

**REGULAR MEETING OF THE PEABODY CITY COUNCIL**  
**AUGUST 22, 2013**

PRESENT: COUNCILLORS: GARABEDIAN, LIACOS, GRAVEL, OSBORNE, MANNING-MARTIN, SINEWITZ, DRISCOLL, MELLO, ATHAS, GAMACHE, AND GOULD

ABSENT: NONE

Meeting of the Peabody City Council opened with a moment of silent prayer after being called to order by City Council President, Thomas L. Gould.

Salute to the American Flag.

P563-13 COUNCILLOR GAMACHE - MOVE TO receive and approve the minutes from the Special Meeting of July 10, 2013 and the Regular Meeting of July 11, 2013. (Unanimous)

COUNCILLOR GOULD - OPEN MEETING LAW STATEMENT: THIS MEETING IS BEING TELEVISED LIVE ON CABLE CHANNEL 9 AND BEING TAPED BY PEABODY ACCESS TV, AND ALSO BEING RECORDED BY OUR CITY COUNCIL STENOGRAPHER.

**HEARINGS**

The City Council reconvened the recessed public hearing on a Petition submitted by Verizon, 20 Shattuck Road, Andover, MA. Appearing to speak on behalf of the Petition was Mr. Everett Bryan. No one appeared to speak in favor. No one appeared to speak in opposition.

P564-13 COUNCILLOR OSBORNE - MOVE TO approve the Petition 03-2013 submitted by Verizon, 20 Shattuck Road, Andover, MA, to remove one pole and replace with a new pole on Murphy Road. (Carried 11-0)

A public hearing was duly held on the application from Total Outdoor Corp., 100 Cummings Center, Beverly, MA. Appearing to speak on behalf of the application was Attorney John Keilty. City Solicitor Michael Smerczynski appeared to speak on behalf of the City. No one appeared to speak in favor. Ms. Ryna Rodman, 11 Ledgewood Way, Unit 5, Peabody, MA; and Mr. John Yoh, Trustee of Ledgewood Condominium, 3 Cleary Lane, Topsfield, MA, appeared to speak in opposition.

P565-13 COUNCILLOR GAMACHE – MOVE TO receive, under suspension of the rules, a Petition submitted by Mr. John Yoh on behalf of 180 residents of Ledgewood Condominiums. (Unanimous)

P566-13 COUNCILLOR GAMACHE – BE IT ORDERED by the City Council of the City of Peabody that the application from Total Outdoor Corp., 100 Cummings Center, Beverly, MA, for a Special Permit to construct a billboard sign located as shown on a plan dated April 23, 2013 accompanying this permit application and made in accordance with a Superior Court Remand Order dated June 26, 2013 for premises located at 532 Lowell Street, Peabody, MA, as filed in accordance with Sections 4.1, 11.6 and 15.7 of the Peabody Zoning Ordinance be approved. (Failed 10-1; Councillor Gamache voting in favor)

Reasons for Denial as stated by the City Council as follows:

Section 6.1.2 of the Zoning Ordinance In that it is the judgment of the City Council that the use for which the permit is sought will not satisfy a desirable local need, that its design and appearance will be injurious to the established or future character of the vicinity and the neighborhood and that it shall not be in harmony with the general purpose and intent of this ordinance.

Section 6.1.4 of the Zoning Ordinance: This special permit does not satisfactorily meet the provisions of the following sections:

- C. Possible noise, glare and odor effects of the use on adjoining properties and properties generally in the district;
- E. Screening and buffering with reference to type, dimensions and character;
- H. Projection of adjoining premises and the surrounding neighborhood from the proposed use of the site;

A public hearing was duly held on the application from Seregio Goncalves, 3 Hammersmith Drive, Saugus, MA. Appearing to speak on behalf of the application was Mr. Seregio Goncalves. Mr. Tim Barry, 14 Puritan Road, Wenham, MA, appeared to speak in favor. Ms. Lucille Santos, 1 Violet Road, Peabody, MA; Ms. Susan Brotchie, 18 Sabino Farm Road, Peabody, MA; Mr. Ronald Foss, 8 Canterbury Drive, Peabody, MA; Mr. William Carey, 10 Canterbury Drive, Peabody, MA; Mr. William Toomey, 33 Abington Avenue, Peabody, MA; and Mr. Eric Mordarn, 1 Violet Road, Peabody, MA, appeared to speak in opposition.

