



PEABODY CITY COUNCIL

Special Permit #4

Map 116 Lot 222A

January 28, 2020

Building Inspector
City Hall
Peabody, MA

Dear Sir:

At a Regular Meeting of the Peabody City Council held on Thursday evening, January 23, 2020, the following Special Permit was approved:

P34-20 COUNCILLOR WELTON – BE IT ORDERED by the City Council of the City of Peabody that the application filed by James Grieco, 11 Corey Drive, Peabody, MA, for a Special Permit requesting to amend Special Permit 27-2012, specifically amending condition #1 changing the hours of operation to 10:00 a.m. to 10:00 p.m. seven days a week, and condition #4 and #5 to allow the applicant to prepare pizza and submarine sandwiches on premises at 160 Lynn Street, Peabody, MA, as filed in accordance with Sections 1.5, 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 trash to be removed from the business on a nightly basis;
2. Per the Health Department, Plan review with Health Department required before renovation. Owner must renovate in compliance with Federal Food Code or receive a variance from Board of Health before a permit to operate can be granted; and
3. That all the parking restrictions on Lynn Street and surrounding neighborhoods be complied with. Failure of the petitioner, its employees, or customers to adhere to the parking restrictions set forth herein, both on Lynn Street and in the surrounding neighborhoods, including the Brown School entrance, shall constitute a violation of the terms of the Special Permit.

(Carried 9-0; Councillor Saslaw and Councillor Moutsoulas absent)

Ward Councillors

Craig S. Welton, 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
Anne M. Manning-Martin
Ryan Melville
Thomas J. Rossignoll
Jon G. Turco

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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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 FEBRUARY 18, 2020

IF THE SAID SPECIAL PERMIT WAS APPROVED, YOU CAN OBTAIN A BUILDING/OCCUPANCY PERMIT FROM THE BUILDING INSPECTOR ON FEBRUARY 19, 2020 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 THOMAS J. ROSSIGNOLL
CITY COUNCIL PRESIDENT

Timothy E. Spanos
City Clerk

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