

January 25, 2021



**City of Peabody  
Zoning Board of Appeals**

City Hall • 24 Lowell Street • Peabody, Massachusetts 01960 • Tel. 978-538-5900

**JANUARY 25, 2021 ZBA AGENDA**  
**LEGAL NOTICE**

**NOTICE IS HEREBY GIVEN THAT THERE WILL BE A REMOTE PARTICIPATION MEETING**  
**OF THE ZONING BOARD OF APPEALS ON**  
**MONDAY, JANUARY 25, 2020, AT 7:00 PM**

Pursuant to Governor Baker's March 12, 2020 Order suspending certain provisions of the Open Meeting Law, G.L. c. 30A § 18, and the Governor's March 15, 2020 Order imposing strict limitation on the number of people that may gather in one place, this meeting of the Peabody Zoning Board will be conducted via remote participation to the greatest extent possible. No in-person attendance of members of the public will be permitted, but every effort will be made to ensure that the public adequately access the proceedings in real time, via technological means. Individuals may participate remotely in the meeting via a participation platform called Zoom.

Members of the public and/or parties with a right and/or requirement to attend this meeting may access the remote participation through any one of the following ways:

- Enter this link into your web browser to join the meeting: <https://us02web.zoom.us/j/89762316611>
- Enter this link into your web browser to open the Zoom website: <https://zoom.us/join>. Enter the meeting/webinar ID# **897 6231 6611** as directed on the webpage and click "Join". Follow the on-screen instructions to join the meeting.
- Participants can dial a toll-free number +1 312 626 6799 to join the meeting. When prompted, enter meeting/webinar ID# **897 6231 6611** and follow the instructions to join the meeting.

THE AGENDA FOR THIS MEETING IS POSTED ON THE CITY OF PEABODY WEBSITE.

PEABODY ACCESS TELEVISION WILL BE AIRING THIS MEETING LIVE ON CHANNEL 9, AS WELL AS STREAMING ON THEIR FACEBOOK AND YOUTUBE PLATFORMS.

IF YOU WISH TO COMMENT ON OR REVIEW ANY PLANS OR DOCUMENTS RELATED TO ITEMS ON THIS AGENDA PLEASE CONTACT CARLA MCGRATH VIA PHONE, E-MAIL OR WRITTEN LETTER. ANY E-MAIL OR WRITTEN COMMENTS MUST BE RECEIVED BEFORE JANUARY 20, 2021.

ZONING BOARD OF APPEALS  
C/O CARLA MCGRATH, CLERK  
4 LOWELL STREET  
PEABODY, MA 01960  
[carla.mcgrath@peabody-ma.gov](mailto:carla.mcgrath@peabody-ma.gov)  
978-538-5792

JANUARY 25, 2021 AGENDA

ZBA REGULAR MEETING

EXECUTIVE SESSION

CITY OF PEABODY

Don Conn, City Solicitor, requests an Executive Session to discuss Case and Motion to Remand by Attorney John R. Keilty in the matter of Peabody North, LLC v. City of Peabody Zoning Board of Appeals, et al., Docket Number 2077CV01215.

DEC 31 4 58 31  
CITY CLERK

REGULAR MEETING

1. Matter of Remand from The Superior Court, Docket Number 2077CV01215, Peabody North, LLC. For the premises located at 128 Newbury Street.
2. Continued application of **Northeast Arms, LLC c/o Attorney John Keilty** for a **Variance from the Provision of the Zoning Ordinance 2019, as amended, Section 7.2**, as it applies to the premise known as **108H Newbury St., Peabody, MA, Map 068, Lots 12 and 13**. Petitioner seeks a variance for a mobile range facility and requires relief to **Left Side Yard** where 100' is required and 70' is proposed; **Rear Yard** where 50' is required and 28' is proposed. The property is located in an **BR Zoning District**.
3. Application of **Janice Schulte** for a **Variance from the Provision of the Zoning Ordinance 2019, as amended, Section 7.2**, as it applies to the premise known as **11 Glendale Ave., Peabody, MA, Map 120, Lot 038**. Petitioner seeks a variance to construct a garage addition and requires relief to **Right Side Yard Setback** where 15' is required and 11' is proposed; **Rear Yard** where 35' is required and .5' is proposed. The property is located in an **R1A Zoning District**.

