



City of Peabody  
**Conservation Commission**

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

**MINUTES**

**DECEMBER 11, 2019**  
**DEPARTMENT OF PUBLIC SERVICES**  
**50 FARM AVENUE**

**MEMBERS PRESENT**

Chairman Michael Rizzo  
Secretary Stewart Lazares  
Travis Wojcik  
Michael Vivaldi (alt.)  
James DiGiulio (alt.)

**MEMBERS ABSENT**

Bryan Howcroft  
Vice Chairman Bruce Comak  
Melissa Feld-Cantin

**Also Present:** Lucia DelNegro, Conservation Agent

CHAIRMAN RIZZO CALLED THE MEETING TO ORDER at 7:10 pm

**PROPOSED NEXT MEETING DATES-** January 15 AND February 19, 2020  
DPS- 50 Farm Avenue

## **NOTICE OF INTENT**

**1. A continued Public Hearing on a Notice of Intent submitted by Emmanuel Papanickolas. This is an “after the fact” filing. The property owner is requesting the commission to allow existing filled pad to remain in buffer zone. No stormwater components are proposed at this time. The property is known as 25 Farm Avenue, Map 69, Lot 6, Peabody MA. (DEP File No. 55-860)**

Motion to continue as made by Mr. Lazares. Seconded by Mr. Wojcik. Adopted unanimously.

**2. A continued Public Hearing on a Notice of Intent submitted for Alliance Health of Massachusetts by Attorney John R Keilty. The proposed work is the removal, reconstruction and expansion of an existing parking lot and stormwater management facility. The property is known as 22 Johnson Street, Map 34, Lot 22, Peabody MA.**

**Present:** Christopher Mello (ELSAI)

**Summary:** The hearing was open, and a brief discussion ensued. The engineering department submitted comments and approved the design preliminary. The commission and the city are still waiting for final revised documents before they can close the public hearing. The consultant understood that since the item was open at the hearing tonight only the present commissioners can vote at subsequent hearings (5 commissioners). The applicant is not proposing any new landscaping on site. Mr. Mello stated perhaps the Planning Board will require landscaping. One commissioner seemed concerned about landscaping, but none was requested at the hearing.

Motion to continue the item until February as made by Mr. Wojcik. Seconded by Mr. Lazares. Adopted unanimously.

## **EXTENSION**

**3. A Request for an Extension Permit on DEP File No. 55-797. The request is being made by Douglas White (property owner). The project is the redevelopment of the two houses located at 15 Elginwood Road. The Order expires on 2/5/2020. The applicant is asking for a one-year extension.**

Motion to extend the Order of Conditions one year (until 2/5/2021) as made by Mr. Lazares. Seconded by Mr. Wojcik. Adopted unanimously.

## **AMENDMENT REQUEST**

**4. Public hearing on an Amendment Request for an Existing Order of Conditions DEP File. No 55-857 submitted by Joseph Salvaggio. The proposed work is the construction of a single-family house with driveway, utilities and lawn. The new property owner wishes to increase the footprint of the structure. The property is known as 73 Lake Street, Map 45, Lot 62, Peabody MA.**

Motion to continue until January 2020 as made by Mr. Lazares. Seconded by Mr. Vivaldi. Adopted unanimously.

## **VIOLATION ORDER**

**5. Shirat Hayam- Wetland Mitigation Report –Beth El Cemetery Lowell Street- violation is the dumping of soil and other earth refuse in buffer zone.**

Motion to continue until **May 2020** as made by Mr. Lazares. Seconded by Mr. Wojcik. Adopted unanimously.

## **ENFORCEMENT ORDER**

**6. Continued Enforcement Order located at 60 Warren Street Extension. The property owner has done various projects in riverfront without a permit from the commission. The most egregious issue is the failing retaining wall and the stormwater drainage pipes into Proctor Brook.**

**Present:** Christopher Mello (ELSAI)

**Summary:** The property owner was not present. There was a brief discussion about the proposed remediation plan. Staff does not think work is permissible as it is filling in flood plain with no compensatory flood storage. Work also appears to be in the river and on the bank. The bank is failing in a small location (about 20 feet total). Staff was confused as to why the proposed remediation plan showed gabion baskets for one hundred plus linear feet along the river/bank. Mr. Mello stated he did not want to discuss the item if we were “on record” and not in the presence of his client. If work is done on city property, the city solicitor will have to draft an agreement. One commissioner stated the city should remove the storm pipes and fix the wall for the resident. **Discussion ensued.** Since the property owner was not present it did not make sense to continue the conversation any further this evening. William Paulitz is the city engineer that has been assigned for this review. **Discussion ensued.**

Motion to continue as made by Mr. Lazares. Seconded by Mr. Vivaldi. Adopted unanimously.

## **APPROVAL OF MINUTES**

**7. MINUTES- October 16, 2019** - no motion made

## **SUBCOMMITTEE REPORTS**

- **Land Acquisition Committee- Chairman Rizzo** **NONE**

## **OTHER**

- **Adjournment**

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

The meeting adjourned at 8:15 PM

**Respectfully submitted-**

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**Chairman Michael Rizzo**