building detected petroleum compounds which are below current screening values. Groundwater was not significantly impacted"*. A risk characterization concluded there was no significant risk, and the release (RTN 3-4803) was closed by a Licensed Site Professional.

The 2020 Phase I Report concluded the following:

- No RECs or CRECs were identified. The release from the USTs were identified as a HREC.
- Two Business Environmental Risk (BER) were identified. A BER is defined as "a risk which can have a material environmental or environmentally-driven impact on the business associated with the current or planned use of a parcel of commercial real estate, not necessarily limited to those environmental issues required to be investigated in this practice." The BERs (identified as a "item" in the 2020 Phase I Report BER) were as follows:
 - *"According to previous environmental investigations presented in the 2002 closure report, petroleum contaminated soil is present beneath the #40 building and in the vicinity of the three USTs that were removed. The level of*

Mr. William Paulitz, P.E.
June 30, 2021
Page 3 of 3

contamination is below significant risk, however, if contaminated soil is encountered during excavation activities it will need to be managed in accordance with the MCP."

- *"An unused production well is present near the southeast corner of building #40. This well should be properly decommissioned during construction to protect ground water".*

HW offers the following conclusions regarding the 2020 Phase I Report:

- Based on the information reviewed in the report, various industrial tenants including a tannery, chemical company, plastic fabricator, and a tire repair kit manufacturer have occupied the site. It is unclear if the investigation of a release from petroleum USTs in 2005 included adequate soil, groundwater and/or indoor air testing to address the potential for a release from historic operations. HW considers the potential for a release relating to the historic industrial use of the site as a REC.
- Based on the information reviewed in the report, a UST with "unspecified" contents was removed from the site along with two USTs formerly containing petroleum. It is unclear in the 2020 Report if adequate investigation of the UST area was conducted to verify that only a release of petroleum had occurred in that area. HW considers the potential for a release of oil and/or hazardous material (OHM) to the subsurface from a UST with "unspecified" contents as a REC.
- The 2020 Phase I Report does not include enough details on the dry well and speculates that it was for boiler condensate from the old boiler room. HW considered the dry well as a REC considering the long industrial history at the site and it is unclear what was discharged to the dry well.
- A flammable storage shed with a concrete floor is located at the site. The shed contained a few empty plastic drums and had a cracked concrete floor. Although no staining was observed in the vicinity of the cracks, not all OHM will leave stains on a concrete floor. Additionally, it is unclear what type of OHM was stored in the shed. Cracks in the floor present a direct pathway for OHM to migrate to the subsurface. HW considers the potential for a release in the waste storage shed to impact the subsurface as a REC.

Please contact Bryan Massa at bmassa@horsleywitten.com or at 508-833-6600 if you have any questions regarding these comments.

Sincerely,

HORSLEY WITTEN GROUP, INC.



Bryan Massa, LSP
Senior Scientist

Horsley Witten Group

Sustainable Environmental Solutions

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October 19, 2021

William G. Paulitz, P.E.
City Engineer
City of Peabody
Department of Public Services
50 Farm Avenue
Peabody, MA 01960

Re: 2nd Peer Review of Stormwater Management
The Residences at Endicott
40-42 Endicott Street, Peabody, MA

Dear Mr. Paulitz and Board Members:

The Horsley Witten Group, Inc. (HW) is pleased to provide the Peabody Zoning Board of Appeals (ZBA) with this letter report summarizing our second technical peer review of the residential development proposed at 40-42 Endicott Street, Peabody, Massachusetts. We understand that The Residences at Endicott LLC has submitted an updated Site Plan Review application. The proposed 62-unit (formerly 68-unit) residential development currently includes the construction of four (4) studio units, 36 one-bedroom units, 15 two-bedroom units, and seven (7) three-bedroom apartments. The site consists of 0.72 acres of land fronting on Endicott Street. The proposed stormwater management system consists of a catch basin, manholes, and a ACF R-Tank subsurface infiltration system located along the southeast edge of the building. The project site does not appear to be within 100 feet of a resource area or within the 100-year flood plain.