BUSINESS MEETING

Acceptance of Meeting Minutes

APPOINTMENTS/CORRESPONDENCE

REPORTS

Carla D. McGrath, Clerk  
Posted: January 11, 2021



CITY OF PEABODY  
2021 MAR 16 AM 8:55  
CITY CLERK

### JANUARY 25, 2021 ZBA MEETING MINUTES

A regular meeting of the Peabody Zoning Board of Appeals was held virtually on Monday, December 14, 2020 at 7:00 via Zoom

MEMBERS PRESENT	MEMBERS ABSENT
Frances Bisazza-Gallugi, Chairperson	
Barry Osborne	
Daniel Sencabaugh, Secretary	
Ed Colbert	
Julie Picardi	
Stephen Zolotas	
Keith Slattery (A)	

(Ms. Gallugi read the opening statement according to Chapter 40A and explained how the virtual meeting will be run)

## EXECUTIVE SESSION

Don Conn, City Solicitor, requests an Executive Session to discuss Case and Motion to Remand by Attorney John R. Keilty in the matter of Peabody North, LLC v. City of Peabody Zoning Board of Appeals, et al., Docket Number 2077CV01215.

**Barry Osborne:** Motion to enter into Executive Session

**Stephen Zolotas:** Second

**Fran Gallugi:** All in favor any opposed?

**Motion to enter Executive Session approved (5,0) in favor**

## EXECUTIVE SESSION cont.

1. Matter of Remand from The Superior Court, Docket Number 2077CV01215, Peabody North, LLC. For the premises located at 128 Newbury Street.  
(Secretary read legal notice)

**7:02 P.M. – 7:15 P.M. The Zoning Board of Appeals unanimously voted in favor of entering into an executive session as set forth on the agenda for purposes of discussing pending litigation, to wit: Peabody North, LLC vs Peabody ZBA, Essex Superior Court 2077CV01215, via “Zoom” Break Out Room, as it relates to the variance denial at 128 Newbury Street, Peabody, Massachusetts. In attendance were the following Board Members...**

- Frances Bisazza-Gallugi
- Daniel Sencabaugh
- Julie Picardi
- Barry Osborne
- Stephen Zolotas

At issue was the question as to whether the ZBA would assent to the plaintiff's motion. The members collectively reviewed the response to the ZBA's request for a description of changed circumstances supporting the prospect of a productive, non-duplicitous exercise associated with a re-hearing. After a brief discussion, the ZBA came out of executive session and took a public vote to instruct the Legal Department. The ZBA unanimously voted to oppose the Plaintiff's motion to remand the 128 Newbury Street case back to the ZBA. The meeting adjourned at 7:20PM whereupon the board returned to open session.

2. Continued application of **Northeast Arms, LLC c/o Attorney John Keilty** for a **Variance from the Provision of the Zoning Ordinance 2019, as amended, Section 7.2**, as it applies to the premise known as **108H Newbury St., Peabody, MA, Map 068, Lots 12 and 13**. Petitioner seeks a variance for a mobile range facility and requires relief to **Left Side Yard** where 100' is required and 70' is proposed; **Rear Yard** where 50' is required and 28' is proposed. The property is located in an **BR Zoning District**.

**(Letter to request continuance was read into the record and made part of these minutes)**

**Dan Sencabaugh:** Motion to accept continuation request for 108H Newbury St to the March 15, 2021 ZBA Meeting

**Barry Osborne:** Second

**Fran Gallugi:** All in favor no one opposed (5,0)

**Motion to continue to March 15, 2021 is approved**

**Stephen Zolotas:** Motion to accept correspondence letters in opposition

**Barry Osborne:** Second

**Fran Gallugi:** All in favor no one opposed (5,0)

**Motion to accept correspondence is approved  
(Letters in opposition were made part of these minutes)**

**3. Application of Janice Schulte for a Variance from the Provision of the Zoning Ordinance 2019, as amended, Section 7.2, as it applies to the premise known as 11 Glendale Ave., Peabody, MA, Map 120, Lot 038. Petitioner seeks a variance to construct a garage addition and requires relief to Right Side Yard Setback where 15' is required and 11' is proposed; Rear Yard where 35' is required and .5' is proposed. The property is located in an R1A Zoning District.**

**(Secretary read Legal Notice)**

**Janice Schulte:** Homeowner at 11 Glendale. I want to build an attached garage.

**Barry Osborne:** Is the applicant aware of the memo from conservation and those concerns? There may be a stream that runs through your property.

**Janice Schulte:** Yes.

**Dan Sencabaugh:** Could the applicant describe the paper road.

**Janice Schulte:** The City of Peabody owns the land behind mine. There is no plan to connect the streets. The paper street is a dead end. A culvert would be needed.

