



CITY of MALDEN PLANNING BOARD  
NOTICE of DECISION

RECEIVED

CASE NUMBER 15-06

LOCATION of SUBJECT PROPERTY 126-150 Pleasant Street, Malden, MA

NAME of PETITIONER and OWNER 126-150 Pleasant Street Associates LLC

DATE of PUBLIC HEARING July 15, 2015

DATE of DECISION July 15, 2015

DATE of FILING DECISION with CITY CLERK July 28, 2015

FINAL DATE for FILING APPEAL of DECISION with SUPERIOR COURT August 17, 2015

*[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.]*

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CITY CLERK'S OFFICE  
MALDEN, MASS.

PROCEDURAL HISTORY (Case #15-06):

1. Petitioner is the owner, 126-150 Pleasant Street Associates LLC, 4150 Mount Vernon Street, Suite 500, Boston, MA 02125.
2. The petition seeks a special permit under §§300.1.1.2 and 300.3.2.6, Chapter 12, Revised Ordinances of 1991, as Amended, of City of Malden ("MZO"), to allow the alteration, extension and residential conversion of an existing building in the Central Business zoning district.
3. The following plans and information were submitted in support of the petition: "Site Redevelopment Plans 126-150 Pleasant Street Malden, Massachusetts May 29, 2015," that include: Site Demolition & Preparation Plan, Site Layout & Materials Plan, Site Grading and Utility Plan, dated May 29, 2015, prepared by James White, P.E., H.W. Moore Associates, Boston, MA; Proposed Floor Plans, Exterior Elevations and Building Sections, and Existing Conditions floor plans and elevations, dated May 29, 2015, prepared by Hugh Russell, AIA, Russell, Scott Steedle & Capone Architects, Inc., Cambridge, MA; and Existing Conditions Plan, dated June 28, 2013 (stamped July 10, 2013) prepared by Karl McCarthy, P.L.S., Harry R. Feldman, Inc., Boston, MA; "Roof Plan 126-150 Pleasant Street LLC 126-150 Pleasant Street Malden, Massachusetts," Sheet A16a, dated May 29, 2015 (stamped as received by City July 9, 2015), prepared by Russell, Scott Steedle & Capone Architects, Inc., Cambridge, MA; and traffic impact information prepared by Howard Stein Hudson, Boston, MA that includes "126-150 Pleasant Street, Malden, MA Transportation Study," dated May 21, 2015; Memorandum re: 126-150 Pleasant Street Response to Traffic Peer Review, dated July 9, 2015; and Memorandum re: 126-150 Pleasant Street Additional Response to Traffic Peer Review, dated July 13, 2015.
4. The public hearing complied with the statutory notice requirements of Massachusetts General Laws, Chapter 40A, §11.

FINDINGS of FACT (Case #15-06):

The City of Malden Planning Board finds the following facts:

1. The subject property is bound by Pleasant, Washington and Exchange Streets, and subject to a significant grade change, north to south.
2. The property is currently the site of a building with one to four stories, an existing footprint and gross floor area of 7,339 square feet.
3. The majority of the building is currently vacant and was most recently occupied for a club/lodge by the Masonic Lodge, general offices, retail sales and services, and restaurants.
4. The proposal is to demolish the single-story, southern portion of the building that faces Exchange Street and construct a six-story addition in this area, with a footprint of 8,785 square feet and gross floor area of 51,420 square feet; and to maintain, renovate and convert to five stories the four-story, northern portion of the building that faces Pleasant Street.
5. Under the proposal, a portion of the first floor, on the Pleasant Street side, will be configured as three storefront units with a total of 3,960 square feet, to be occupied by business uses to be determined.
6. The proposal includes sixty-nine dwelling units, namely, forty-two units on the six floors on the Exchange Street side, and twenty-seven units on the second through fourth floors on the Pleasant

Street side, configured as thirteen studio units with an average size of 550 square feet; twenty-six one-bedroom units with an average size of 725 square feet; and thirty two-bedroom units with an average size of 1,050 square feet.

