



CITY of MALDEN PLANNING BOARD

Minutes of Regular Meeting

Meeting Date: April 13, 2022

Meeting Location: Malden City Hall, Herbert L. Jackson Council Chamber, 215 Pleasant Street, Malden, MA

- I. Call to Order.** Chairman Charles Ioven called the meeting to order at 7:00 p.m. Ioven announced that under the provisions of the Open Meeting Law, attendees are informed that this meeting is being recorded by Urban Media Arts, formerly known as Malden Access Television, and that he has not been notified that any other video or audio recording of this meeting will occur.

- II. Roll Call.** Ioven chaired the meeting and took a roll call.

Planning Board Members in attendance:

Antonucci, Kenneth (*left the meeting at 7:50 p.m.*)

Chuha, Diane

Ferguson, Charles

Gebreselassie, Tewedaj

Gray, Resa

Hayes, Patrick

Henry, Eric

MacCuish, Eric

Ioven, Charles, Chair

Planning Board members absent: Soucy, Henri.

Planning Staff in attendance: Michelle Romero, City Planner.

III. PUBLIC HEARINGS

A. Zoning: Special Permits, Title 12, Code of City of Malden

- 1) **150 Commercial Street at 184 Commercial Street** (Parcel ID 055 232 211) Permit Application #COO 039779-2021/Title 12.12.030/To allow medical center use of property in Industrial 2 zoning district/To occupy 2,000 SF of existing building for physical therapy business.

The notice of public hearing was read into the record by Antonucci.

Petitioner submitted the following documentation and information:

1. Site plan, "Plan of Land for a Proposed Redevelopment Plaza 188, 188 Commercial Street in the City of Malden, Massachusetts, As-Built Parking Plan," dated and revised February 18, 2022 (stamped/ signed March 2, 2022), prepared by Todd P. Morey, P.E., Beals Associates Inc., Boston, MA.
2. Set of plans, "Bay State Physical Therapy 150 Commercial Street Malden, MA 02148," dated June 21, 2021, prepared by James R. Kimball, Jr., Reg. Architect, Phase Zero Design, Hingham, MA, that include: Architectural Site Plan, Building Plan (revised July 15, 2021), Exterior Elevations, Code Compliance & Life Safety Plans, Demolition Plan, Construction Plan, Reflected Ceiling Plan, Finish Plan, Interior Elevations (revised September 29, 2021).

The proposal is to use the subject premises, 150 Commercial Street, with 2,000 square feet, for a physical therapy business.

Presentation made by petitioner:

1. Andrew Jamanow, PT, DPT, Bay State Physical Therapy, 703 Granite Street, Suite 300, Braintree.
2. Bryce Irving, Property Manager, The Hamilton Company, 39 Brighton Avenue, Allston, MA
3. Carol Rash, Director of Commercial Property & Asset Management, The Hamilton Company, 39 Brighton Avenue, Allston, MA.

The Board opened the public hearing and received the following testimony during the public hearing:

In favor:

1. Peg Crowe, Ward 1 City Councilor, 9 Hancock Street, Malden, via correspondence dated April 13, 2022.

In opposition: None.

The Board closed the public hearing.

The Board received and reviewed the following documentation at the meeting:

1. Planning Report & Recommendation dated April 13, 2022 w/attachments.

Decision: The Planning Board granted a special permit subject to the following eleven conditions:

