



Peabody Planning Board Minutes
FOR SEPTEMBER 5, 2024, MEETING
APPROVED OCTOBER 3, 2024

Planning Board Minutes

September 5th, 2024

Time: 7:00—7:31p.m.

Location: The Wiggin Auditorium and simulcast on Peabody Access TV.

Members Present: Mr. Thomas Bettencourt, Attorney Peter Arvanites, Mr. Roy Simoes, Dr. Judith Otto, Mr. Sean Walsh, Mr. Tom French

Others Present: Curt Bellavance {Remote}, Joe Bettencourt, Attorney Edward Pare

► Chairman of the Board Thomas Bettencourt called the meeting to order at 7:00 p.m.

A. Approval of Minutes: 8/15/2024

→**Motion:** Attorney Peter Arvanites—Move approval of the minutes of the August 15th, 2024, Planning Board meeting.

→**Seconded:** Mr. Roy Simoes and Dr. Judith Otto

Unanimously approved.

B. ANR/Land Court: None.

C. Site Building Permit Plan Reviews:

15 NEWBURY STREET (Map 88, Lot 6)

This is an application by GR Development, LLC—seeking a site plan review to construct a car wash to be located at 15 Newbury Street, Peabody, MA. The proposed development involves a single 69,360 s.f. Parcel. The property is located in the {BR1} Zoning District, where a car wash use is permitted by Special Permit from the City Council. The development will include a 4,765 s.f. car wash building with a 135' long single tunnel wash, an equipment room, restroom, office area, and customer service area. To review plans and corresponding documents for this agenda item, please contact Andrew Levin, andrew.levin@peabody-ma.gov, 978-538-5783.

► CONTINUED FROM 8/15/2024

► ACTION CONTINUED TO 9/5/2024

● Chairman of the Board Thomas Bettencourt informed the members that a letter was received as a “late add” concerning this application and requested a recommendation.

→**Motion:** Attorney Peter Arvanites—Move to receive a letter dated September 2nd, 2024, from GPI requesting that the matter of 15 Newbury Street be continued from today’s meeting to the October 3rd, 2024, meeting—move to allow such continuance as requested.

→**Seconded:** Dr. Judith Otto

Unanimously approved.

10 LOWELL STREET (Map 85, Lot 185)

This is an application by jmb design studio—seeking a site plan review to renovate and construct an addition to an existing commercially developed property within the footprint of the existing building located at 10 Lowell Street, Peabody, MA. The property is located in the {BC} Zoning District—a 4,597 s.f. Parcel. To review plans and corresponding documents for this agenda item, please contact Andrew Levin, andrew.levin@peabody-ma.gov, 978-538-5783.

● Mr. Joe Bettencourt {Architect-jmb design studio at 14 North Central Street, Peabody, MA 01960} explained to the Board that he was unable to attend the last meeting because he was away and unable to log-in. Before presenting, Mr. Bettencourt thanked the Board for all the feedback and noted that they worked very closely with all the City's Boards—all of their input has been great, and we appreciate it.

● Chairman of the Board Thomas Bettencourt commented that he is of no relation to Mr. Joe Bettencourt.

● Mr. Joe Bettencourt then utilized the project's plans to illustrate to the Board what the completed project will look like—and outlined the presentation into three components: A-[Design Checklist], B-[Design Goals], and C-[General Project Overview]. Mr. Bettencourt then proceeded to elaborate at length on each slide.

10 LOWELL STREET (BRODIE'S PUB): GENERAL DESIGN OVERVIEW

1. GUIDELINES: DOWNTOWN DESIGN STANDARDS- MAIN STREET SUBDISTRICT - 2016

A. DESIGN CHECKLIST (from mainstreet guidelines)

OVERALL PRINCIPLES	BUILDING DESIGN AND FORM	SIGNAGE
<ul style="list-style-type: none"> 1. Maintain the historic character of the downtown Peabody Main Street Subdistrict. 2. Enhance the public realm experience. 3. Reinforce the quality of the buildings in downtown Peabody. 4. Create a new destination in Peabody Square. 5. Create a catalyst for other projects in the area. 	<ul style="list-style-type: none"> 1. Building Design and Form 2. Building Facades 3. Signage 4. Sign Illumination 	<ul style="list-style-type: none"> 1. Signage 2. Sign Illumination
SITES AND BLOCKS	BUILDING FACADES	BUILDING SIGNAGE
<ul style="list-style-type: none"> 1. Building Design and Form 2. Building Facades 3. Signage 4. Sign Illumination 	<ul style="list-style-type: none"> 1. Building Design and Form 2. Building Facades 3. Signage 4. Sign Illumination 	<ul style="list-style-type: none"> 1. Building Design and Form 2. Building Facades 3. Signage 4. Sign Illumination
SITE AND CIRCULATION CHARACTERISTICS		
<ul style="list-style-type: none"> 1. Building Design and Form 2. Building Facades 3. Signage 4. Sign Illumination 		

