

**SEPTEMBER 14, 2020**  
**SPECIAL**  
**ZBA**



CITY OF PEABODY  
2020 SEP -3 P 12:16

CITY CLERK

**City of Peabody  
Zoning Board of Appeals**

City Hall • 24 Lowell Street • Peabody, Massachusetts 01960 • Tel. 978-538-5792

**SEPTEMBER 14, 2020 ZBA AGENDA**  
**LEGAL NOTICE**

**NOTICE IS HEREBY GIVEN THAT THERE WILL BE A SPECIAL REMOTE PARTICIPATION**  
**MEETING OF THE ZONING BOARD OF APPEALS ON**  
**MONDAY, SEPTEMBER 14, 2020, AT 7:00 PM**

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 Zoning Board will be conducted via remote participation to the greatest extent possible. No in-person attendance of members of the public will be permitted, but every effort will be made to ensure that the public adequately access the proceedings in real time, via technological means. Individuals may participate remotely in the meeting via a participation platform called Zoom.

Members of the public and/or parties with a right and/or requirement to attend this meeting may access the remote participation through any one of the following ways:

- Enter this link into your web browser to join the meeting: <https://us02web.zoom.us/j/83324850656>
- Enter this link into your web browser to open the Zoom website: <https://zoom.us/join>. Enter the meeting/webinar ID# **833 2485 0656** as directed on the webpage and click "Join". Follow the on-screen instructions to join the meeting.
- Participants can dial a toll-free number **+1 646 558 8656** to join the meeting. When prompted, enter meeting/webinar ID# **833 2485 0656** and follow the instructions to join the meeting.

PLEASE FAMILIARIZE YOURSELF WITH THE MUTE/UNMUTE FUNCTION AS WELL AS THE RAISE HAND FEATURE ON THE ZOOM PLATFORM.

THE AGENDA FOR THIS MEETING AND THESE INSTRUCTIONS ARE POSTED ON THE CITY OF PEABODY WEBSITE. [WWW.PEABODY-MA.GOV](http://WWW.PEABODY-MA.GOV)

PEABODY ACCESS TELEVISION WILL BE AIRING THIS MEETING LIVE ON CHANNEL 9, AS WELL AS STREAMING ON THEIR FACEBOOK AND YOUTUBE PLATFORMS.

IF YOU WISH TO COMMENT ON OR REVIEW ANY PLANS OR DOCUMENTS RELATED TO ITEMS ON THIS AGENDA PLEASE CONTACT CARLA MCGRATH VIA PHONE, E-MAIL OR WRITTEN LETTER. ANY E-MAIL OR WRITTEN COMMENTS MUST BE RECEIVED BEFORE SEPT. 10, 2020.

ZONING BOARD OF APPEALS  
C/O CARLA MCGRATH, CLERK  
24 LOWELL STREET  
PEABODY, MA 01960  
[carla.mcgrath@peabody-ma.gov](mailto:carla.mcgrath@peabody-ma.gov)  
978-538-5792

## **SPECIAL MEETING**

1. Continued application of **The Residence at Farm Avenue LLC, c/o Attorney Jason Panos**, for a **Chapter 40B Comprehensive Permit Application** as it applies to the premise known as **0 FOREST ST, Peabody, MA, Map 069, Lot 012 AND 27(R) FARM AVE, Peabody, MA, Map 069, Lot 005A**. Petitioner seeks to construct 116 units. The property is located in a **DDD Zoning District**.
2. Continued application of **40 Oak Street Development, LLC**, for a **Chapter 40B Comprehensive Permit Application** as it applies to the premise known as **40 Oak Street, Peabody, MA, Map 095, Lot 089X**. Petitioner seeks to construct 80 rental units. The property is located in an **R4 Zoning District**.