1. All development shall be as per plans, which are incorporated herein by reference, and except as modified by these conditions.
2. This special permit authorizes use of 2,000 SF at 150 Commercial Street for medical center use by a physical therapy business; any other medical center use shall require an amendment of this special permit.
3. A minimum of 294 parking spaces shall be provided onsite.
4. 30,000 SF at 188 Commercial Street shall be for supermarket use only.
5. No restaurant use is allowed at the site, except for one 1,680 SF coffee shop at 200 Commercial Street.
6. No sale of alcoholic beverages is allowed on site, except for general retail sales of beer & wine by Super88 Market in @800 SF at 188 Commercial Street, as per approved floor plan, and subject to approval by the Malden License Board.
7. No outside display or sales of any kind by any business.
8. Employ a shopping cart retrieval service.
9. Comply with Mass. Department of Environmental Protection Waterways Jurisdictional Determination #JD05-1262, M.G.L. c. 91, §18 and Waterways Regulations 310 CMR 9.00 to maintain public riverfront access and walkway. Property owner shall submit to City a copy of maintenance contract re: riverfront area.
10. Parking of storage trailers/containers is prohibited except for unloading.
11. Perform trash and litter control throughout entire site twice daily.

The decision is described in Case #22-05 (attached).

Record of Votes: On the motion by Antonucci seconded by MacCuish, to grant a special permit subject to eleven conditions, the vote was nine in favor, none opposed, and the motion passed (9-0).

	<u>Yes</u>	<u>No</u>	<u>Absent</u>	<u>Abstained</u>	<u>Not Voting</u>
ANTONUCCI	X				
CHUHA	X				
FERGUSON	X				
GEBRESELASSIE	X				
GRAY	X				

HAYES	X	
HENRY	X	
MacCUISH	X	
SOUCY		X
IOVEN Chair	X	

Antonucci left the meeting at 7:50 p.m.

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- 2) **98 Laurel Street** (Parcel ID #133 684 406) Permit Application # RES 041885-2022/Title 12.28.010.D/To change use of preexisting nonconforming property in Residence A zoning district/To convert existing dwelling from single-family dwelling and rooming house to two-family dwelling.

The notice of public was read into the record by Romero.

Petitioner submitted the following documentation and information:

1. Set of plans, "Proposed 2 Unit Residences Chris Larsen 98 Laurel Street Malden, MA," dated November 20, 2021, prepared by John Karavolas, P.E., HH Design Group Architects, Marblehead, MA, that include proposed and existing floors plans for first, second and third floors, and existing front elevation and proposed rear elevation.
2. Site plan, "Malden, Massachusetts Plan of Land Prepared for: Lawrence French 98 Laurel Street Parcel ID: 133-684-406," with revised date November 6, 2019, "redrawn" November 2, 2021 (signed/stamped November 1, 2021), prepared by John Karavolas, P.E., Peabody, MA.

The proposal is to convert the property to a two-family dwelling with a total of six bedrooms. The existing single-family dwelling with two bedrooms on the first floor will remain unchanged; and the licensed rooming house with six bedrooms on the second and third floors will be eliminated and converted to a second dwelling unit with four bedrooms.

Presentation made by petitioner:

1. Lisa McGloin, Attorney, 101 North Common Street, Lynn, MA.
2. Chris Larsen, 98 Laurel Street, Malden, MA.
3. Philip Brienze, 45 Pine Grove Avenue, Lynn, MA, contractor.

The Board opened the public hearing and received the following testimony during the public hearing:

In favor:

1. Steve Winslow, Ward 6 City Councilor, 83 Jacob Street, Malden, via email dated April 11, 2022.
2. Petition signed by six individuals with Malden addresses (Spruce and Laurel Streets).

In opposition: None.

The Board closed the public hearing.

The Board received and reviewed the following documentation at the meeting:

1. Planning Report & Recommendation dated April 13, 2022 w/attachments.

Decision: The Planning Board granted a special permit subject to the following five conditions:

1. All development shall be as per plans except as modified by these conditions.
2. The maximum number of bedrooms is six.

3. The garage may be used for parking and storage only, not for residential living space.
4. No more than 50% of front yard may be paved and used for parking; maintain lawn and/or landscaping of open space in rear yard, northern side yard and front yard.
5. Basement may be used only for storage, utilities and laundry, not residential living space.

The decision is described in Case #22-04 (attached).

