



# PEABODY CITY COUNCIL

Special Permit #19

**Map 085 Lot 089**

September 28, 2021

Building Inspector  
City Hall  
Peabody, MA

Dear Sir:

At a Regular Meeting of the Peabody City Council held on Thursday evening, September 23, 2021, the following Special Permit was approved:

COUNCILLOR MCGINN – BE IT ORDERED by the City Council of the City of Peabody that the application filed by Farm Street Realty Group, LLC, c/o The Panos Law Group, 246 Andover Street, Peabody, MA, for a Special Permit seeking use of the property for a motel and hotel use (Up to ten (10) rooms) as referenced on special permit site plan dated September 7, 2021, and use of the property for three (3), one-bedroom apartment, dwelling units as referenced in special permit site plan dated September 7, 2021, at 2 Washington Street, Peabody, MA, as filed in accordance with Sections 4, 4.2, 4.2.1, 4.2.5, 6.1, and 15.7 of the Peabody Zoning Ordinance be approved based on the following reasons and subject to the following conditions:

Reason: The City Council has determined that the application, as submitted and approved, meets the general requirements of Section 6.1 of the Peabody Zoning Ordinance, specifically 6.1.2 which 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. There shall be a maximum total of three (3) dwelling units to be located only in the 'carriage house' as indicated on the special permit site plan;
2. Dwelling units to be brought into compliance with the lead law following all applicable requirements of 105 CMR 460 and 454 CMR 22, including the use of appropriately licensed lead abatement contractors;
3. Parking shall be provided in accordance with the parking management plan depicted on sheet 2 of the special permit site plan. Parking for 2 Washington Street dwelling units may be located in the 12 Washington Street parking area;
4. In accordance with the special permit application and site plan, all trash and recycling materials shall be treated and fully contained as designated on the site plan and professional pest control services will be utilized on an ongoing basis. Trash and recycling materials shall be removed by a private trash removal service at a frequency adequate to prevent excessive accumulations of such material from residential and commercial uses and no municipal trash pickup shall be provided. For the avoidance of doubt, trash collection shall be in accordance with the ordinances of the City of Peabody and no trash or refuse or recycling collections shall occur between the hours of 7:00 p.m. and 7:00 a.m. of any day of the week;

**Ward Councillors**

Craig S. Welton, Ward 1  
Peter M. McGinn, Ward 2  
James Moutsoulas, Ward 3  
Edward R. Charest, Ward 4  
Joel D. Saslaw, Ward 5  
Mark J. O'Neill, Ward 6

**Councillors at Large**

Thomas L. Gould  
Anne M. Manning-Martin  
Ryan Melville  
Thomas J. Rossignoll  
Jon G. Turco

**Clerk of Council**

Allyson M. Danforth

City Hall  
24 Lowell Street

978-538-5900  
FAX (978) 538-5985



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5. Any pickup or delivery of supplies associated with the commercial use(s) shall be accommodated on the property with no vehicles for such activity parked on Washington Street or Main Street;
6. The applicant understands and agrees that:
  - a. In accordance with the special permit narrative, zoning ordinance Section 5 shall apply including "The Peabody Downtown Design Standards - Main Street Subdistrict" to the extent such standards pertain to exterior renovations and signs. No advertising banners or large signs shall be hung from the exterior fence around the property.
  - b. The property is located in The National Register of Historic Places Washington Street Historic District and the applicant will consent to all exterior renovations being reviewed by the Peabody Historical Commission.
  - c. No apparatus, including, but not limited to, antennas or satellite receiving devices, shall be placed on any roof or any façade of the structure where visible from adjacent streets and/or properties.
  - d. In accordance with the special permit application and site plan, HVAC equipment shall be screened from site. No window air conditioners or similar apparatus shall be installed in the windows of the structure.
  - e. Landscaping shall be maintained in accordance with the special permit site plan and zoning ordinance Section 10. The historic tree must remain and be properly maintained;
7. In accordance with the special permit application and City ordinances, construction hours of operation shall be from 7:00 a.m. to 6:00 p.m. Monday through Friday and 9:00 a.m. to 6:00 p.m. Saturday and otherwise as set forth in zoning ordinance Section 15.13; and
8. All references to the special permit site plan in these conditions shall be to the September 7, 2021, version of such plan.

(Carried 10-0; Councillor Melville absent)

**NOTICE OF DECISION:** *IN ACCORDANCE WITH CHAPTER 40A, SECTION 17 OF THE MASSACHUSETTS GENERAL LAWS, AN APPEAL OF THIS DECISION MUST BE FILED WITHIN TWENTY (20) DAYS FROM THE DATE OF FILING OF SAID DECISION WITH THE APPROPRIATE COURT AND OFFICE OF THE CITY CLERK.*

*IF SAID SPECIAL PERMIT WAS APPROVED, YOU MUST OBTAIN A CERTIFIED COPY OF THE SPECIAL PERMIT FROM THE OFFICE OF THE CITY CLERK, AND A BUILDING PERMIT MUST BE APPLIED FOR AND ISSUED BY THE INSPECTOR OF BUILDINGS AFTER THE TWENTY DAY APPEAL PERIOD HAS EXPIRED. IF THE 20<sup>TH</sup> DAY FALLS ON A WEEKEND DAY (SATURDAY OR SUNDAY), THE NEXT BUSINESS DAY IS CONSTITUTED AS THE 20<sup>TH</sup> DAY. SAID SPECIAL PERMIT MUST BE EXERCISED WITHIN TWO YEARS FROM THE DATE OF TIME STAMP WITH THE OFFICE OF THE BUILDING INSPECTOR. IF NOT, SAID SPECIAL PERMIT SHALL EXPIRE.*



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**THERE SHALL BE NO TRANSFER OF THIS SPECIAL PERMIT UNTIL WRITTEN APPROVAL OF THE SAME IS OBTAINED FROM THE SPECIAL PERMIT GRANTING AUTHORITY, OR ITS DESIGNEE.**

**A COPY OF YOUR SPECIAL PERMIT MUST BE POSTED UPON THE BUSINESS PREMISES IN A CONSPICUOUS PLACE VISIBLE TO THE PUBLIC AT ALL TIMES.**

**THE LAST DAY TO FILE AN APPEAL IN ACCORDANCE WITH MASSACHUSETTS GENERAL LAWS, CHAPTER 40A, SECTION 17, IS OCTOBER 18, 2021.**

**IF THE SAID SPECIAL PERMIT WAS APPROVED, YOU CAN OBTAIN A BUILDING/OCCUPANCY PERMIT FROM THE BUILDING INSPECTOR ON OCTOBER 19, 2021, IF NO APPEALS ARE FILED. IT IS REQUIRED THAT SAID PERMIT BE OBTAINED FROM THE BUILDING INSPECTOR, AND A CERTIFICATE OF BUSINESS BE OBTAINED FROM THE CITY CLERK IN ORDER TO COMPLETE THE SPECIAL PERMIT REQUIREMENTS.**

PEABODY CITY COUNCIL  
COUNCILLOR MARK J. O'NEILL  
CITY COUNCIL PRESIDENT

Allyson M. Danforth  
City Clerk

cc: Planning Board, Community Development Department, Police Department,  
Human Services Department