

**REGULAR MEETING OF THE PEABODY CITY COUNCIL**  
**NOVEMBER 25, 2013**

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

ABSENT: COUNCILLORS: GARABEDIAN, LIACOS, AND DRISCOLL

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.

P881-13 COUNCILLOR GAMACHE - MOVE TO receive and approve the minutes from the last regular meeting of November 14, 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.

(MAYOR BETTENCOURT INTRODUCED INTERIM POLICE CHIEF ROBERT M. ST. PIERRE, WHO APPEARED TO SPEAK BEFORE THE CITY COUNCIL.)

**HEARINGS**

P882-13 COUNCILLOR GAMACHE - MOVE THAT the Special Permit application from Vannee Chaisuphatanakul, 190-194 Newbury Street, Peabody, MA, be allowed to be withdrawn, without prejudice. (Unanimous)

P883-13 COUNCILLOR GAMACHE - MOVE TO continue the public hearing on the Class 2 Motor Vehicle License application from Lee Maserian, 128 Newbury Street. (Unanimous)

A public hearing was duly held on the Petition from Bay Ring Communications, 359 Corporate Drive, Portsmouth, NH. Appearing to speak on behalf of the application was Mr. Donny Pelletier. No one appeared to speak in favor. No one appeared to speak in opposition.

P884-13 COUNCILLOR OSBORNE – MOVE TO approve the application from Bay Ring Communications, 359 Corporate Drive, Portsmouth, NH, for permission to access the right of way on utility poles owned by the Peabody Municipal Light Plant on three (3) poles located in the vicinity of 245 Lynnfield Street, Peabody, MA, subject to all papers being in order. (Carried 8-0; Councillors Garabedian, Liacos and Driscoll absent)

**REPORTS OF COMMITTEE**

**INDUSTRIAL & COMMUNITY DEVELOPMENT COMMITTEE**  
**NOVEMBER 25, 2013**

P885-13 COUNCILLOR GAMACHE – Reporting for the Industrial & Community Development Committee – Earlier this evening the Committee met including myself, Councillor Gravel, Councillor Osborne, and Councillors Gould and Manning-Martin sat in for the other two councillors. The first item on the agenda was the home-rule petition to increase the number of all-alcoholic beverage licenses in the City of Peabody with a total number of 10: Five to the downtown area and five to the Northshore Mall. That came out of Committee unanimously in favor of allowing the Mayor to send that information forward. (Report received)

P886-13 COUNCILLOR GAMACHE – Reporting for the Industrial & Community Development Committee – MOVE TO authorize His Honor the Mayor to file a home-rule petition with the State Legislature to increase the number of all alcoholic beverage licenses in the City of Peabody for a total number of 10: Five to the downtown area and five to the Northshore Mall. (Unanimous)

P887-13 COUNCILLOR GAMACHE – Reporting for the Industrial & Community Development Committee – The other item on the agenda was citizens petition to amend the Peabody Zoning Map. After various discussions, it was determined that procedurally the City Council was incorrect for entertaining them; therefore they were asked to petition the Planning Board for a zoning change and then it would be referred to the council after the Planning Board motion. (Report received)

P888-13 COUNCILLOR GAMACHE – Reporting for the Industrial & Community Development Committee – MOVE TO request that the Zoning Petition submitted by various property owners on Little's Lane requesting to amend the Peabody Zoning Map changing the following addresses and parcels from Residential R-2 to Central-Business B-C be referred to the Peabody Planning Board in accordance with Chapter 40A of the Massachusetts General Laws to begin the zoning process.

<u>ADDRESS</u>	<u>MAP</u>	<u>PARCEL</u>
0 Little's Lane	085	098
0 Little's Lane	085	099
3 Little's Lane	085	113A
6 Little's Lane	085	096A
8 Little's Lane	085	097
9 Little's Lane	085	111
13 Little's Lane	085	109
15 Little's Lane	085	109A
10 Elliott Place (17 Little Lane)	085	108

(Unanimous)

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

P889-13 COUNCILLOR OSBORNE – MOVE TO receive, under suspension of the rules, Item 8-G communication from Deputy Chief Martin Cohan, Police Department, regarding Inspection reports from November 15<sup>th</sup> and 16<sup>th</sup>; Council request regarding Stonewood Tavern, 139 Lynnfield Street – entertainment and to refer to the public hearing. (Unanimous)

P890-13 COUNCILLOR OSBORNE – MOVE TO receive, under suspension of the rules, Item 8-I communication from Sal Palumbo, Stonewood Tavern, 139 Lynnfield Street, regarding Update regarding entertainment license matter and to refer to the public hearing. (Unanimous)

(COUNCILLOR MELLO RECOGNIZED AND CONGRATULATED COUNCILLOR-ELECT WALSH, COUNCILLOR-ELECT MOUTSOULAS, COUNCILLOR-ELECT MCGINN AND COUNCILLOR-ELECT SASLAW.)

