



# City of Malden Massachusetts

Board of Appeal  
215 Pleasant Street  
Malden, MA

781-397-7000 x2151

Board of Appeal – Minutes  
August 18, 2021

The Board of Appeal held a public hearing Wednesday, August 18, 2021 at 6:30 pm Eastern Time (US and Canada) at Malden City Hall, 215 Pleasant St, Malden, MA

This meeting was recorded by Urban Media Arts of Malden, MA

Role Call:

Present: W Sullivan, A Sherwin, J King, K Bilgen,

D Senatillaka -Present at 6:38pm

Minutes from July 21, 2021 - Motion by King 2<sup>nd</sup> by Bilgen approved Sullivan-Yes, Sherwin-Yes, King-Yes, Bilgen-Yes

4 yes 0 nea minutes from July 21, 2021 are approved

**Petition 21-010 by Juan Chen** for a variance of MCC 12.16.010 Table of Intensity Regulations- Chapter 12 of the revised Ordinances of 2020 as amended of the City of Malden – Namely – Dwelling – Single Family Dimensional Controls - rear yard setback (changing deck to 3 season porch) as per Plans RES-035782-2020 at the property known as and numbered **27 Beltran St, Malden, MA and also known by City Assessor's Parcel ID #012-080-005**

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

The Board received a request from the Jen Lee on behalf of the Petitioner dated 8/18/21 to withdraw this petition as they have cancelled their project with their Contractor, Winterhill.

Motion by Sherwin to Withdraw petition 20-010 without prejudice was 2<sup>nd</sup> by King

Vote: Sherwin – Yes, King – Yes, Bilgen – Yes, Sullivan – Yes

4 in favor 0 opposed: Petition 21-010 is withdrawn without prejudice

Due to the absence of N. Cramer alternate D. Senatillaka will become a voting member for this Public Hearing of August 18, 2021.

**Petition 21-008 by Patrick P. MacDonald, Esq. on behalf of PSI Atlantic Malden MA, LLC** for a variance of **MCC 12.16.010** Table of Intensity Regulations - Chapter 12 of the revised Ordinances of 2020 as amended of the City of Malden – Namely –Dimensional Controls : Side Yard Setback, Both Side Yard Setbacks, Rear Yard Setback, Coverage, Principal Building and **MCC 12.20.010** Table of Off Street Parking and Loading Regulation as per Plans CMID-037601-2021 at the property known as and numbered **950-970 Eastern Ave, Malden, MA** and also known by City Assessor's **Parcel ID #126-485-501**

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

Petition 21-008 being represented by Patrick MacDonald, Esq. was tabled from July 21, 2021 for the purpose of revising plans to accommodate solar array concerns of a direct abutter and side setback requirements.

Variances are needed for Lot Coverage and Parking. The Side setbacks have been met with the new design. Lot Coverage is now at 53.8% (50% is allowed) Parking 15 spaces (82 are needed)

The Board received a letter in favor of this petition by Stephen Winslow, Councilor. The direct Abutter Joel Minnich's concerns regarding the blocking of his solar array have been addressed and the building has been redesigned to accommodate this concern spoke in favor of this petition.

No one spoke in Opposition of this petition.

Motion by Bilgen to approve the reduction of parking spaces was 2<sup>nd</sup> by Senatillaka  
Vote: Sherwin – No, King – Yes, Bilgen – Yes, Senatillaka – Yes, Sullivan – Yes  
4 in favor 1 opposition – Variance for parking is Granted

Motion by King to approve lot coverage was 2<sup>nd</sup> by Bilgen  
Vote: Sherwin – No, King – Yes, Bilgen – Yes, Senatillaka – Yes, Sullivan – Yes  
4 in favor 1 in opposition -Variance for lot coverage is Granted

Petition 21-008 is Granted

**Petition 21-011 by Christopher Fallon, Esq. on behalf of 585 Pleasant Street Associates, LLC** for a variance of **MCC 12.16.010** Table of Intensity Regulations - Chapter 12 of the revised Ordinances of 2020 as amended of the City of Malden – Namely –Dimensional Controls: Lot Area, Front Setback, Lt and Rt Side Setback, Both Sides Setback, Rear Setback, Coverage- Principal Building, Open Space and **MCC 12.16.070 (I)** Yard Requirements as per Plans COO-037160-2021 at the property known as and numbered **585 Pleasant St, Malden, MA** and also known by City Assessor's **Parcel ID #027-103-336**

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

Petition is being represented by Christopher Fallon, Esq.

The building was previously used a law office along with other private offices. Currently this unoccupied building remains empty with little or no interest in occupancy for office use. The property is situated on a slope with limited parking.

The new proposed buyers would like to change the building use to a residential property and use this as their residence with a home office workshop. Present plans are for a three-bedroom home with 4 parking spaces.

There are many violations regarding setbacks with this property, however, all violations are pre-existing. No changes will be made to the outside of the property.

Hardships associated with this property: It is on a slope, limited parking, no handicap accessibility.

No one appeared in opposition of this petition.  
The Board received 3 letters in favor of this petition.

Motion by King to approve this petition due to all violations being of pre-existing conditions was 2<sup>nd</sup> by Senatillaka.

Vote: Sherwin – Yes, King – Yes, Bilgen – Yes, Senatillaka – Yes, Sullivan – Yes

5 in favor – 0 in opposition – Petition 21-011 is granted.

Motion to Adjourn at 7:49 pm by King was 2<sup>nd</sup> by Bilgen