



Ward Councillors

Craig S. Welton, Ward 1
Peter M. McGinn, Ward 2
Stephanie R. Peach, Ward 3
Julie K. Daigle, Ward 4
David R. Gamache, 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

Allyson M. Danforth

City Hall
24 Lowell Street

978-538-5756
cityclerk@peabody-ma.gov

PEABODY CITY COUNCIL

Special Permit #26

Map 085 Lot 086

September 13, 2022

Building Inspector
City Hall
Peabody, MA

Dear Sir:

At a Regular Meeting of the Peabody City Council held on Thursday evening, September 8, 2022, the following Special Permit was approved:

COUNCILLOR MCGINN – BE IT ORDERED by the City Council of the City of Peabody that the application submitted by Sita Liquors, Inc., 17 Central Street, Peabody, MA, for a Special Permit to allow a retail store for packaged alcoholic beverages at 113-115 Main 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 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. Customer and employee vehicles shall be parked generally in accordance with the site sketch presented at the public hearing. With an objective of maximizing pedestrian and vehicle safety, this layout features: a) Primarily angular parking at the front of the building; b) A single vehicular access to the property from Main Street; c) A single vehicular exit from the property onto Holten Street; d) A "No right turn" sign at the exit; e) Parking area striping and arrows that encourage proper vehicle flow; and f) A blockage of one of the existing entry points from Main Street utilizing a planter or similar visually appealing feature;
2. Truck deliveries are to take place at the rear of the building;
3. Business hours of operation shall be in accordance with Massachusetts General Laws;
4. Dumpster will be screened from view from Main Street, Holten Street, and any abutting residential properties;
5. The applicant shall submit an Integrated Pest Management Plan to the Health Department; and
6. For the avoidance of doubt, Peabody Zoning Ordinance Section 5 shall apply, including, "The Peabody Downtown Design Standards – Main Street Subdistrict" to the extent such standards pertain to exterior renovations, parking areas, lighting, and signs.

(Carried 9-1; Councillor Manning-Martin opposed; Councillor Melville recused)



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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 OCTOBER 3, 2022.

IF THE SAID SPECIAL PERMIT WAS APPROVED, YOU CAN OBTAIN A BUILDING/OCCUPANCY PERMIT FROM THE BUILDING INSPECTOR ON OCTOBER 4, 2022, 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 RYAN MELVILLE
CITY COUNCIL PRESIDENT

Allyson M. Danforth
City Clerk

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