



PEABODY CITY COUNCIL

Special Permit #31

Map 69 Lot 4A

October 9, 2014

Building Inspector
City Hall
Peabody, MA

Dear Sir:

At a Regular Meeting of the Peabody City Council held on Thursday evening, October 2, 2014, the following Special Permit was denied:

P688-14 COUNCILLOR SASLAW – BE IT ORDERED by the City Council of the City of Peabody, acting as the Special Permit Granting Authority; based on the record and proceedings of this public hearing moves **NOT TO APPROVE** the application from Total Outdoor Corp., 100 Cummings Center, Beverly, MA, for a Special Permit to construct a static billboard sign located in a DDD zoning district visible from Route I-95 on premises located at 252 Forest Street, Peabody, MA, and that the following findings have been established as a basis for denial:

Based on the noncompliance of the following sections of the Peabody Zoning Ordinance:

- 11.6.4 (1); The applicant has not demonstrated compliance with the Outdoor Advertising Board Regulations (Commonwealth of Massachusetts).
- 11.6.4 (2); The applicant has not demonstrated that the proposed location does not adversely interfere with the uses of adjacent properties.
- 11.6.4 (5) The application has not demonstrated that the Billboard is in harmony with or suitable for the surrounding area and would not do significant damage to the visual environment and general welfare of the public. In making this determination, the Special Permit Granting Authority finds the following:
 - (i) Request for Determination of Applicability may be required from the Conservation Commission in that the City's GIS shows an intermittent stream or a drainage ditch approximately 130 feet from the proposed billboard. Under the City's local Wetland Ordinance, Chapter 32, land within 200 feet of "any river, stream, creek, brook, whether intermittent or continuous, natural or man-made" are protected.
 - (ii) The proposed billboard would have an adverse effect on residential housing values that are in close proximity to the proposed billboard.

(Carried 10-0; Councillor Gravel 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

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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
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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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Stenographer

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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. THE LAST DAY TO FILE AN APPEAL IN ACCORDANCE WITH MASSACHUSETTS GENERAL LAWS, CHAPTER 40A, SECTION 17 IS OCTOBER 29, 2014.

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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