



PEABODY CITY COUNCIL

Special Permit #24

Map 78 Lot 15A

December 16, 2013

Building Inspector
City Hall
Peabody, MA

Dear Sir:

At a Regular Meeting of the Peabody City Council held on Thursday evening, December 12, 2013, the following Special Permit was denied:

COUNCILLOR GAMACHE – BE IT ORDERED by the City Council of the City of Peabody that the application from 47 Newbury World Realty Trust, 47 Newbury Street, Peabody, MA for a Special Permit to construct a billboard sign on premises at said 47 Newbury Street, Peabody, MA as filed in accordance with Sections 4.1, 11.6 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. The location of billboard sign will be in accordance with the revised plan of land dated December 12, 2013 prepared for Total Outdoor.
2. That approval is subject to Section 11.6.4 (3) of the Peabody Zoning Ordinance; demonstrate that the proposed billboard does not cause an adverse shadow or flicker on adjacent properties.
(Failed 5-3. 3 absent; Councillors Gravel, Osborne and Gamache voting in favor, Councillors Liacos, Manning-Martin and Mello 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.

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

978-538-5900
FAX (978) 538-5985



PEABODY CITY COUNCIL

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

978-538-5900
FAX (978) 538-5985

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 JANUARY 6, 2014.

PEABODY CITY COUNCIL
COUNCILLOR THOMAS L. GOULD
CITY COUNCIL PRESIDENT

Timothy E. Spanos
City Clerk

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