P567-13 COUNCILLOR GAMACHE – MOVE TO receive, under suspension of the rules, a petition submitted by Mr. Tim Barry on behalf of residents in favor of the application of Seregio Goncalves. (Unanimous)

P568-13 COUNCILLOR DRISCOLL – MOVE TO receive, under suspension of the rules, Petition in opposition to the application of Seregio Goncalves. (Unanimous)

P569-13 COUNCILLOR GAMACHE – MOVE TO receive, under suspension of the rules, to receive a communication submitted by William Toomey, 33 Abington Avenue in the form of an email from the Mass DOT, District 4 regarding traffic counts on Route 114. (Unanimous)

P570-13 COUNCILLOR DRISCOLL - MOVE TO recess the public hearing on the application from Seregio Goncalves, 3 Hammersmith Drive, Saugus, MA, until the next regular meeting on Thursday, September 12, 2013 pending a neighborhood meeting (Unanimous)

A public hearing was duly held on the application from GM Fine, LLC, 143 Lynnfield Street, Peabody, MA. Appearing to speak on behalf of the application was Attorney John Keilty. Mr. Arthur Gordon, 65 Main Street, Peabody, MA; Ms. Lee Raucci-Merrill, 19 Evans Road, Peabody, MA; Mr. Russell Donovan, 12 Quail Road, Peabody, MA; and Mr. Peter Kormann, 10 Park Avenue, Middleton, MA, appeared to speak in favor. Ms. Ann Trainor, 140 Lynnfield Street, Peabody, MA; and Mr. Richard Medina, 1-B Laurel Street, Peabody, MA, appeared to speak in opposition.

P571-13 COUNCILLOR GAMACHE – BE IT ORDERED by the City Council of the City of Peabody that the application from GM Fine, LLC, 143 Lynnfield Street, Peabody, MA, for a Special Permit to operate an indoor recreational facility in an I-P zone and to alter an existing nonconforming building and parking at said 143 Lynnfield Street, Peabody, MA, as filed in accordance with Sections 1.5, 4.2.5, 4.4, 6 and 15.7 of the Peabody Zoning Ordinance be approved based on the following reasons and conditions:

Reason: Owing to the fact that the use as approved satisfies a desirable local need, that its design and appearance will not be injurious to the established or future character of the vicinity and the neighborhood, and that said approval is in harmony with the general purpose and intent of the Zoning Ordinance of the City of Peabody.

CONDITIONS:

1. The applicant will employ a rodent control expert during demolition of the building;
  2. The applicant will work with Public Services Department to secure roadway edge and provide a barrier to the pond and guardrail for something more decorative on the side of Craig's Pond;
  3. The applicant will improve Corwin Street from the railroad tracks to the end of property with sidewalks;
  4. The applicant will replace any crushed or nonfunctioning storm drains within the property limits;
  5. The applicant shall be required to post a performance bond with the appropriate agency; and
  6. All unpaid property taxes will be paid to the City of Peabody at the time of the sale of the building.
- (Carried 10-0; Councillor Mello absent)

P572-13 COUNCILLOR GAMACHE – MOVE THAT the Class 2 Motor Vehicle License application of Matthew Mondello, 128 Newbury Street, Peabody, MA, be allowed to be withdrawn, without prejudice. (Unanimous)

The City Council reconvened the recessed public hearing on the application from DC Trust LLC d/b/a Auto Sense, 134-R Newbury Street, Peabody, MA. Appearing to speak on behalf of the application was Mr. Dean Collins. City Solicitor Michael Smerczynski appeared to speak on behalf of the City. No one appeared to speak in favor. No one appeared to speak in opposition.