7. The proposal includes two alternative scenarios for redevelopment and occupancy of a portion of the first floor on Pleasant Street: as two additional dwelling units, a studio and a one-bedroom unit, each with 1,100 square feet; or for business uses to be determined.
8. The proposal provides a total of 7,259 square feet of open space in the following locations: on the Exchange Street side, on the ground floor, in a common area containing 1,195 square feet and fitness area containing 870 square feet, and on the roof, in a common area that includes seating, movable furnishings, planting beds, exercise area and wood decking, containing 4,400 square feet; and on the Pleasant Street side, on the third floor, in an atrium-style common area containing 794 square feet.
9. The subject property is located in the Central Business zoning district.
10. The proposed residential use, multifamily dwelling, three to six stories, is allowed by special permit in the Central Business zoning district, per §300.3.2.6 of the Ordinance.
11. There are various business uses that may occupy the first floor, on the Pleasant Street side, which are allowed by right in the Central Business zoning district, including general offices, restaurant, recreation for gainful business, and retail sales and services, per §300.3.4 of the Ordinance.
12. The direct abutter to the west is a twelve-story multifamily residential dwelling with 206 dwelling units and 1,200 square feet of vacant space for business use to be determined; to the north, on the other side of Pleasant Street, a bank, restaurant and offices; to the east, on the other side of Washington Street, general offices; and to the south, on the other side of Exchange Street, a multifamily residential project that is under construction, consisting of two six-story buildings with 210 dwelling units and 1,950 square feet of space for retail use.
13. Surrounding land uses are municipal, namely, the Malden Senior Center, Jackson Street Public Parking Garage, Malden Government Center/City Hall and Police Station, and the MBTA Malden Center rapid transit, commuter rail and bus station; businesses, such as retail sales and services, banks and restaurants; and multifamily residential dwellings.
14. The proposed residential use is not in conflict with abutting or surrounding land uses.
15. The proposed residential use is in the interest of the common good.
16. The proposal complies with all dimensional controls except density and is deficient 31% to 33%, per §400.3 of the Ordinance.
17. The violation of dimensional controls created by the proposal will not be more detrimental to the neighborhood.
18. The residential proposal requires fifty-two to fifty-three offstreet parking spaces, namely, 0.75 spaces per unit, per §500.2.8.2 of the Ordinance, because the property is located within 1,000 feet of an MBTA rapid transit or train station, namely, the Malden Center station.
19. The potential business uses, if allowed, require no parking, per §500.2.8.1 of the Ordinance.
20. The proposal is to provide a total of forty-two parking spaces onsite, which is 0.61 to 0.59 spaces per unit, and is deficient 19 % to 21%, or 10 to 11 spaces.
21. Under the proposal, parking will be provided in a one-level garage, containing sixteen parking spaces at ground level of the proposed addition, on the Exchange Street side, and twenty-six spaces below grade under the existing building, on the Pleasant Street side, including five spaces that are uncovered, located in an open area between the northern and southern sections of the building; the garage floor slopes and ceiling height varies due to the grade change in the property; and the sole vehicular access and egress is via Exchange Street.
22. The proposed parking layout is nonconforming as to access aisles due to existing conditions and restraints of the building.
23. The proposal requires bicycle parking for eight and provides parking for twelve in the garage, per §500.2.8.4 of the Ordinance.
24. The proposed parking nonconformities created by the proposal will not be more detrimental to the neighborhood.

25. Loading for the business uses that will occupy the first floor, on the Pleasant Street side, will be from Pleasant Street, and trash removal must be in accordance with Board of Health regulations.
26. The proposal includes two rooms with trash compactors located in the garage; trash chutes on each residential floor; and trash containers that will be moved from the building to Exchange Street for pick up at scheduled times.
27. The City's peer review of traffic impact information submitted by the petitioner is described in correspondence dated June 24, 2015 and July 10, 2015 from Kenneth Petraglia, BETA Group, Inc. and email dated July 13, 2015 from M. Romero, City of Malden; and includes recommendations for pedestrian safety mitigation to the surrounding area.
28. Most of the recommended pedestrian safety mitigation to the intersection of Exchange Street and Commercial Street may be demolished and need to be done again when the Government Center site is redeveloped and Pleasant Street is reconnected.
29. The original, northern portion of the building, known as the Browne-Masonic Building, constructed around 1894, is identified as a historically and architecturally significant property by the Malden Historic Commission and Massachusetts Historic Commission.
30. The proposal involves the historic rehabilitation and restoration of the Pleasant Street façade and exterior of the building on the Pleasant Street side, including masonry and windows; and also historic preservation of certain interior features, such as the main "grand" staircase.
31. Petitioner states that it has already filed the application to list the property on the National Register of Historic Places; this designation is required to qualify to participate in the federal historic tax credit incentives program, which petitioner intends to use to fund the proposal.
32. The property is located in the Housing Development Incentive Program zone adopted by the City and administered by the state Department of Housing and Community Development, pursuant to Massachusetts General Laws, Chapter 40V; and petitioner states that it has already filed for approvals for this state and local property tax increment exemption program, which petitioner intends to use to fund the proposal.
33. Petitioner estimates that it will invest 25 to 27 million dollars to complete the proposal.
34. Petitioner intends to rent the dwelling units at moderate/middle market-rates, and no affordable housing is proposed to be included in the project.
35. Petitioner intends to begin demolition and construction by the end of this year.
36. The utility company may require modification of the location of the transformer and vault.
37. Mechanical equipment and individual residential air conditioner/condenser units will be located on the rooftop and screened by fencing from the common areas and by parapet walls from street view.
38. The proposed stone façade at the base of the proposed addition on Exchange Street may be modified to be better integrated with the character of the surrounding neighborhood.
39. The Ward City Councilor and Malden Redevelopment Authority are in favor of the proposal.
40. The Malden Historical Commission and Malden Historical Society are in favor of the proposal.
41. There is no public opposition to the proposal.
42. As modified by conditions of the special permit, the proposal is not more detrimental to the neighborhood.
43. Petitioner consents to all proposed conditions of this special permit.