B. DESIGN GOALS

1. Complement the character of downtown Peabody
2. Enhance the public realm experience
3. Reinforce the quality of the buildings in downtown Peabody
4. Create a new destination in Peabody Square
5. Create a catalyst for other projects in the area

C. GENERAL PROJECT OVERVIEW

Project Size and Data:

OVERALL GSF: 10,671 +/-

- FLOOR 1: 3,016 GSF + BRODIE'S PUB
- FLOOR 2: 2,813 GSF + BRIDGE BIKES
- FLOOR 3: 2,814 GSF + SALON SUITES
- FLOOR 4: 2,031 GSF + SALON SUITES

Use Types:

- FLOOR 1: ASSEMBLY USE (127 OCCUPANTS)
- FLOOR 2: ASSEMBLY USE (28 OCCUPANTS)
- FLOOR 3: BUSINESS USE
- FLOOR 4: BUSINESS USE

Construction Type: 5A
Building Height to Cornice: 49'-6"

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2. PROJECT OVERVIEW: DESCRIPTION: CHARACTER OF DOWNTOWN

FROM DESIGN GUIDELINES

Building Design and Form

Downtown Peabody is defined by historically significant architecture and form that contribute to the character of the town. To maintain this character, new buildings should be designed to complement the existing historic buildings in terms of scale, massing, and architectural details. Buildings should be designed to contribute to the overall character of the downtown Peabody Main Street Subdistrict.

CHARACTERISTICS OF BUILDINGS DOWNTOWN BUILDINGS

- BRICK FACADES
- STRONG BASE
- DISTINCT CORNICE
- SIGNAGE
- STREET ACTIVATION
- CIVIC SCALE
- BASE
- BRICK
- TOP
- CONTRIBUTION TO DOWNTOWN IMAGE
- ENHANCES PUBLIC REALM EXPERIENCE

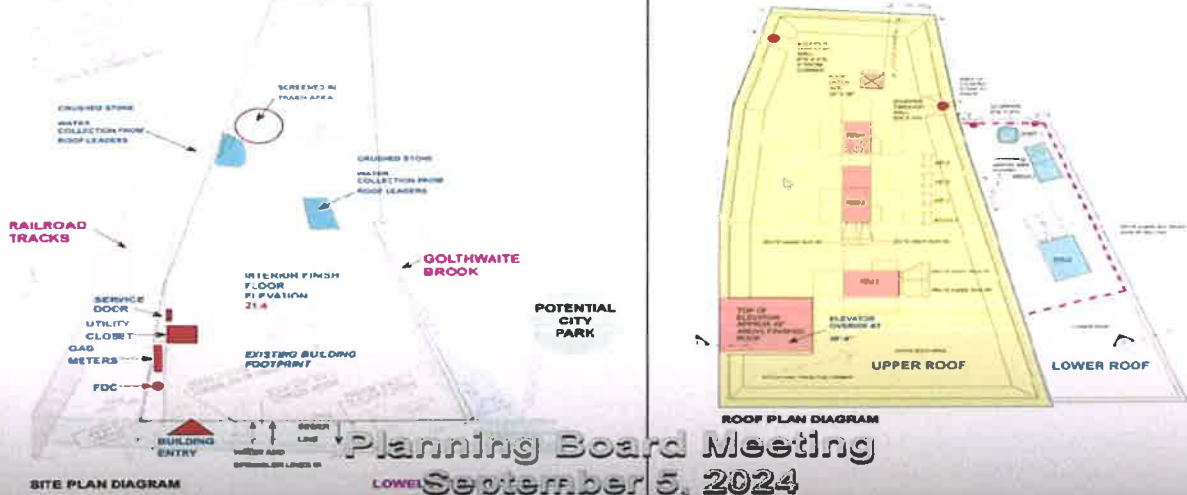
1. AERIAL VIEW- 1954

2. PEABODY SQUARE- 1954

2. PEABODY SQUARE- 2024

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3- SITE PLAN AND ROOF PLAN: TECHNICAL COMPONENTS OF THE PROJECT



4. GROUND FLOOR PLAN



5. SECOND FLOOR PLAN



9. LIGHTING AND ARCHITECTURAL CHARACTER



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10. LIGHTING AND ARCHITECTURAL CHARACTER



