

NOVEMBER

1

2021



CITY OF PEABODY
2021 OCT 2 AM 9:43
CITY CLERK

City of Peabody Zoning Board of Appeals

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

NOVEMBER 1, 2021 ZBA AGENDA LEGAL NOTICE

NOTICE IS HEREBY GIVEN THAT THERE WILL BE A SPECIAL MEETING OF THE BOARD OF APPEALS ON MONDAY, NOVEMBER 1, 2021, AT 7:00 PM IN THE WIGGIN AUDITORIUM, CITY HALL, 24 LOWELL STREET, PEABODY, MA

SPECIAL MEETING

1. Application of Maple Multi-Family Land SE, L.P., for a **Chapter 40B Comprehensive Permit** as it applies to the premise known as **128 Newbury Street, Peabody, MA, Map 057, Lot 074 B,C,D,E,F,G,H,I,J,K,L,M,N,O,P and V**. Petitioner seeks to construct 220 rental units. The property is located in **BR1 and R1 Zoning Districts**.

CORRESPONDENCE

BUSINESS MEETING

REPORTS

Carla D. McGrath, Clerk
Posted:



CITY OF PEABODY
2021 NOV 16 AM 8:41
CITY CLERK

NOVEMBER 1, 2021 SPECIAL AND REGULAR ZBA MEETING MINUTES

A meeting of the Peabody Zoning Board of Appeals was held on Monday, November 1, 2021 at 7:00 p.m. Peabody City Hall, 24 Lowell St., Wiggin Auditorium

MEMBERS PRESENT	MEMBERS ABSENT
Frances Bisazza-Gallugi, Chairperson	Keith Slattery
Stephen Zolotas, Vice-Chairperson	
Julie Picardi	
Dan Sencabaugh	
Barry Osborne	

Also in attendance...

Attorney Keilty

James Ward – 40b applicant

Andrew Huntton - Principal with Trammell Crow

Fran Gallugi: Tonight, we will open the public hearing on the comprehensive 40b application of Maple Multi-Family Land SE, L.P. located at 128 Newbury Street.

(Secretary read Legal Notice)

Attorney Keilty: Gave a brief overview of the proposed 40b project. Conservation approval is not required. Would like to continue to meet with neighbors and begin to schedule meeting dates.

Dan Sencabaugh: At this time because the city has a certified housing production plan (hpp) effective starting March 29, 2021 through March 28, 2022 as outlined in the letter from DHCD to Mayor Bettencourt dated May 7, 2021 and because the City of Peabody has met 10 percent statutory minimum of affordable housing units included in the subsidized housing inventory (SHI) dated April 29, 2021, I would like make a motion to assert safe harbor.

Fran Gallugi: Any discussion? Hearing none can I have a second?

Julie Picardi: Second

Fran Gallugi: Roll call vote (5,0) the zoning board will provide the applicant and the Department of Housing and Community Development (DHCD) written notice of this assertion within 15 days.

Stephen Zolotas: Motion to adjourn.

Dan Sencabaugh: Second.

Fran Gallugi: All in Favor. Any opposed (5,0)



Commonwealth of Massachusetts
**DEPARTMENT OF HOUSING &
COMMUNITY DEVELOPMENT**

Charles D. Baker, Governor ♦ Karyn Polito, Lieutenant Governor ♦ Jennifer D. Maddox, Undersecretary

May 7, 2021

The Honorable Edward A. Bettencourt, Jr.,
Mayor, City of Peabody
City Hall
24 Lowell Street
Peabody, MA 01960

RE: Housing Production Plan -- Certification Determination

Dear Mayor Bettencourt:

The Department of Housing and Community Development (DHCD) has reviewed the City of Peabody's April 22, 2021 request for certification of compliance with its Housing Production Plan (HPP). In order for a municipality to be certified the following needs to occur:

