



CITY of MALDEN PLANNING BOARD
NOTICE of DECISION

RECEIVED

2014 SEP 17 P 1:11

CASE NUMBER 14-11

LOCATION of SUBJECT PROPERTY 420 Eastern Avenue, Malden, MA

NAME of PETITIONER and OWNER Amerco Real Estate Company

DATE of PUBLIC HEARING August 13, 2014

DATE of DECISION September 10, 2014

DATE of FILING DECISION with CITY CLERK September 17, 2014

DATE of NOTIFICATION to BUILDING INSPECTOR September 17, 2014

FINAL DATE for FILING APPEAL of DECISION with SUPERIOR COURT October 7, 2014

[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.]

CITY CLERK'S OFFICE
MALDEN, MASS.

PROCEDURAL HISTORY (Case #14-11)

1. Petitioner is the owner, Amerco Real Estate Company, 2727 North Central Avenue, 5-N, Phoenix, AZ 85004.
2. The petitioner seeks a special permit under §§300.3.5.7 and 700.1.3.2, Chapter 12, Revised Ordinances of 1991, as Amended, of the City of Malden, to structurally change and extend a preexisting nonconforming property in Industrial 1 district and to allow a self-storage facility use in a portion of the building.
3. The following plans and information were submitted in support of the petition: "ALTA/ACSM Land Title Survey 420 Eastern Avenue Malden, Mass. (Middlesex County)," dated January 8, 2014, prepared by Richard J. Mede, Jr., P.L.S., Medford Engineering & Survey, Medford, MA; "Site Plan Proposed Loading Dock 420 Eastern Avenue Malden, Massachusetts," dated May 23, 2014, prepared by Richard A. Salvo, P.E., Engineering Alliance, Saugus, MA; "Proposed First Floor Plan U-Haul of Malden 420 Eastern Avenue Malden, MA 02148," and "Existing Condition Floor Plan U-Haul of Malden 420 Eastern Avenue Malden, MA 02148," both undated, prepared by Elvin J. Phillips, Reg. Architect, RJ Farah Engineering, Inc., Stoneham, MA; "Proposed Elevations U-Haul of Malden 420 Eastern Avenue Malden, MA 02148" and "Existing Elevations U-Haul of Malden 420 Eastern Avenue Malden, MA 02148," both dated May 9, 2014, prepared by Elvin J. Phillips, Reg. Architect, RJ Farah Engineering, Inc., Stoneham, MA; and "Transportation Impact Assessment, U-Haul Moving & Storage Center Renovation, Malden, MA," dated June 5, 2014, prepared by Vanasse & Associates, Inc., Andover, MA.
4. On August 13, 2014, the Planning Board held and closed the public hearing and tabled its deliberations and decision until receipt of the City's peer review of the information provided by petitioner on August 8, 2014 regarding traffic impact and recommendations regarding safety mitigation.
5. The public hearing complied with statutory notice requirements of Massachusetts General Laws, Chapter 40A, §11.
6. On September 10, 2014, at a public meeting, the Planning Board deliberated and made a decision.

FINDINGS of FACT (Case #14-11):

The City of Malden Planning Board finds the following facts:

1. The subject property, 1.55 acres in size, is located on the northern side of Eastern Avenue/Route 60, near the intersection of Bryant Street and the site of a single-story building containing approximately 23,566 square feet.
2. The majority of the building is currently vacant, except for approximately 1,968 square feet at the front of the building, which was recently renovated and is currently occupied by petitioner's local subsidiary, U-Haul Company of Boston, which currently operates the truck and trailer rental business at the property.
3. The proposal is to use the property for a U-Haul Moving & Storage Center, consisting of a self-storage facility; accessory retail sales and services for truck and trailer rentals; and accessory offices.
4. The proposal is to renovate and convert a portion of the existing building, namely, 19,106 square feet, for self-storage facility use, and to construct a loading dock, 16 feet by 26 feet in size, on the eastern side of the building.
5. Under the proposal, the remainder of building, 4,460 square feet, will continue use for accessory offices and retail sales and services, namely, truck and trailer rentals.
6. The property is located in an Industrial 1 zoning district.
7. The existing retail services use for truck and trailer rentals is allowed in this district, per §300.3 of the Ordinance.
8. The proposed self-storage facility use is allowed by special permit in this district, per §300.3.5.7 of the Ordinance.
9. The direct abutters to the east are a motor vehicle repair shop and a fenced parking lot used by an adjacent manufacturing business; to the west, various business and industrial uses, including retail sales, retail services, recreation for gainful business and motor vehicle repair shop; and to the north, the abandoned railroad right-of-way used for the public multimodal recreational trail, Bike to the Sea Path/Northern Strand Community Trail, to the north of which are residential dwellings; and to the south, on the other side of Eastern Avenue, are a gasoline station and car wash.
10. Surrounding land uses are business and industrial.
11. The existing building complies with dimensional controls, per §400.1 of the Ordinance.
12. The proposal creates no violations of dimensional controls.
13. The property is preexisting nonconforming regarding number of parking spaces, per §§500.1 and 700.1 of the Ordinance.
14. The proposal requires twenty-four (24) parking spaces, per §§500.1.5.7 and 500.2.18 of the Ordinance.
15. The proposal provides a total of forty-two (42) parking spaces on-site by maintaining the existing eighteen (18) car spaces at the front of the building/lot and installing new twenty-four (24) truck parking spaces: nine (9) parallel along the eastern property line (near new loading dock) and fifteen (15) head-on at the rear of building/lot.

