



PEABODY CITY COUNCIL

Special Permit #11

Map 25 Lot 10

June 12, 2015

Building Inspector
City Hall
Peabody, MA

Dear Sir:

At a Regular Meeting of the Peabody City Council held on Thursday evening, June 11, 2015, the following Special Permit was approved:

COUNCILLOR SASLAW – BE IT ORDERED by the City Council of the City of Peabody that the application from Frances Tilley, 6 Oran Circle, Peabody, MA for a Special Permit seeking permission for the retail sales of ice cream and candy products at 598A Lowell Street, Peabody, MA as filed in accordance with Sections 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 conditons:

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) Hours of operation shall be Sunday through Thursday from 12:00 p.m. to 9:00 p.m. Friday and Saturday from 12:00 p.m. to 10:00 p.m.
- 2) That in the main parking lot and the secondary parking lot at 600 Lowell Street, that there be three (3) signs posted in each parking lot stating "please turn off headlights when parked".
- 3) No outside tables shall be located on the premises.
- 4) No outside music at any time.
- 5) All employee parking will park in the back parking lot at 600 Lowell Street.
- 6) Trash barrels must be maintained outside of the store.
- 7) A plan review application must be submitted and agree upon by the Health Department prior to start of the construction.

(Carried 11-0)

Ward Councillors

Barry P. Osborne, Ward 1
Peter M. McGinn, Ward 2
James Moutsoulas, Ward 3
Robert E. Driscoll, 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
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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 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 JULY 2, 2015

IF THE SAID SPECIAL PERMIT WAS APPROVED, YOU CAN OBTAIN A BUILDING/OCCUPANCY PERMIT FROM THE BUILDING INSPECTOR ON JULY 3, 2015 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 THOMAS P. WALSH
CITY COUNCIL PRESIDENT

Timothy E. Spanos
City Clerk

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

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