



Ward Councillors

Jon G. Turco, Ward 1
Peter M. McGinn, Ward 2
James Moutsoulas, Ward 3
Edward R. Charest, 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
FAX (978) 538-5985



PEABODY CITY COUNCIL

Notice is hereby given that the **CITY COUNCIL of the CITY OF PEABODY** will conduct a public hearing on **THURSDAY EVENING, JULY 14, 2016**, at 7:30 P.M., in Frank L. Wiggin Auditorium, City Hall, 24 Lowell Street, Peabody, MA in accordance with the provisions of Chapter 40A, Section 5 of the Massachusetts General Laws **TO CONSIDER AMENDING THE ZONING ORDINANCE OF THE CITY OF PEABODY** as follows:

BE IT ORDAINED by the City Council of the City of Peabody as follows:

SECTION ONE: That the Zoning Ordinance of the City of Peabody entitled, City of Peabody Zoning Ordinance Adopted April 28, 2011 and amended through May 12, 2016 is hereby further amended as follows:

Section 1.5.1 (Nonconformance) of the City of Peabody Zoning Ordinance is hereby amended by adding the following language to the fourth paragraph at the end: "The building inspector shall determine if the proposed alteration does not increase the non-conforming nature of the dwelling and if the proposed alteration or extension requires approval by the Zoning Board of Appeals only."

Section 2.0: By adding definitions for Brewery, distillery or winery with tasting room, and Tasting Room.

Section 4.2.6 (Schedule of Use Regulations, Industrial) of the City of Peabody Zoning Ordinance is hereby amended by adding the following new row immediately following Bakery, wholesale: "Brewery, distillery or winery with tasting room by Special Permit in the GB, GBD, BR, BR1, BC, IL, IP and DDD."

Section 5.2.2 (BC/GBD Downtown Districts Applicability) of the City of Peabody Zoning Ordinance is hereby amended by adding the following sentence to be the second sentence in the paragraph: The Peabody Downtown Design Standards, created in January 2016 and as may be modified, shall apply to any new construction, exterior renovation, signage or site improvements in the BC zoning district and portions of the GB, GBD, BN, BN2, R4 and R2 zoning districts in the vicinity of the Downtown as set forth in the Main Street Subdistrict, Walnut/Foster Street Subdistrict and Washington Street Subdistrict versions of said standards. The Community Development & Planning Department, in conjunction with the Inspectional Services Department, will enforce said standards.

Section 7.1.6: By adding a new subsection entitled Temporary Outdoor Storage Containers



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Section 7.10 (Traffic Visibility Across Corners) of the City of Peabody Zoning Ordinance is hereby amended by (1) creating Section 7.10.1 and moving the language found in former Section 7.10 thereto; and (2) creating Section 7.10.2 to read as follows:

TRAFFIC VISIBILITY SETBACK FOR SIDE BY SIDE DRIVEWAYS

In residential districts where a lot line is also the boundary between two driveways, no fence, wall or similar barrier shall be more than three feet high for the first fifteen feet of the fence, measured from the front lot line of the property with the driveway in question.

A COPY OF THE ENTIRE TEXT OF THE PROPOSED AMENDMENTS ARE AVAILABLE FOR PUBLIC INSPECTION AT THE CITY CLERK'S OFFICE AND COMMUNITY DEVELOPMENT DEPARTMENT, 24 LOWELL STREET, PEABODY, MA DURING NORMAL BUSINESS HOURS AND POSTED ON THE CITY OF PEABODY WEB SITE AT WWW.PEABODY-MA.GOV.

SECTION TWO: All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

SECTION THREE: This ordinance shall take effect as provided by law.

PEABODY CITY COUNCIL
COUNCILLOR PETER M. MCGINN
CITY COUNCIL PRESIDENT

Timothy E. Spanos
City Clerk

Weekly News
June 30th and July 7th, 2016



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Section 1.5.1 (Nonconformance) of the City of Peabody Zoning Ordinance is hereby amended by adding the following language to the fourth paragraph at the end:

The building inspector shall determine if the proposed alteration does not increase the non-conforming nature of the dwelling and if the proposed alteration or extension requires approval by the Zoning Board of Appeals only.

Section 2.0 (Definitions) of the City of Peabody Zoning Ordinance is hereby amended by adding the following definitions:

Brewery, distillery or winery with a tasting room: A business located in a building where the primary use is for the production and distribution of malt, spirituous or vinous beverages with a tasting room. Any such facility that only provides samples at no charge and limited in size as set forth in M.G.L. c. 138 shall have a Commonwealth of Massachusetts issued Farmer Series License and any such facility that sells alcoholic beverages to be consumed on the premises shall have a Commonwealth of Massachusetts issues Farmer Series Pouring License. The facility may host marketing events, special events and/or factory tours. The facility may only sell beverages produced by, and commercial goods branded by, the brewery, distillery or winery. The facility may sell permitted beverages by the bottle to consumers for consumption off the premises.

Tasting Room: A room attached to either a brewery, distillery or winery that allows patrons to sample or consume wine, beer and other alcoholic beverages that are produced on-site in accordance with M.G.L. c. 138. A tasting room may not be greater than 33% of the main building's gross square footage.

Section 4.2.6 (Schedule of Use Regulations, Industrial) of the City of Peabody Zoning Ordinance is hereby amended by adding the following new row immediately following "Bakery, wholesale":

Brewery, distillery or winery with tasting room by Special Permit in the GB, GBD, BR, BR1, BC, IL, IP and DDD.

Section 5.2.2 (BC/GBD Downtown Districts Applicability) of the City of Peabody Zoning Ordinance is hereby amended by adding the following sentence to be the second sentence in the paragraph:

The Peabody Downtown Design Standards, created in January 2016 and as may be modified, shall apply to any new construction, exterior renovation, signage or site improvements in the entire BC zoning district and portions of the GB, GBD, BN, BN2, R4 AND R2 zoning districts in the vicinity of the Downtown as set forth in the Main Street Subdistrict, Walnut/Foster Street Subdistrict and Washington Street Subdistrict versions of said standards.



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Section 7.1 (Dimensional Regulations, Basic Requirements) of the City of Peabody Zoning Ordinance is hereby amended by adding the following new subsection as follows:

7.1.6 Temporary Outdoor Storage Containers

A temporary outdoor storage container shall be properly maintained so as not to create a safety hazard to abutting properties, motorists or to the general public. A safety hazard shall be defined such as a structural deficiency or a visual obstruction that may cause an injury to a member of the general public. A temporary outdoor storage container may remain on any lot within any residential zoning district for a period not more than one hundred and eighty (180) consecutive days. Not more than one (1) temporary outdoor storage container shall be placed on any lot within any residential zoning district at any time without first obtaining the written consent of the Building Commissioner.

Section 7.10 (Traffic Visibility Across Corners) of the City of Peabody Zoning Ordinance is hereby amended by (1) creating Section 7.10.1 and moving the language found in former Section 7.10 thereto; and (2) creating Section 7.10.2 to read as follows:

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