P573-13 COUNCILLOR GAMACHE – MOVE TO receive, under suspension of the rules, Item 8-F communication from Attorney Michael Smerczynski, City Solicitor, regarding Legal opinion; Amend special permit/sale of motor vehicles. (Unanimous)

P574-13 COUNCILLOR GAMACHE – MOVE TO receive, under suspension of the rules, to receive a communication from Dean Collins c/o Auto Sense submitting a business and site plan. (Unanimous)

P575-13 COUNCILLOR GAMACHE – BE IT ORDERED by the City Council of the City of Peabody that the application from DC Trust LLC d/b/a Auto Sense, 134-R Newbury Street, Peabody, MA, for a Special Permit to amend Special Permit 8-2007 for the ability to display two motor vehicles for sale on the front portion of property at 134 Newbury Street, Peabody, MA, as filed in accordance with Sections 4.2.5 and 15.7 of the Peabody Zoning Ordinance be approved based on the following reasons:

Reason: Owing to the fact that the use as approved satisfies a desirable local need, that its design and appearance will not be injurious to the established or future character of the vicinity and the neighborhood, and that said approval is in harmony with the general purpose and intent of the Zoning Ordinance of the City of Peabody. (Carried 9-0; Councillors Garabedian and Mello absent)

A public hearing was duly held on the application from DC Trust LLC d/b/a Auto Sense, 134-R Newbury Street, Peabody, MA. Appearing to speak on behalf of the application was Mr. Dean Collins. No one appeared to speak in favor. No one appeared to speak in opposition.

P576-13 COUNCILLOR GAMACHE – MOVE TO approve the application from DC Trust LLC d/b/a Auto Sense, 134-R Newbury Street, Peabody, MA, to amend a Class 2 Motor Vehicle License by increasing the number of motor vehicles for sale from 12 to 32 (12 stored indoors and 20 stored outdoors) at said 134-R Newbury Street, Peabody, MA. Applicant is further seeking permission to store 2 of the 20 motor vehicles for sale outdoors on the front portion of property at 134 Newbury Street, Peabody per Special Permit approval dated August 22, 2013. (Carried 9-0; Councillors Garabedian and Mello absent)

## **REPORTS OF COMMITTEE**

### **LEGAL AFFAIRS COMMITTEE AUGUST 22, 2013**

P577-13 COUNCILLOR MANNING-MARTIN – Reporting for the Legal Affairs Committee – Legal Affairs did meet this evening to address one issue. Councillors present, including myself, were Councillor Garabedian, Councillor Gould, Councillor Osborne, and Councillor Driscoll as voting members; and by the end of the evening I believe all councillors were present. The issue on the agenda was the Howley Street bridge project and I will read you a portion of a letter from the Mayor to the council that gives a brief synopsis for the reason for this issue. "The Department of Public Services and the Massachusetts Department of Transportation Highway Division have planned the replacement of the Howley Street Bridge. This is a state-funded project to be undertaken out of necessity insofar as the existing structure has exceeded its assigned longevity. Critical to the success and timeliness of the construction includes the need to acquire temporary and permanent easements or licenses from non-municipal landowners to accommodate the new design. Such is accomplished by agreement or eminent domain takings. The responsibility is assigned to Peabody and requires City Council authorization." There was some discussion throughout the evening. City Solicitor Mike Smerczynski joined us as did an attorney representing one of the property owners -- a Mr. Flomp. Attorney Tara Ganguly joined us representing Mr. Flomp's point of view on this. And very briefly, \$2.4 million in funding would be jeopardized if we don't move forward with the recommendation, according to City Solicitor Smerczynski, to take the land by eminent domain. The owners of all of the parcels are in agreement and have either gifted or agreed to the takings, except for one property on Howley Street owned by Mr. Flomp. The city has, through City Solicitor Smerczynski, tried to work out an agreement with Mr. Flomp who indicated through his attorney his concerns in the temporary and/or permanent takings. He's concerned about the integrity of his building during the process, the noise, parking for

his tenants, and he fears losing an anchor tenant given the construction that will be taking place. So those were his concerns. He has not agreed with the taking. We hope that they continue to work on that matter and come to some sort of resolution but again the recommendation from the City Solicitor, which passed five to zero in subcommittee, is that we move forward on the matter for fear of a deadline date and losing a considerable amount of money in funding. And the end result of jeopardizing that and losing that would be that we would be on the hook for the entire cost of the project. It's outlasted use and it's become a safety issue and we would be on the hook for paying for that ourselves. So there was a motion that passed five to zero. (Report received)

