



City of Malden  
Massachusetts  
Board of Appeal  
110 Pleasant Street  
Malden, Massachusetts 02148

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Minutes of BOA July 17, 2019

Board of Appeal meeting duly called in accordance with the City of Malden Ordinances and its by-laws was held Wednesday, July 17, 2019 at 6:30 pm in the John and Christina Markey Senior Community Center, 7 Washington Street, Malden, MA

Members present: Chair James O'Brien, Assistant Chief William Sullivan, Adam Sherwin, John King, Kathryn Pakenham Bilgen

Meeting called to order 6:30 pm

Chair O'Brien made the announcement regarding MATV is recording this meeting and if anyone present will be recording to advise the Board and provide their name and address.

Motion to accept the minutes from April 17, 2019 made by William Sullivan second by Adam Sherwin  
Vote: O'Brien – yes, Sullivan – yes, Sherwin – yes, King – yes, Bilgen - yes  
All in favor 5-0

Chair O'Brien read the following petition into the meeting record

**PETITION OF:**

**Petition 19-007 by Meredith Gizmunt and Christopher J. Gizmunt** for a variance of Section 400.1.2.1 Chapter 12, of the Revised Ordinances of 1991 as Amended of the City of Malden, Namely, Dimensional Controls of the Side and Rear Set Backs as per Plans RES-029781-2019 at the property known as and numbered **4 Glenwood Terrace, Malden, MA** and also known by City Assessor's **Parcel ID # 014-033-311.**

All statutory notices have been met and this petition is properly before the board.

Meredith Gizmiunt and Christophen Gizmunt represented themselves for this petition.

The Gizmunts are seeking a variance so they may add a deck to the rear of their home. There is no previous structure but a new structure would require a variance due to the rear set back. The proposed deck would be approximately 3.7 feet to the property line.

The Gizmunts spoke with the neighbors and were under the impression it was acceptable with them that they could build a deck.

There is a fence at the rear of the yard but it is unclear who owns it. The property is unique in topography with level changes, the back yard is level, the neighbor will see the deck

The grass does not grow in the rear section of the property. Petitioners would like a deck to extend yard use and would be user friendly. Rear yard is bumpy – cannot put a patio in that area  
Members of the board noted another option could be to go to the other side of property  
The petitioners felt that the backyard is muddy and the side yard is grassy – would like to keep the grassy area  
Member asked is water draining from the neighbors property but the home owners do not have an issue due to water

Open to public

No one in attendance in favor

No one in attendance in opposition however, The board received a letter from a direct abutter in opposition. Chair O'Brien read a letter from Albert Roger and Jean M. Clark of 33-35 Woodland Rd

Motion by John King to DENY this petition: there are other alternatives. Second by Adam Sherwin  
Vote: Obrien - yes, Sullivan - yes, Sherwin - yes, King – yes, Bilgen - no  
Vote of 4 to 1 Petition 19-007 is DENIED

Chair O'Brien read the following petition in the meeting record

**PETITION OF:**

**Petition 19-006 by Thomas P. Callaghan Jr. of Kelliher & Callaghan on behalf of Malden Center, LLC** for a variance of Sections 3.35.10.2.1.3, 3.35.10.2.2, and 3.35.10.2.2.4 Chapter 3, of the Revised Ordinances of 1991 as Amended of the City of Malden, Sign Design Control Ordinances. Namely, the quantity, size and placement of signs on residential, commercial and/or industrial properties, as per plans SGER-029086-2019 at the property to be known as and numbered **190 Pleasant Street/17 Florence Street, Malden, MA**. Presently known as 200 Pleasant Street and also presently known by City Assessor's **Parcel ID # 051-275-510**.

All statutory notices have been met and this petition is properly before the board.  
Attorney Thomas P. Callaghan along with Sandi Silk represented Malden Center, LLC on this petition.

This property is a transitioning project. One property in 2019 into FY20 property of 3 units (Condo)  
Units 1, 2, 3: unit 1 – developer. Unit 2 – City of Malden, Unit 3 – applicant/developer

Variance is for (1) Permanent Sign and (5) Limited Duration Signs  
Petitioner is requesting limited duration signs to assist in attracting tenants.  
Representatives provided a visual to give the board additional information on this large development.  
The Board chose to hear the Permanent sign separately from the Limited Duration Signs

Permanent Sign (1):

The board asked if the petitioner did an analysis of the allowed 90 sq ft for the permanent sign.

90 sq ft was not visible from the T station and the smaller size looks out of proportion to the building and visibility. The petitioner could have more signs, but did not want a cluttered look. The sign was also reduced to 145 sq ft.

The permanent sign of J Malden Center is also the Website with links to all uses (mixed use)

Limited Duration Signs (5):

190 Pleasant - South elevation (exchange St)

Placement more attractive (due to garage)

Petitioner would like to keep limited durations signs up until fully marketed to assist in filling building.

3 signs on exchange St. 2 signs on Abbott St.

There is a 17 ft grade change – signs increase as street does

23' grade change from Florence to Abbott

Variance due to number of signs and placement

Open to Public

Deborah Burke from the Malden Redevelopment Authority appeared to read a letter of support from Kevin Duffy, Strategy and Business Development Officer, into the record.

No one appeared in Opposition

Motion by Kathryn Bilgen to grant the petition for the permanent sign due to this unique larger development second by John King.

Vote: O'Brien – yes, Sullivan – yes, Sherwin – yes, King – yes, Bilgen - yes

Vote 5 in favor 0 opposed

Motion by John King to grant the Limited Duration Signs due to the topography of the land second by William Sullivan

Vote: O'Brien – yes, Sullivan – yes, Sherwin – yes, King – yes, Bilgen - yes

Vote 5 in favor 0 opposed

Next meeting August 21, 2019

Meeting adjourned 7:36 pm