**Fran Gallugi:** Read into the record an email from Conservation Agent Lucia DelNegro and explained to the applicant should the variance be granted it would be conditioned and anything Conservation requires must be adhered to. If you want to continue to build, you're going to have to follow the exact rules and regulations of what the conservation commission is asking you there could be no building at all until then. Did you get this memo?

**(e-mail from Lucia DelNegro was read into the record and made part of these minutes)**

**Janice Schulte:** I'm not sure.

**Stephen Zolotas:** Are you putting anything above the garage?

**Janice Schulte:** master bedroom and bathroom. No kitchen.

**Dan Sencabaugh:** Does anyone else share my concern with the potential for future development? If we do allow the variance to put that attached garage on that property are we preventing any potential future development on that road or is anyone else more familiar with that area?

**Stephen Zolotas:** It's pretty rocky back there and there's a steep cliff. It's been like this for probably the better part of 20 or 25 years. So, I don't think it's necessarily feasible to even put a house back there.

**Ed Colbert:** I have been down there a couple of times in preparation for this meeting tonight and there's no way anybody could build houses back there without an extensive cost to move rock.

**Fran Gallugi:** Any other questions or statements from the Board? Anybody in the audience to speak in favor? In opposition? Hearing none the matter is before the Board.

**Stephen Zolotas:** Motion to close the public hearing.

**Barry Osborne:** Second.

**Stephen Zolotas:** Motion to approve with condition no permit will be issued until the applicant gains approval from Conservation.

**Julie Picardi:** Second.

**Fran Gallugi:** All in favor no one opposed (5,0)

**Variance is approved with condition**

**Stephen Zolotas:** Motion to accept meeting minutes from Nov. 16, 2020 and December 7, 2020.

**Barry Osborne:** Second

**Fran Gallugi:** All in favor any opposed (5,0)

**Motion to adjourn was made by Stephen Zolotas and Seconded by Dan Sencabaugh**



City of Peabody  
**Conservation Commission**

City Hall • 24 Lowell Street • Peabody, Massachusetts 01960 • Tel. 978-538-5782

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**M E M O R A N D U M**

To: Honorable Members of Zoning Board of Appeals  
From: Lucia DelNegro, Conservation Commission  
Subject: 11 Glendale Avenue  
Date: January 19, 2021 Hearing date: January 25, 2021

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- ▶ The city's GIS and MASSOLIVER both show a stream that runs along the paper street behind the proposed garage/addition. See attached printout.
- ▶ The property owner must have a wetland scientist or engineer/surveyor confirm if the stream exists as an open flowing waterway or if there is an existing culvert. If there is a culvert the commission must know how long the culvert is in its entirety in this section. The owner may need to file with the commission for approval.  
**More information is needed to confirm.**



- ### Available Data Layers
- Search data layers
- National Wetlands Inventory
  - Interior Forest
  - Land Use
  - Ocean Mask
  - Outstanding Resource Waters
  - Prime Forest Land
  - Priority Natural Vegetation Communities
  - Public Water Supplies
  - Public Water Supply Service Territories

- ### Active Data Layers
- Check all Uncheck all
- USGS Water Bodies 25k
  - USGS Rivers and Streams 25k
  - Major Ponds

- ### Legend
- USGS Water Bodies 25k
- LAKE, POND, OCEAN
  - RESERVOIR
  - WETLAND
  - SALT WETLAND
  - SUBMERGED WETLAND
  - CRANBERRY BOG
  - TIDAL FLAT
  - INUNDATED AREA
- USGS Rivers and Streams 25k
- Stream

## Carla McGrath

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**From:** Jack Keilty <Office@keiltylaw.com>  
**Sent:** Tuesday, January 19, 2021 10:07 AM  
**To:** Carla McGrath  
**Subject:** [External] RE: [External] Northeast Arms, LLC Variance Application

**WARNING**

This email originated from outside the City of Peabody. Do not click on links or open attachments unless you trust the sender.

Dear Mrs. McGrath, through you to the members of the Zoning Board of Appeals I am respectfully requesting that the matter concerning Northeast Arms at 108 Newbury Street be continued to the February meeting of the Board (Feb 22<sup>nd</sup>) I had promised both the Board and neighbors materials such as pictures and videos and technical information, which I have not yet received or circulated therefore I am requesting this continuance

**From:** Carla McGrath [mailto:carla.mcgrath@peabody-ma.gov]  
**Sent:** Friday, January 15, 2021 11:52 AM  
**To:** Jack Keilty <Office@keiltylaw.com>  
**Subject:** FW: [External] Northeast Arms, LLC Variance Application

Fyi - I received three letters like this today

Kindly,  
Carla DeLuca McGrath  
City of Peabody Building Department  
Peabody, Zoning Board of Appeals  
978-538-5792

**From:** [Peg O'Meara](#)  
**Sent:** Friday, January 15, 2021 11:39 AM  
**To:** [Carla McGrath](#)  
**Cc:** [pegomeara@gmail.com](mailto:pegomeara@gmail.com)  
**Subject:** [External] Northeast Arms, LLC Variance Application

**WARNING**

This email originated from outside the City of Peabody. Do not click on links or open attachments unless you trust the sender.

