



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

CASE NUMBER 22-01

LOCATION of SUBJECT PROPERTY 320 State Highway, a.k.a. 735 Broadway, Malden, MA

NAME of PETITIONER Pugh Management, LLC

NAME of OWNER Motel Realty Co., Inc.

DATES of PUBLIC HEARING September 13, 2021 and January 12, 2022

DATES of DECISION January 12, 2022 and January 18, 2022

DATE of FILING DECISION with CITY CLERK January 26, 2022

DATE of NOTIFICATION to BUILDING INSPECTOR January 26, 2022

FINAL DATE for FILING APPEAL of DECISION with SUPERIOR COURT February 15, 2022

[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 #22-01):

1. The subject property is known as and numbered, 320 State Highway, a.k.a. 735 Broadway, Malden, MA and by Assessor's Parcel #184 573 368.
2. The petitioner is Pugh Management, LLC, c/o John T. Pugh, II, 322 Warren Street, Needham, MA.
3. The property owner is Motel Realty Co., Inc., 735 Broadway, Malden, MA and authorized filing of this petition.
4. Petitioner was represented by John Pugh and Bonnie Burnett of Pugh Management, LLC; its attorneys, Thomas P. Callaghan, One Centre Street, Malden and Michael D. Rosen, 255 State Street, Boston; its engineers, Doug Landry and Jordan Loffredo, Langan Engineering & Environmental Services, 888 Boylston Street, Boston, MA; and its traffic engineer, Ellen Moshier, CHA, Norwell, MA, at the public hearing on September 13, 2021; and by John Pugh and Jordan Loffredo at the public hearing on January 12, 2022.
5. The petition filed in permit application # CMID 037453-2021 seeks a special permit under Title 12, Chapter 12, Section 030, Code of the City of Malden (the "Ordinance"), formerly known as Chapter 12 of the Revised Ordinances of 2020, of the City of Malden, as Amended, to allow warehouse use and/or wholesale & distribution use of property in the Highway Business zoning district.
6. The following plans were submitted in support of the petition: "PUGH MANAGEMENT City of Melrose, MA Site Plan Review Application City of Malden, MA Special Permit Application 735 Newburyport Turnpike, Melrose, MA and 320 State Highway, Malden, MA Cities of Malden & Melrose, Middlesex County, Massachusetts," dated May 12, 2021, revised through December 22 2021, prepared by Langan Engineering & Environmental Services, Inc., Boston, MA, that include:
 - a) "ALTA/NSPS land Title Survey Existing Conditions/Topographic Survey," (Drawing #VL101), dated March 24, 2021, prepared by Andrew G. Ives, P.L.S., Langan MA, Inc., Boston, MA.
 - b) "Site Plan," (Drawing No. CS101), dated May 12, 2021, with revisions through December 22, 2021, prepared by John D. Plante, P.E., Langan Engineering & Environmental Services, Boston, MA.
 - c) "Grading & Drainage Plan," (Drawing No. CG101), dated May 12, 2021, with revisions through December 22, 2021, prepared by John D. Plante, P.E., Langan Engineering & Environmental Services, Boston, MA.
 - d) "Overall Utility Plan," (Drawing No. CU101), May 12, 2021 with revisions through December 22, 2021, prepared by John D. Plante, P.E., Langan Engineering & Environmental Services, Boston, MA.
 - e) "Soil Erosion & Sediment Control Plan," (Drawing No. CE101), May 18, 2021, with revisions through December 22, 2021, prepared by John D. Plante, P.E., Langan Engineering & Environmental Services.
 - f) "Site Lighting Plan," (Drawing No. LL101), dated May 12, 2021, revised through December 22, 2021, prepared by Michael Szura, Reg. Landscape Architect, Langan Engineering & Environmental Services.
 - g) "Planting Plan," (Drawing No. LP101), dated December 22, 2021, and "Planting Details," (Drawing No. LP502) undated, prepared by Michael Szura, Reg. Landscape Architect, Langan Engineering & Environmental Services, Boston, MA.
 - h) "Overall Floor Plan," (Sheet # A1.1), dated April 30, 2021, prepared by Louis Wayne Vandeloecht, Reg. Architect, GMA Architects, Downers Grove, IL.
 - i) "Overall Roof Plan," (Sheet # A2.0), dated April 30, 2021, prepared by Louis Wayne Vandeloecht, Reg. Architect, GMA Architects, Downers Grove, IL.
 - j) "Overall Elevations," (Sheet # A3.0), dated April 30, 2021, prepared by Louis Wayne Vandeloecht, Reg. Architect, GMA Architects, Downers Grove, IL.
 - k) "Concept Renders," (Sheets ##A4.0 and A4.1) dated April 30, 2021, prepared by Louis Wayne Vandeloecht, Reg. Architect, GMA Architects, Downers Grove, IL.