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- Mr. Joe Bettencourt then opened up the floor to any questions.
- Dr. Judith Otto commented on how the Park was beautifully rendered, and asked for further clarification and confirmation on whether or not the Park was part of the project. Mr. Joe Bettencourt confirmed that the Park was not part of the project.
- Mr. Sean Walsh inquired as to what was being done during construction to prevent debris from falling into the brook—protecting the water source, and protecting people accessing the brook. Mr. Joe Bettencourt explained that they met with the Conservation Commission, and we proposed actually providing panels with a screen so that any debris that falls on those panels, we're able to sweep up and clean—and we've had that right from day one. Mr. Walsh's follow-up question dealt with any plans for water drainage from the building flowing into the brook. Mr. Bettencourt's response was no, and elaborated [leaders come down into strategic

locations that have crushed stone—the idea is that as the water comes down, it will recharge right into the ground].

●Mr. Tom French asked how the occupancy in the new structure compares to occupancy in the current or previous structure. Mr. Joe Bettencourt explained that the first two floors will be restaurant, so that's assembly use—previously upstairs was office use, which was business, and we'll have business on the third and fourth floor as well. Mr. French then clarified upon his question to Mr. Bettencourt, in terms of how many people will be in the building at full capacity compared to what it has been—are you building this so you can have more patrons than what you currently have. Mr. Bettencourt answered that he didn't have the number in front of him, but he thinks it's less than hundred. Mr. French then asked if Mr. Bettencourt had an estimate of additional vehicle traffic or need for parking as a result of this project—compared to what the current need is. Mr. Bettencourt's response was that he didn't have an estimate on that, but he thinks that because of the use, there is no actual requirement to provide additional parking, as Mr. Bettencourt understands it. Mr. French commented that he was just trying to get a sense of the additional traffic flow.

●Mr. Roy Simoes expressed his concerns with a vote already being taken and approved on this project at a prior meeting, and inquired as to what the appropriate recourse would be to rectify the situation. A lengthy discussion was had on the subject between Mr. Simoes, Attorney Peter Arvanites, and Chairman of the Board Thomas Bettencourt. The consensus was that the Board vote again on the application.

→**Motion:** Attorney Peter Arvanites—The Planning Board move to approve the application of jmb design studio for the renovation and construction of an addition to the existing commercially developed property within the existing footprint of the building located at 10 Lowell Street, Peabody, MA—“Site Plan” as submitted.