P577A-13 – COUNCILLOR MANNING-MARTIN – MOVE, under suspension of the rules, to receive item 8-Q from William Paulitz, City Engineer, relative to temporary and permanent easements; Howley Street Bridge project.  
(Unanimous)

P578-13 COUNCILLOR MANNING-MARTIN – Reporting for the Legal Affairs Committee – BE IT ORDERED by the City Council of the City of Peabody, Whereas, in the opinion of the Mayor and City Council of the City of Peabody, the public convenience and necessity of the inhabitants of the City require that the following parcels of land be taken as Permanent Bridge Easements and/or Temporary Construction Easements from certain owners of record of land abutting Howley Street, Peabody, Essex County, Massachusetts, as the same are more particularly described hereinafter, and whereas it is the intention of the Mayor and City Council to take said easements by right of eminent domain as set forth in the order of notice hereto annexed will fully appear, it is therefore pursuant to the legal descriptions submitted by the City Solicitor as attached hereto (SEE FILE FOR LEGAL DESCRIPTIONS. RECORDED AT THE REGISTRY OF DEEDS; BOOK 32776, PAGE 330).  
(Carried 8-0; Councillors Garabedian, Mello and Sinewitz absent)

### **MOTIONS, ORDERS & RESOLUTIONS**

P579-13 COUNCILLOR GRAVEL – MOVE TO receive, under suspension of the rules, late communication Item 1 from His Honor the Mayor regarding Appropriation – Chapter 90 Projects and refer to the Finance Committee.  
(Unanimous)

P580-13 COUNCILLOR GRAVEL – MOVE TO request that His Honor the Mayor meet with the City Council to discuss the home-rule petition for adding liquor licenses to designated areas within the city. (Unanimous)

P581-13 COUNCILLOR LIACOS – MOVE TO receive, under suspension of the rules, Item 8-I communication from Timothy Spanos, City Clerk, regarding Open meeting law. (Unanimous)

P582-13 COUNCILLOR OSBORNE – MOVE TO request that the Park, Recreation and Forestry Department trim the branches on trees on Kyleigh Lane and Michelle Road by giving them a fresh cut where they were broken by garbage trucks. (Unanimous)

P583-13 COUNCILLOR OSBORNE - MOVE TO request a handicapped sign for 15 Brentwood Drive, that an ordinance be drafted and advertised on the same, and that the Public Services Department install a sign when the ordinance is adopted. (Unanimous)

P584-13 COUNCILLOR OSBORNE - MOVE TO request that the Public Services Department, the Health Department, the Conservation Commission and/or the Water Department treat the weeds at Brown's Pond.  
(Unanimous)

P585-13 COUNCILLOR OSBORNE – MOVE TO request that the Public Services Department repair the sidewalk at 3 Bay State Boulevard. (Unanimous)

P586-13 COUNCILLOR OSBORNE – MOVE TO request that the Public Services Department investigate the manhole castings at 7 Christopher Terrace where there is a pot hole and perform a repair. (Unanimous)

P587-13 COUNCILLOR OSBORNE – MOVE TO receive and approve the following Block Party, subject to all papers being in order:

Winnegance Avenue - August 24<sup>th</sup>  
Evans Road – September 1<sup>st</sup>  
(Unanimous)

Dimitrios Circle – September 1<sup>st</sup>  
Benevento Circle – September 7<sup>th</sup>

P588-13 COUNCILLOR OSBORNE - MOVE TO request that the Public Services Department investigate Longview Way and perform temporary repairs to the roadway and add to the paving list. (Unanimous)

P589-13 COUNCILLOR DRISCOLL - MOVE TO request that the Police Department attend a neighborhood meeting in the Wiggin Auditorium on September 5th, 2013, at 6:00 p.m. to address the traffic concerns of the people of the neighborhood around Chandler's. (Unanimous)

P590-13 COUNCILLOR DRISCOLL – MOVE TO receive, under suspension of the rules, Item 8-J communication from Attorney Athan Vontzalides, 246 Andover Street, Peabody, regarding Appraisal of land on Willowdale Avenue and to refer to the City Solicitor for his opinion on the effect of this sale on the adjacent city-owned land. (Unanimous)