Record of Votes: On the motion by Chuha, seconded by MacCuish, to grant a special permit with five conditions, the vote was eight in favor, none opposed, and the motion passed (8-0).

	<u>Yes</u>	<u>No</u>	<u>Absent</u>	<u>Abstained</u>	<u>Not Voting</u>
ANTONUCCI			X		
CHUHA	X				
FERGUSON	X				
GEBRESELAASSIE	X				
GRAY	X				
HAYES	X				
HENRY	X				
MacCUISH	X				
SOUCY			X		
IOVEN Chair	X				

IV. PUBLIC MEETING

A. Request for Waiver, Rules & Procedures of Malden Planning Board (§E.9, Filing Requirements, Traffic Impact Study).

- 1) 90-92 Salem Street (Parcel ID 074 262 221) Permit Application # CMID 040388-2021)/Title 12.12.030 and 12.28.010.D/Special Permit to convert preexisting nonconforming property in Neighborhood Business to multifamily dwelling with 10 units.

The Planning Board considered petitioner’s request to waive the filing requirements for a traffic impact study, made via “Memorandum RE: 90-92 Salem Street-Malden, Massachusetts, Request for Waiver from Rules and Procedures – Section E.9,” dated March 30, 2022, prepared by Samuel W. Gregorio, P.E., P.T.O.E., The Engineering Corp., Andover, MA.

Decision: The Planning Board granted petitioner’s request to waive the filing requirements for a traffic impact study.

Record of Votes: On the motion by Henry, seconded by Ferguson, to waive the filing requirements re: traffic impact study, the vote was seven in favor, none opposed, and the motion passed (7-0).

	<u>Yes</u>	<u>No</u>	<u>Absent</u>	<u>Abstained</u>	<u>Recused</u>
ANTONUCCI			X		
CHUHA	X				
FERGUSON	X				
GEBRESELAASSIE	X				
GRAY	X				
HAYES	X				
HENRY	X				
MacCUISH					X

SOUCY
IOVEN Chair

X

X

B. Community Preservation Committee. Henry provided an update.

V. **Next Meeting:** Regular meeting May 11, 2022.

VI. **Adjournment:** 8:29 p.m. (On the motion by Chuha, seconded by Gebreselassie, all voted in favor and the motion passed).

Approved: Charles Ioven, Chair



**CITY of MALDEN PLANNING BOARD
NOTICE of DECISION**

CASE NUMBER 22-05

LOCATION of SUBJECT PROPERTY 150 Commercial Street at 184 Commercial Street, Malden, MA

NAME of PETITIONER Bay State Physical Therapy

NAME of PROPERTY OWNER Plaza 188 Associates LLC

DATE of PUBLIC HEARING April 13, 2022

DATE of DECISION April 13, 2022

DATE of FILING DECISION with CITY CLERK April 25, 2022

DATE of NOTIFICATION to BUILDING INSPECTOR April 25, 2022

FINAL DATE for FILING APPEAL of DECISION with SUPERIOR COURT May 16, 2022

[Any appeal must be made pursuant to M.G.L. c. 40A, §17 and filed within 20 days after date this Notice is filed with City Clerk.]

PROCEDURAL HISTORY (Case #22-05):

