

PEABODY CONSERVATION COMMISSION
24 LOWELL STREET
PEABODY, MASSACHUSETTS 01960-5440
PHONE: (978) 538-5782



Agenda for Wednesday, May 19, 2021, 7:00 p.m.

Pursuant to Governor Baker's March 12, 2020 Order suspending certain provisions of the Open Meeting Law, G.L. c. 30A § 18, and the Governor's March 15, 2020 Order imposing strict limitation on the number of people that may gather in one place, this meeting of the **Peabody Conservation Commission** will be conducted via remote participation to the greatest extent possible. No in-person attendance of members of the public will be permitted, but every effort will be made to ensure that the public can adequately access the proceedings in real time, via technological means. In the event that we are unable to do so on matters not requiring a public hearing, we will post on the City of Peabody's website an audio or video recording, transcript, or other comprehensive recording as soon as possible after the meeting.

Individuals may participate remotely in the meeting via a remote participation platform called Zoom.

Members of the public and/or parties with a right and/or requirement to attend this meeting may access the remote participation through any one of the following ways:

- Enter this link into your web browser to open the Zoom website: <https://zoom.us/join>. Enter the meeting/webinar **ID#898 4786 2849** as directed on the webpage and click "Join". Follow the on-screen instructions to join the meeting.
- Participants can dial a **toll-free number + 1 646 558 8656** to join the meeting. When prompted, enter meeting/webinar **ID# 898 4786 2849** and follow the instructions to join the meeting.

THE AGENDA FOR THIS MEETING IS POSTED ON THE CITY PEABODY WEBSITE AND LISTED BELOW.

PEABODY ACCESS TELEVISION WILL BE AIRING THIS MEETING LIVE ON CHANNEL 9, AS WELL AS STREAMING ON THEIR FACEBOOK AND YOUTUBE PLATFORMS.

IF YOU WISH TO REVIEW ANY PLANS OR DOCUMENTS RELATED TO ITEMS ON THIS AGENDA PLEASE CONTACT

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978-538-5782

PEABODY CONSERVATION COMMISSION AGENDA

WEDNESDAY, May 19, 2021

7:00 p.m.

NOTICES OF INTENT

1. A Public Hearing on on a **Notice of Intent** submitted by Norse Environmental Services, Inc. (Maureen Herald) for Tara and Adrian Ponciano (owners). The proposed project is the construction of an addition with garage under, driveway, cut/remove two trees, associated grading and utilities in buffer to BVW. The property is known as **43 Pulaski Street**, Map 53, Lot 34A, Peabody MA.
2. A continued Public Hearing on a **Notice of Intent** submitted by William Manuell (Wetlands & Land Management, Inc.) for Regency Realty Trust-Alfred Dimambro (Trustee). The proposed project is the construction of two buildings and site improvements paving, utilities etc. in riverfront to the North River. The property is known as **11-13 Wallis Street**, Map 85, Lot 41A, Peabody MA

REQUEST FOR DETERMINATION OF APPLICABILITY

3. A continued Public Hearing on a **Request for Determination of Applicability** submitted by William Manuell (Wetlands & Land Management, Inc.). The applicant is seeking confirmation that there are no areas of jurisdiction or buffer zones extending on the property. The property is known as **Race Drive (unconstructed way)**, Map 57, Lots 74B through M, O, P, Peabody MA
4. A Public Hearing on a Request for **Determination of Applicability** submitted by Keith Morris (Env. Consultant) for Pan AM Railways Inc. (Bill Wallace). The applicant is seeking confirmation of wetland boundaries, sensitive areas. This application is for verification of wetland boundaries only and not for the actual application of herbicides. Prior to application a Yearly Operation Plan will be submitted to the community and there is a 45-day review/comment period. The property is known **ROW**, (map on file), Peabody MA.

EXTENSION REQUEST

5. A Request for an **Extension Permit** on **DEP File No. 55-829**. The request is being made by Kara Sliwoski f(SOLitude Lake Management) for Cedar Pond Village (ponds). The project is an aquatic management program. The address is known as Cedar Pond Village Condominium- 1200 Salem Street (map 98, Lot 500T (500-754) Peabody/Lynnfield. The Order expires on **May 12, 2021**. The applicant is asking for a one-year extension per the local ordinance. (Note: All permits are "tolled" during the SOE).

CETIFICATES OF COMPLIANCE

6. A continued request for a **FULL Certificate of Compliance** as made by Peter Blaisdell, Jr. (Williams & Sparages) on behalf of AMConCorp (Patrick Coburn) for **DEP File No. 55-865**. The project was the construction of a commercial building and parking area (demo/rebuild, stormwater features and parking). The address is known as **3 Mount Pleasant Drive**, Map 029, Lots 006, Peabody MA.
7. A continued request for a **FULL Certificate of Compliance** as made by Frederick Hostrop (Neptune Engineering) on behalf 160 Main Street Realty LLC (Nikolay Polinovskiy) for **DEP File No. 55-793**. The project was the redevelopment of a previously degraded site for commercial and residential use. The address is known as **166 Main Street**, Map 086, Lot 150B, Peabody MA. **Partial CC has been issued. Item will remain on agenda until a Full CC can be requested (TBD late 2021) ITEM CONTINUED UNTIL JUNE 2021**
8. A continued request for a **Full Certificate of Compliance** as made by E.J. O' Sullivan (Haven Contracting Corp.) for **DEP File No. 55-874**. The project was the construction of a new parking area and a detention basin. The address is known as **22 Johnson Street**, Map 34, Lot 12, Peabody MA.

ENFORCEMENT ORDER/VIOLATION ORDERS

9. **Enforcement Order** issued to Daniel Ruiz for the property known as **44 Bartholomew Street**, Peabody MA. The alleged violation is bringing multiple truckloads of fill onto the site. Buffer zone and resource area was altered. A valid Order of Conditions has never been issued for said work. **CONTINUED UNTIL 2021 WHEN VEGETATION HAS GROWN IN – TBD**
10. **Enforcement Order** issued to the Trustees of 55 Pulaski St Realty Trust (Roadhouse Pub) c/o John R. Keilty Legal counsel of said Trustees for property located at **55 Pulaski Street**. The extent of activity is uncertain at this time. However some possible alleged activity is altering, filling and changing the grade of either buffer zone or actual resource to expand a current parking lot or buildable area of the Roadhouse Pub property, possibly trespassing on an abutting lot and destruction of living trees and vegetation. A Valid Wetland permit has not been issued to date for any such work.

OTHER AND DISCUSSION ITEMS

- Stewart Lazares- Secretary updates on CPC filing Peabody Lakes & Ponds
- **Discussion request** made by Andrea Kendall, PWS of LEC -proposed NOI application- **51 Jubilee Drive**
- **Discussion request** made by Darguin Fortuna AIA, NCARB of Flow Design Architects regarding and existing Order of Conditions **55-871** address: **10.5 Winter Street** (Single family home in flood zone) as to whether proposed changes to the approved plan require an Amendment or if the Commission will allow a verbal discussion for said changes to plan for work in a FEMA Flood Zone A.
- MINUTES- March 24 and April 21, 2021 remotely held TBD
- Adjournment

Posted online: TBD: _____ By Lucia M. DeINegro via OIT **Posted outside city hall: TBD** _____