P891-13 COUNCILLOR ATHAS - MOVE TO refer to the Industrial & Community Development Committee a request to reinstitute the community rehabilitation housing program and to request the Director of the Community Development Department appear before the Committee to explain why this program has been suspended. (Unanimous)

P892-13 COUNCILLOR ATHAS – MOVE TO receive, under suspension of the rules, Item 8-D communication from Nikolay Polinovsky, 158-160 Main Street, regarding Special permit application and to request that the City Clerk contact the applicant regarding approvals required before filing. (Unanimous)

P893-13 COUNCILLOR GAMACHE – MOVE TO receive, under suspension of the rules, Item 8-E communication from Total Outdoor Corp., 1 Rear Newbury Street, regarding Special permit application and to set up a public hearing. (Unanimous)

P894-13 COUNCILLOR GAMACHE – MOVE TO receive, under suspension of the rules, Item 8-H communication from Diane Gallucio, 7 Anita Road, Peabody, regarding Request for traffic study on Lowell Street from Goodale to Bourbon Street and to refer to the Municipal Safety Committee. (Unanimous)

P895-13 COUNCILLOR SINEWITZ – MOVE TO request that the Interim Building Inspector appear before the City Council to introduce himself. (Unanimous)

P896-13 COUNCILLOR GRAVEL - MOVE TO send a letter of commendation to Elaine Spindle for her service to the City of Peabody as a teacher, as an assistant to the interim superintendent, and as a principal at the Higgins Middle School for a total career of 30-plus years. (Carried 8-0; Councillors Garabedian, Liacos and Driscoll absent)

(COUNCILLOR GRAVEL WISHED CITIZENS OF PEABODY A HAPPY CHANUKAH.)

**COMMUNICATIONS FROM HIS HONOR THE MAYOR**

None.

**COMMUNICATIONS FROM CITY OFFICERS AND OTHERS**

P897-13 COUNCILLOR GAMACHE – MOVE TO receive a communication from Jennifer Davis, Director, Park & Recreation Department, regarding Tot lot on Cottage Street. (Unanimous)

P898-13 COUNCILLOR GAMACHE – MOVE TO receive a communication from Robert Langley, Director, Public Services Department, regarding Completion of several Council motion requests. (Unanimous)

P899-13 COUNCILLOR GAMACHE – MOVE TO receive a communication from Bourbon Street Mini Storage, LLC, 3 Bourbon Street, regarding Special permit application and to set up a public hearing. (Unanimous)

P900-13 COUNCILLOR GAMACHE – MOVE TO receive a communication from Department of Housing & Community Development, regarding 2013-2014 fuel assistance-cold relief brochure. (Unanimous)

**PRESENTATION OF PETITIONS, MEMORIALS AND REMONSTRANCES**

P901-13 COUNCILLOR GAMACHE – MOVE TO receive and approve the following Taxi/Limousine Driver License, subject to all papers being in order:

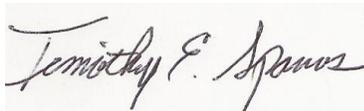
- Kevin Souza – License 116
  - Paulo J. Silva – License 117
  - Carmen Gaeta – License 118
  - Joseph Mahan – License 119
  - Joseph Deangelis – License 120
  - Angel Perez-Reynoso – License 121
- (Unanimous)

**UNFINISHED BUSINESS FROM THE PRECEDING MATTER**

None.

MOVED: MOVE TO adjourn. Regular meeting of the Peabody City Council adjourned at 8:00 p.m.

SUBMITTED TO HIS HONOR THE MAYOR, NOVEMBER 26, 2013  
RETURNED BY HIS HONOR THE MAYOR, NOVEMBER 26, 2013



ATTEST \_\_\_\_\_  
(Timothy E. Spanos, City Clerk)

**COMMUNICATIONS:**

Jennifer Davis, Director, Park & Recreation Department re: Tot lot on Cottage Street

Robert Langley, Director, Public Services Department re: Completion of several Council motion requests

Department of Housing & Community Development re: 2013-2014 fuel assistance-cold relief brochure

Nikolay Polinovsky, 158-160 Main Street re: Special permit application

Total Outdoor Corp, 1 Rear Newbury Street re: Special permit application

Bourbon Street Mini Storage LLC, 3 Bourbon Street re: Special permit application

Deputy Chief Martin Cohan, Police Department re: Inspection reports from November 15th and 16th; Council request regarding Stonewood Tavern, 139 Lynnfield Street – entertainment

Diane Gallucio, 7 Anita Road, Peabody re: Request for traffic study on Lowell Street from Goodale to Bourbon Street

Sal Palumbo, Stonewood Tavern, 139 Lynnfield Street re: Update regarding entertainment license matter

**TAXI/LIMO/SINE DRIVER LICENSE:**

Kevin Souza – License 116

Paulo J. Silva – License 117

Carmen Gaeta – License 118

Joseph Mahan – License 119

Joseph Deangelis – License 120

Angel Perez-Reynoso – License 121