1. The subject property is known as and numbered 184 Commercial Street and by City Assessor's Parcel ID #055 232 211, and the subject of the petition is the portion of the building and premises known as 150 Commercial Street.
2. The property owner is Plaza 188 Associates LLC, 39 Brighton Avenue, Boston, MA, c/o property manager, The Hamilton Company, 39 Brighton Avenue, Boston, MA.
3. The petitioner is the proposed lessee/tenant and owner and operator of the proposed business, Bay State Physical Therapy, 703 Granite Street, Suite 300, Braintree, MA.
4. At the public hearing, petitioner was represented by Andrew Jamanow of Bay State Physical Therapy, and the property owner was represented by Bryce Irving and Carol Rash of The Hamilton Company.
5. The petition in Permit Application #COO 039779-2021 seeks a special permit under Title 12.12.030 of the Code of the City of Malden (the "Ordinance") to allow medical center use of property in the Industrial 2 zoning district.
6. The following plans were submitted in support of the petition: Site plan, "Plan of Land for a Proposed Redevelopment Plaza 188, 188 Commercial Street in the City of Malden, Massachusetts, As-Built Parking Plan," dated and revised February 18, 2022 (stamped/ signed March 2, 2022), prepared by Todd P. Morey, P.E., Beals Associates Inc., Boston, MA; and set of plans, "Bay State Physical Therapy 150 Commercial Street Malden, MA 02148," dated June 21, 2021, prepared by James R. Kimball, Jr., Reg. Architect, Phase Zero Design, Hingham, MA, that include: Architectural Site Plan, Building Plan (revised July 15, 2021), Exterior Elevations, Code Compliance & Life Safety Plans, Demolition Plan, Construction Plan, Reflected Ceiling Plan, Finish Plan, Interior Elevations (revised September 29, 2021).
7. The public hearing complied with the notice requirements of §12.32.020(K) of the Ordinance and Massachusetts General Laws, Chapter 40A, §11.

FINDINGS of FACT (Case #22-05):

The City of Malden Planning Board finds the following facts:

1. The subject property is the site of the Plaza 188 commercial plaza, which has two single-story buildings, known as and numbered 140-144 Commercial Street and 184 Commercial Street, with an approximate combined total gross floor area of 70,416 square feet, and currently occupied by a supermarket (30,000 square feet); vacant space, most recently used for retail sales (11,070 square feet); laundromat (5,000 square feet); Social Security Administration offices (11,272 square feet); bank branch (2,394 square feet); Dunkin Donuts coffee shop (1,680 square feet); vacant space, most recently used for general offices (4,000 square feet); insurance company offices (1,600 square feet); educational tutoring service (1,400 square feet); and vacant space, most recently used for wholesale & distribution and the subject of this petition (2,000 square feet).
2. The proposal is to use the subject premises, 150 Commercial Street, with 2,000 square feet, for a physical therapy business.
3. As depicted on the proposed floor plan, the subject premises will be built-out to provide one large open treatment area, a reception area, "back of house" area for staff, restroom and utility room; and there will not be separate treatment rooms.
4. No other changes to the property or buildings are proposed.
5. The property is located in the Industrial 2 zoning district.
6. The proposed physical therapy business is classified as a medical center use, which is allowed by special permit in this zoning district, per §12.12.030 of the Ordinance.
7. The existing supermarket and restaurant/coffee shop are allowed by special permit, and the bank, general offices and retail services are allowed by right, per §12.12.030 of the Ordinance.
8. Future supermarket use of 190 Commercial Street, labeled, "Super 88 Expansion," on the site plan, requires a special permit.
9. The property is the subject of numerous special permits to redevelop and allow occupancy for various commercial uses and structural changes in Cases ##11-13, 10-13, 08-13, 08-12, 07-22, 06-19 and 04-26.
10. The Malden River abuts the property to the east, and the abutting and surrounding land uses are industrial and business.
11. The proposal is not in conflict with surrounding land uses.
12. The property is preexisting nonconforming regarding noncompliance with dimensional controls and having two principal buildings on one lot, per §§12.16 and 12.28.010 of the Ordinance; front and side yard setback violations of the 140-144 Commercial Street building were legalized by variance in 1974; and the 184 Commercial Street building was allowed by special permit granted in Case #04-26 in 2004, with an addition allowed by special permit granted in Case #06-19 in 2006.