7. The following traffic impact information was submitted in support of the petition:
 - a) "Traffic Impact Study 735 Broadway Site Redevelopment," dated April 23, 2021, prepared by Ellen Moshier, P.E., CHA, Norwell, MA.
 - b) Memorandum, "Responses to Comments," dated June 9, 2021, prepared by Ellen Moshier, P.E., CHA.
 - c) Memorandum, "735 Broadway: Trip Generation Memo," dated August 4, 2021, prepared by Ellen Moshier, P.E., CHA.
 - d) Memorandum, "Response to 735 Broadway 320 State Highway Peer Review Memo dated 6.22.21," dated August 4, 2021, by John Pugh, Managing Partner, Pugh Management.
 - e) Memorandum, "Re: 735 Broadway Proposed Development Facility Operations & Throughput Analysis," dated August 4, 2021, from John T. Pugh, RA & Bonnie Burgett, partners at Pugh Management.
 - f) Memorandum, "735 Broadway (320 State Highway) Proposed Traffic Monitoring Program," dated October 20, 2021, unsigned, on Pugh Management letterhead.
 - g) Memorandum, "Transportation Impact Assessment Review Proposed Warehouse Building - 735 Broadway and 320 State Highway (Route 1) Malden and Melrose, Massachusetts," dated October 21, 2021, prepared by Jeffrey S. Dirk, P.E., PTOE, FITE, Vanasse & Associates, Inc., Andover, MA.
8. The following other information was submitted in support of the petition:
 - a) Memorandum, "Boston Market Industrial Lease Comp Memo dated July 12, 2021," prepared by Edward J. Jarosz, Executive Managing Director, Newmark, Boston, MA.
 - b) Set of 3 slides, "Malden Broadway Corridor Framework Plan: Aligned Priorities Consistent with Broadway Corridor Goal," dated July 14, 2021, unsigned, numbered 38, 39, 40.
 - c) Document, "320 State Highway Malden, MA Supplemental Submission December 21, 2021 City of Malden Planning Board Special Permit Application," dated December 21, 2021, unsigned with Pugh Management, Kelliher & Callaghan and Langan listed on cover sheet, that describes proposed mitigation and benefits.
9. The public hearing by the Malden Planning Board was originally tentatively scheduled for June 2021, and at petitioner's request, scheduled to July 2021 to allow petitioner to obtain zoning relief from the City of Melrose; the Malden Planning Board did not open the public hearing as scheduled on July 14, 2021 or August 25, 2021, due to two separate notice deficiencies resulting from inadvertent errors by the City regarding mailing of notice to abutters in surrounding cities; and on July 14, 2021, the City of Malden and petitioner agreed in writing to extend the 65-day time frame to hold the public hearing, per Massachusetts General Laws, Chapter 40A, §9.
10. On September 13, 2021, the Malden Planning Board opened and held the public hearing, tabled the public hearing and its decision to allow the opportunity for the City Planner and City Engineer to meet with MassDOT and petitioner regarding the feasibility of the following modifications to the proposed site access/egress: a) Modify driveway and curb-cut on Route One, Malden (eastern site drive) to a dimension that allows all tractor trailer and truck traffic access/egress to the site via Route One; b) Reduce driveway and curb-cut on Broadway (southern site drive) to 24 feet and restrict use for access/egress of only passenger vehicles and small trucks; and c) Install signage at Broadway site drive (southern site drive) to prohibit tractor trailers access/egress via Broadway and restrict access/egress via Broadway to passenger vehicles and small trucks.
11. The Malden City Council amended the Ordinance to prohibit wholesale & distribution use in the Highway Business zoning district in City Council Paper 383/2021, ordained on December 7, 2021, which includes an exemption for applications filed prior to the date of first publication of the notice of public hearing on the amendment on September 10, 2021, which exemption applies to petitioner's application filed on May 19, 2021.
12. Petitioner appealed the Malden Planning Board decision to deny endorsement of a proposed subdivision plan of the subject property in Land Court Civil Action No. 2021 Misc. 000487, filed on October 1, 2021 and suspended via Court Order on December 6, 2021, confirmed as a Motion to Stay Action on December 8, 2021.
13. On January 12, 2022, the Malden Planning Board reopened and held the public hearing and rendered a decision regarding the part of the petition seeking a special permit for warehouse use.
14. On January 18, 2022, the Malden Planning Board ratified and confirmed its decision regarding the warehouse use and rendered a decision regarding the part of the petition seeking a special permit for wholesale and distribution use.
15. In accordance with the City of Malden Local Executive Order issued on January 4, 2022 regarding COVID-19, the public hearing on January 12, 2022 was held virtually and petitioner and members of the public attended and participated remotely via technological means; and the public meeting on January 18, 2022 was held virtually and public attendance was remote via technological means.
16. The public hearings complied with the notice requirements of Title 12.32.020(K) of the Ordinance and Massachusetts General Laws, Chapter 40A, §11, and in addition, the notice of the second public hearing held on January 12, 2022 was mailed to abutters.