## **BUSINESS MEETING:**

## **REPORTS:**



CITY OF PEABODY

2020 OCT 21 P 1:01

CITY CLERK

**SEPTEMBER 14, 2020 ZBA MEETING MINUTES**

A special meeting of the Peabody Zoning Board of Appeals was held on Monday September 14, 2020 at 7:00 via Zoom

<b>MEMBERS PRESENT</b>	<b>MEMBERS ABSENT</b>
Frances Bisazza-Gallugi, Chairperson	Keith Slattery (A)
Barry Osborne	Stephen Zolotas
Daniel Sencabaugh, Secretary	
Ed Colbert	
Julie Picardi	



CITY OF PEABODY

2020 SEP 10 P 2:56

CITY CLERK

City of Peabody  
**Zoning Board of Appeals**

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PLEASE NOTE A CONTINUANCE HAS BEEN REQUESTED BY THE APPLICANTS FOR 27(R) FARM AVE AND 40 OAK STREET. THE ZONING BOARD OF APPEALS WILL MEET VIRTUALLY ON SEPTEMBER 14, 2020 TO ACCEPT THESE REQUESTS AND RESCHEDULE, BUT THERE WILL NOT BE ANY PRESENTATIONS. THIS WILL BE A VERY SHORT PROCEDURAL MEETING.

PLEASE CALL CARLA MCGRATH AT 978-538-5792 OR EMAIL [CARLA.MCGRATH@PEABODY-MA.GOV](mailto:CARLA.MCGRATH@PEABODY-MA.GOV) WITH ANY QUESTIONS.

Sept 21 reg

Oct 5 King St pres

Oct 19 reg

Oct 26 40 Oak 27 Farm Ave,

100% ready to present.

#2

September 11, 2020

2020 SEP 14 A 8:14

CITY CLERK

VIA EMAIL

Frances Gallugi, Chair  
Zoning Board of Appeals  
City of Peabody  
City Hall  
24 Lowell Street  
Peabody, Massachusetts 01960

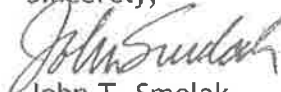
RE: Applicant: 40 Oak Street Development, LLC  
Property: 40 Oak Street (Map 095, Lot 089x)  
Chapter 40B Comprehensive Permit Application  
Request for Continuance

Dear Chairperson Gallugi and Other Board Members:

On behalf of the Applicant, 40 Oak Street Development, LLC, we are requesting the Board to vote to continue the hearing for the matter above from the scheduled hearing date of Monday, September 14, 2020 to the Zoning Board's next scheduled meeting to a time, place and date certain. The reason for the request is to enable the Applicant to take additional time to respond to peer review and other comments received.

Thank you for your assistance.

Sincerely,

  
John T. Smolak

JTS/

cc: Michael & Patrick Larkin  
Distribution List

# THE PANOS LAW GROUP

COUNSELORS AT LAW

JASON A. PANOS PEABODY  
JPANOS@PANOS-LAW.COM  
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F 978-406-8979

September 3, 2020

CITY CLERK

**DELIVERY BY EMAIL TO:**  
carla.mcgrath@peabody-ma.gov

Carla D. McGrath,  
Zoning Board of Appeals Clerk  
Peabody City Hall  
24 Lowell Street  
Peabody, MA 01960

Re: 27R Farm Avenue/0 Forest Street (Parcel 069-005A; Parcel 069-012)  
Comprehensive Permit Application Request for Continuance

Dear Madam Clerk-

The above referenced matter is scheduled for continued special hearing scheduled for September 14, 2020. The Applicant, The Residences at Farm Avenue LLC kindly requests further continuance to any time it is convenient for the Zoning Board of Appeals to conduct a special hearing on or after any day of the week beginning September 28, 2020. Please advise us of a suitable date when one becomes available.

The project team is working diligently through peer review and preparing responses to that DPS Memorandum of August 15, 2020. As you recall, the City's consultant reviewing Water, Weston & Sampson, did not provide required water calculations and modeling upon which we could adequately respond. Additionally, the Applicant is preparing responses to the DPS Memorandum on other items being Stormwater, Traffic, and Sewer, for submission to DPS by the week of September 7. This will not leave enough time to reconcile and close out all comments by the Board's September 14, 2020 special hearing.

We appreciate, in advance, the Board's accommodation on this request and we look forward to working with it to complete this process in a manner which leaves no outstanding issues in contemplation of closing the Board's hearing on this matter. Please do not hesitate to contact me with any questions or comments.

Very truly yours,

  
Jason A. Panos

Thanks!

CC: Zoning Board of Appeals  
Client  
Hayes Engineering, Inc.