



**CITY of MALDEN PLANNING BOARD**

Minutes of Regular Meeting

Meeting Date: May 8, 2019

Meeting Location: Malden Senior Community Center, Auditorium, First Floor, 7 Washington Street, Malden, MA

**I. Call to Order.** Chairman Charles Ioven called the meeting to order at 7:00 p.m.

**II. Roll Call.**

*Planning Board Members in attendance:*

- Antonucci, Ken
- Chiavelli, Jim
- Chuha, Diane
- Fitzgerald, Patrick
- Gebrelesassie, Tewedaj
- Hayes, Patrick
- Henry, Eric
- MacCuish, Eric
- Soucy, Henri
- Ioven, Charles, Chair

*Planning Board members absent:* Ferguson, Charles

*Planning Staff in attendance:* Michelle Romero, City Planner; Linda Yarasitis, Clerk

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**III. Public Meeting:**

**A. Subdivision Control Law, M.G.L. c. 41 & Malden Planning Board Rules & Regulations Governing the Subdivision of Land.**

**1) Applications for Tentative Approval of a Preliminary Plan/M.G.L.c.41,§81S.**

- a) 100 Hospital Road/(Parcel ID# 025 104 401)/To subdivide 9.6 acres/To create five (5) new parcels, one new roadway off Murray Hill Road and one new roadway off Hospital Road.
- b) 57 Hospital Road (Parcel ID# 025 105 501)/To subdivide 5 acres to create five (5) new parcels and two new roadways off Hospital Road.

The notice of public meeting was read into the record by Planning Board clerk Antonucci.

The Board reviewed the following information filed by the property owner, Melrose Wakefield Healthcare, Inc., formerly known as Hallmark Health System, Inc.:

1. For 100 Hospital Road:

- a) "Application for Tentative Approval of a Preliminary Plan," (Form B).
- b) Plans, dated February 14, 2019 (signed/stamped February 19, 2019), prepared by Sandra A. Brock, P.E., Nitsch Engineering, Boston, MA:
  - "PRELIMINARY SUBDIVISION PLAN West Subdivision-100 Hospital Road, Malden, MA,"(Sheet C-1).
  - "PRELIMINARY GRADING AND DRAINAGE PLAN West Subdivision – 100 Hospital Road, Malden, MA," (Sheet C-2).

- c) Waiver of zoning freeze, "Notice of Waiver of Preliminary Subdivision Plan under M.G.L. c. 40A, §6," re: zoning freeze for Application for the land shown on the Plan filed August 29, 2018 and disapproved October 10, 2018.
- 2) For 57 Hospital Road.
  - a) "Application for Tentative Approval of a Preliminary Plan," (Form B).
  - b) Plans, dated February 14, 2019 (signed/stamped February 19, 2019), prepared by Sandra A. Brock, P.E., Nitsch Engineering, Boston, MA:
    - "PRELIMINARY SUBDIVISION PLAN East Subdivision - 57 Hospital Road, Malden, MA," (Sheet C-1).
    - "PRELIMINARY GRADING AND DRAINAGE PLAN East Subdivision - 57 Hospital Road, Malden, MA," (Sheet C-2).
  - c) Waiver of zoning freeze, "Notice of Waiver of Preliminary Subdivision Plan under M.G.L. c. 40A, §6," re: zoning freeze for Application for the land shown on the Plan filed August 29, 2018 and disapproved October 10, 2018.

No public testimony was taken at the meeting.

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

1. Planning Report & Recommendation dated May 8, 2019.
2. Correspondence dated May 6, 2019 from Lieutenant Kevin Halpin Malden Fire Department to Planning Board.
3. Notice dated July 27, 2018 from Malden Fire Department (sent to property owner).
4. Correspondence dated May 8, 2019 from Yem Lip, City Engineer and Robert Knox, DPW Director, to City Planner.

Decision: The Board disapproved the Application for 100 Hospital Road and the Application for 57 Hospital Road for the following reasons:

I. Failure to comply with the following Rules and Regulations of the Malden Planning Board Governing the Subdivision of Land:

- 1) §V.A.1.a. Connection to Public Way. The proposed street systems are not connected with a public way with suitable grades and adequate construction for the needs of vehicular traffic.
- 2) §V.A.1.b. Proposed Future Street System. There is no proposed future street system for the great majority of the subject property (88%).
- 3) §V.G.1. Adequacy of Access via Existing Adjacent Streets: Safety. Access to the proposed subdivisions and ways serving the subdivision are inadequate due to grade.
- 4) §V.A.1.c. Design of Streets in Subdivision. Given the noncompliance of the Plan with the rules and regulations regarding Connection to Public Way (§V.A.1.a); Proposed Future Street System (§V.A.1.b); and Adequacy of Access via Existing Adjacent Streets (§V.G.1), the proposed subdivisions do not ensure vehicular and pedestrian safety and adequate access and will not provide safe vehicular travel.
- 5) §V.A.2.c.iii. Street Elevations. The proposed subdivisions are not provided with adequate water service; §VI.B.4b. Streets and Utilities. The proposed water system is not of adequate capacity for fire protection; and there is insufficient water supply to conduct firefighting operations at the proposed subdivisions.

and

II. Given the outstanding public safety concerns and health hazards for Fire Department members at the subject property, the Plans are contrary to the purpose and intent of the Rules and Regulations of the Malden Planning Board Governing the Subdivision of Land, namely, to insure orderly future development of land for the safety, health and convenience of the general public and the future occupants of the subdivided land.