DECISION (Case #15-06):

On July 15, 2015, pursuant to the foregoing Findings of Fact, the Planning Board moved to grant the special permit subject to the following eighteen (18) conditions, and the motion passed:

1. The entire development shall be as per plans, including façades, brick masonry and windows that match existing historic architectural details on the existing portion of building that is to be maintained and renovated; except that interior unit layouts, but not number of bedrooms, and the location of transformer and vault surround may be changed; and except that the façade of the base of the new building (addition) may be modified, subject to reasonable approval of City Planner.
2. No three bedroom units shall be allowed, and the maximum number of two-bedroom units is thirty.

3. No permanent dumpster permitted on site after completion of construction; any dumpsters during construction or temporary dumpsters must comply with conditions of Malden Public Health Department; the permanent building must have a trash compactor; storage totes for use with trash compactor are permitted, subject to Board of Health approval.
4. Repair or replace sidewalks, driveways and perform necessary incidental work adjacent to the property to the satisfaction of the DPW Director.
5. Obtain DPW approval for all new and modified curb-cuts.
6. Install warning light on building to alert pedestrians and motorists of vehicles exiting garage.
7. No outside storage allowed.
8. No accessory structures are permitted.
9. All balconies are prohibited except false/"French" balconies (do not provide platform projecting from building; not large enough to stand, walk or sit on; do not provide any storage, display or patio space).
10. Antennas on rooftop or any part of the building's exterior are prohibited, except for emergency City antennas.
11. Screen all rooftop equipment and utilities visually and audibly.
12. All open space may be used by tenants only and not open to the public.
13. Developer shall install external surveillance security cameras in locations on and around the property, to be determined by Police Chief and Ward City Councilor, to be accessible by the City.
14. Prior to issuance of a certificate of occupancy, developer shall implement the following at the intersection of Exchange and Commercial Street a) optimize traffic signal timing; b) extend pedestrian clearance intervals; c) replace traffic signal cabinet air filters; d) implement traffic signal coordination; and e) restripe existing crosswalks with thermoplastic.
15. Provide ten (10) parking spaces in a public parking facility located within 400 feet of the property, available for use by residential tenants of the building; submit copy of signed written agreement for use of these spaces, subject to agreement with Malden Redevelopment Authority/City.
16. Install street trees on all sidewalks adjacent to the site.
17. Install period lighting per City specifications as follows: four decorative lights, two along Exchange Street and two along Washington Street, to include all equipment and additional work referenced in letter dated July 15, 2015 from Malden Redevelopment Authority
18. This special permit will expire on December 31, 2016, except as may be extended or continued pursuant to M.G.L. c. 40A, §9.

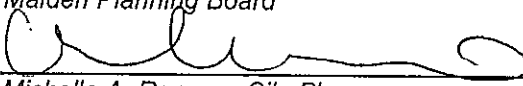
RECORD of VOTES (Case #15-06):

On July 15, 2015, the vote on the motion to grant a special permit with 18 conditions was nine in favor, none opposed:

Antonucci, yes; Billings, yes; Chiu, yes; Chuha, yes; Hayes, yes; Henry, yes; Lawhorne, yes; MacCuish, 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