- Housing units affordable to low and moderate income households and eligible for inclusion on the Subsidized Housing Inventory (SHI) have been produced during one calendar year, the same year for which certification is requested during the initial year of SHI eligibility.
- Units must total at least 0.5% (111 units for Peabody) of year-round housing units for one-year of certification. A total of 1% of year-round housing units (221 units for Peabody) are needed for a two-year certification,
- The units were produced and are eligible in accordance with the approved HPP and DHCD's c. 40B Guidelines.¹

DHCD makes the following findings:

1. Peabody has a valid HPP. The effective date for the HPP is March 4, 2021, the date that DHCD received a complete plan submission. The HPP has a five year term and will expire on March 3, 2026.
2. The project for which certification is requested for is The Residences at Farm Avenue, 27R Farm Avenue (SHI # ID 10581). The project consists of 116 units which is enough for a one-year certification period (111).
3. The housing developments are consistent with the production goals outlined in Peabody's Housing Production Plan.

This certification is effective for a one year period beginning on March 29, 2021 to March 28, 2022. Please note that all units must retain eligibility for the SHI for the entire certification period. If units are no longer eligible for inclusion on the SHI, they will be removed and will no longer be eligible for certification. This action may affect the term of your certification. I have included an updated list of SHI eligible units. Peabody's current SHI stands at 10.11%.

¹ <https://www.mass.gov/files/documents/2017/10/10/guidecomprehensivepermit.pdf>.

I applaud your efforts to plan for the housing needs of Peabody. Please contact Phillip DeMartino, Technical Assistance Coordinator, at (617) 573-1357 or Phillip.DeMartino@mass.gov if you need assistance as you implement your HPP.

Sincerely,



Louis Martin

Director, Division of Community Services

cc Senator Joan B. Lovely
Representative Thomas P. Walsh
Stacy Benson, Assistant Director of Community Planning, Peabody

DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT CH40B SUBSIDIZED HOUSING INVENTORY

Peabody

DHCD ID #	Project Name	Address	Type	Total SHI Units	Affordability Expires	Built w/ Comp. Permit?	Subsidizing Agency
2408	Tanners Court	Tanners Court	Rental	24	Perp	No	DHCD
2409	Veterans Memorial	Veterans Memorial Dr.	Rental	68	Perp	No	DHCD
2410	Breshnahan St.	Breshnahan St.	Rental	35	Perp	No	DHCD
2411	Connolly Terrace	Connolly Terrace	Rental	52	Perp	No	DHCD
2412	Eastman Park	Eastman Park	Rental	52	Perp	No	DHCD
2413	Farnsworth	103 Central St.	Rental	29	Perp	Yes	DHCD
2414	Rockdale Park	Rockdale Park	Rental	50	Perp	No	DHCD
2415	Seegiltz School	75-81 Central St.	Rental	78	Perp	No	DHCD
2416	Wilson Terrace	Wilson Terrace	Rental	50	Perp	No	DHCD
2417	509 Lowell St.	509 Lowell St.	Rental	8	Perp	Yes	DHCD
2418	347 Lowell St.	347 Lowell St.	Rental	6	Perp	No	DHCD
2419	Lowell Crossing	349 Lowell St.	Rental	8	Perp	No	DHCD
2420	Colonial Manor	59 Andover Drive	Rental	26	Perp	No	DHCD
2421	Goldberg Road	Goldberg Road	Rental	15	Perp	Yes	DHCD
2422	Jacob Street	Jacob St.	Rental	4	Perp	No	DHCD
2424	Fairweather Apartments	20 Central St.	Rental	88	2025*	No	HUD
2425	Family Estates Co-op	154 Newbury St.	Rental	39	2045*	No	DHCD
2426	Family Quarters	31 Reed Road	Rental	6	2041	No	HUD

EOHHS

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DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT CH40B SUBSIDIZED HOUSING INVENTORY

