



#### 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 #28

## Map 95 Lot 148X

July 19, 2017

Building Inspector  
City Hall  
Peabody, MA

Dear Sir:

At a Regular Meeting of the Peabody City Council held on Tuesday evening, July 18, 2017, the following Special Permit was approved:

COUNCILLOR MCGINN – BE IT ORDERED by the City Council of the City of Peabody that the application from North Shore Heritage Associates (Northeast ARC), 1 Southside Road, Danvers, MA, for a Special Permit to allow for a theater (black box theater) with limited function and reception hall, special event venue involving public and private events located at 22 Foster Street, Peabody, MA, as filed in accordance with Sections 4.2.3, 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 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. Business Hours: Currently open from 7:30 a.m. to 5:00 p.m. Monday through Friday with periodic evening events, and 8:00 a.m. to 4:00 p.m. on Saturday. It is open periodically on Sunday afternoons for exhibit openings. New requested closing times are 10:30 p.m. Sunday through Wednesday, with 10:00 a.m. opening on Sunday and midnight closing Thursday through Saturday;
2. Construction hours shall be Monday through Friday 7:00 a.m. to 6:00 p.m. and Saturday 9:00 a.m. to 6:00 p.m.;
3. Service vehicle access to the rear of the building shall only occur during business hours;
4. The application shall make ongoing reasonable efforts to prevent noise from becoming disruptive to residential abutters; and
5. The applicant will comply with the direction of the Health Department communication dated July 13th, 2017.

(Carried 11-0)



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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 20<sup>TH</sup> DAY FALLS ON A WEEKEND DAY (SATURDAY OR SUNDAY), THE NEXT BUSINESS DAY IS CONSTITUTED AS THE 20<sup>TH</sup> 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 AUGUST 8, 2017**

**IF THE SAID SPECIAL PERMIT WAS APPROVED, YOU CAN OBTAIN A BUILDING/OCCUPANCY PERMIT FROM THE BUILDING INSPECTOR ON AUGUST 9, 2017 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 JOEL D. SASLAW  
CITY COUNCIL PRESIDENT

Timothy E. Spanos  
City Clerk

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