

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

CASE NUMBER 21-13

LOCATION of SUBJECT PROPERTY 260 Eastern Avenue, Malden, MA

NAME of PETITIONER and OWNER E.C. Barton & Company

DATES of PUBLIC HEARING September 13, 2021 and November 10, 2021

DATE of DECISION November 10, 2021

DATE of FILING DECISION with CITY CLERK November 18, 2021

DATE of NOTIFICATION to BUILDING INSPECTOR November 18, 2021

FINAL DATE for FILING APPEAL of DECISION with SUPERIOR COURT December 8, 2021

[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 #21-13):

1. The subject property is known as and numbered 260 Eastern Avenue and by City Parcel Identification number 086 268 805.
2. The petitioner is the property owner, E.C. Barton & Company, 2929 Browns Lane, Jonesboro, AK 72403.
3. The petition in Permit Application # COO-037639-2021 seeks a special permit under Title 12, Chapter 12, Section 090 of the Code of the City of Malden, formerly known as Chapter 12, Revised Ordinances of 2020 (Ordinance), to allow offsite parking facility use of property in the Industrial 1 zoning district.
4. Via correspondence dated September 2, 2021, petitioner requested to table the public hearing to allow time to resolve issues between petitioner and the proposed lessee.
5. Via email dated October 12, 2021, petitioner requested to withdraw the petition without prejudice.
6. On September 13, 2021 and November 10, 2021, the Planning Board opened the public hearing, immediately considered petitioner's request and did not take any public testimony.
7. The public hearing complied with the notice requirements of §12.32.020(K) of the Ordinance and Massachusetts General Laws, Chapter 40A, §11.

DECISION (Case #21-13):

On September 13, 2021, the Planning Board tabled the public hearing.

On November 10, 2021, the Planning Board allowed the petition to be withdrawn without prejudice.

RECORD of VOTES (Case #21-13):


On September 13, 2021, on the motion of Antonucci, seconded by MacCuish, the vote on the motion to table the public hearing was nine in favor, none opposed, and the motion passed (9-0):

Antonucci, yes; Ferguson, yes; Fitzgerald, yes; Gebreselassie, yes; Hayes, yes; Henry, yes; MacCuish, yes; Soucy, yes; Ioven, yes. *[Absent: Chuha, Gray.]*

On November 10, 2021, on the motion of Fitzgerald, seconded by Soucy, the vote on the motion to allow the petition to be withdrawn without prejudice was seven in favor, none opposed, and the motion passed (7-0):

Fitzgerald, yes; Gebreselassie, yes; Gray, yes; Hayes, yes; Henry, yes; Soucy, yes; Ioven, yes. *[Absent: Antonucci, Chuha, Ferguson, MacCuish.]*

I hereby certify that the above is a true copy of the decision of the Malden Planning Board.

By: 
Michelle A. Romero, City Planner