



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
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PEABODY CITY COUNCIL

Special Permit #8

Map 39 Lot 25

February 2, 2017

Building Inspector
City Hall
Peabody, MA

Dear Sir:

At a Regular Meeting of the Peabody City Council held on Thursday evening, January 26, 2017, the following Special Permit was approved:

P59-17 COUNCILLOR CHAREST – BE IT ORDERED by the City Council of the City of Peabody that the application from Group 1 Automotive, Inc., 800 Gesner Road, Suite 500, Houston, TX, for a Special Permit to allow for automotive storage of undamaged and operable vehicles on the property numbered 0 Andover Street, Assessors Map 39, Parcel 25, 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 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. Petitioner shall provide a 100 foot wide buffer area to the residential abutters on Richartson Road and Hog Hill Road, all as shown on the submitted site plan;
2. Petitioner shall construct an 8-foot high board on board fence nearer to the parking lot abutting the properties on Richartson Road to be situated between 75 and 90 feet from the property line. The purpose for varying the distance of the fence is to protect as many trees as possible. The petitioner shall maintain and repair said fence so as to be in good condition at all times;
3. A secondary demarcation fence shall be constructed approximately 5 feet inside the property line abutting the properties on Richartson Road not to exceed 5 feet in height. Said fence to be of a split rail, wrought iron, or other style of aesthetic fence. The petitioner shall maintain and repair said demarcation fence so as to be in good condition at all times;
4. All the light poles installed within the first 120 feet of the west edge of the parking lot shall be reduced from 15 feet in height to 10 feet in height. All light poles beyond that line shall not exceed 15 feet in height. In addition, all lights shall be fully shielded/cutoff, and spill controlled. Two-thirds of the inventory lot light poles will be turned off after business hours;



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5. Petitioner shall construct a pipe extending from the northwestern most basin to the right-of-way of Richartson Road for future connection by the City of Peabody to the local storm system and residential sump pumps. In addition, each residential abutter on Richartson Road shall have the right to discharge their clean sump pump drainage water directly on to the petitioner's property;
6. Petitioner shall deed to the City of Peabody that portion of the subject premises that has frontage on Richartson Road and is shown on the site plan as an unmarked lot situated in the buffer area;
7. All motor vehicles being delivered by car carrier shall be unloaded on the premises at the existing Audi Dealership at 252 Andover Street. No car carrier shall enter into the storage lot; and
8. If it becomes necessary to remove snow from the storage lot, said snow removal shall not occur earlier than 8:00 a.m. and no later than 9:00 p.m. on Monday through Friday and no earlier than 9:00 a.m. and no later than 6:00 p.m. on Saturday and Sunday.

(Carried 10-0; Councillor Garabedian 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.

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 FEBRUARY 22, 2017.

IF THE SAID SPECIAL PERMIT WAS APPROVED, YOU CAN OBTAIN A BUILDING/OCCUPANCY PERMIT FROM THE BUILDING INSPECTOR ON FEBRUARY 23, 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.



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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,