13. The proposal creates no new violations of dimensional controls, per §12.16.010 of the Ordinance.
14. For all existing uses, most recent uses of vacant space and the proposed medical center use, the total number of parking spaces required is 298, per §§12.20.010 and 12.20.020.I.10 of the Ordinance; and the total number of loading area/bays required is four, per §12.20.030.E of the Ordinance.
15. Per the site plan submitted with the petition, there are 294 parking spaces and four loading areas.
16. The proposed medical center use requires eleven parking spaces, per §12.20.010 of the Ordinance.
17. The proposed medical center use requires more parking than the most recent wholesale & distribution use of the subject premises, and the proposal creates a deficiency of four spaces or 1%.
18. The increase in violations of parking requirements will not be more detrimental to the neighborhood.
19. The parking layout predates the current Ordinance and is considered preexisting nonconforming as to dimensions of parking spaces; and driveways and aisles comply with minimum width requirements. per §§12.20 and 12.28.010.A of the Ordinance.
20. The site plan submitted updates the 2010 site plan approved with the most recent special permit granted in Case #11-10.
21. The property is the subject of Massachusetts Department of Environmental Protection Waterways Jurisdictional Determination #JD05-1262, M.G.L. c. 91, §18 and Waterways Regulations 310 CMR 9.00, which require installation and maintenance of public access areas for the Malden River and passive recreation amenities (riverfront landscaped walkway, benches, signage, parking relocation), as shown on the site plan approved by the Planning Board with the special permit granted in Case #04-26 and the Malden Conservation Commission's Negative Determination of Applicability dated 12/7/04.
22. The property has an on-going history of non-compliance with maintenance of public access and the riverfront walkway and is currently not in compliance with disturbed grading at both ends of the walkway, bent signage and accumulated trash.
23. Property owner intends to resolve outstanding issues next week and will regrade and repair the riverfront walkway area and install a new public access sign, made of more durable material.
24. According to property owner, sweeping of the parking lot is done daily, per contract; thorough cleaning of the entire site is done twice per year, per contract; and cleaning of litter and trash from the site is done daily, mornings, by workers onsite.
25. Petitioner has operated its business at its current location at the YMCA in Malden for ten years and must relocate.
26. Petitioner's business generates no medical waste.
27. Under the proposal, petitioner's staff will consist of three treating physical therapists and a front desk receptionist.
28. Petitioner expects to treat a total of six patients per hour.
29. Petitioner's proposed hours of operation are Monday through Saturday.
30. Petitioner's business is only physical therapy and does not include other business, like acupuncture or occupational therapy.
31. As modified by the conditions of the special permit, the proposal will not be more detrimental to the neighborhood.
32. The Ward 1 City Councilor supports the proposal.
33. There is no public opposition to the proposal.
34. Most conditions of this special permit are the same as those still in effect per prior special permits granted for the property.
35. As modified by the conditions of the special permit, the proposal is in the interest of the common good.

DECISION (Case #22-05):


On April 13, 2022, pursuant to the foregoing Findings of Fact, the Planning Board granted a special permit subject to the following eleven (11) conditions:

1. All development shall be as per plans, which are incorporated herein by reference, and except as modified by these conditions.
2. This special permit authorizes use of 2,000 SF at 150 Commercial Street for medical center use by a physical therapy business; any other medical center use shall require an amendment of this special permit.
3. A minimum of 294 parking spaces shall be provided onsite.
4. 30,000 SF at 188 Commercial Street shall be for supermarket use only.
5. No restaurant use is allowed at the site, except for one 1,680 SF coffee shop at 200 Commercial Street.
6. No sale of alcoholic beverages is allowed on site, except for general retail sales of beer & wine by Super88 Market in @800 SF at 188 Commercial Street, as per approved floor plan, and subject to approval by the Malden License Board.
7. No outside display or sales of any kind by any business.
8. Employ a shopping cart retrieval service.
9. Comply with Mass. Department of Environmental Protection Waterways Jurisdictional Determination #JD05-1262, M.G.L. c. 91, §18 and Waterways Regulations 310 CMR 9.00 to maintain public riverfront access and walkway. Property owner shall submit to City a copy of maintenance contract re: riverfront area.
10. Parking of storage trailers/containers is prohibited except for unloading.
11. Perform trash and litter control throughout entire site twice daily.