Peabody

DHCD ID #	Project Name	Address	Type	Total SHI Units	Affordability Expires	Built w/ Comp. Permit?	Subsidizing Agency
2428	Peabody House	34 Wallis & Hardy St (18 Walnut St?)	Rental	140	1/8/2024	Yes	HUD/ MassHousing
2429	Stoney Brook	Lynnfield Street	Ownership	22	2026	Yes	DHCD
2430	Tannery II	12 Crowninshield St.	Rental	173	2035*	No	HUD MassHousing
2431	The Tannery	18 Crowninshield St.	Rental	284	2062	No	MassHousing
2432	Penelope Elderly	98 Central Street	Rental	48	2099	No	HUD DHCD
2433	Citizens for Adequate Housing	Fulton, Lowe & Northend St	Ownership	10	2030	No	HUD
2441	Avalon Village South	Andover Street	Rental	309	2042	Yes	MassHousing
2442	Juniper Village	Bartholomew Street	Ownership	15	2101	Yes	FHLBB
3964	Lowell Street	756 Lowell St.	Rental	5	2054	No	DHCD
4415	DDS Group Homes	Confidential	Rental	158	N/A	No	DDS
4595	DMH Group Homes	Confidential	Rental	27	N/A	No	DMH
4686	Citizens for Adequate Housing	Central Street	Rental	2	Perp	No	HUD
7072	Peabody HOR Program	278 Newbury Street	Ownership	1	2033	No	DHCD HUD
7682	Upton Manor	75 Walnut Street	Ownership	4	perp	NO	DHCD

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DHCD ID #	Project Name	Address	Type	Total SHI Units	Affordability Expires	Built w/ Comp. Permit?	Subsidizing Agency
7875	Maple Village Condominiums	76-86 Aborn St	Ownership	5	perp	NO	DHCD
8391	Peabody HOR Program	Newbury St	Ownership	1	2021	NO	DHCD
8392	Peabody HOR Program	Newbury St	Ownership	1	2021	NO	DHCD
8393	Peabody HOR Program	Charles St	Ownership	1	2021	NO	DHCD
8394	Peabody HOR Program	Newbury St	Ownership	1	2021	NO	DHCD
8395	Peabody HOR Program	Glennway Ave	Ownership	1	2021	NO	DHCD
8578	Peabody HOR Program	Loris Rd	Ownership	1	2021	NO	City of Peabody
9152	Peabody HOR Program	Newbury St	Ownership	1	2024	NO	HUD
9153	Peabody HOR Program	Stuart Road	Ownership	1	2024	NO	HUD
9154	Peabody HOR Program	Newbury St	Ownership	1	2024	NO	HUD
9155	Peabody HOR Program	Central St	Ownership	1	2024	NO	HUD
9156	Peabody HOR Program	Newbury St	Ownership	1	2024	NO	HUD
9157	Peabody HOR Program	Lowell St	Ownership	1	2024	NO	HUD
9158	Peabody HOR Program	Newbury St	Ownership	1	2024	NO	HUD
9159	Peabody HOR Program	Newbury St	Ownership	1	2024	NO	HUD
9160	Peabody HOR Program	Franklin St	Ownership	1	2024	NO	HUD
9161	Peabody HOR Program	St. Ann's Avenue	Ownership	1	2023	NO	HUD HUD
9162	Peabody HOR Program	Tremont St	Ownership	1	2023	NO	HUD

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DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT CH40B SUBSIDIZED HOUSING INVENTORY