→**Seconded:** Dr. Judith Otto

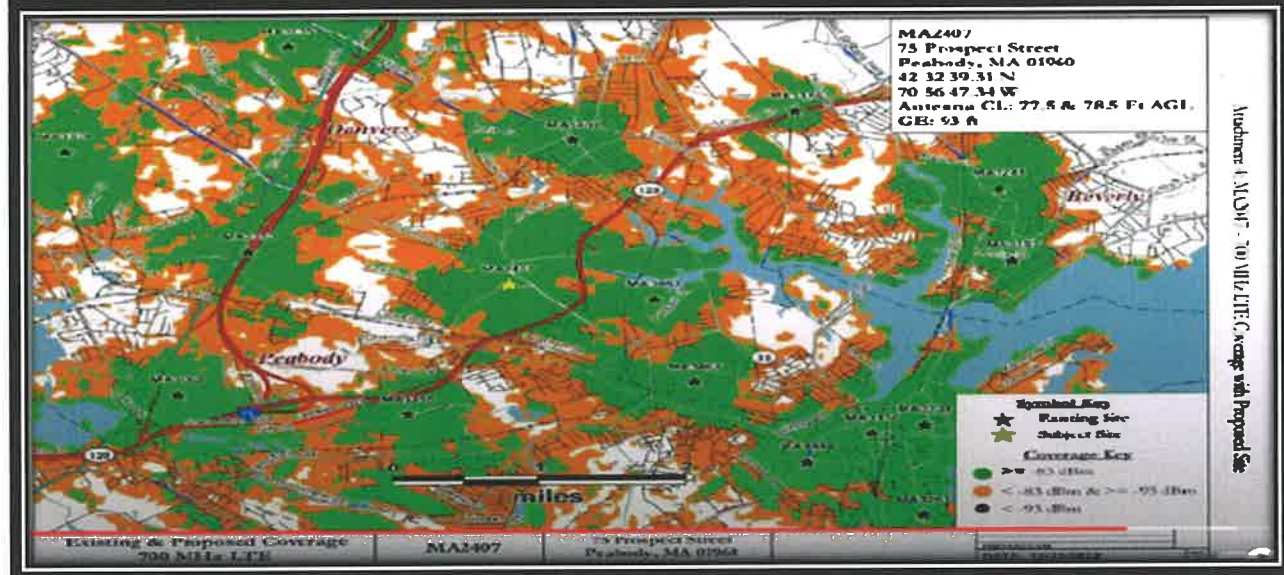
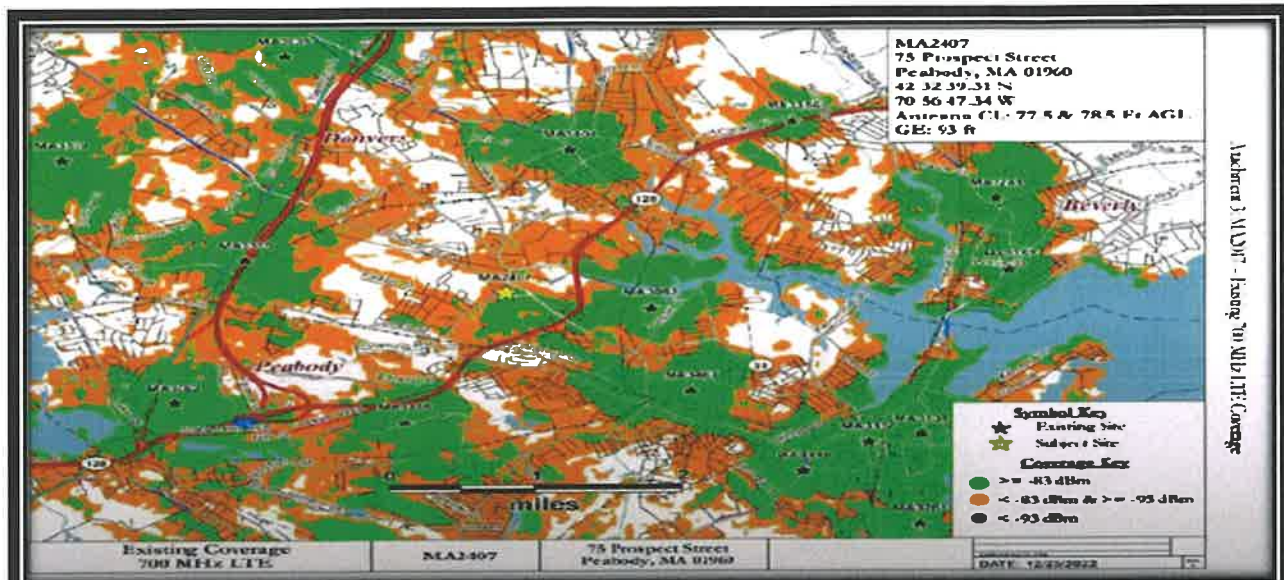
Roll call: 5 to 1.

41 CROSS STREET A.K.A. 75 PROSPECT STREET (Map 39, Lot 600-601)

This is an application by New Cingular Wireless PCS, LLC {AT&T}—seeking a site plan review to collocate nine panel antennas [three antennas per sector] mounted on top of the penthouse on the roof of the building at the 78' 6" above ground level antenna centerline height, extending to 80' 6" above ground level, together with related amplifiers, cables, fiber and other associated antenna equipment, including, without limitation, remote radio heads, surge arrestors, and global positioning system antennas with associated electronic equipment and other appurtenances located within an equipment room within the basement of the building, along with one natural gas generator and HVAC condenser located on the exterior of the building within a compound area enclosed by a chain link fence. The property is located in the {BR} Zoning District. To review plans and corresponding documents for this agenda item, please contact Andrew Levin, andrew.levin@peabody-ma.gov, 978-538-5783.