FINDINGS of FACT (Case #22-01):

The City of Malden Planning Board finds the following facts:

1. The property is located on the eastern side of Broadway/State Route 99 and western side of state highway Route One South, with existing frontage and access/egress via Route One in Malden and on Broadway in Melrose.
2. The project site collectively contains an approximate total five acres (218,339 square feet) with 2.7 acres (118,073 square feet) or 54% in Malden and 2.3 acres (100, 251 square feet) or 46% in Melrose.
3. Currently on the project site are: a) three, single-story motel buildings, occupied by the Town Line Motel: one with 26 rooms and one with 25 rooms in Malden; and one with 25 rooms in Melrose; b) an offsite parking facility consisting of a paved, fenced parking lot of approximately 12,802 square feet, in Malden, used for school bus parking per Outdoor Parking License (City Council Paper 335-21); a vacant single-story restaurant building in Melrose; a vacant trailer in Melrose, most recently used as offices for an on-site used car dealer; and two accessory signs, one near Route 1 in Malden and one near Broadway in Melrose.
4. The property contains an intermittent stream in Malden that runs along the southern property line.
5. The proposal is to demolish all buildings, remove the trailer and offsite parking lot, and to construct a new single-story building containing 94,000 square feet, with 30,598 square feet (33%) of the proposed new building located in Malden, and 63,402 square feet (67%) located in Melrose.
6. Under the proposal, there will be twenty-three (23) loading bays/spaces and one loading dock/ramp with a “drive in door,” and seventeen of the loading bays/spaces and the loading dock/ramp are located entirely in Malden.
7. Under the proposal, the new building and property might be used as a warehouse and/or distribution facility.
8. The property is located in the Highway Business zoning district.
9. The Ordinance provides a use category and definition for “warehouse;” classifies “wholesale and distribution” under a single, combined use category and contains no definition; and does not provide a distinct use category or definition for distribution or distribution facility, per Title 12.12.030 and 12.32.060 of the Ordinance.
10. Warehouse use and wholesale and distribution use may be allowed by special permit in the Highway Business zoning district, per the applicable provisions of Title 12.12.030 of the Ordinance.
11. Direct abutters to the south are several single-family dwellings and the Town Line Estates mobile home park; to the west, a utility substation for gas, electric, telephone; to the north, in Melrose, a cemetery and used car dealer; the east, on the other side of Route 1/State Highway is the Overlook Ridge multifamily residential development; and to the west, on the other side of Broadway, in Malden is a plumbing/heating/ HVAC wholesale supplier, and in Melrose, a marijuana retailer and medical dispensary, and a paving contractor.
12. Surrounding land uses are, in Malden, a body art/tattoo parlor, recreation for gainful business/bowling alley, and restaurant; in Melrose, a cemetery and City waste transfer station; and in Saugus, an asphalt/concrete recycling and building, construction and contractor’s supply business, residential dwellings, business and industrial uses.
13. The proposed warehouse use is not in conflict with surrounding land uses.
14. The proposal complies with all dimensional controls for that portion of the building and property in Malden, as per Title 12.16.030 and 12.16.040 of the Ordinance.
15. The site plan depicts all parking proposed on the entire site, both Malden and Melrose; under the revised proposal, a total of 98 parking spaces will be provided on site: 53 spaces (54%) are located entirely in Malden; four spaces (4%), partially in Malden and Melrose; and 41 spaces (42%), entirely in Melrose.
16. For the portion of the proposed building in Malden, containing 30,598 square feet, 31 parking spaces are required for warehouse use or 37 spaces for wholesale & distribution use, per Title 12.20.010 of the Ordinance.
17. The proposed amount of parking in Malden exceeds the requirements for the portion of the building in Malden.
18. Under the proposal, parking spaces on the Malden portion of the site will be used to satisfy Melrose parking requirements, given that, as stated on the site plan, Melrose zoning requires 64 parking spaces for the portion of the proposed building in Melrose, however, only 41 spaces will be provided on the Melrose portion of the site.
19. As per the revised site plan, 30 parking spaces in Malden will be installed using permeable or porous pavement.
20. The proposal complies with the parking requirements regarding dimensions, aisle width and driveways, per Title 12.20.020 the Ordinance.
21. The revised site plan depicts the required bicycle parking for eight, per Title 12.20.020 of the Ordinance.
22. The proposal provides the required landscaping and snow storage, per Title 12.20.020 of the Ordinance.
23. The proposal requires three loading spaces, per Title 12.20.030.E.3 of the Ordinance.
24. Under the proposal, there will be twenty-three loading bays/spaces and one loading dock/ramp; seventeen (17) loading bay/spaces and the loading dock/ramp are located entirely on the Malden portion of the site, and six other loading bay/spaces are located partially in Malden and with doors/access to the building in Melrose.