16. The proposal eliminates the existing nonconformities and creates no violations of parking requirements.
17. The City's peer review of petitioner's Transportation Impact Study is described in correspondence dated August 5, 2014 and email memorandum dated August 18, 2014, from Kenneth Petraglia, BETA Group, Inc., and includes recommendations regarding mitigation for vehicular and pedestrian safety and access at and around the site; specifically, for the east driveway (nearest Bryant Street) to be one-way in, and for the west driveway to be one-way out, and safety mitigation at the adjacent signalized intersection of Eastern Avenue/Bryant Street, including the installation of pedestrian signals, pushbuttons, and tactile warning panels.
18. The traffic and traffic patterns generated by the proposed use will not adversely impact any of the surrounding streets or create a traffic or safety hazard.
19. The proposed self-storage facility consists of the onsite storage of large, portable containers or pods, 5 by 8 feet in size, known as "U-Boxes," which are provided by petitioner, delivered to or picked up by customers to pack/fill and returned to the facility to be stored.
20. Customer access to the storage containers requires 24 hours' advance notice to the facility and is only at scheduled times, during business hours when the facility is open; and customer access is only in designated common areas in the building, where petitioner's employee brings the container from its storage location in the facility.
21. Proposed hours of operation are the current hours: 7 am to 7 pm, Monday to Saturday, and 9 am to 5 pm on Sundays.
22. Under the proposal, the maximum capacity of the building to store the "U-Box" container units is 250.
23. The proposal will not require additional employees or staff.
24. There is no public opposition to the proposal.
25. The proposal is in the interest of the common good.
26. The proposal will not be more detrimental to the neighborhood.
27. Petitioner consents to all proposed conditions of this special permit.

DECISION (Case #14-11):

On August 13, 2014, pursuant to the foregoing Findings of Fact, the Planning Board moved to close the public hearing and table its deliberations and decision, until receipt of City's peer review and recommendations regarding the traffic impact of the proposal and safety mitigation, and the motion passed.

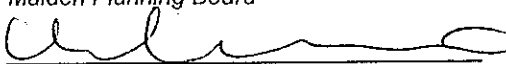
On September 10, 2014 at a public meeting, pursuant to the foregoing Findings of Fact, the Planning Board moved to grant the special permit subject to the following eight (8) conditions, and the motion passed: 1) Install and maintain pavement markings, striping of all spaces and loading areas, as per plans; 2) Install and maintain pavement markings and signage for one-way traffic circulation pattern on-site, counterclockwise around building, and for one-way in access via the east driveway (nearest Bryant Street) and one-way out egress via the west driveway; 3) Repair or replace sidewalks and driveways, including related incidental work, adjacent to the site, to the reasonable satisfaction of the DPW Director; 4) Install and maintain fencing with pedestrian gate opening along Northern Strand Community Trail/Bike to the Sea Path abutting the property; install cameras and lighting in locations abutting the property to be determined by Ward City Councilor and Malden Police; and maintain cleanliness of that portion of Trail/Path abutting the property, including but not limited to, litter control and removal of overgrown vegetation; 5) No outside storage allowed; 6) Prior to the issuance of a Certificate of Occupancy, implement the following safety mitigation measures at adjacent intersection of Eastern Avenue and Bryant Street: a) design and implement an optimal traffic signal timing and phasing for the intersection; b) review timing improvements within one-year and make any necessary adjustments; and c) install pedestrian signals with count-down timers, pushbuttons, and tactile warning panels; 7) Existing loading doors may be enlarged as per plans; and 8) The self-storage facility use shall be limited to storage of large portable containers provided by the business owner/manager, i.e., pods, delivered to or picked up by customer to pack/fill and return to the facility to be stored; and with access by customers to containers only in designated common areas in the building and only at scheduled times, during business hours when the facility is open.

RECORD of VOTES (Case #14-11):

On August 13, 2014, the vote on the motion to table the deliberations and decision was 8 in favor, none opposed:
Antonucci, yes; Chiu, yes; Chuha, yes; Danca, yes; Ferratusco, yes; Hayes, yes; Lawhorne, yes; Ioven, yes.

On September 10, 2014, the vote on the motion to grant a special permit with 8 conditions was 7 in favor, none opposed:
Antonucci, yes; Chuha, yes; Danca, yes; Ferratusco, yes; Hayes, yes; Lawhorne, yes; Ioven, yes.

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.

Malden Planning Board
By: 
Michelle A. Romero, City Planner