HW has received the following additional materials in response to our June 14, 2021 review letter:

- Plan Revisions and Peer Review Cover Letter, 40-42 Endicott Street, prepared by Hayes Engineering, Inc., dated October 4, 2021 (2 pages).
- Transmittal Letter, 40-42 Endicott Street, prepared by Hayes Engineering, Inc., dated September 29, 2021 (1 page).
- Peer Review of Water and Wastewater and Plan, 40-42 Endicott Street, (note address is incorrectly listed on letter as 27R Farm Avenue) prepared by Hayes Engineering, Inc., dated September 29, 2021 (3 pages).
- Peer Review of Stormwater Management & Environmental Due Diligence, 40-42 Endicott Street, (note address is incorrectly listed on letter as 27R Farm Avenue) prepared by Hayes Engineering, Inc., dated September 29, 2021 (4 pages).
- Routing Diagram and Stormwater Calculations, 40-42 Endicott Street, prepared by Hayes Engineering, Inc., dated September 29, 2021 (18 pages).

- Watershed Maps, 40-42 Endicott Street, prepared by Hayes Engineering, Inc., dated September 29, 2021 (2 pages).
- Groundwater Mounding Cover Letter and Calculations 40-42 Endicott Street, prepared by Hayes Engineering, Inc., dated September 29, 2021 (6 pages).
- Peer Review and ZBA Comments Schematic Design Package, The Residences at Endicott 40-42 Endicott Street, prepared by BKA Architects, dated September 28, 2021, including:
 - View from Endicott Street Looking South 1 of 7 (A-0)
 - Proposed Street Level Floor Plan 2 of 7 (A-1)
 - Proposed Parking Level Floor Plan 3 of 7 (A-2)
 - Typical 2nd, 3rd & 4th Level Floor Plan 4 of 7 (A-3)
 - 5th Level Floor Plan 5 of 7 (A-4)
 - North, South, and Endicott Street – West Elevations 6 of 7 (A-5)
 - View from Endicott Street looking North 7 of 7 (A-6)
- Preliminary Site Development Plan in Peabody, Mass. Proposed 62 (note number of units is incorrectly listed on Title of Index Plan as 68) Unit Multi-Family Residential Development 40-42 Endicott Street, dated December 3, 2020, revised through September 29, 2021, including:
 - Index Plan 1 of 8 (C1)
 - Existing Conditions 2 of 8 (C2)
 - Erosion Control Plan 3 of 8 (C3)
 - Layout Plan 4 of 8 (C4)
 - Site Plan 5 of 8 (C5)
 - Landscape & Lighting Plan 6 of 8 (C6)
 - Details 7-8 of 8 (C7-8)

Stormwater Management Review

HW has reviewed the documents listed above and has the following comments concerning the stormwater management design in accordance with the Massachusetts Stormwater Handbook (MSH) dated February 2008 and the City of Peabody Sec. 28-51 - Stormwater Management Plan.

The existing site contains 29,141 sf of impervious area from the existing roof and pavement areas. The proposed development includes 30,453 sf of impervious area, an increase of 1,312 sf. Therefore, the project is considered a mix of new and redevelopment. In accordance with Massachusetts Department of Environmental Protection (MassDEP), a redevelopment project is subject to the MassDEP Stormwater Standards 2 through 7 to the maximum extent practicable. The portion of the site considered new development is required to comply fully with the Massachusetts Stormwater Standards. Below are comments relating to the standards as presented in the MSH.

The following comments correlate to our June 14, 2021 initial peer review letter. Follow up comments are provided in **bold font**:

1. *Standard 1 states that no new stormwater conveyances (e.g., outfalls) may discharge untreated stormwater directly to or cause erosion in wetlands or waters of the*

Commonwealth.

- a. It does not appear that the site discharges into a wetland or waters of the Commonwealth. The Applicant is proposing a ACF R-Tank subsurface infiltration system to capture and treat stormwater runoff prior to overflowing into the municipal system. There are no new stormwater conveyances that may discharge untreated stormwater to or cause erosion in wetlands or waters of the Commonwealth.