The decisions are described in the two attached correspondence to the City Clerk dated May 10, 2019.

Record of Votes: The vote on the motion to disapprove the Application re: 100 Hospital Road 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				
CHIAVELLI Associate					X
CHUHA	X				
FERGUSON Associate			X		
FITZGERALD	X				
GEBRESELASSIE	X				
HAYES	X				
HENRY	X				
MacCUIISH	X				
SOUCY	X				
IOVEN Chair	X				

Motion by MacCuish, seconded by Henry.

Record of Votes: The vote on the motion to disapprove the Application re: 57 Hospital Road 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				
CHIAVELLI Associate					X
CHUHA	X				
FERGUSON Associate			X		
FITZGERALD	X				
GEBRESELASSIE	X				
HAYES	X				
HENRY	X				
MacCUIISH	X				
SOUCY	X				
IOVEN Chair	X				

Motion by Antonucci, seconded by Henry.

2) **Application for Determination of Planning Board Jurisdiction re: Approval Not Required Subdivision Plan/M.G.L. c.41, §81P.**

- a) 57 Olive Avenue (Parcel ID# 148 627 711)/To subdivide to create one new lot on Monmouth Street.

The Board received information from the City Treasurer that the property owes the City \$4,733.35 in outstanding real estate taxes (per dated May 8, 2019 email from Jaqueline Jones, Assistant Treasurer).

Decision: The Board disapproved the Application, in accordance with the provisions of Section 1.14, Revised Ordinances of 1991, as Amended of the City of Malden and M.G.L. Chapter 40, Section 57, re: mandatory denial for failure to pay taxes.

Record of Votes: The vote on the motion to disapprove the Application was nine in favor, none opposed, and the motion passed (9-0).

	Yes	No	Absent	Abstained	Not Voting
ANTONUCCI	X				
CHIAVELLI Associate					X
CHUHA	X				
FERGUSON Associate			X		
FITZGERALD	X				
GEBRESELASSIE	X				
HAYES	X				
HENRY	X				
MacCUISH	X				
SOUCY	X				
IOVEN Chair	X				

Motion by Antonucci, seconded by Henry.

**B. Annual Report.** The Board reviewed, ratified and confirmed its Annual Report for 2019.

**C. Status update items.**

- 1) Master Plan Steering Committee. Ioven provided an update.
- 2) Community Preservation Committee. Antonucci provided an update.
- 3) Housing Production Plan Advisory Committee. Romero provided an update.

V. Old and New Business. None.

VI. Next Meeting. Ioven announced the date of the next regular meeting is June 12, 2019.

VII. Adjournment. The meeting adjourned at 7:52 p.m.

Approved by: Charles W. Ioven 05/21/2019  
 Charles Ioven  
 Chairman, Malden Planning Board



**City of Malden**  
**Massachusetts**

PERMITS, INSPECTIONS & PLANNING SERVICES  
110 Pleasant Street, 2<sup>nd</sup> Floor  
Malden, Massachusetts 02148  
(781) 397-7000 ext. 2044

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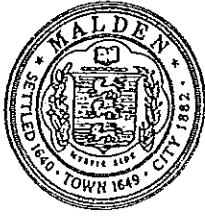
Thomas E. Brennan, City Clerk  
110 Pleasant Street  
Malden, MA 02148

**RE: Application for Tentative Approval of Preliminary Plan of Subdivision  
Filed April 11, 2019  
57 Hospital Road, Malden, MA (Assessor's PID # 025-105-501)  
"PRELIMINARY SUBDIVISION PLAN East Subdivision – 57 Hospital Road,  
Malden, MA," February 14, 2019 (signed/stamped February 19, 2019)  
Owner and Applicant: MelroseWakefield Healthcare, Inc., Medford, MA  
Prepared by Sandra A. Brock, P.E., Nitsch Engineering, Boston, MA**

Dear Mr. Brennan:

At a public meeting on May 8, 2019, a majority of the Malden Planning Board, namely, all nine members present, voted to disapprove the above-referenced Application and Plan for the following reasons:

- I. Failure to comply with the following *Rules and Regulations of the Malden Planning Board Governing the Subdivision of Land*:
1. §V.A.1.a. Connection to Public Way. The proposed street systems are not connected with a public way with suitable grades and adequate construction for the needs of vehicular traffic.
  2. §V.A.1.b. Proposed Future Street System. There is no proposed future street system for the great majority of the subject property (88%).
  3. §V.G.1. Adequacy of Access via Existing Adjacent Streets: Safety. Access to the proposed subdivisions and ways serving the subdivision are inadequate due to grade.
  4. §V.A.1.c. Design of Streets in Subdivision. Given the noncompliance of the Plan with the rules and regulations regarding Connection to Public Way (§V.A.1.a); Proposed Future Street System (§V.A.1.b); and Adequacy of Access via Existing Adjacent Streets (§V.G.1), the proposed subdivisions do not ensure vehicular and pedestrian safety and adequate access and will not provide safe vehicular travel.
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CITY OF MALDEN  
MALDEN, MASS.

May 10, 2019

Thomas E. Brennan, City Clerk  
110 Pleasant Street  
Malden, MA 02148

**RE: Application for Tentative Approval of Preliminary Plan of Subdivision  
Filed April 11, 2019  
100 Hospital Road, Malden, MA (Assessor's PID # 025-104-401)  
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Malden, MA," February 14, 2019 (signed/stamped February 19, 2019)  
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