Peabody

DHCD ID #	Project Name	Address	Type	Total SHI Units	Affordability Expires	Built w/ Comp. Permit?	Subsidizing Agency
9163	Peabody HOR Program	Newbury St	Ownership	1	2024	NO	HUD
9164	Peabody HOR Program	St, Ann's Ave	Ownership	1	2024	NO	HUD
9217	Peabody HOR Program	Newbury St	Ownership	1	2024	NO	HUD
9218	Peabody HOR Program	Newbury St	Ownership	1	2024	NO	HUD
9219	Peabody HOR Program	Newbury St	Ownership	1	2024	NO	HUD
9220	Peabody HOR Program	Newbury St	Ownership	1	2024	NO	HUD
9252	Peabody HOR Program	Pinewood Rd	Ownership	1	2024	NO	HUD
9253	Peabody HOR Program	Forest St	Ownership	2	2024	NO	HUD
9254	Peabody HOR Program	Franklin St	Mix	3	2023	NO	HUD
9255	Peabody HOR Program	Reynolds Rd	Ownership	4	2024	NO	HUD
9256	Peabody HOR Program	Lowell St	Rental	1	2024	NO	HUD
9257	Peabody HOR Program	Central St	Mix	3	2024	NO	HUD
9258	Peabody HOR Program	Glennway Ave	Rental	4	2024	NO	HUD
9259	Peabody HOR Program	Warren St Ext.	Ownership	1	2024	NO	HUD
9260	Peabody HOR Program	Rose Circle	Ownership	1	2024	NO	HUD
9261	Peabody HOR Program	Eisenhower Rd	Mix	1	2024	NO	HUD
9262	Peabody HOR Program	Washington St	Mix	2	2024	NO	HUD
9263	Peabody HOR Program	Herrick Rd	Ownership	1	2024	NO	HUD

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DHCD ID #	Project Name	Address	Type	Total SHI Units	Affordability Expires	Build w/ Comp. Permit?	Subsidizing Agency
9264	Peabody HOR Program	Newbury St	Ownership	1	2025	NO	HUD
9265	Peabody HOR Program	Sewall St	Ownership	1	2025	NO	HUD
9266	Peabody HOR Program	Lone Pine Lane	Ownership	1	2025	NO	HUD
9267	Peabody HOR Program	Lowe St	Ownership	1	2025	NO	HUD
9268	Peabody HOR Program	St. Ann's Ave	Ownership	1	2025	NO	HUD
9269	Peabody HOR Program	Newbury St	Ownership	1	2025	NO	HUD
9270	Peabody HOR Program	Azalea Lane	Rental	1	2025	NO	HUD
9271	Peabody HOR Program	Newbury St	Ownership	1	2025	NO	HUD
9272	Peabody HOR Program	Newbury St	Ownership	1	2025	NO	HUD
9273	Peabody HOR Program	Canral St	Ownership	1	2025	NO	HUD
9274	Peabody HOR Program	Newbury St	Ownership	1	2025	NO	HUD
9301	Peabody HOR Program	Shillaber Street	Ownership	1	2025	NO	HUD
9302	Peabody HOR Program	Albert Rd	Ownership	1	2024	NO	HUD
9303	Peabody HOR Program	Washington St	Ownership	1	2025	NO	HUD
9304	Peabody HOR Program	Charles St	Ownership	1	2025	NO	HUD
9305	Peabody HOR Program	Newbury St	Ownership	1	2025	NO	HUD
9306	Peabody HOR Program	Newbury St	Ownership	1	2025	NO	HUD
9307	Peabody HOR Program	Crestwood Lane	Rental	1	2025	NO	HUD

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Peabody

DHCD ID #	Project Name	Address	Type	Total SHI Units	Affordability Expires	Built w/ Comp. Permit?	Subsidizing Agency
9308	Peabody HOR Program	Newbury St	Ownership	1	2025	NO	HUD
9336	Peabody HOR Program	Endicott ST	Rental	4	2026	NO	HUD
9337	Peabody HOR Program	Newbury St	Ownership	1	2026	NO	HUD
9338	Peabody HOR Program	Newbury St	Ownership	1	2026	NO	HUD
9339	Peabody HOR Program	Lowell St	Rental	1	2026	NO	HUD
9340	Peabody HOR Program	Newbury St	Ownership	1	2026	NO	HUD
9341	Peabody HOR Program	Holten St	Ownership	1	2026	NO	HUD
9360	Peabody HOR Program	Newbury St	Ownership	1	2026	NO	HUD
9361	Peabody HOR Program	Johnson Avenue	Ownership	1	2026	NO	HUD
9362	Peabody HOR Program	Ledgewood Way	Ownership	1	2026	NO	HUD
9363	Peabody HOR Program	Blaney Avenue	Ownership	1	2026	NO	HUD
9443	Peabody HOR Program	Newbury St	Ownership	1	2026	NO	HUD
9444	Peabody HOR Program	Newbury St	Ownership	1	2026	NO	HUD
9445	Peabody HOR Program	Margin St	Ownership	1	2026	NO	HUD
9446	Peabody HOR Program	Foster St	Rental	1	2026	NO	HUD
9447	Peabody HOR Program	Shillaber St	Ownership	1	2026	NO	HUD
9562	Peabody HOR Program	Main Street	Rental	3	2027	NO	HUD
9553	Peabody HOR Program	Maple Street	Ownership	1	2027	NO	HUD