The Applicant complies with Standard 1.

October 19, 2021: No further comment needed.

2. *Standard 2 requires that stormwater management systems must be designed so that post-development peak discharge rates and volumes do not exceed pre-development peak discharge rates and volume.*

- a. The Applicant has utilized Technical Paper (TP)-40 to determine the precipitation rates to be input into the HydroCAD model. MassDEP is in the process of revising the 2008 Stormwater Handbook and it is understood that the new Handbook will utilizes precipitation values obtained from the NOAA Atlas 14. HW has provided the values the Applicant utilized and the respective values using NOAA Atlas 14 in the Table below. HW recommends that the Applicant utilizes the higher values in its HydroCAD model.

Storm event over 24 hours	TP-40	NOAA Atlas 14
2-year	3.10	3.23
10-year	4.60	5.10
25-year	5.40	6.26
100-year	6.50	8.05

October 19, 2021: The Applicant has updated precipitation values per NOAA Atlas 14. No further comment needed.

- b. The analysis of the proposed conditions indicates that the proposed catch basin will overtop between 1-inch and 4-inches during the various storm events. HW recommends that the Applicant clarify where the overflow will discharge to and verify that the grades will avoid ponding at the catch basin.

October 19, 2021: The Applicant has clarified that stormwater that overtops the catch basin rim will flow off the site towards the southeast into the adjacent parking lot owed by the City of Peabody and be captured in a catch basin on the City property. It appears that the Endicott Street parcel has vehicular access and utility easements on the City Property. HW recommends that the Applicant confirm that the existing grades on the City property cannot be adjusted in a manner that would prevent stormwater from flowing off site.

- c. The soil test pits conducted on June 3, 2021, indicate that groundwater is higher than anticipated. HW recommends that the Applicant revise the design accordingly.

October 19, 2021: The Applicant has revised the stormwater practice to provide a minimum of two-feet of separation as required. However, it appears that the HydroCad model lists the bottom of the R-Tanks at elevation 42.25, and the detail provided on Sheet C-8 lists elevation 42.00. HW recommends that the Applicant revise the plans or the calculations for consistency.

- d. HW recommends that the Applicant provide an as-built documenting that the stormwater practices have been constructed as designed.

October 19, 2021: HW recommends that the Zoning Board of Appeals condition receipt of an as-built plan prior to certificate of occupancy.

- 3. *Standard 3 requires that the annual recharge from the post-development site should approximate the annual recharge rate from pre-development or existing site conditions, based on soil types.*

- a. To comply with Standard 3, the Applicant has provided a subsurface infiltration chamber system to retain and infiltrate the runoff produced by the new impervious cover. The intention of the proposed design is to capture and infiltrate 1-inch of the entire proposed roof area. The proposed roof is 19,043 sf. The volume of 1-inch over 19,043 is equal to 1,587 cubic feet (cf). The proposed infiltration system has available storage of 3,251 cf which is adequate.

October 19, 2021: The Applicant has redesigned the subsurface infiltration system. It has capacity to retain 1-inch of runoff. The system appears to overtop during the 2-, 10-, 25- and 100-year storm events. HW recommends that the Applicant expand the system to the maximum extent feasible, to minimize the amount the system overtops. HW further recommends that the subsurface system maintain a minimum setback of 10 feet from the building and the property line.

- b. The Applicant has provided the recharge calculations in compliance with Volume 3, Chapter 1, page 15 of the MSH in Appendix C of the Storm Water Management Report. However, the Draw Down Analysis calculation does not appear correct. The Rv value should be the volume held within the chambers not the required volume. HW recommends that the Applicant revise the Draw Down Analysis to verify the system will empty within 72 hours.

October 19, 2021: The Applicant utilized the required recharge volume in its calculation. However, HW believes that the value should be the total volume stored within the R-Tank system. HW calculated the Draw Down value and determined it is approximately 68 hours, which is less than the required 72 hours. No further comment.

