



PEABODY CITY COUNCIL

REGULAR MEETING OF THE PEABODY CITY COUNCIL TO BE HELD ON

THURSDAY EVENING, JULY 11, 2013, AT 7:30 P.M.,
IN THE FRANK L. WIGGIN AUDITORIUM, CITY HALL,
24 LOWELL STREET, PEABODY, MA

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

1. **MEETING OPENS WITH A MOMENT OF SILENT PRAYER**

2. **FLAG SALUTE**

3. **APPROVAL OF THE RECORD**

Special Meeting minutes of June 6, 2013
Regular Meeting minutes of June 13, 2013
Special Meeting minutes of June 20, 2013

4. **HEARINGS**

- a) **Zoning Ordinance and Map Amendment** – Various proposed technical amendments to zoning language. Zoning Map amendment; Pulaski Street Industrial Park-north side of driveway and 22 Mason Street
(RECESS TO AUGUST 22, 2013)
- b) **Petition** – Verizon New England Inc. re: New pole on Murphy Road
- c) **Entertainment License** – Heaven's Taste Restaurant, 150 Main Street re: Live entertainment license
- d) **Special Permit** – GM Fine, LLC, 143 Lynnfield Street re: Indoor recreational facility
- e) **Special Permit** – James C. Pica, 176 Lynn Street re: Farm Stand, accessory greenhouse, and sale of packaged alcoholic beverage (beer & wine)

5. **REPORTS OF COMMITTEES**

Legal Affairs Committee – Councillor Manning-Martin
Finance Committee – Councillor Gravel

6. **MOTIONS, ORDERS AND RESOLUTIONS**

7. **COMMUNICATIONS FROM HIS HONOR THE MAYOR**

- a) Various re-appointments under date of July 3, 2013
- b) Various re-appointments under date of July 3, 2013



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8. COMMUNICATIONS FROM CITY OFFICERS AND OTHERS

- a) Daniel Sullivan, 38 Gardner Street re: Gardner Street water main breaks
- b) Robert Langley, Director, Public Services Department re: Lowell Street/St. Adelaides Church
- c) St. John the Baptist Church, 17 Chestnut Street re: Banner
- d) West Congregational Church, 27 Johnson Street re: Banner
- e) Jeffrey Maniscalco, 7 Fenton Street re: Purchase portion of paper street
- f) Chief Robert Champagne, Police Department re: Stop sign on Rainbow Circle
- g) Chief Robert Champagne, Police Department re: Dobbs Road truck exclusion
- h) Chief Robert Champagne, Police Department re: 21-23 Batchelder Avenue
- i) Paul J. Lanzikos, North Shore Elder Services re: Letter of thanks
- j) Progeria Research Foundation, 2 Bourbon St., Peabody re: Banner
- k) Robert Langley, Director, Public Services Department re: St. Adelaides Church
- l) Attorney Michael J. Smerczynski, City Solicitor re: Legal opinion; charging a permit fee for group homes
- m) Attorney Michael J. Smerczynski, City Solicitor re: Total Outdoor vs City Council
- n) Robert Langley, Director, Public Services Department re: Farm Avenue sewer betterment
- o) The Peabody Diner, 10 Margin Street re: Special Permit application
- p) Total Outdoor Corp., 532 Lowell Street re: Special Permit application
- q) Timothy E. Spanos, City Clerk re: Outdoor Dining License
- r) Planning Board re: Site plan review, Higgins Middle School
- s) Peabody Downtown Association, 77 Main Street re: Request approval for sidewalk sale on August 24, 2013
- t) Robert Langley, Director, Public Services Department re: Traffic light at Lowell Street and Bourbon Street
- u) Palmetto Auto & Tire Accessory, 98 Foster Street re: Special permit application

9. PRESENTATION OF PETITIONS/MEMORIALS/REMONSTRANCE'S

- a) Taxi/Limousine Driver License

Scott Joslyn – License 21	Joseph T. Staten, Jr. – License 22
Sean McKinnon – License 23	Betsy McNaughton – License 24
Alphonse Soltys – License 25	Donald LaMontagne – License 26
Alan Marchesini – License 27	Richard Demeule – License 28
Patrick King, Jr. – License 29	Thomas McCarthy – License 30
Edward Churchill – License 31	Marco Aleixo – License 32
Steven P. Knight – License 32A	Timothy Emerson – License 33
Shane P. Kieran – License 34	Darryl Fanning – License 35
Alejandro Fernandez – License 37	Paul Emelian, Jr. – License 38
David Crawford – License 39	David Benson – License 40
Kevin Dunn, Jr. – License 41	Raymond Roberts, Jr. – License 43
George A. Zuk – License 44	Richard Lohnes – License 45
Anthony Zucchari – License 46	Robert Berzon – License 47



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Howard Bent – License 50
James Kallelis III – License 52
Debra Lucius – License 55
Martin Kardenetz – License 57
Dana McPhee – License 59
William Rasmussen – License 61
Alfred Porter – License 63
William Adamson – License 65
Gary Johnson – License 67
Matthew DiOrio – License 69
Michael Orlando – License 71

JohnKozlowski – License 49
Nicholas Leck – License 51
Rachel Mazola – License 54
Robert Roderick, Jr. – License 56
Kevin Guilfoyle – License 58
Rita Rasmussen – License 60
Neil Wells – License 62
Paul Gifford – License 64
John Queenan – License 66
Mark DiOrio – License 68
Charles DiOrio – License 70

- b) Block Party -
Bay State Road/Lake Shore Road (Lake Shore Park) – July 3rd
9 Scott Drive to Birch Street – July 20th
Jefferson Road to corner of 1 Carol Ann Road – August 3rd
- c) Junk Dealer License (Renewal for 2013)
Elite Design & Consign II, 101 Lynn Street
Gingers Closet, 101 Lynn Street
Peabody Estate Buyers, Inc., 43 Main Street
Jewelers Workbench, 210 Andover Street
- d) Class 3 Motor Vehicle License (New)
Palmetto Used Tire and Accessory, 98 Foster Street (Hearing necessary)
- e) Outdoor Dining License – Azorean Brotherhood of the Holy Ghost,
20 Howley Street
- f) One Day Entertainment License -
Dee's Café, 136 Newbury Street – July 26th and 27th only
- g) Utility Contractor License – Waterline Industries Corporation
7 London Lane, Seabrook, NH

10 UNFINISHED BUSINESS FROM THE PRECEDING MEETING

- a) Ready for Council Adoption
An Ordinance Amending Section 19-81 Parking Prohibited – Handicap Zone of the Code of the City of Peabody – 31 Myles Road
- b) Ready for Council Adoption
An Ordinance Amending Section 19-98.4 Entitled Thirty Minute Zones – Monday Through Friday of the Code of the City of Peabody - Elm Street