



Ward Councillors

Jon G. Turco, Ward 1
Peter M. McGinn, Ward 2
James Moutsoulas, Ward 3
Edward R. Charest, Ward 4
Joel D. Saslaw, Ward 5
Barry C. Sinewitz, Ward 6

Councillors at Large

Michael V. Garabedian
Thomas L. Gould
David C. Gravel
Anne M. Manning-Martin
Thomas P. Walsh

Clerk of Council

Timothy E. Spanos

City Council Stenographer

Allyson Danforth, RPR

City Hall
24 Lowell Street

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



PEABODY CITY COUNCIL

Special Permit #9

Map 35 Lot 25

May 18, 2016

Building Inspector
City Hall
Peabody, MA

Dear Sir:

At a Regular Meeting of the Peabody City Council held on Thursday evening, May 12, 2016, the following Special Permit was approved:

P321-16COUNCILLOR SASLAW – BE IT ORDERED by the City Council of the City of Peabody that the application from 535 Lowell St Peabody, LLC, c/o Yebba Realty Ventures, 321 Columbus Avenue, Boston, MA for a Special Permit to alter an existing, non-conforming building, by demolishing 25,000 SF of an existing structure and constructing a new free standing structure of 30,300 + SF that complies with applicable setback requirements with associated parking and landscape improvements at 525 Lowell Street, Peabody, MA as filed in accordance with Sections 1.5, 6.1 and 15.7 of the Peabody Zoning Ordinance be approved based on the following reasons.

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. The Development Impact Report dated March 23, 2016 prepared by RJ O'Connell & Associates, Inc. is made a part of the record as reasons for approval.

Approval is additionally granted for a waiver of landscape buffers as outlined in Section 10 of the Peabody Zoning Ordinance, specifically, Section 10.4 (A), Section 10.5.3 (1), and Section 10.5.3 (2), Section 10.7 (C). Specific landscape waivers are outlined in the development impact report submitted by RJ O'Connell & Associates, Inc., dated March 23, 2016.

The use of the property will be a shopping center comprised of mixed uses including but not limited to indoor recreation (family entertainment), retail, pharmacy, bank, office, and a barber shop which are allowed uses in the BR Zoning District. The plan entitled "Site Plan for Redevelopment of 535 Lowell Street, Prepared by RJ O'Connell & Associates, Inc., dated March 22, 2016" shall be the plan of record. (Carried 11-0)

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.



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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 20TH DAY FALLS ON A WEEKEND DAY (SATURDAY OR SUNDAY), THE NEXT BUSINESS DAY IS CONSTITUTED AS THE 20TH 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.

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 JUNE 7, 2016

IF THE SAID SPECIAL PERMIT WAS APPROVED, YOU CAN OBTAIN A BUILDING/OCCUPANCY PERMIT FROM THE BUILDING INSPECTOR ON JUNE 8, 2016 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 PETER M. MCGINN
CITY COUNCIL PRESIDENT

Timothy E. Spanos
City Clerk

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