P591-13 COUNCILLOR ATHAS - MOVE TO request that the Public Services Department repair the sidewalk at 9A Goodridge Street. (Unanimous)

P592-13 COUNCILLOR ATHAS - MOVE TO request that the Public Services Department install additional signage on Granite Street to slow down speeding traffic. (Unanimous)

P593-13 COUNCILLOR ATHAS - MOVE TO request that the Public Services Department install an additional "Slow" sign in the middle of Ayer Street heading towards Putnam Street. (Unanimous)

P594-13 COUNCILLOR ATHAS - MOVE TO request that the Public Services Department repair the sidewalk at 129 Washington Street. (Unanimous)

P595-13 COUNCILLOR ATHAS - MOVE TO request that the Public Services Department increase the street sweeping on both Main Street and Washington Street to more frequently, perhaps twice a month. (Unanimous)

P596-13 COUNCILLOR ATHAS - MOVE TO request that the Public Services Department clean out choke points at Strong Water Brook, to provide more frequent cleaning, and to make sure they take the debris off-site. (Unanimous)

P597-13 COUNCILLOR ATHAS – MOVE TO request that the Public Services Department repair the sidewalk at 12 Ayer Street. (Unanimous)

P598-13 COUNCILLOR ATHAS - MOVE TO request that the Public Services Department patch the side of the road at 15 Joy Street where the fire hydrant is. (Unanimous)

P599-13 COUNCILLOR ATHAS - MOVE TO refer to the Municipal Safety Committee the discussion of an ordinance amendment regarding prohibiting snowplowing snow on to the corners of a street, which cover pedestrian crosswalks. (Unanimous)

P600-13 COUNCILLOR ATHAS - MOVE TO request that the Park, Recreation & Forestry Department trim the city tree branches that are touching the house at 105 Lowell Street. (Unanimous)

P601-13 COUNCILLOR ATHAS - MOVE TO request that the Public Services Department cover the mound of dirt in front of 29 Joy Road. (Unanimous)

P602-13 COUNCILLOR ATHAS - MOVE TO request that the Public Services Department repair the sidewalk at 8 State Street. (Unanimous)

P603-13 COUNCILLOR ATHAS - MOVE TO request that the Public Services Department investigate the source of the water backup in the rear yard at 8 Sherwood Avenue. (Unanimous)

P604-13 COUNCILLOR ATHAS - MOVE TO request that the Public Services Department repair the sidewalk at 5 Calumet Street. (Unanimous)

P605-13 COUNCILLOR ATHAS - MOVE TO request that the Peabody Municipal Light Plant check the floodlight on pole number 105-06 at the Pierpont Park playground; number 40 flood light. The light is supposed to illuminate at night for safety. (Unanimous)

P606-13 COUNCILLOR ATHAS - MOVE TO request that the Public Services Department investigate the buildup of debris in Strong Water Brook at the rear of 26 Aborn Street. (Unanimous)

P607-13 COUNCILLOR ATHAS - MOVE TO request that the Police Department provide some kind of police presence at the intersection of the Walnut Street/Central Street pedestrian light crossing. (Unanimous)

P608-13 COUNCILLOR ATHAS - MOVE to request that the Parks, Recreation & Forestry Department trim a 75-foot section of city trees that are hanging into the public way on Lincoln Street starting at the corner of Lincoln Street and Hourihan Street on the left side. This overgrowth is preventing the safe passage of motor vehicles. (Unanimous)

P609-13 COUNCILLOR ATHAS – MOVE TO request that the Public Services Department relocated the crosswalk signs on Christina Drive due to the relocation of crosswalks. (Unanimous)

P610-13 COUNCILLOR ATHAS – MOVE TO request that the Public Services Department place a No Parking Here to Corner sign at Drakes Way and Crowninshield Street nearest to Warren Street. (Unanimous)

P611-13 COUNCILLOR ATHAS – Matter of the Record – Reminder to the citizens of Peabody that there will be a sidewalk sale on Main Street on Saturday, August 24<sup>th</sup> from 9:00 a.m. to 4:00 p.m. Several businesses are participating and there will be food and entertainment so all are welcome to attend.

