



City of Peabody Conservation Commission

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

MINUTES

January 20, 2021

Via Zoom ID 884 8694 3089

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 was conducted via remote participation to the greatest extent possible.

MEMBERS PRESENT

Chairman Michael Rizzo
Vice Chairman Bruce Comak
Secretary Stewart Lazares
Arthur Athas
Amanda Green (Alt.)

MEMBERS ABSENT

Melissa Feld-Cantin
Travis Wojcik
Michael Vivaldi

Also Present: Lucia DelNegro, Conservation Agent

CHAIRMAN RIZZO CALLED THE MEETING TO ORDER at 7:00 pm

Alternate Commissioner Amanda Green was giving voting rights in the absence of two commissioners.

REQUEST FOR CERTIFICATE OF COMPLIANCE

1. A continued request for a FULL Certificate of Compliance as made by Curtis Young (Environmental Consultant/Wetland Scientist) on behalf of Group One Automotive for DEP File No. 55-832. The project is entitled Proposed Inventory Lot. The address is known as 0 Willowdale Avenue, Map 039, Lots 029 & 023, Peabody MA.

Motion to continue to the 2.17.21 hearing as made by Mr. Lazares. Seconded by Mr. Comak. Adopted unanimously.

2. A continued request for a Full Certificate of Compliance as made by William Manuell (Wetlands and Land Management) for Roy Simoes (PMLP) for DEP File No. 55-840. The project was known as the PMLP Substation at Russell Street.

Motion to continue to the 2.17.21 hearing as made by Mr. Comak. Seconded by Mr. Athas. Adopted unanimously.

3. A request for a FULL Certificate of Compliance as made by John R Keilty on behalf of Omni Development and PK Realty Trust for DEP File No. 55-721. The project never commenced, and the permit has expired. The address is known as 532 Lowell Street, Map 35, Lots 28 and portion of 27, Peabody MA.

Motion to issue a Full Certificate of Compliance on DEP File No. 55-721 checking off the invalid box as made by Mr. Lazares. Seconded by Mrs. Green. Adopted unanimously.

4. A request for a FULL Certificate of Compliance as made by John R Keilty on behalf of Omni Development for DEP File No. 55-722. The project never commenced, and the permit is expired. The address is known as Lowell Street and Rte. 95, Map 35, Lot 27 Peabody MA.

Motion to issue a Full Certificate of Compliance on DEP File No. 55-722 checking off the invalid box as made by Mr. Lazares. Seconded by Mrs. Green. Adopted unanimously.

5. A 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.

Present: Gregory Hochmuth (Williams & Sparages)

Summary: Work has not been finished to receive a Full CC. The consultant stated they would prefer to hold off and request a Full CC instead of a Partial tonight. More work needs to be completed before the commission can vote. Presently the sidewalk has been paved over to create more parking for the property owner. A sidewalk and demarcation of the street is necessary before a sign off from the commission. The commission did not approve said work as shown on the ground. The As-Built submitted is inaccurate as work was done after it was submitted to the commission that is not reflected. Staff is also waiting for the city engineer to sign off the discrepancies with the stormwater features on site. Staff requested documentation that pervious pavers were used on site.

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

6. A request for a PARTIAL 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.

Present: Frederick W. Hostrop (engineer of record), Attorney John Mihos (legal counsel) and Nikolay Polinovskiy (owner)

Discussion ensued regarding work that has been completed and unfinished at this time.

Motion to issue a **Partial CC** with the following conditions: **1-Riverfront Enhancement Plantings MUST be planted in the Spring of 2021.** See sheet 6 of plan & letter. 4 box elder shrubs, 2 red maple, bearberry 1 foot on center (ground cover of bearberry). Japanese knotweed must be eradicated per agreement. (see cond. #47 & 52, Attachment #3 of ORDER); **2- Signs to rear of property must be installed (cond. # 50); O&M Plan Proposed Stormwater Management Facilities is in perpetuity; Snow Stockpiling is not allowed on site. Signs to be installed per cond.#50 Snow shall NEVER be dumped into the brook (see cond. #50) as made by Mr. Lazares.** Seconded by Mr. Comak. Adopted unanimously.

DISCUSSION ITEMS

7. Essex County Greenbelt- Report on Conservation Restrictions 2020 monitoring report at 259 Lynnfield Street (Eastman Goldthwaite). Report dated 12.2.2020. Inspection visit on 11.5.2020.

Discussion ensued. Staff was asked to send a letter to abutting neighbors reminding them about the easement. The Commission does not want anyone raking the woods anymore. What is on site now is considered minor and no enforcement action is necessary at this time. The commission wants to make sure future encroachments do not happen.

VIOLATIONS

8. A continued Violation at 83 Pine Street- Failure to contact Commission to inspect erosion controls has caused sediment to enter a catch basin, clog a culvert and alter a resource. Staff is working with the contractor to remedy the situation.

Summary: Chairman Rizzo and Vice Chairman conducted a site visit with the applicant and their representatives. The item can be taken off the agenda at this time. Staff was asked to follow up via email with all parties to confirm when work will start. The Chair and Vice Chair will be kept in the loop of the proposed work.

ENFORCEMENT ORDER

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

OTHER

- **MINUTES- December 16, 2020 remotely held TBD - NONE**

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Adjournment

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

The meeting adjourned at 8:14 PM

Respectfully submitted,
To be signed electronically

Chairman Michael Rizzo