



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

CASE NUMBER 20-08

LOCATION of SUBJECT PROPERTY 326 Commercial Street, Malden, MA

NAME of PETITIONER and OWNER 326 Commercial Street Associates Limited Partnership

DATE of PUBLIC HEARING March 11, 2020

DATE of DECISION March 11, 2020

DATE of FILING DECISION with CITY CLERK March 13, 2020

DATE of NOTIFICATION to BUILDING INSPECTOR March 13, 2020

FINAL DATE for FILING APPEAL of DECISION with SUPERIOR COURT April 2, 2020

*[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 #20-08):**

1. The subject property is known as and numbered 326 Commercial Street and by City Assessor's Parcel Identification #059-230-011.
2. Petitioner is the owner, 326 Commercial Street Associates Limited Partnership, c/o Combined Properties, Inc. 295 Canal Street, Suite 500, Malden, Massachusetts 02148.
3. At the public hearing, petitioner was represented by its attorney, Brian G. Cafferty, Vice President of Legal Affairs, Combined Properties, Inc., 295 Canal Street, Suite 500, Malden, Massachusetts 02148.
4. The petition seeks a special permit under §300.3.5.6, Chapter 12, Revised Ordinances of 1991, as Amended, of the City of Malden (the "Ordinance") to allow wholesale and distribution use of property in the Industrial 2 zoning district.
5. The following plans and information were submitted in support of the petition: set of plans, "SRS Distribution, Inc. 326 Commercial Street, Malden, MA 02148 Issued for Special Permit Review," dated January 24, 2020, which contain a site survey plan, "Plan of Land in Malden, Massachusetts," dated October 27, 2000, revised July 26, 2006, prepared by William J. Ferro, R.P. L.S., Framingham, MA; a site plan, "Architectural Site Plan," dated January 28, 2020, prepared by Shawn M. Burns, Architect, Stoneham, MA (revised March 5, 2020-as noted in margin); and Existing/Proposed First Floor Plan and Existing Exterior Elevations, both dated January 24, 2020, revised January 28, 2020, prepared by Shawn M. Burns, Architect, Stoneham, MA; and a Transportation Impact Assessment, dated February 2019, prepared by Vanasse & Associates, Inc., Andover, MA.
6. At the public hearing, petitioner requested to table the hearing to have the opportunity to file a petition for a special permit seeking to allow offsite parking facility use of the property, which will require a public hearing by the Planning Board, and to prepare a revised site plan for the current petition that includes a public path along the portion of the property abutting the Malden River, which will require reconfiguration of the parking lot layout.
7. The Planning Board opened the public hearing, immediately considered petitioner's request and did not take any public testimony.
8. Petitioner agreed to allow the petition to be withdrawn without prejudice.
9. The public hearing complied with the notice requirements of Massachusetts General Laws, Chapter 40A, §11.

**DECISION (Case #20-08):**

On March 11, 2020, the Planning Board allowed the petition to be withdrawn without prejudice.

**RECORD of VOTES (Case #20-08):**

On March 11, 2020, the vote on the motion to allow the petition to be withdrawn without prejudice was nine in favor, none opposed, and the motion passed (9-0):

Chuha, yes; Ferguson, yes; Fitzgerald, yes; Gebreselassie, yes; Hayes, yes; Henry, yes; MacCuish, yes; Soucy, yes; Ioven, yes.

*Motion by Henry, seconded by MacCuish. Present but not voting: Gray. Absent: Antonucci.*

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

By: \_\_\_\_\_  
Michelle A. Romero, City Planner