



PEABODY CITY COUNCIL

Special Permit #12

Map 115 Lot 131A
Map 116 Lot 257

July 24, 2013

Building Inspector
City Hall
Peabody, MA

Dear Sir:

At a Regular Meeting of the Peabody City Council held on Thursday evening, July 11, 2013, the following Special Permit was denied:

P510-13 COUNCILLOR OSBORNE – BE IT ORDERED by the City Council of the City of Peabody that the application from James C. Pica, 176 Lynn Street, Peabody, MA, for a Special Permit for the operation of a farm stand (sales room for sales of nursery, garden, or farm products) all as an as of right use within a structure located within the BN zone, and with an accessory greenhouse located in a R-1A zoning, which requires a Special Permit, and further to operate a retail store for packaged alcoholic beverages (beer and wine) within the farm stand in a BN zone at said 176 Lynn Street, Assessors Map 115, Parcel 131A and Assessors Map 116, Parcel 257, Peabody, MA, as filed in accordance with Sections 4.1 and 15.7 of the Peabody Zoning Ordinance be approved based on the following reasons:

Reason: Owing to the fact that the use as approved 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.
(Failed 6-4; Councillors Liacos, Gravel, Manning-Martin and Mello in favor; Councillor Sinewitz absent)
[REASONS FOR DENIAL STATED IN PUBLIC HEARING TRANSCRIPT]

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.

CITY OF PEABODY
2013 JUL 24 P 12:14
CITY CLERK

Ward Councillors

Barry P. Osborne, Ward 1
Arthur W. Athas, Ward 2
Rico E. Mello, Ward 3
Robert E. Driscoll, Ward 4
David R. Gamache, Ward 5
Barry C. Sinewitz, Ward 6

Councillors at Large

Michael V. Garabedian
Thomas L. Gould
David C. Gravel
James K. Liacos
Anne M. Manning-Martin

Clerk of Council

Timothy E. Spanos

City Council

Stenographer

Allyson Danforth

City Hall
24 Lowell Street

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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 AUGUST 13, 2013

PEABODY CITY COUNCIL
COUNCILLOR THOMAS L. GOULD
CITY COUNCIL PRESIDENT

A handwritten signature in cursive script that reads "Timothy E. Spanos".

Timothy E. Spanos
City Clerk

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

City Hall
24 Lowell Street

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