



## City of Peabody Conservation Commission

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

### **MINUTES**

**MAY 27, 2020**

**Via Zoom ID 881 2509 0922**

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  
Travis Wojcik  
Michael Vivaldi (alt.)

#### **MEMBERS ABSENT**

Bryan Howcroft  
Melissa Feld-Cantin  
James DiGiulio (alt.)

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

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

Alternate Commissioner had voting rights in the absence of two commissioners.

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## **EXTENSION REQUESTS**

**1. A Request for an Extension Permit on DEP File No. 55-793. The request is being made by Attorney Mihos on behalf of 160 Main Street Peabody Realty LLC (Nikolay Polinovski). The proposed work consists of the redevelopment of a previously degraded site for commercial and residential use. The property is known as 166 Main Street, Map 86, Lot 150B. The Order expires on 4/15/2020. The applicant is asking for a one-year extension.**

**Summary:** The developer is almost ready to request a Certificate of Compliance. **Discussion ensued.**

Motion to extend the Order of Conditions one year as made by Mr. Lazares. Seconded by Mr. Wojcik. Adopted unanimously.

**4. A Request for an Extension Permit on DEP file No. 55-847. The request is being made by city staff on behalf of Community Development Department. The project is an aquatic management program. The property is known as Browns Pond- Commonwealth of Massachusetts, Peabody. The Order expires on 3/20/2020. The applicant is asking for a one-year extension.**

Motion to extend the Order of Conditions for one year as made by Mr. Wojcik. Seconded by Mr. Lazares. Adopted unanimously.

**5. A Request for an Extension Permit on DEP File No. 55-785. The request is being made by Brendan Callahan for the City of Peabody. The project is the demolition of a commercial building located at 70 Endicott Street (map 74, Lot 65). The Order expires on 6/25/2020. The applicant is asking for a one-year extension.**

Motion to extend the Order of Conditions for one year as made by Mr. Wojcik. Seconded by Mr. Lazares. Adopted unanimously.

**6. A Request for an Extension Permit on DEP File No. 55-795. The request is being made by Brendan Callahan for the city of Peabody. The proposed work is the construction of an 8-unit townhouse development. The property is known as 70 Endicott Street, Map 74, Lot 65. The Order expires on 9/18/2020. The applicant is asking for a one-year extension.**

**Summary:** There was a brief discussion about the history if this project. **Discussion ensued.**

Motion to extend the Order of Conditions for one year as made by Mr. Vivaldi. Seconded by Mr. Comak. Mr. Wojcik voting NO. The motion passes 4-1.

## **CERTIFICATE OF COMPLIANCE**

**7. A request for a FULL Certificate of Compliance made by Michael Solomine on DEP file No. 55-851. The project is the construction of a single-family house located in Boudlerwood Subdivision 19 Tsitsinos Drive (lot 93B on subdivision plans), Map 114, Lot, 140, Peabody MA.**

Motion to issue a Full Certificate of Compliance with condition # 48 *The granite post with a conservation sign shall remain on the property in the back yard in perpetuity as shown on as built plan. The granite post must be set three (3) feet in the ground and three (3) feet above the ground (total height 6 feet). The sign should read "Conservation Area-No Disturb Zone-No lawn waste/No dumping" or a similar phrase and shall remain on property in perpetuity* as made by Mr. Wojcik. Seconded by Mr. Lazares. Adopted unanimously.

**8. A request for a FULL Certificate of Compliance made by Michael Solomine on DEP file No. 55-850. The project is the construction of a single-family house located in Boudlerwood Subdivision 21 Tsitsinos Drive (lot 92B on subdivision plans), Map 114, Lot, 139, Peabody MA.**

Motion to issue a Full Certificate of Compliance with condition # 48 *The granite post with a conservation sign shall remain on the property in the back yard in perpetuity as shown on as built plan. The granite post must be set three (3) feet in the ground and three (3) feet above the ground (total height 6 feet). The sign should read "Conservation Area-No Disturb Zone-No lawn waste/No dumping" or a similar phrase and shall remain on property in perpetuity* as made by Mr. Wojcik. Seconded by Mr. Lazares. Adopted unanimously.

