



PEABODY CITY COUNCIL

Special Permit #18

Map 35 Lot 38A

June 23, 2014

Building Inspector
City Hall
Peabody, MA

Dear Sir:

At a Regular Meeting of the Peabody City Council held on Thursday evening, June 19, 2014, the following Special Permit was approved:

P476-14 COUNCILLOR SASLAW – BE IT ORDERED by the City Council of the City of Peabody that the application All Pro Landscaping Co., Inc., 8 Johnson Street, Peabody, MA for a Special Permit for the office and shop of a contractor, landscaper, provided all outdoor storage is surrounded by a six-foot high sight impervious fence at 190 Rear Newbury Street, Peabody, MA as filed in accordance with Sections 4.1, 6.1 and 15.7 of the Peabody Zoning Ordinance be approved based on the following reasons and subject to the following conditions:

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.

Conditions:

- 1) Hours of operation shall be 6:00 a.m. to 8:00 p.m. Monday through Friday; 7:00 a.m. to 8:00 p.m. on Saturday; and 9:00 a.m. to 5:00 p.m. on Sundays. Access to units in emergency situations is granted beyond the stated hours of operation i.e. snow removal operations.
- 2) Trucks to be initially pre-loaded during normal business hours and further allowed to be re-loaded when snow emergency situations arise.
- 3) All trucks to be loaded by a front end loader only with respect to sand, salt, mulch, etc.
- 4) The applicant shall develop a plan with the Board of Health with respect to the management of mulch and sand storage to prevent nuisance conditions including the migration of odors, dust, noise onto residential properties or serving as an attractant/harborage for rodents.
- 5) The Plan of Record is entitled Existing Conditions Plan, prepared by Eastern Land Survey Associates, Inc., dated July 20, 2011 and revised May 5, 2014
(Carried 9-0, Councillor Manning-Martin and Garabedian absent)

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

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PEABODY CITY COUNCIL

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.

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

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Clerk of Council

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City Council

Stenographer

Allyson Danforth

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 14, 2014

IF THE SAID SPECIAL PERMIT WAS APPROVED, YOU CAN OBTAIN A BUILDING/OCCUPANCY PERMIT FROM THE BUILDING INSPECTOR ON JULY 15, 2014 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 ROBERT E. DRISCOLL
CITY COUNCIL PRESIDENT

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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