●Mr. Edward Pare {Attorney-Brown Rudnick} introduced himself and explained that he was representing AT&T. Attorney Pare then shared his laptop screen with the Board for his presentation, and explained that AT&T is proposing to install a minor wireless communication facility on the roof of the building located at 41 Cross—it's the tallest building in the area. Attorney Pare thinks that it was previously approved for a hotel, but currently they're residential apartments. Attorney Pare then utilized his screen slides to elaborate on the project at length. The first slide illustrated the three groupings of antennas, which can be seen in the hatched boxes on top of the penthouse. To the north is the proposed backup power generator with the HVAC condenser unit—to cool the equipment room. Over on the southern side of the building will be the installed equipment cabinets—inside the basement. Attorney Pare then proceeded to scroll through all his slides providing an explanation on each. The second slide focused on the groupings of antennas—nine antennas in total, three on each of the mounts. Attorney Pare then stressed upon the backup powered generator—this is a site that AT&T has designated with FirstNet to provide first responders to priority access to AT&T's network. So, back after 9/11 the Federal Government decided that we needed a first responders' wireless





●Attorney Edward Pare then gave the Board a synopsis of the process followed for this project—meeting with Police and Fire [we had no particular comments that were not addressed] and at this point we have applied for our “Building Permit” [we’ve actually received the “Building Permit”], so we’re here for the Planning Board’s review of the “Site Plan” and would respectfully request that it be approved. Attorney Pare then thanked the Board.

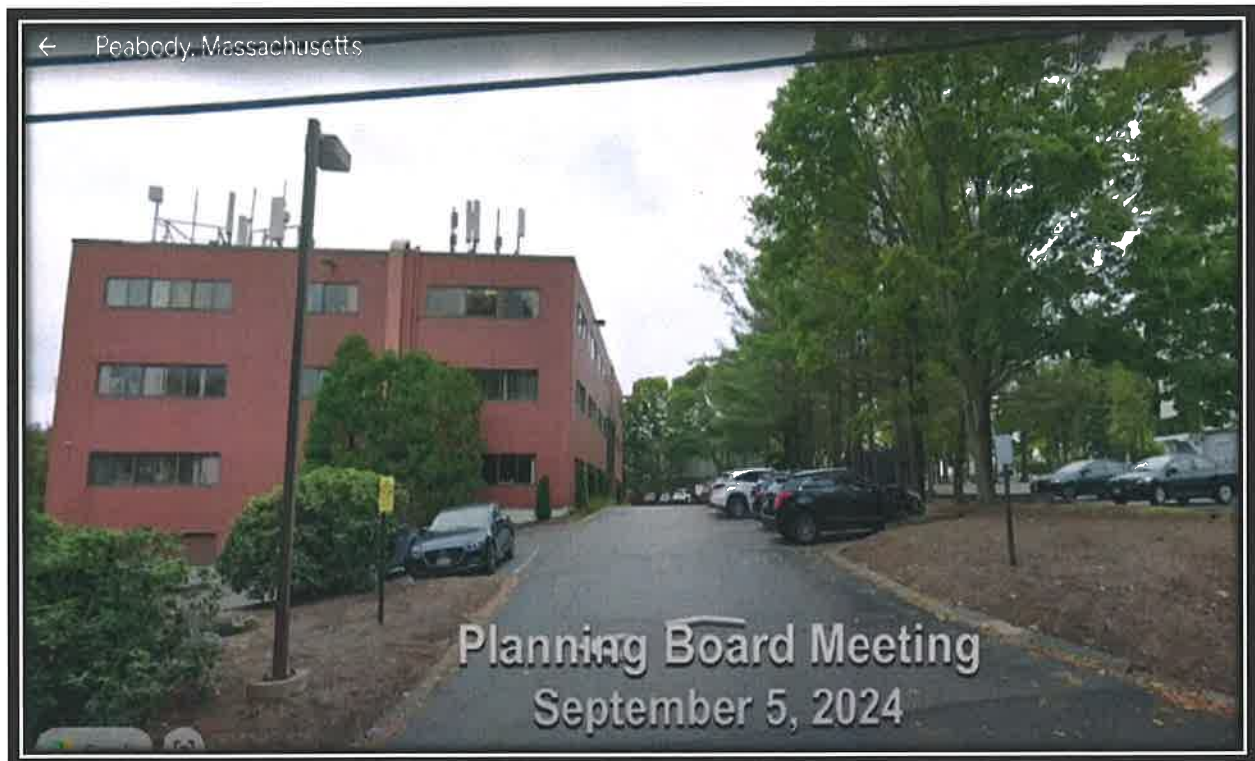
●Dr. Judith Otto commented that on her read of the plans it shows that the only alteration of the actual site is the pad that is holding the generator and the HVAC system, is that correct. Attorney Edward Pare confirmed and added the antennas on the roof, but the site itself on the ground...yes, the generator pad and HVAC condenser. Dr. Otto’s follow-up question to this, and not necessarily for Attorney Pare to be able to answer—our general capacity here in “Site Plan Review” is to make a recommendation to the Building Inspector. If you already have a “Building Permit,” this meeting seems...sorry...kind of unnecessary.

