



PEABODY CITY COUNCIL

Special Permit #32

Map 29 Lot 22

October 16, 2014

Building Inspector
City Hall
Peabody, MA

Dear Sir:

At a Regular Meeting of the Peabody City Council held on Thursday evening, October 9, 2014, the following Special Permit was denied:

P710-14 COUNCILLOR DRISCOLL – BE IT ORDERED by the City Council of the City of Peabody **NOT TO APPROVE** the application from Mark F. & Vanessa Cone, 8 Hardy Street, Beverly, MA, for a Special Permit to own and occupy the property to operate a dog care business, which will include training and the overnight boarding of dogs (kennel license) on premises located at 2 Mount Pleasant Drive, Peabody, MA be denied 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:

1. Section 4.2.1 Residential; The applicants state on their application for Special Permit and they will own and occupy the property at said 2 Mount Pleasant Drive to operate a dog business. The Peabody Zoning Ordinance prohibits a residential use in a Regional Business zoning district;
2. The proposed use does not meet the requirements of Section 6.1.2 Special Permit General Requirements; the use for which the permit is sought will not satisfy a desirable local need, that its design and appearance will be injurious to the established or future character of the vicinity and the neighborhood and that the proposed use is not in harmony with the general purpose and intent of this ordinance as follows:
 - (i) The kennel will impact the quality of life for the abutters who live in an R-1A zoning district with added noise and traffic;
 - (ii) The added noise of boarded dogs will certainly affect the quiet enjoyment of the neighborhood and the surrounding businesses; and
 - (iii) The location is simply not suited for a kennel.

(Carried 10-0; Councillor 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

978-538-5900
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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 NOVEMBER 5, 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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