Good morning Carla,

I'm the Chairperson at Huntington Wood Condominium Trust. As you may know, many of our owners attended the December 14, 2020 Public Hearing to voice their strong opposition to the Northeast Arms' application for variance. Our opposition was focused on two primary issues. First was the encroachment of our buffer zone. We've had serious negative impact on our community in the past when a petitioner was allowed to do this and we hope the Board will listen to us this time so that is not repeated. Second was the reason for the variance, namely to locate a mobile firing range in our buffer zone. There were many concerns regarding this including safety, security and noise.

The decision was tabled until the next meeting on January 25, 2021 in order to allow us to review additional documentation Attorney Keilty agreed to provide regarding these issues of concern to us. To date, he has not provided this information despite my two requests. I spoke to him directly on January 11<sup>th</sup> and he agreed to email the materials the next day, January 12<sup>th</sup>. Nothing arrived. I again called his office on January 14<sup>th</sup> and spoke to someone there who assured me that he would be given the message and would address the matter. Still nothing.

The Public Hearing is scheduled for two weeks from Monday. He has had a month to do as he agreed. Our concern is that the delay is intended to shorten the amount of time our owners have to review and investigate it prior to the meeting. This is unacceptable.

Please make the Zoning Board aware of this situation and ask that Attorney Keilty be instructed to provide the information immediately as time is running short until the Hearing date.

Thank you,

Peg O'Meara  
978-460-0158

## Carla McGrath

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**From:** BRIAN ALLERA <ballera@comcast.net>  
**Sent:** Friday, January 15, 2021 8:45 AM  
**To:** Carla McGrath; hoa@huntingtonwood.net  
**Subject:** [External] Northeast Arms request to reduce buffer zone

**WARNING**

This email originated from outside the City of Peabody. Do not click on links or open attachments unless you trust the sender.

Dear Carla McGrath,

My name is Brian Allera, I am a resident of Huntington Wood Condominium,

Northeast Arms is seeking approval of the Zoning Board for a reduction of the buffer zone to the Huntington Wood Condominium property so that Northeast Arms can install a firing range.

I am not in favor of this request/proposal for the following reasons:

1. Disturbance of the peace - Gun shots will be heard in the Huntington Wood Condominium interfering with the quite enjoyment of the residential property.
2. Introduction of Unreasonable Hazards -
  - a. The discharging of firearms and lead bullets are likely to result in lead contamination of the Huntington Wood Condominium property and the poisoning of its residents.
  - b. The discharging of firearms by untrained shooters introduces an increased risk of injury or death to Huntington Wood residents.

I respectfully request that the Zoning Board NOT approve Northeast Arms request for a reduction of the buffer zone to the Huntington Wood Condominium property.

Kind regards,

Brian Allera  
5002 Heatherwood Ln  
Peabody, MA

## Carla McGrath

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**From:** TR <120terri@gmail.com>  
**Sent:** Friday, January 15, 2021 10:11 AM  
**To:** Carla McGrath  
**Subject:** [External] Huntington wood

**WARNING**

This email originated from outside the City of Peabody. Do not click on links or open attachments unless you trust the sender.

Good morning Carla! I'M writing in regards to the firearm facility that is trying to infringe on the buffer zone at Huntington wood. As you probably know, gunfire can be heard over a mile away so clearly we are going to Be subjected to the noise pollution coming from that location . ... Reducing the buffer zone would just increase this exponentially! I think northeast firearms attorney not responding to pleas for noise reduction information confirms our greatest fears... I think northeast firearms attorney not responding to pleas for noise reduction information confirms our greatest fears...Please heed our concern and Stop this from happening! The buffer zone was put there for a reason and I can't think of any justification for reducing it... thank you for Any help you can provide with this situation.