- c. The Applicant conducted soil testing on June 3, 2021. The two soil logs indicate that the soil texture was sandy loam and fine sandy loam. Fine sandy loam is considered hydrologic soil group (HSG) B with an exfiltration rate of 0.52 inches per hour (iph). The Applicant utilized an exfiltration rate of 0.17 iph which is a reasonable value.

October 19, 2021: No further comment needed.

- d. The soil tests pits indicated ground water is approximately 48-inches below the surface which is equivalent to elevation 39.15. The bottom of the proposed infiltration system is set at elevation 39.50. In accordance with Volume 1, Chapter 1, Page 7 of

the MSH there must be at least two-feet of separation between the bottom of the infiltration structure and seasonal high groundwater table. HW recommends that the Applicant revisit the infiltration practice and site design to provide the required two feet of separation.

- e. **October 19, 2021: The Applicant has revised the stormwater practice to provide a minimum of two-feet of separation as required. However, it appears that the HydroCad model lists the bottom of the R-Tanks at elevation 42.25, and the detail provided on Sheet C-8 lists elevation 42.00. HW recommends that the Applicant revise the plans or the calculations for consistency. HW recommends that the Applicant determine if a mounding analysis is required in accordance with Volume 3, Chapter 1, page 28 and provide if necessary.**

October 19, 2021: The Applicant has provided a groundwater mounding analysis, as required. Furthermore, the Applicant has provided the input values and how they were determined. HW agrees with all the values, with the exception of the initial saturated thickness. The Applicant has assumed an initial saturated thickness of 50 feet. This value is typically determined by borings or test pits that were conducted at the site. HW recommends that the Applicant further justify the use of 50 feet.

4. *Standard 4 requires that the stormwater system must be designed to remove 80% of the average annual load of Total Suspended Solids (TSS).*
- a. The Applicant is collecting and infiltrating 100% of the rooftop runoff using the Stormtech subsurface infiltration system. However, the Applicant is not removing any of the TSS of the proposed impervious ground cover. The Applicant is required to improve existing conditions and demonstrate that it has met the standards to the maximum extent practicable. HW recommends that the Applicant investigate measures to remove TSS from the stormwater runoff associated with the proposed parking and driveway area.

October 19, 2021: The Applicant has noted that it is separating the clean roof runoff from the vehicle parking area (i.e., surface) runoff. HW accepts the Applicant's justification and defers to the ZBA if the separation of roof runoff from surface runoff is sufficient. HW is aware of proprietary devices/inserts that may be used to increase the TSS removal of a single catch basin however these devices may require additional maintenance. It may also be beneficial to verify that the existing catch basin on the City of Peabody property has a deep sump and replace it if not.

5. *Standard 5 is related to projects with a Land Use of Higher Potential Pollutant Loads (LUHPPL).*
- a. The proposed residential use is not considered a LUHPPL therefore Standard 5 is not applicable.

October 19, 2021: No further comment needed.

6. *Standard 6 is related to projects with stormwater discharging into a critical area, a Zone II or an Interim Wellhead Protection Area of a public water supply.*
- a. The development does not discharge to a critical area, a Zone II or an Interim Wellhead Protection Area and therefore Standard 6 is not applicable.

October 19, 2021: No further comment needed.

7. *Standard 7 is related to projects considered Redevelopment. A redevelopment project is required to meet the Stormwater Management Standards to the maximum extent practicable. However, if it is not practicable to meet all the standards, new stormwater management systems must be designed to improve existing conditions.*

- a. The project site is considered a mix of new and redevelopment, and therefore the Applicant is required to improve existing conditions and meet the Stormwater Management Standards to the maximum extent practicable for a portion of the proposed development. The Applicant has proposed to fully comply with the stormwater standards. HW recommends that the Applicant adequately address the comments above to verify compliance.

October 19, 2021: HW recommends that the Applicant address the few minor remaining comments, it is our opinion that the Applicant complies with Standard 7.