RECORD of VOTES (Case #22-05):

The vote on the motion by Antonucci, seconded by MacCuish, to grant a special permit with eleven conditions was nine in favor, none opposed, and the motion passed (9-0):

Antonucci, yes; Chuha, yes; Ferguson, yes; Gebreselassie, yes; Gray, yes; Hayes, yes; Henry, yes; MacCuish, yes; Ioven, yes. [*Soucy, absent*].

I, hereby certify that the above is a true copy of the decision of the Malden Planning Board. By: 
Michelle A. Romero, City Planner



CITY of MALDEN PLANNING BOARD
NOTICE of DECISION

CASE NUMBER 22-04

LOCATION of SUBJECT PROPERTY 98 Laurel Street, Malden, MA

NAME of PETITIONER and OWNER L. French Realty Trust

DATE of PUBLIC HEARING April 13, 2022

DATE of DECISION April 13, 2022

DATE of FILING DECISION with CITY CLERK April 20, 2022

DATE of NOTIFICATION to BUILDING INSPECTOR April 20, 2022

FINAL DATE for FILING APPEAL of DECISION with SUPERIOR COURT May 10, 2022

[Any appeal must be made pursuant to M.G.L. c. 40A, §17 and filed within 20 days after date this Notice is filed with City Clerk.]

PROCEDURAL HISTORY (Case #22-04):

1. The subject property is known as and numbered 98 Laurel Street, Malden, MA and also known by City Assessor's Parcel ID #133 684 406.
2. Petitioner is the owner, L. French Realty Trust, 52 Westview Avenue, Chelmsford, MA, c/o Lawrence French, Trustee.
3. At the public hearing, petitioner was represented by Attorney Lisa McGloin, 101 North Common Street, Lynn, MA; Chris Larsen, 98 Laurel Street, Malden, MA; and contractor, Philip Brienze, 45 Pine Grove Avenue, Lynn, MA.
4. The petition in Permit Application # RES 041885-2022 seeks a special permit under Title 12, Chapter 28, Section 010.D of the Code of the City of Malden (the "Ordinance") to allow the change of use of a preexisting nonconforming property in the Residence A zoning district from a single-family dwelling and rooming house to a two-family dwelling.
5. The following plans were submitted in support of the petition: set of plans, "Proposed 2 Unit Residences Chris Larsen 98 Laurel Street Malden, MA," dated November 20, 2021, prepared by John Karavolas, P.E., HH Design Group Architects, Marblehead, MA, that include proposed and existing floors plans for first, second and third floors, and existing front elevation and proposed rear elevation; and a site plan, "Malden, Massachusetts Plan of Land Prepared for: Lawrence French 98 Laurel Street Parcel ID: 133-684-406," with revised date November 6, 2019, "redrawn" November 2, 2021 (signed/stamped November 1, 2021), prepared by John Karavolas, P.E., Peabody, MA.
6. The public hearing complied with the notice requirements of §12.32.020(K) of the Ordinance and Massachusetts General Laws, Chapter 40A, §11.

FINDINGS of FACT (Case #22-04):

The City of Malden Planning Board finds the following facts:

1. The subject property is the site of a 2 ½- story dwelling with a footprint of 1,716 square feet, and a two-bay, two-story garage with a footprint of 407 square feet.
2. The property is currently used as a single-family dwelling on the first floor, containing 1,368 square feet and two bedrooms; and was recently used as a licensed rooming house on the second and third floors, containing a total of 2,100 square feet and six bedrooms.
3. The proposal is to convert the property to a two-family dwelling with a total of six bedrooms and with the same total amount of residential living space as currently exists, 3,468 square feet.
4. Under the proposal, the existing dwelling unit on the first floor will remain unchanged; and interior renovations to the second and third floors will eliminate the rooming house and create a single dwelling unit with four bedrooms; specifically, on the second floor, a bedroom will be converted to the living room and the size of two existing bedrooms will change; and on the third floor, an existing bedroom will be converted to a bathroom and closet, and an existing bathroom to a storage area.
5. The property is located in the Residence A zoning district.

