



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
Mark J. O'Neill, Ward 6

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Thomas L. Gould
David C. Gravel
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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 #6

Map 085 Lot 091

February 26, 2018

Building Inspector
City Hall
Peabody, MA

Dear Sir:

At a Regular Meeting of the Peabody City Council held on Thursday evening, February 22, 2018, the following Special Permit was approved:

COUNCILLOR MCGINN – BE IT ORDERED by the City Council of the City of Peabody that the application from Maria Correia, Trustee, 85 Main Street, Peabody, MA, for a Special Permit seeking first floor office use for the owner, second floor 2 one-bedroom apartments, and third floor 2 one-bedroom apartments all within the existing building in the B-C Zoning District at 7 Washington Street, Peabody, MA, as filed in accordance with Sections 4.2.1, 6.1, and 15.7 of the Peabody Zoning Ordinance be approved based on the following reason 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 four (4) dwelling units in the single structure. There shall be a maximum total of two (2) dwelling units on the second level of the structure, a maximum total of two (2) dwelling units on the third level of the structure, no dwelling units on the first level of the structure, and no dwelling units on the basement level of the structure;
- 2) The petitioner shall make reasonable commercial effort to maintain all dwelling units as market-rate apartments or condominiums;
- 3) Residential parking shall be in accordance with the parking management plan included with the application as "12E Continuation Sheet Parking Management Plan";
- 4) The flow of vehicular traffic through the site shall be maintained with vehicular access from Washington Street only and vehicular egress onto Main Street only (right turn only);
- 5) In accordance with the Special Permit application, the exterior of the building will be painted and repaired and the petitioner shall seek guidance on all exterior renovations to the structure from the Peabody Historical Commission;
- 6) 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 Main Street or Washington Street;



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- 7) No window air-conditioners or similar apparatus shall be installed in the windows of the structure and all HVAC equipment will be installed such that it is not visible or screened from sight from adjacent streets and/or properties;
- 8) Any sign for the commercial use in the structure shall comply with the Zoning Ordinance of the City of Peabody;
- 9) All trash and recycling shall be contained in the rear of the structure not visible from the street and adequately screened such that it is not visible to the abutters and such trash and recycling storage location shall be indicated on the final version of the site plan and shall be approved by the Construction Review Committee;
- 10) Trash and recycling materials shall be removed by a private trash removal service 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;
- 11) If possible given the limitations of the site, landscaping shall be established and maintained on Washington Street in accordance with the provisions of Section 10.5.3 C 2 and 5.2.8 of the City of Peabody Zoning Ordinance and shall be approved by the construction review committee;
- 12) In accordance with 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;
- 13) The project shall be subject to construction review and subject to the recommendations of the Construction Review Committee;
- 14) The building shall be protected by an automatic sprinkler system per MGL Chapter 148, Section 26I and the MA state building code; and
- 15) Alleged violations of Special Permit conditions may result in a show cause hearing at the City Council.
- 16) (Carried 10-0; Councillor Moutsoulas 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 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.



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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 MARCH 19, 2018

IF THE SAID SPECIAL PERMIT WAS APPROVED, YOU CAN OBTAIN A BUILDING/OCCUPANCY PERMIT FROM THE BUILDING INSPECTOR ON MARCH 20, 2018 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 EDWARD R. CHAREST
CITY COUNCIL PRESIDENT

Timothy E. Spanos
City Clerk

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