8. *Standard 8 requires an erosion and sediment controls to be implemented to prevent impacts during disturbance and construction activities.*

- a. The Applicant has not included an Erosion Control Plan in the Preliminary Site Plan. Details for silt sack, tire tracking pad, and straw wattle are included on Sheet 7 of the Preliminary Site Plan but no definitive plan with locations for these erosion control devices was included. HW recommends the Applicant include a complete Erosion Control Plan.

October 19, 2021: The Applicant has provided an erosion control plan as Sheet C-3 with details on Sheet C-8. HW recommends that a note be added to the plan stating that a silt sack shall be installed in every catch basin within 100 feet of the limit of work. Including the catch basin located on the City of Peabody property downgradient from the parcel.

- b. The Applicant has completed a Construction Period Pollution Prevention Plan (CPPP). However, the Applicant has not designated a party responsible for maintenance of the Construction Period Pollution Prevention Plan. HW recommends that prior to construction the Applicant determine a party that will be responsible for the maintenance of pollution prevention measures during construction.

October 19, 2021: HW recommends that the ZBA include a condition to the decision requiring the Applicant to provide the final CPPP, 14 days prior to construction.

- c. The proposed development disturbs less than one acre of land and therefore is not subject to a NPDES Construction General Permit and a Stormwater Pollution Prevention Plan (SWPPP).

October 19, 2021: No further comment needed.

9. *Standard 9 requires an Operation and Maintenance (O&M) Plan to be provided.*

- a. The Applicant has provided a Long-Term Pollution Prevention Plan (LTPPP) in the Stormwater Report with detailed descriptions of post-construction inspection and maintenance measures. HW recommends that the O&M Budget be included in the LTPPP. HW recommends that the LTPPP become a standalone document to be

used by the property owner.

October 19, 2021: HW recommends that the ZBA include a condition in the decision requiring the Applicant to provide the standalone LTPPP and O&M budget, signed by the property owner, prior to land disturbance.

- b. The Applicant did not specify a party responsible for maintenance post-construction. HW recommends that that prior to construction the Applicant determine a party that will be responsible for maintenance.

October 19, 2021: HW recommends that the ZBA include a condition in the decision requiring the Applicant to provide the party responsible for maintenance post-construction.

- c. HW recommends that the Applicant include a simple sketch with the LTPPP that clearly labels all stormwater practices within the entire facility that require inspections and maintenance.

October 19, 2021: HW recommends that the Applicant provide a simple sketch illustrating the locations of the stormwater practices to be maintained on site.

- d. HW recommends that the document be reviewed and signed by the property owner.

October 19, 2021: HW recommends that the ZBA include a condition in the decision requiring the Applicant to have the document be reviewed and signed by the property owner.

10. Standard 10 states that when one or more of the standards cannot be met, an applicant may demonstrate that an equivalent level of environmental protection will be provided.

- a. HW recommends that prior to earth disturbance the Applicant provide an Illicit Discharge statement that is signed by the property owner.

October 19, 2021: HW recommends that the ZBA include a condition in the decision requiring the Applicant to provide an Illicit Discharge statement that is signed by the property owner, prior to earth disturbance.

Conclusions

HW recommends that the ZBA require the Applicant to address these few minor outstanding comments as part of the permitting process. Please contact Janet Bernardo at jbernardo@horsleywitten.com or at 857-263-8193 if you have any questions regarding these comments.

Sincerely,

HORSLEY WITTEN GROUP, INC.



Janet Carter Bernardo, P.E.
Associate Principal



City of Peabody
DEPARTMENT OF PUBLIC SERVICES
 50 FARM AVENUE
 PEABODY, MASSACHUSETTS 01960-3902

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WATER SUPPLY
 SANITARY SEWERS
 STREETS & DRAINAGE

MEMO TO: Peabody Zoning Board of Appeals

FROM: William Paulitz, P.E., City Engineer *William Paulitz 11/15/21*

SUBJECT: 40-42 Endicott Street

DATE: November 15, 2021

CC: Robert LaBossiere, Director (via email)
 Curt Bellavance, Community Development Director (via email)
 Janet Bernardo, P.E., Horsley Witten Group (via email)
 Rodney Emery, P.E., PTOE, WorldTECH Engineering (via email)
 Anthony Capachietti, P.E., Hayes Engineering (via email)
 Jason Panos, Esquire (via email)

