



City of Peabody Conservation Commission

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

MINUTES

June 24, 2020

Via Zoom ID 876 1589 8017

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 7:10 pm

Alternate Commissioner Michael Vivaldi had voting rights in the absence of two commissioners.
Page 2 –6.24.2020

REQUEST FOR DETERMINATION OF APPLICABILITY

1. A continued Public Hearing on a Request for Determination of Applicability submitted by BL Companies (Suzanne King) for LCI Management c/o Eric Loiacano. The proposed project consists of a building addition, modifications to the parking area, stormwater changes and increase in pervious areas. The property is known as 151 Andover Street, Map 52, Lot 17X, Peabody MA.

Present: John R Keilty (legal counsel), Eric Loiacano (developer) and Suzanne King (BL Companies)

Summary: Ms. King stated all disturbance is outside the wetland buffers. There is a DPS memo from William Paulitz that still needs to be addressed (specifically items listed numbers 9, 10, 11, 12, 17 and 19). The commission wants DPS to sign off before they will release the Determination. The commission asked that the detail sheet be revised to show a staked silt fence behind a compost log/silt log with a biodegradable covering (plastic is not allowed) and catch basin inserts. They would also like to see signs stating "No Work Beyond This Point" along the erosion line. The signs should be placed 10-15 feet apart and kept in good condition throughout the duration of the work. The commission approved snow being stored in ConComm jurisdiction because the melt would go through the stormwater components. There were no comments from the public.

Motion to close the public hearing as made by Mr. Wojcik. Seconded by Mr. Vivaldi. Adopted unanimously.

Motion to issue a Negative Determination adding conditions: **1)** O&M Plan is in perpetuity; **2)** a revised detail sheet showing compost logs/silt logs with a staked silt fence and catch basin inserts. No plastic meshing shall be allowed on erosion logs. Signs shall be displayed along the erosion controls approximately 10-15 feet apart stating, "No Work Beyond this Point". These signs shall remain in good condition until the project is complete and the erosion controls are removed; **3)** Erosion controls must be inspected by conservation staff before work can commence; **4)** The dewatering method must be approved by conservation staff before work can commence with the stipulation that the Determination will not be released until city engineering has signed off and the revised detail sheet is submitted and approved by staff as made by Mr. Wojcik. Seconded by Mr. Lazares. Adopted unanimously.

AMENDMENT REQUEST

2. A continued 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.

Present: Joseph Salvaggio (owner)

Summary: The commission asked for more test pits to be conducted at the previous meeting. They were concerned the water table might be too high for the stormwater components to function properly. The test pits were done on 3.24.2020. due to the pandemic and the State of Emergency city staff was not on site. The findings were submitted to the commission for review. Chairman Rizzo stated he was happy with the report findings and was comfortable with the project going forward. Ms. DelNegro stated she was mostly concerned that a development this large could cause flooding on abutting properties. Historically Meade Road has flooded.

Numerous residents have raised flooding concerns over the last few years regarding this area and development. Mr. Salvaggio stated the proposed garage can only store four (4) cars. Commissioner Wojcik was adamant that work is not allowed to be performed on automobiles on this site. The property owner stated he owned a garage and could conduct any maintenance off site. The item was open to members of the public. There was a technical error when it came time for public comments. The glitch was fixed, and the public was filled in on the bits of the discussion they missed.

Patricia Bocchino, 7 Meade Street

MS BOCCHINO: We are concerned about the water table. That is what we were listening for. Thank you.

Summary: There was a brief discussion about if the development did create flooding to the abutting properties. Who would be held liable? The engineer who stamped the plan or the commission who voted on it? Historically Meade Street has been known to flood. Various neighbors have spoken out in previous meetings about flooding in their homes and on their properties. Mr. Salvaggio does not believe that the abutting neighborhood has significant flooding issues. The commission felt they could vote favorably for the project. The residents are aware that they can appeal the amendment directly to DEP and District Court.

Motion to close the public hearing as made by Mr. Lazares. Seconded by Mr. Vivaldi. Adopted unanimously.

Motion to issue an Amended Order of Conditions keeping the original conditions as made Mr. Lazares. Seconded by Mr. Comak. Mr. Wojcik voting NO.

The vote passed 4-1 with Mr. Wojcik not voting NO.

OTHER

• **MINUTES- May 27, 2020 remotely held** via zoom

Motion to accept the minutes as made by Mr. Vivaldi. Seconded by Mr. Lazares. Adopted unanimously.

• **Adjournment**

Motion to adjourn as made by Mr. Lazares. Seconded by Mr. Comak. Adopted unanimously. The meeting adjourned at 8:23 PM.

The next meeting will be held via zoom on 8.5.2020.

Respectfully submitted-

Chairman Michael Rizzo