**9. A request for a FULL Certificate of Compliance made by Michael Solomine on DEP file No. 55-849. The project is the construction of a single-family house located in Boudlerwood Subdivision 23 Tsitsinos Drive (lot \_\_\_ on subdivision plans), Map 114, Lot, 138, Peabody MA.**

Motion to issue a Full Certificate of Compliance with condition # 48 *The granite post with a conservation sign shall remain on the property in the back yard in perpetuity as shown on as built plan. The granite post must be set three (3) feet in the ground and three (3) feet above the ground (total height 6 feet). The sign should read "Conservation Area-No Disturb Zone-No lawn waste/No dumping" or a similar phrase and shall remain on property in perpetuity* as made by Mr. Wojcik. Seconded by Mr. Lazares. Adopted unanimously.

**10. A request for a FULL/PARTIAL Certificate of Compliance made by David Cutler/MA RE Holdings LLC on DEP file No. 55-864. The project was the construction of a single-family house. The property is known as 49 Blaney Avenue, Map 103, Lot 81, Peabody MA.**

Motion to issue a Full Certificate of Compliance with stipulation that the granite post with a conservation sign shall remain on the property in the back yard in perpetuity as shown on as built plan. The granite post must be set three (3) feet in the ground and three (3) feet above the ground (total height 6 feet). The sign should read "Conservation Area-No Disturb Zone-No lawn waste/No dumping" or a similar phrase and shall remain on property in perpetuity as made by Mr. Comak. Seconded by Mr. Lazares. Adopted unanimously.

#### **EXTENSIONS CONTINUED**

**2. A Request for an Extension Permit on DEP file No. 55-829. The request is being made by Kara Sliwoski/Meghan Stewart on behalf of Cedar Pond Village Condominium. The project is an aquatic management program. The property is known as 1200 Salem Street, Lynnfield/Peabody, Map 98, Lot 500T. The Order expires on 5/12/2020. The applicant is asking for a one-year extension.**

Motion to extend the Order of Conditions for one year as made by Mr. Wojcik. Seconded by Mr. Comak. Adopted unanimously.

**3. A Request for an Extension Permit on DEP file No. 55-839. The request is being made by Kara Sliwoski/Meghan Stewart on behalf of Huntington Woods Condominium. The project is an aquatic management program. The property is known as 1405 Foxwood Circle, Peabody, Map 68, Lot 500T. The Order expires on 5/17/2020. The applicant is asking for a one-year extension.**

Motion to extend the Order of Conditions for one year reminding the applicant of the following conditions: 1) *Refueling of the gas-powered engine must be done as far from the resource as*

*practicable. If possible, all refueling must be done outside all buffer zones; 2) The water level shall be six (6) inches below the spillway before applying any chemicals and the commencement of any work.* as made by Mr. Wojcik. Seconded by Mr. Comak. Adopted unanimously.

### **EMERGENCY CERTIFICATE**

**11. To be ratified: Request for an Emergency Certificate to remove a beaver dam and trap beaver population located along the bike path near Crystal Drive. Work start date was 5.8.20 - 6.6.20**

**Summary:** No one from DPS attended the remote hearing. The commission stated going forward someone from either Health, DPS or Parks & Recreation (whichever office is requesting said EC) will need to be in attendance for future Emergency Permits at this location. Some commissioners were upset that the beaver deceiver was removed instead of being fixed. Staff reminded the commission that the deceiver has not been functioning properly since 1996. It could be considered fill in the resource.

Motion to ratify EO as made by Mr. Wojcik. Seconded by Mr. Vivaldi. Adopted unanimously.

### **CORRESPONDENCE**

**12. Letter from WorldTech Engineering (Thomas Quinlan, PE) dated 3.27.2020 RE: rehabilitation of Central Street MASSDOT Project #608933**

Motion to receive and accept correspondence as made by Mr. Lazares. Seconded by Mr. Wojcik. Adopted unanimously.

**13. Eagle Scout Service Project Proposal- James Langley- Fish Habitat structures at Crystal Lake.**

**Present:** Eagle Scout James Langley

**Summary:** Mr. Langley gave a presentation on fish habitat structures that he proposes to install in Crystal Lake. The fish structures would act like coral reef. They will encourage fish to eat, rest, feed and hide from predators. It will increase wildlife habitat. Currently there are three (3) similar structures in Crystal Lake. However, Mr. Langley does not believe this is enough for the 10 acres of the lake. The commission agreed and was very supportive of the project. **Discussion ensued.**

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

### **APPROVAL OF MINUTES**

• **MINUTES- February 20 and March 11, 2020**

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

• **Adjournment** Motion to adjourn as made by Mr. Wojcik. Seconded by Mr. Vivaldi.  
The hearing adjourned at 8:58 PM

**Respectfully submitted-**

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**Chairman Michael Rizzo**