 The Department of Public Services is in receipt of the following documents for 40-42 Endicott Street:

1. The Residences at Endicott Chapter 40B Comprehensive Permit Application
2. BKA Architectural Plans for The Residences at Endicott dated 12/3/2020
3. BKA Architectural Plans for The Residences at Endicott dated 9/28/2021
4. BKA Architectural Plans for The Residences at Endicott dated 11/2/2021
5. Hayes Engineering, Inc.'s Preliminary Site Development for Multi-Family Residential Development dated 12/3/2020
6. Hayes Engineering, Inc.'s Preliminary Site Development for Multi-Family Residential Development dated 12/3/2020 revised 9/29/2021
7. Hayes Engineering, Inc.'s Preliminary Site Development for Multi-Family Residential Development dated 12/3/2020 revised 11/4/2021
8. Hayes Engineering, Inc.'s Stormwater Management Plan dated 3/19/2021
9. Hayes Engineering, Inc.'s Form 11 Soil Suitability Assessment dated 6/3/2021
10. Hayes Engineering Letter to Department of Public Services Regarding Water and Wastewater dated 9/29/2021
11. Hayes Engineering Letter to Department of Public Services regarding Stormwater Management & Environmental Due Diligence dated 9/29/2021
12. Hayes Engineering Letter to Department of Public Services regarding Stormwater Management & Environmental Due Diligence dated 11/8/2021
13. Hayes Engineering Letter to Zoning Board of Appeals dated 10/4/2021
14. Hayes Engineering Letter to Zoning Board of Appeals dated 11/8/2021
15. Vanasse & Associates, Inc. Letter to Department of Public Services regarding Traffic dated 11/8/2021

Peabody Zoning Board of Appeals
40-42 Endicott Street
November 15, 2021
Page 2

16. Vanasse & Associates, Inc. Letter to Zoning Board of Appeals regarding Traffic dated 11/8/2021
17. WorldTECH Engineering Traffic Peer Review Letter dated 6/2/2021
18. WorldTECH Engineering Traffic Peer Review Letter dated 11/12/2021
19. Horsley Witten Group Stormwater Peer Review Letter dated 6/14/2021
20. Horsley Witten Group Environmental Peer Review Letter dated 6/30/2021
21. Horsley Witten Group Stormwater Peer Review Letter dated 10/19/2021
22. Horsley Witten Group Stormwater Peer Review Letter dated 11/12/2021
23. Weston & Sampson Peer Review Letter dated 8/30/2021
24. Weston & Sampson Peer Review Letter dated 10/12/21
25. Tighe & Bond Peer Review Letter dated 9/3/2021

We offer the following comments:

Traffic & Pedestrian Accommodations

Be advised, the applicant shall address the WorldTECH Engineering's recommendations within their peer review letter dated November 12, 2021 (attached to this memorandum).

In addition, please find the specific recommendations being issued by our department:

1. The overhead flashing beacon at the Farnham Park crosswalk shall be replaced with a rectangular rapid flashing beacon as part of the project (at the applicant's expense).
2. Sight distance triangles shall be depicted on the site plan showing the limit of on street parking that would need to be eliminated as part of this project.
3. Turning templates shall be provided for waste hauling and delivery trucks that show access from the northern end of Endicott Street. In addition, these turning templates shall illustrate the vehicles' ability to turn around within the property boundaries of the project. As currently shown, the vehicles need to access city owned property to complete their turn movements.
4. The site plan shall show designated snow storage areas that do not interfere with the overflow device for the infiltration system. Currently there is not enough snow storage area designated on the property.
5. The applicant's team shall confirm that vehicles exiting the property will not cause undue disturbance with their headlights to the following abutters: 39, 41, 43 and 45 Endicott Street.
6. The applicant shall commit to joining the North Shore Transportation Management Association (NSTMA) for a 5-10 year commitment.