P612-13 COUNCILLOR SINEWITZ – MOVE, under suspension of the rules, to receive item 8-L, special permit application from the Peabody Municipal Light Plant for 0 Russell Street and request a public hearing be scheduled on the same. (Unanimous)

P613-13 COUNCILLOR SINEWITZ – MOVE TO request that the Forestry Department trim the tree branches in front of the signal light at the bike path nearest to Hannaford Plaza. (Unanimous)

P614-13 COUNCILLOR SINEWITZ – MOVE TO request that the Public Services Department remove the abandoned newspaper containers in front of the North Shore Bank and off of Main Street in general if they are abandoned and to store if they are ever claimed. (Unanimous)

P615-13 COUNCILLOR SINEWITZ – MOVE TO request that the Building Inspector send a letter to commercial property owners on Main Street who own multiple family dwellings/apartment buildings to provide commercial trash pickup for their tenants. There is an increasing amount of trash being placed on sidewalks on Main Street for trash pickup that is becoming unsightly. (Unanimous)

P616-13 COUNCILLOR SINEWITZ – MOVE TO request that the Public Services Department submit a cost estimate for paving Waldingfield Drive, and to also install a connecting storm drain. There appears to be an underground water problem on this street. Request this motion go to the attention of James Nicholas at Public Services. (Unanimous)

P617-13 COUNCILLOR SINEWITZ – MOVE TO request that the Building Inspector investigate the sign at the Stonewood Plaza. The sign is blinking 24/7 and the sign should go off when the plaza closes. (Unanimous)

P618-13 COUNCILLOR GOULD (Co-Motion with Councillor Osborne) – MOVE TO request that the Public Services Department place a street sign for Carol Ann Road at Dark Lane. (Unanimous)

P619-13 COUNCILLOR GOULD – MOVE, under suspension of the rules, to receive communication 8-N from Daniel Sullivan, 38 Gardner Street, concerning numerous water breaks on Gardner Street and to be referred to the Public Services Committee. (Unanimous)

### **COMMUNICATIONS FROM HIS HONOR THE MAYOR**

Previously received.

**COMMUNICATIONS FROM CITY OFFICERS AND OTHERS**

P620-13 COUNCILLOR GRAVEL – MOVE TO receive the Municipal Primary Warrant from the City Clerk and to approve the same. (Unanimous)

P621-13 COUNCILLOR GRAVEL – MOVE TO receive the communication from the Mass DOT, Office of Outdoor Advertising, relative to notice of public hearing on the billboard at 210 Andover Street. (Unanimous)

P622-13 COUNCILLOR GRAVEL – MOVE TO receive the communication from William A. Toomey, 33 Abington Avenue relative to Wilson Terrace and their polling location. (Unanimous)

P623-13 COUNCILLOR GRAVEL – MOVE TO receive the communication from Attorney Michael Smerczynski, City Solicitor, relative to ownership of Essex Center Drive and Essex Green Lane and refer to the public hearing. (Unanimous)

P624-13 COUNCILLOR GRAVEL – MOVE TO receive the communication from Attorney Michael Smerczynski, City Solicitor, relative to legal opinion on storage of taxis and be referred to the Special Permit hearing. (Unanimous)

P625-13 COUNCILLOR GRAVEL – MOVE TO receive the communication from the Building Inspector relative to the transfer of Special Permit 4-2002 for property at 118 Central Street (Special Permit 4-2003; 2 Endicott Street), and to approve said transfer for Clecio Almeida d/b/a Ekletico Productions. (Unanimous)

P626-13 COUNCILLOR GRAVEL – MOVE TO receive the Special Permit application from Vannee Chaisuphatanakul for property at 190-194 Newbury Street and to schedule a public hearing on the same. (Unanimous)

P627-13 COUNCILLOR GRAVEL – MOVE TO receive the communication from Attorney David Adams, 2001 Beacon Street, Brighton, MA submitting an application for Discontinuance Permit; Red Hill Estates mobile home park, 251 Newbury Street and request to schedule a public hearing upon recommendation from the Rent Control Board. (Unanimous)

P628-13 COUNCILLOR GRAVEL – MOVE TO receive the communication from Mass Development Finance Agency relative to Greenworks, Inc., 109-111 Newbury Street. (Unanimous)

