



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 #16

Map 86 Lot 155

June 28, 2019

Building Inspector
City Hall
Peabody, MA

Dear Sir:

At a Regular Meeting of the Peabody City Council held on Thursday evening, June 27, 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 Sina's Kabob House, LLC, 10 Tanglewood Lane, Salem, MA, for a Special Permit seeking use of the premises as a fast food restaurant in a Business Central District without alcohol at 150 Main, 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 reasons 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) All deliveries shall take place on the property;
- 2) A plan review application must be completed with the Health Department prior to the start of construction. Also, a food establishment permit from the Health Department will be required prior to operation;
- 3) Mechanical systems shall be in place to prevent the migration of noise, dust, odor or other nuisance impacts from the property;
- 4) The applicant shall pump their three-compartment sink a minimum of once a month for the first nine months of operation and provide proof of pumping to the Department c/o the Environmental Engineer. After the first nine months the applicant may request to modify the pumping schedule and is to work with both the Public Services Department and the Health Department to do so. The applicant shall provide proof of pumping to the Environmental Engineer until such time as the Public Services Department no longer requires it;
- 5) In accordance with the Special Permit application, the business hours of operation shall be 10:00 a.m. to 10:00 p.m. Monday through Sunday; and
- 6) Construction hours of operation shall be in accordance with the ordinances of the City of Peabody. (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 JULY 18, 2019

IF THE SAID SPECIAL PERMIT WAS APPROVED, YOU CAN OBTAIN A BUILDING/OCCUPANCY PERMIT FROM THE BUILDING INSPECTOR ON JULY 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