



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

PEABODY CITY COUNCIL

Special Permit 10

Map 085 Lot 132

March 29, 2019

Building Inspector
City Hall
Peabody, MA

Dear Sir:

At a Regular Meeting of the Peabody City Council held on Thursday evening, March 28, 2019, the following Special Permit was approved:

COUNCILLOR MCGINN – BE IT ORDERED by the City Council of the City of Peabody that the application from Sequoia Builders, Inc., 33 Columbia Street, Swampscott, MA, for a Special Permit to allow the office and shop of a contractor at 58 Foster Street, Peabody, MA, as filed in accordance with Sections 4.2.5, 6.1, 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. (Carried 11-0)

CONDITIONS:

1. As required by zoning Section 5.2.2, "The Peabody Downtown Design Standards" will apply to building exterior work and signage;
2. Mechanical systems shall be in place to prevent the migration of noise, dust, odor, and other nuisance impacts from the property;
3. Outside lights shall not shine into abutting residential properties on Oak Street;
4. If floor drains exist or are required, they shall comply with Massachusetts State Plumbing Code;
5. There will be no dumpster on the property. Trash and debris will be stored within the building and removed by dump truck on a periodic basis. All waste pickups will be accommodated on the property;
6. All deliveries and shipments will be accommodated on the property;
7. All materials are to be stored within the building;
8. No vehicles will be stored on the exterior of the property during non-business hours of operation;
9. Any outside site work will require Conservation Commission review as the property is located in a FEMA Flood Zone AE;
10. In accordance with the Special Permit application, business hours of operation are 8:00 a.m. to 6:00 p.m. Monday through Friday and 8:00 a.m. to noon on Saturday;
11. Alleged violations of Special Permit conditions may result in a show cause hearing at the City Council. (Carried 11-0)



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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.

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 20TH DAY FALLS ON A WEEKEND DAY (SATURDAY OR SUNDAY), THE NEXT BUSINESS DAY IS CONSTITUTED AS THE 20TH 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 APRIL 18, 2019

IF THE SAID SPECIAL PERMIT WAS APPROVED, YOU CAN OBTAIN A BUILDING/OCCUPANCY PERMIT FROM THE BUILDING INSPECTOR ON APRIL 19, 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,
Human Services Department