P629-13 COUNCILLOR GRAVEL - MOVE TO receive the communication from the Building Inspector relative to the transfer of Special Permit 4-1981 for property at 484 Lowell and to approve said transfer for K & B Granite & Marble. (Unanimous)

**PRESENTATION OF PETITIONS, MEMORIALS AND REMONSTRANCES**

P630-13 COUNCILLOR GRAVEL – MOVE TO receive and approve the following applications for Use of the Frank L. Wiggin Auditorium:

Peabody Cultural Collaborative – October 4, 2013

Peabody Rotary Club – November 2, 2013

Peabody Institute Library Concert Series – January 27<sup>th</sup>, February 24<sup>th</sup> and March 31<sup>st</sup>, 2014

(Unanimous)

P631-13 COUNCILLOR GRAVEL – MOVE TO receive the application for transfer of an Entertainment License from Gallo Nero, 89 Main Street and request a public hearing be scheduled on the same.

(Unanimous)

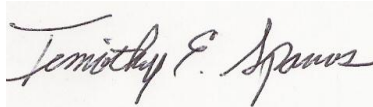
P632-13 COUNCILLOR GRAVEL – MOVE TO receive and approve the renewal of an Innholder License from Spring Suites by Marriott, 43 Newbury Street subject to all papers being in order. (Unanimous)

**UNFINISHED BUSINESS FROM THE PRECEDING MATTER**

None.

MOVED: MOVE TO adjourn. Regular meeting of the Peabody City Council adjourned at 11:45 p.m.

SUBMITTED TO HIS HONOR THE MAYOR, AUGUST 30, 2013  
RETURNED BY HIS HONOR THE MAYOR, AUGUST 30, 2013



ATTEST  
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(Timothy E. Spanos, City Clerk)

**COMMUNICATIONS:**

His Honor the Mayor re: Appropriation – Chapter 90 Projects  
Timothy Spanos, City Clerk re: Primary warrant, September 17, 2013  
Mass DOT, Office of Outdoor Advertising Board re: Billboard hearing for 210 Andover Street  
William A. Toomey, 33 Abington Avenue re: Wilson Terrace polling location  
Attorney Michael Smerczynski, City Solicitor re: Legal opinion; Essex Center Drive  
Attorney Michael Smerczynski, City Solicitor re: Legal opinion; Storage of taxis  
Attorney Michael Smerczynski, City Solicitor re: Legal opinion; Amend special permit/sale of motor vehicles  
Paul Kolodziej, Local Building Inspector re: Special permit transfer; 118 Central Street  
Cub Scout Pack 88, c/o 11 Putnam Street re: Banner request  
Timothy Spanos, City Clerk re: Open meeting law  
Attorney Athan Vontzalides, 246 Andover Street, Peabody re: Appraisal of land on Willowdale Avenue  
Vannee Chaisuphatanakul, 190-194 Newbury Street re: Special permit  
Peabody Municipal Light Plant, 201 Warren Street Extension re: Special permit for 0 Russell Street  
Attorney David Adams, 2001 Beacon Street, Brighton, MA re: Discontinuance permit for Red Hill Estates  
Daniel Sullivan, 38 Gardner Street re: Water breaks on Gardner Street  
Mass Development Finance Agency re: 109-111 Newbury Street  
Paul Kolodziej, Local Building Inspector re: Special permit transfer; 474 Lowell Street; K & B Granite & Marble  
Will Paulitz, City Engineer re: Howley Bridge project

**BLOCK PARTY PERMIT:**

Winnegance Avenue – August 24th  
Dimitrios Circle – September 1st  
Evans Road – September 1st  
Benevento Circle – September 7th

**USE OF THE WIGGIN AUDITORIUM:**

Peabody Institute Library – January 27th, February 24th, March 31st, 2014  
Peabody Cultural Collaborative – October 4, 2013  
Peabody Rotary Club – November 2, 2013

**ENTERTAINMENT LICENSE:**

Gallo Nero, 89 Main Street

**INNHOLDER LICENSE:** (Renewal)

Spring Suites by Marriott, 43 Newbury Street