●Mr. Sean Walsh inquired on the overall timeline—when do you expect this project to begin and how long do you expect it to take to complete once it starts. Attorney Edward Pare’s response was typically we would begin within 60-90 days; installation would probably be 30-60 days [it’s not a difficult installation]. Obviously,

we have a lot of work inside the building—bringing power in, powering up the equipment cabinets, installing the generator, so maybe 60-90 days for construction [but it'll mostly be interior]. Attorney Parre noted that a crane will probably be used—the logistics will be coordinated with the Police Department regarding required Police details.

- Attorney Peter Arvanites asked if any work had commenced on the site. Attorney Edward Pare's response was for AT&T, no.

- Mr. Roy Simoes reiterated to Attorney Edward Pare that the control cabinets are going somewhere in the lower level. Attorney Pare confirmed. Mr. Simoes wanted to know what the owner of the building had given up that might have been part of some approval for this now found space for these cabinets. Is it one of the storage rooms like a garage or something that was already there. Attorney Pare clarified, it's actually down in the basement. The owner has the electrical and the heating units on one side of the building and the other side of the basement will house the cabinet [basement space that already exists]. Mr. Simoes then asked if there was a way to screen that section off in any way, so when you're down on the street you see very little of the antennas. Attorney Pare confirmed and elaborated at length—utilizing a photo of the dental facility next door to stress his point.



- Chairman of the Board Thomas Bettencourt noted that he agrees with Dr. Judith Otto's assessment that the Board is in a quandary—we could take a recommendation for "Permit to Issue," but if you already have it... Attorney Edward Pare's response was that it could be revisited—it might be a matter of the way the electronic system works—we satisfied the requirements with the building permit issued. We'll certainly make that point known to the Building Commissioner, if that's the pleasure of the Board—obviously the ordinance requires "Site Plan Review" by the Planning Board for wireless facilities, so we would at least like a recommendation or your approval of the "Site Plan."

→**Motion:** Attorney Peter Arvanites—The Planning Board move to approve the application of AT&T of “Site Plan” to collocate nine panel antennas [three antennas per sector] mounted on top of the penthouse on the roof of the building at 41 Cross Street [A.K.A. 75 Prospect Street] at the 78’ 6” above ground level antenna centerline height, extending to 80’ 6” above ground level, together with related amplifiers, cables, fiber and other associated antenna equipment, including, without limitation, remote radio heads, surge arrestors, and global positioning system antennas with associated electronic equipment and other appurtenances located within an equipment room within the basement of the building, along with one natural gas generator and HVAC condenser located on the exterior of the building within a compound area enclosed by a chain link fence.

→**Seconded:** Dr. Judith Otto

Roll call: 6 to 0.

D. Appointments: None.

E. Subdivision Board Action: None.

F. Correspondence:

1. Memo from Mr. Ross Titelbaum {City of Peabody Treasurer} dated August 28th, 2024, regarding 0 Newbury Street taxes.
2. Regional Notices.

G. City Council: None.

H. Other Matters before the Board: None.

●Dr. Judith Otto commented on the AT&T proposal that was before the Board tonight and some of the other smaller things including Brodie’s, which has no site change from the existing site—makes Dr. Otto think that perhaps in the future we might like to investigate as to what actually constitutes a “Site Plan” and if any changes need to be made to that arrangement in the “Zoning Ordinance.” Chairman of the Board Thomas Bettencourt agreed with Dr. Otto’s statement.

I. Adjournment: 7:31p.m.

→**MOVE to adjourn:** Mr. Sean Walsh

→**Seconded by:** Dr. Judith Otto

Unanimously approved.

An audio and visual recording of the meeting is available by following the link below or copying this link into an internet browser: <https://www.youtube.com/watch?v=oQDREgHiazM>.