Sincerely, Terry Rauseo

## Carla McGrath

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**From:** Peg O'Meara <pegomeara@gmail.com>  
**Sent:** Friday, January 15, 2021 11:40 AM  
**To:** Carla McGrath  
**Cc:** pegomeara@gmail.com  
**Subject:** [External] Northeast Arms, LLC Variance Application

**WARNING**

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Good morning Carla,

I'm the Chairperson at Huntington Wood Condominium Trust. As you may know, many of our owners attended the December 14, 2020 Public Hearing to voice their strong opposition to the Northeast Arms' application for variance. Our opposition was focused on two primary issues. First was the encroachment of our buffer zone. We've had serious negative impact on our community in the past when a petitioner was allowed to do this and we hope the Board will listen to us this time so that is not repeated. Second was the reason for the variance, namely to locate a mobile firing range in our buffer zone. There were many concerns regarding this including safety, security and noise.

The decision was tabled until the next meeting on January 25, 2021 in order to allow us to review additional documentation Attorney Keilty agreed to provide regarding these issues of concern to us. To date, he has not provided this information despite my two requests. I spoke to him directly on January 11<sup>th</sup> and he agreed to email the materials the next day, January 12<sup>th</sup>. Nothing arrived. I again called his office on January 14<sup>th</sup> and spoke to someone there who assured me that he would be given the message and would address the matter. Still nothing.

The Public Hearing is scheduled for two weeks from Monday. He has had a month to do as he agreed. Our concern is that the delay is intended to shorten the amount of time our owners have to review and investigate it prior to the meeting. This is unacceptable.

Please make the Zoning Board aware of this situation and ask that Attorney Keilty be instructed to provide the information immediately as time is running short until the Hearing date.

Thank you,

Peg O'Meara  
978-460-0158

## Carla McGrath

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**From:** Camille Long <cmlong42@yahoo.com>  
**Sent:** Saturday, January 16, 2021 6:37 PM  
**To:** Carla McGrath  
**Subject:** [External] Northeast Arms

**WARNING**

This email originated from outside the City of Peabody. Do not click on links or open attachments unless you trust the sender.

Michael and Camille Long  
3204 Woodbridge Rd,  
Huntington Woods

We are opposed to the petition request by Northeast Arms to place a mobile range facility within the 50' buffer zone of the Huntington Wood property line. In letting Northeast Arms to proceed in placing their mobile range within the proposed 28' of the property line would be an encroachment to the privacy of the designated residential area, which should not be allowed by the City of Peabody Zoning Board of Appeals.

The other major concern we have regarding the proposed mobile range is the noise that will be emitted while the range is in use. In reading up on mobile firearms ranges available, such as Mobile Tactics, Mobil Range Technologies and Shooting Range Technologies, just to name a few, all indicated that their mobile units are fully insulated for sound reduction or to reduce noise. In other words, we are still going to hear rounds be discharged every time a fire arm is used.

As to firearms that are to be used in this facility, will they only be hand guns or will other firearms be allowed. The sound emitted from a firearm has to do with the caliber of the weapon and the resulting muzzle speed in which the projectile leaves the barrel of the weapon. In other words, there is a difference in noise coming from a 22caliber handgun to a 9 MM service weapon to a 44magnum revolver, single shot vs semi-automatic handguns. Now, if this facility is open to long weapons such as AK's, now you're talking a whole different sound level that you'll be dealing with.

Also, how mobile is this facility, they say it will sit on a concrete pad. So is this a trailer that is still on wheels, and if it is then it is sitting above ground where the sound will emit from under the unit and bounce off the concrete causing an echoing effect. Or is it a modular unit that is placed on the pad, and if so, how is that mobile if it needs to be removed, It's just we haven't seen any specifications on this facility so that we could check it out.

Lastly, we were told that the police would use it. One question why haven't we hear from a representative of the Peabody Police Department, such as the Chief. I would like to know where his officers now go to practice or qualify for their firearms and is there really a need for this facility. By the Peabody Police Department. I would also like to know the Chief's thoughts when his department starts to get calls when residents around the area, not just from Huntington Wood, call when they start hearing gunshots to which his department will have to respond to.

In closing, I think all members of the Zoning Boards of Appeals must ask themselves this one question, would they want a mobile firearms range within 28' of their backyard.

Sent from Yahoo Mail for iPad

## Carla McGrath

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**From:** Paula Mangiaratti <mangiarattip@gmail.com>  
**Sent:** Sunday, January 24, 2021 1:27 PM  
**To:** Carla McGrath; jdsaslaw@gmail.com  
**Subject:** [External] Northeast Arms' Appeal to Reduce the Buffer Zone

**WARNING**

This email originated from outside the City of Peabody. Do not click on links or open attachments unless you trust the sender.