6. The single-family dwelling is allowed by right, and the rooming house is a preexisting nonconforming use that predates the Ordinance and is prohibited in this district, per §§12.12.030 and 12.28.010 of the Ordinance.
7. The proposed two-family is prohibited in this district, however, may be allowed by special permit as a conversion of a preexisting nonconforming use, per §§12.12.030 and 12.28.010.D of the Ordinance.
8. The direct abutter to the north is a single-family dwelling; to the south, a two-family dwelling; and to the east, a single-family dwelling and a two-family dwelling; to the west, on the other side of Laurel Street, are a two-family dwelling and a three-family dwelling and the Residence B zoning district.
9. Surrounding land uses are residential dwellings; business and institutional uses on Salem Street; and a Neighborhood Business zoning district in Maplewood Square.
10. The property predates the current Ordinance, grossly violates most dimensional controls and is considered preexisting nonconforming, per §§12.16 and 12.28.010.A of the Ordinance.
11. The proposal reduces the existing lot area violation from 54% to 45%, eliminates the frontage violation, maintains the one side yard setback violation, and creates a new, 14% violation of density.
12. As depicted on the site plan, the open space was calculated to be 3,342 square feet as follows: lot area of 6,844 square feet, less the dwelling footprint of 1,716 square feet, less the garage footprint of 407 square feet and less the driveway and parking area of 1,379 square feet.
13. Current use of the property requires eight parking spaces, namely, two spaces for the single-family, and six spaces for the rooming house, or one per rentable room, per §§12.20.010 of the Ordinance.
14. The proposed two-family requires six spaces, or one per bedroom, per §12.20.010 of the Ordinance.
15. As depicted on the site plan, there is parking on-site for six vehicles, namely, two spaces in the garage and four in two sets of tandem in the existing driveway that runs along the northern side of the house.
16. The proposal eliminates the existing parking violation as to number of spaces.
17. The property appears to have a minimum of 50% of the front yard, one side yard and the rear yard devoted to landscaping (not paving), in partial compliance with §12.020.I.12 of the Ordinance.
18. As depicted on the Proposed Third Floor plan, the room labeled, “ storage for owner,” approximately 270 square feet in size, will be for use only by the property owner and not accessible to tenants.
19. There will be storage for the tenants in the basement and garage.
20. The basement will also be used for utilities and laundry.
21. The Ward 6 City Councilor and six residential abutters support the proposal.
22. There is no public opposition to the proposal.
23. As modified by the conditions of the special permit, the proposal will not be more detrimental to the neighborhood.

DECISION (Case #22-04):

On April 13, 2022, pursuant to the foregoing Findings of Fact, the Planning Board granted a special permit subject to the following five conditions:


1. All development shall be as per plans except as modified by these conditions.
2. The maximum number of bedrooms is six.
3. The garage may be used for parking and storage only, not for residential living space.
4. No more than 50% of front yard may be paved and used for parking; maintain lawn and/or landscaping of open space in rear yard, northern side yard and front yard.
5. Basement may be used only for storage, utilities and laundry, not residential living space.

RECORD of VOTES (Case #22-04):

The vote on the motion by Chuha, seconded by MacCuish, to grant a special permit with five conditions was eight favor, none opposed, and the motion passed (8-0):

Chuha, yes; Ferguson, yes; Gebreselassie, yes; Gray, yes; Hayes, yes; Henry, yes; MacCuish, yes; Ioven, yes. [*Antonucci, absent; Soucy, absent*].

I, hereby certify that the above is a true copy of the decision of the Malden Planning Board. By:


Michelle A. Romero, City Planner