25. The proposed loading bays/spaces comply with requirements of Title 12.20.030.A of the Ordinance: sixteen meet dimensions for loading bays (12 x 55 feet) and six exceed dimensions for loading spaces (12 x 40 feet).
26. As depicted on the revised site plan, the locations of the proposed dumpsters and trash compactors with enclosures comply with siting and visual screening requirements of Title 12.20.030.H of the Ordinance.
27. Under the proposal, there will be a screening area with fencing along the southern property line abutting residential uses, which complies with the requirements of Title 12.20.040 of the Ordinance.
28. The City's peer review of petitioner's traffic impact study and memoranda is described in correspondence dated June 22, 2021 from Kenneth Petraglia, P.E., P.T.O.E., Malden, MA and various subsequent email; and recommends that petitioner implement traffic and safety mitigation on-site and in the project area, including: improvements to signal timing and crossing timing at the Broadway, Central Avenue & Ewell Street intersection; safety improvements on Broadway for pedestrians, bicyclists and motorists, such as bike lanes, pavement treatment and embedded reflective lights; modifications to reconfigure site driveways and curb-cuts to allow tractor trailer truck access/egress via Route One and to restrict truck egress on Broadway; and future traffic monitoring after occupancy and discussion of further traffic mitigation and/or operational adjustments; and also recommends petitioner's proposed measures to install on-site bicycle racks to encourage employees to use alternative modes of transportation; relocation of an MBTA bus stop closer to the site; installation of signage on site to prohibit idling; and management of truck access by the facility loading dock manager/operations manager.
29. On September 30, 2021, Malden City staff, namely, City Planner Michelle Romero, City Engineer Yem Lip and Building Commissioner Nelson Miller, virtually attended a "Pre-Application"/"pre-permit technical" meeting with Massachusetts Department of Transportation (MassDOT) District 4 Deputy District Highway Director Frank G. Suszynski, his traffic engineers and project development staff, and petitioner and its engineers; and at this meeting, the project site drives for access and egress via Broadway/Route 99 and Route One were discussed.
30. Following the September 30, 2021 meeting with MassDOT, petitioner revised the proposal and modified the plans regarding site access and egress via Route One and Broadway/Route 99 as follows: the eastern site drive on Route One, Malden is increased to 121 feet in width, reconfigured to allow access for tractor trailers and egress for all vehicles, and includes painted pavement markings and "channelizing" lines to designate an access lane; and the southern site drive on Broadway, Melrose is reconfigured to a divided driveway with the southern section, 21 feet in width, to provide one-way access for passenger vehicles and small trucks; and the northern section, 28 feet in width, to provide one-way egress for all vehicles, including all trucks, only right turns out, with left turns out restricted by driveway angle, curbing, a channelized island and "No Left Turn" signage.
31. A proposed third site drive on Broadway, Melrose, at the northwestern corner of the site, will be one-way and provide egress only for passenger vehicles and access only for emergency vehicles to the rear of the building.
32. Petitioner proposes Traffic Impact Mitigation consisting of the following mitigation funds and traffic monitoring and mitigation proposal: as mitigation funds, to address certain concerns, petitioner proposes to make a voluntary contribution of \$100,000 to the City of Malden to be used for traffic calming measures along the Broadway corridor; and petitioner's Traffic Monitoring and Mitigation Proposal consists off petitioner conducting a post-development program that includes: a) data collection of traffic volumes entering and exiting (hourly and daily), turning movement and vehicle classification counts for weekday morning and weekday evening peak periods, and motor vehicle crash data, at project site Broadway driveways, for two, contiguous seven-day periods, once, within six months after issuance of a final certificate of occupancy and once within one year after issuance of a final certificate of occupancy; b) a summary reports provided to the City two times, once each within two months of completion of the data collection; to identify recommended mitigation and corrective measures to address impacts if project traffic volumes (as estimated in April 2021 study) increase by more than 10% on a regular and sustained basis, or, there is a material increase in crashes at or in immediate vicinity of project site Broadway driveways that are attributable to the project; c) mitigation: petitioner to provide estimated cost to design and construct any identified physical improvements; as traffic mitigation monies, petitioner to provide \$500,000 to be held in escrow at building permit issuance, which City may use for any required improvements (design and construction) if any are identified as necessary by petitioner's reports, costs incurred during monitoring or for peer review; and City and petitioner will meet to discuss operational and physical improvements identified.
33. Under the proposal, a facility loading dock manager or operations manager will manage truck access on-site, and this manager will be hired and paid by the tenant(s).
34. The proposal for a warehouse supports goals and priorities of the *City of Malden Broadway (Route 99) Corridor Framework Plan* of 2020 regarding Transportation, Public Realm and Project Area Sustainability in the project area, and petitioner proposes to contribute \$150,000 to the City of Malden for Broadway Corridor Framework Plan improvements or engineering studies.