Dear Ms. McGrath and Mr. Saslaw,

I am writing in regards to the appeal that was filed by Northeast Arms to reduce the buffer zone between its property on Route 1 South and the Huntington Wood property in order to add a trailer-type, mobile shooting range behind its current location.

As a resident of Huntington Wood, I am deeply concerned about this being allowed to happen. Here are just a few of the negatives that I see with the plan:

- Increased noise from the guns being fired and from the potential generator being used to generate electricity, heating and A/C
- Increased traffic in and around the area
- Increased pollution
- The potential of more people with loaded guns coming into the vicinity of residential neighborhoods (not just Huntington Wood)
- Lowered property values

As a resident of Peabody, I see no benefits to the city from this endeavor and certainly none were mentioned at the previous ZBA meeting making me think that there are in fact none! I feel that this is a very important piece of the project that needs to be discussed prior to making a final decision and sincerely hope that it will be a topic at Monday night's meeting.

Thank you for your consideration and I sincerely hope that you will vote against this appeal.

Thank you.

Paula Mangiaratti  
3303 Woodbridge Road

**Carla McGrath**

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**From:** Dave Tseki <david@tseki.org>  
**Sent:** Sunday, January 24, 2021 4:50 PM  
**To:** Carla McGrath  
**Cc:** huntingtonwood@crowinshield.com  
**Subject:** [External] Northeast Arms Variance Application

**WARNING** This email originated from outside the City of Peabody. Do not click on links or open attachments unless you trust the sender.

Carla D. McGrath  
Clerk—Zoning Board of Appeals  
City of Peabody

Date: January 24, 2021

Subject: **Northeast Arms Variance Application**

Zoning Board of Appeals:

We would like to communicate our opposition to the application of Northeast Arms for a Variance as applies to the premise known as 108H Newbury Street, Peabody, MA. For the many concerns raised during the December 14 ZBA meeting, we believe that Northeast Arms' appeal to reduce the buffer zone between their property on Route 1 South and Huntington Wood property in order to add a trailer-type mobile shooting range should be rejected.

Thank you for your consideration.

David and Julie Tseki  
4402 Deerfield Circle  
Peabody, MA 01960

## Carla McGrath

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**From:** Paula Furlong <pfurlong@exitrealtyba.com>  
**Sent:** Sunday, January 24, 2021 6:27 PM  
**To:** Carla McGrath  
**Cc:** JDSalsaw@gmail.com; Anita Snow; cfritz@crowinshield.com; Huntington Wood Office  
**Subject:** [External] ZBA Meeting Monday January 25, 2021

**WARNING**

This email originated from outside the City of Peabody. Do not click on links or open attachments unless you trust the sender.

Dear Ms. McGrath

I have lived at Huntington Wood since 2005. The people living at Huntington absolutely do not want their Buffer Zone reduced to add an indoor shooting range. Even if the trailer is supposedly sound proof, we feel there will be noise generated when the door is opened and closed. We also feel there could be loud talking from people entering and leaving the shooting facility, as well as from additional cars parking and car doors opening and closing.

I am also a Realtor and I sell several units at Huntington Wood each year. People looking at units for sale always ask many questions about what is behind the unit and how far it is from the highway. Telling them a Gun Range is only 28 feet away, would definitely have a negative influence on their decision to buy that unit.

The current Buffer Zone is only 50 feet, which is very small in size. Reducing the Buffer Zone by any amount, should not be allowed.

Sincerely

Paula Furlong  
3904 Woodbridge Rd  
Peabody, MA 01960



Paula Furlong, Realtor ®  
Exit Realty Beatrice Assoc.  
191 S. Main Street  
Middleton, Ma 01949  
cell: 781-254-5336  
[pfurlong@exitrealtyba.com](mailto:pfurlong@exitrealtyba.com)

Carla McGrath

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**From:** bill lally <lbill44@hotmail.com>  
**Sent:** Thursday, January 21, 2021 9:53 AM  
**To:** Carla McGrath; JDSalsaw@gmail.com  
**Subject:** [External] ZBA hearing 1/25/21 Northeast Arms

**WARNING**

This email originated from outside the City of Peabody. Do not click on links or open attachments unless you trust the sender.

Dear Sir/Madam:

We are residents of 3702 Woodbridge Road, Huntington Woods's in Peabody. We recently learned of the proposal to place a container firing range within but a short distance from my home (about 200 feet). We can actually see the location from our home and were appalled at this proposal. Since moving here, we have been assaulted by construction noise and blasting almost continuously with no end in sight from the site abutting that of the petitioners. While this problem is not related to the proposal before the board it is never the less something else we have had to contend with since arriving. Now this new dilemma. We have done some research and concluded that there are no definitive studies on the effects or lack of same of such a structure/facility on the environment and the effect of any resultant noise on abutters.

