



# PEABODY CITY COUNCIL

Special Permit #3

**Map 51 Lot 08**

February 15, 2019

Building Inspector  
City Hall  
Peabody, MA

Dear Sir:

At a Regular Meeting of the Peabody City Council held on Thursday evening, February 14, 2019, the following Special Permit was approved:

COUNCILLOR CHAREST – BE IT ORDERED by the City Council of the City of Peabody that the application from BigTopWorks, LLP, 595 Madison Avenue, New York, New York, for a Special Permit/Special Event to use the northwest area of the Northshore Mall property, near Prospect Street and Essex Lane, next to the East Boston Savings Bank, for performance and production space of Big Apple Circus scheduled to operate between March 29 to May 12, 2019, with typical circus food and beverages, including only beer and wine, at said 210 Andover Street, Peabody, MA, as filed in accordance with Sections 6.1, 6.12, and 15.7 of the Peabody Zoning Ordinance be approved based on the following reason and subject to the following conditions:

Reason: The City Council has determined that the application as submitted and approved meets the general requirements of Section 6.1 of the Peabody Zoning Ordinance, specifically 6.1.2 which 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. That Chief Thomas Griffin, Peabody Police Department, and/or his designee have final approval and say over all detail and public safety concerns;
2. Per Public Services Department, the applicant shall provide their own meter and backflow preventer and set up an account with the Peabody Water Department prior to the use of any on-site hydrant;
3. Per Health Department, a food establishment permit will be required. Pest control, nuisance control, and first aid plans should be submitted and approved prior to the opening of the circus. Sufficient portable restrooms shall be provided to meet maximum expected audience, as well as staff needs to be provided. Also, emergency plans for extreme weather events shall be provided;
4. Per the Peabody Fire Department, contact Peabody Fire Prevention for required permits and detail requirements; and
5. That all costs incurred by the City of Peabody will be covered by the applicant.

(Carried 11-0)

**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.

## 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  
Mark J. O'Neill, Ward 6

## Councillors at Large

Thomas L. Gould  
David C. Gravel  
Anne M. Manning-Martin  
Ryan Melville  
Thomas J. Rossignoll

## Clerk of Council

Timothy E. Spanos

## City Council Stenographer

Allyson Danforth, RPR

City Hall  
24 Lowell Street

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



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*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 20<sup>TH</sup> DAY FALLS ON A WEEKEND DAY (SATURDAY OR SUNDAY), THE NEXT BUSINESS DAY IS CONSTITUTED AS THE 20<sup>TH</sup> 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.*

**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 MARCH 7, 2019**

**IF THE SAID SPECIAL PERMIT WAS APPROVED, YOU CAN OBTAIN A BUILDING/OCCUPANCY PERMIT FROM THE BUILDING INSPECTOR ON MARCH 8, 2019 IF NO APPEALS ARE FILED. IT IS REQUIRED THAT SAID PERMIT BE OBTAINED FROM THE BUILDING INSPECTOR, AND A CERTIFICATE OF BUSINESS BE OBTAINED FROM THE CITY CLERK IN ORDER TO COMPLETE THE SPECIAL PERMIT REQUIREMENTS.**

PEABODY CITY COUNCIL  
COUNCILLOR JON G. TURCO  
CITY COUNCIL PRESIDENT

Timothy E. Spanos  
City Clerk

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