35. As modified by the conditions of the special permit, the traffic and traffic patterns generated by the proposed warehouse will not adversely impact any of the surrounding streets or create a traffic or safety hazard.
36. The proposal is subject to Title 4, Chapter 24, Code of the City of Malden, the Demolition & Alteration Delay Ordinance, because of the proposed demolition of buildings, and on February 22, 2021, the Malden Historical Commission made a determination that the buildings are not significant and their demolition will not be delayed.
37. The proposal is subject to the Massachusetts Wetlands Protection Act, Massachusetts General Laws, Chapter 131, Section 40, because located within the 100-foot wetlands buffer zone to an intermittent stream that runs along the southern property line; the Malden Conservation Commission issued an Order of Conditions on July 6, 2021; and the proposal obtained a negative Determination of Applicability from the Melrose Conservation Commission dated May 24, 2021.
38. The City Engineer reviewed the proposal and finds the proposed drainage, water and sewer utilities to be acceptable, as stated in email dated August 23, 2021 from Gary Stead, Assistant City Engineer.
39. The proposal is subject to City of Melrose zoning; on June 9, 2021, the Melrose Board of Appeal granted variances of height, open space requirements and driveway width for warehouse use (Case 21-016); and on July 26, 2021, the Melrose Planning Board approved the site plan for a warehouse/distribution facility (Case 21-002).
40. According to petitioner, no tenant or tenants for the proposed building have been identified.
41. Petitioner intends to construct the new building immediately and expects construction to take nine months.
42. There is no interior layout for the proposed building, and the proposed floor plan depicts only a single open area, labeled, "Warehouse;" two small rooms, labeled, "electrical," "fire pump;" exterior walls, windows and doors; and petitioner expects the build-out by tenant(s) to take three months.
43. The Malden Police Chief reports the current motel use of the property presents serious public safety concerns due to criminal activities that require hundreds of Malden Police and Fire emergency responses every year.
44. As community benefits to Ward 8, petitioner intends to make the following voluntary contributions to the City, half at issuance of certificate of occupancy and half six months later: \$200,000 to the Linden Park Ice Skating Rink construction fund, and \$50,000 for youth athletics improvements at Linden Park and Hunting Field.
45. There is public support of the proposal: at the public hearing on September 13, 2021, there was public support by the Ward 8 City Councilor, one of three City Councilors-at-Large, Police Chief, more than two dozen Malden residential abutters, and numerous nearby Malden businesses on Broadway; and at the public hearing on January 12, 2022, there was public support by the Mayor, Ward 8 City Councilor, Ward 6 City Councilor, one residential abutter and one resident of Malden.
46. There is public opposition to the proposal: at the public hearing on September 13, 2021, there was public opposition by two of three City Councilors-at-Large, the Ward 4 City Councilor and two residents of Ward 8; and at the public hearing on January 12, 2022, by the Ward 4 City Councilor.
47. Without knowing the tenant(s) or particular type of wholesale and distribution use that may occupy the property, it cannot be determined whether the use will not be more detrimental to the neighborhood or is in the interest of the common good.
48. As modified by the conditions of the special permit, the proposed warehouse use will not be more detrimental to the neighborhood and is in the interest of the common good.
49. Petitioner agrees to the proposed warehouse use with accessory distribution use and the proposed conditions of the special permit for this use.