Accordingly, there is the possibility of some impact of noise and lead pollution on nearby location/dwellers. There is however considerable data regarding safety and health challenges to actual users but they make a decision to use the facility and thus assume the risk. WE DO NOT.

Finally, there is an additional consideration of possible diminution of the value of our homes because of the bare perception of the inappropriateness of such a facility this close to a residential use.

It is for all the above stated that we ask that you employ whatever influence your office/position affords you to aid in our request that this petition for variance be denied.

Thank you in advance for your consideration of this matter.

Jacqueline Lally

William Lally

## Carla McGrath

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**From:** ROBIN D ANTONA <rcdantona@aol.com>  
**Sent:** Friday, January 22, 2021 6:38 PM  
**To:** Carla McGrath  
**Cc:** Huntington Directors; Huntington Wood Office; cfritz@crowinshield.com; jdsaslaw@gmail.net  
**Subject:** [External] Huntington Wood Buffer Zone

WARNING This email originated from outside the City of Peabody. Do not click on links or open attachments unless you trust the sender.

Dear Ms. McGrath,

At this time, I am writing to you in opposition to a reduction/change in the buffer zone at the HuntingtonWood Condominium. My concerns stem from the encroachment of commercial space on the buffer zone which was set aside years ago for the private homeowners of HuntingtonWood. This was designed as a natural space buffer from the traffic and general noise emanating from Route 1. When buffer zone was originally designed, traffic was certainly all not as busy as it today - yet planners felt the buffer zone of 100' was necessary to preserve the quiet and privacy of the area.

MA DOT traffic studies show a steady increase in the amount of traffic over the past 10 years. It makes no sense to reduce a buffer zone when data shows traffic has steadily increased. There will be an obvious increase in noise - not only from the additional traffic and increased use of the property but, from the actual gun range as well. Furthermore, sound travels over water and in HuntingtonWood we have ponds close to the buffer zone. It is important to fully understand how sound will be amplified and impact those areas including the wildlife. In addition, it is not clear about any removal of trees and or vegetation which will likewise impact noise.

In times such as a pandemic when people are home more that ever - working and teaching their children, additional noise and traffic on and around that site, will most certainly cause a serious hardship.

Any encroachment of that buffer zone will absolutely have a detrimental impact on the entire HuntingtonWood area. There is evidence as reported by local realtors that having a gun-range within 30 feet of a residential area will impact property values. This is a fact not to be summarily dismissed without data or experience in the market as home value directly impacts each of the 255 homeowners and taxpayers at HuntingtonWood.

Therefore all environmental data regarding noise pollution, water runoff, proper disposal of lead, tax value of property and other environmentally related issues need further information and discussion.

Without this data, I am asking the ZBA to deny or to delay any voting on this issue.

Finally, I am asking that this letter of opposition be entered into the record of the ZBA prior to any vote or discussion taken or done at the Monday January 25, 2021 public hearing.

Thank you for attention to this matter,

Roberta C. D'Antona  
2002 Pheasant Creek Lane - Ward 5 Precinct 3 Peabody, MA 01960

## Carla McGrath

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**From:** PAULINE FINBERG <pefin@comcast.net>  
**Sent:** Saturday, January 23, 2021 5:30 PM  
**To:** Carla McGrath; Huntington Wood; jdsaslaw@gmail.com  
**Subject:** [External] ZBA Hearing - HuntingtonWood

**WARNING**

This email originated from outside the City of Peabody. Do not click on links or open attachments unless you trust the sender.

Dear Ms. McGrath,

I am writing in opposition to the proposed change in the buffer zone that would impact my home in Huntington Wood. As my condominium home is in close proximity to the buffer zone, I am very concerned about the affect of any increase in noise of traffic and increased activity around the gun shop, the parking lot, and proposed shooting range. I am also concerned about the removal of trees or brush that is a natural buffer for the noise.

There are many more concerns for me because my condo is on a pond where the noise is amplified. I know what a gunshot sounds like, as I am from Texas and grew up around guns. The noise can reverberate as it passes over water and there is a pond near the buffer zone. I also worry about the hours of the shooting range, how many people can be there, and how much more traffic will there be in the parking lot. I want to know who will monitor the hours and the number of people and who will make sure they are following the rules. I also know that having a shooting range so close to my property would reduce the market value of my condo.

Some of my neighbors work from home, others have children that they are teaching from home, and others are retired and spend many hours at home. All of these people will be affected by additional noise. Those with children will be concerned for many more reasons as their children ride their bikes.