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Peabody

DHCD ID #	Project Name	Address	Type	Total SHI Units	Affordability Expires	Built w/ Comp. Permit?	Subsidizing Agency
9564	Peabody HOR Program	Barry Street	Ownership	1	2027	NO	HUD
9565	Peabody HOR Program	Samoset Road	Ownership	1	2027	NO	DHCD
9566	Peabody HOR Program	Bowditch Street	Ownership	1	2027	NO	HUD
9567	Peabody HOR Program	Surrey Lane	Ownership	1	2027	NO	HUD
9568	Peabody HOR Program	Shillaber Street	Ownership	1	2027	NO	HUD
9569	Peabody HOR Program	Washington Street	Ownership	2	2027	NO	HUD
9570	Peabody HOR Program	Warren Street	Ownership	1	2027	NO	HUD
9571	Peabody HOR Program	Gates Road	Ownership	1	2026	NO	HUD
9572	Peabody HOR Program	Herold Road	Ownership	1	2027	NO	HUD
9573	Peabody HOR Program	Douglas Street	Ownership	1	2027	NO	HUD
9574	Peabody HOR Program	Lowell Street	Rental	4	2027	NO	HUD
9575	Peabody HOR Program	Washington Street	Ownership	4	2027	NO	HUD
9597	Park Street	Park Street	Rental	8	Perp	NO	DHCD HUD
10080	Peabody HOR Program	17 Peabody Square	Rental	2	Perp	NO	HUD
10081	Peabody HOR Program	Andover Street	Rental	5	2/12/29	NO	HUD
10082	Peabody HOR Program	10 Elliott Place	Rental	6	6/3/45	NO	HUD
10083	Peabody HOR Program	Lisburn Street	Ownership	1	1/19/31	NO	HUD
10084	Peabody HOR Program	Lowell Street	Ownership	1	9/15/44	NO	

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DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT CH40B SUBSIDIZED HOUSING INVENTORY

Peabody

DHCD ID #	Project Name	Address	Type	Total SHI Units	Affordability Expires	Built w/ Comp. Permit?	Subsidizing Agency
10084	Peabody HOR Program	Lowell Street	Ownership	1	9/15/44	NO	HUD
10085	Peabody HOR Program	Dana Road	Ownership	1	9/16/31	NO	HUD
10086	Peabody HOR Program	Sanborn Street	Ownership	1	6/6/31	NO	HUD
10087	Peabody HOR Program	Newbury Street	Ownership	1	3/23/31	NO	HUD
10425	Brown School Residences	200 Lynn Street	Rental	61	2057	NO	MHP
10500	Ezio Place	55 Newbury Street	Rental	60	perp	YES	DHCD
10530	Peabody HOR Program	Newbury Street	Ownership	1	2034		DHCD HUD
10531	Peabody HOR Program	59 Walnut Street	Rental	17	2039		DHCD HUD
10532	Terrace Estates	Shore Drive	Rental	5	perp	NO	DHCD
10581	Residences at Farm Avenue	27R Farm Ave & 0 Forest St	Rental	116	2051	YES	DHCD
Peabody Totals				2,238	Census 2010 Year Round Housing Units		22,135
					Percent Subsidized		10.11%

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