DECISION (Case #22-01):

On September 13, 2021, the Planning Board tabled the public hearing and its decision to allow the opportunity for the City Planner and City Engineer to meet with MassDOT and petitioner regarding the feasibility of modifications to the proposed site access/egress at Route One and Broadway; and directed that notice of the tabled public hearing be sent to abutters.

On January 12, 2022, the Planning Board granted a special permit for warehouse use with accessory distribution, subject to the following nine (9) conditions:

- 1) All development shall be as per plans unless modified by these conditions.
- 2) Modifications of the floor plans are allowed.
- 3) This special permit authorizes use of the property for warehouse use with accessory distribution; no wholesale or retail sales are allowed.
- 4) No outside storage of any kind is allowed, except for trash stored in enclosed dumpsters.
- 5) Install and maintain privacy fencing as screening along southern property line.
- 6) Implement the following traffic and safety mitigation at the site and project area:

- A. Make the following voluntary monetary contributions to the City of Malden for traffic and safety improvements in the project area upon issuance of any certificate of occupancy:
 - a) \$100,000 for traffic calming measures to be implemented along the Broadway corridor.
 - b) \$150,000 for Broadway Corridor Framework Plan improvements or engineering studies.
- B. Relocation of an MBTA bus stop closer to the site.
- C. Installation of signage on site to prohibit idling.
- D. Management of truck access by facility loading dock manager or operations manager.
- E. Implement Traffic Monitoring and Mitigation Program dated October 20, 2021, which is incorporated herein by reference.

7) As a benefit to the community, make the following voluntary monetary contributions to the City of Malden, with 50% to be paid at the issuance of any certificate of occupancy and 50% to be paid six months after issuance of any certificate of occupancy: \$200,000 to the Linden Park Ice Skating Rink construction fund; and \$50,000 to be used for youth athletics improvements at Linden Park and Hunting Field.

8) This special permit shall expire December 31, 2024, unless substantial use or construction has commenced.

9) Left turn egress from the southern site drive on Broadway is prohibited for any vehicle.

On January 18, 2022, the Planning Board ratified and confirmed its vote and decision of January 12, 2022 to grant a special permit for warehouse use with nine conditions.

On January 18, 2022, the Planning Board denied a special permit for wholesale and distribution use.

RECORD of VOTES (Case #22-01):

On September 13, 2021, the vote on the motion by Antonucci, seconded by Fitzgerald, to table the public hearing and decision, was six in favor, three opposed, and the motion passed (6-3):

Antonucci, yes; Ferguson, yes; Fitzgerald, yes; Gebreselassie, yes; Hayes, no; Henry, yes; MacCuish, no; Soucy, no; Ioven, yes. *[Absent: Chuha, Gray].*

On January 12, 2022, the vote on the motion by Antonucci, seconded by Gebreselassie, to grant a special permit for warehouse use with nine conditions, 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 January 18, 2022, the vote on the motion by Antonucci, seconded by Soucy, to ratify and confirm the vote taken on January 12, 2022 to grant a special permit for warehouse use with nine conditions, 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 January 18, 2022, the vote on the motion by Antonucci, seconded by Henry, to deny a special permit for wholesale & distribution use, 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].*

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