Lastly, I worry about the effect on the wild life. There are many animals around the ponds and in the woods. The reduction of the buffer zone means less area for the deer and other animals.

I am asking you to deny the request of the shooting range. I am also asking that this letter be entered into the record of the ZBA prior to the vote on Monday, January 25, 2021. As a home owner and tax payer of the City of Peabody, I expect you to review all of the data and questions concerning this buffer zone change.

Thank you for consideration of this letter,

Pauline Finberg

4603 Deerfield Circle

Ward 5 Precinct 3

**Carla McGrath**

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**From:** maureenamullen@aol.com  
**Sent:** Sunday, January 24, 2021 12:15 PM  
**To:** Carla McGrath; jdsaslaw@gmail.com  
**Subject:** [External] Huntington Wood/Northeast Arms' appeal to reduce the buffer zone

**WARNING**

This email originated from outside the City of Peabody. Do not click on links or open attachments unless you trust the sender.

Dear Ms. McGrath and Mr. Saslaw,

I am writing in regard to Northeast Arms' appeal to reduce the buffer zone between its property on Route 1 South and Huntington Wood property in order to add a trailer-type, mobile shooting range behind its current location.

First, as a resident of Huntington Wood, I am completely against this. I see no benefit to allowing this to go through. However, I see many negatives including but not limited to increased noise (from the guns firing and the potential of a generator running, as was mentioned at the last ZBA meeting, as a possibility to power the shooting range); increased traffic; increased pollution; the potential of (more) people with loaded guns close to several residential neighborhoods, including but not only Huntington Wood; and lowered property values as a result of the aforementioned issues.

Second, as a resident and voter in Peabody, I see no benefit to the city from this endeavor. Additionally, how this type of addition might benefit the City of Peabody was not mentioned at the previous ZBA meeting or in any other material I could find. I think this should certainly be addressed and should be a major consideration, superseding the wants of one business owner.

Thank you.

Maureen Mullen

January 6, 2021

City of Peabody

Zoning Board of Appeals

Legal Notice Date Stamped: November 12, 2020 (But postmarked December 1, 2020)

RE: Northeast Arms, LLC, 108H Newbury St., Peabody, MA requesting a reduction of the buffer zone as it abuts the residential property of Huntington Wood.

We are the residents of building 40 which is a 6-unit condominium building on Woodbridge Road, Peabody, MA. These residences are part of the Huntington Wood Condominium Association which includes 255 such residences.

Huntington Wood has buildings that abut the property line shared with the building where Northeast Arms is located and where they are asking to reduce the buffer zone between their property and ours.

Quite often we are subject to quite a bit of noise emanating from the property where N.E. Arms is located. An example is early Monday mornings when, at about 6 AM, the dumpsters on that property are emptied and the noise can be extremely loud---not something that you can sleep through.

The abutting strip club, the Cabaret at 96 Newbury St., when it is open, has customers leaving quite late at night racing the engines of their motorcycles and cars and playing their car radios quite loud with the windows open. Of course, you may not remember that this abutter some years ago, without the permission of this board, built an addition onto the rear of their building but, as there was no protest at the time, it was allowed to remain.

There is also dumping of objects into our property—I don't know by who---but we have a number of automobile tires in the wooded buffer area between Newbury St and our residences.

And, need I remind you about the office building at 84 Newbury St. The City of Peabody gave a permit for the construction of a 2-story building including a 50 ft. buffer zone. Instead, a 3-story building was constructed and the buffer zone was cleared and ready for paving as a parking area. It took a lot of effort on the part of the residents of Huntington Wood but your Board allowed them to keep the 3-story building but did require the replanting of the buffer zone. Today, those of us in our homes who abut that property have to keep the shades on our master bedrooms closed at night as the lights in the 3<sup>rd</sup> floor office are on pretty much all the time overnight shinning into our bedrooms.

The buffer zone depth was established as a means of protecting the property of residences from businesses and reducing the amount of distance would further negatively impact the life of the residents and could also reduce the value of their property.

We do, therefore, sincerely request that this petition by Northeast Arms be denied.

Christopher Vallis, 4002 Woodbridge Road, Peabody, MA 01960

Joanne Gold, 4003 Woodbridge Road, Peabody, MA 01960

Deena Cohen, 4004 Woodbridge Road, Peabody, MA 01960

Brian Carroll, 4005 Woodbridge Road, Peabody, MA 01960

Herbert Rothstein, 4006 Woodbridge Road, Peabody, MA 01960