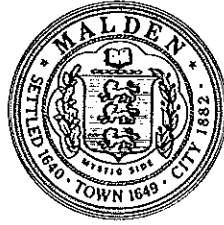


CITY OF MALDEN
BOARD OF APPEALS



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MALDEN, MASS.

Minutes of the Board of Appeals Public Hearing
October 18, 2018 at 6:30 PM
John and Christina Markey Malden Senior Center Community Center
7 Washington Street, Malden, MA

The Board of Appeal meeting duly called in accordance with the City of Malden Ordinance and its by-laws was held in the John and Christina Markey Malden Senior Center, 7 Washington Street, Malden, MA on October 17, 2018, at 6:30 p.m.

Members present: Chairperson James O'Brien, Adam Sherwin, Deputy Chief William Sullivan, Deano Summers, and John King.

Chair O'Brien asked members if they reviewed the meeting minutes from September 19, 2018 and if any changes were necessary. Since no changes were necessary Motion was made by member Deano Summers to accept the minutes and second by member Adam Sherwin.

Vote: O'Brien yes, King yes, Sherwin yes, Sullivan yes, Summers yes

Motion carried – 5 in favor 0 opposed

The approved August 15, 2018 meeting minutes with the correction of paragraph three of the A T & T hearing was presented for signatures

PUBLIC MEETING:

Chair O'Brien read the following request:

Request by Habitat for Humanity (dated October 2, 2018) (current owner of 964 and 968 Main Street) to extend two variances granted October 18, 2017 to the previous owner of the properties, Malden Redevelopment Authority (MRA). The request is submitted prior to the expiration date of the one year period in which to exercise both of these variances for the properties known as 960 Main Street and 968 Main Street and also by the City Assessor's Parcel ID's 045-856-624 and 045-856-622 respectfully. Copy of written request dated October 02, 2018 is available in Board of Appeals Clerk's Office, 110 Pleasant St 3rd floor, Malden, MA 02148.

Present was Lark Palermo, Executive Director of Habitat for Humanity

Habitat for Humanity is requesting a 6 month extension of two variances (listed above) due to the following conditions:

National Grid is experiencing a Lock out and Habitat cannot finalize its plans for installation of gas lines

Delay Paving of Street

Houses will be slightly smaller than the proposed dwellings on the plans submitted at time of original variance granted.

Motion by member Sherwin seconded by member King to accept this request for extension

Vote: O'Brien yes, King yes, Sherwin yes, Sullivan yes, Summers yes

Motion carried – 5 in favor 0 opposed

PETITION :

Pellumbi (Little Elephant Learning Center), for a variance of Section 400.1.3.2, Chapter 12, of the Revised Ordinances of 1991 as Amended of the City of Malden, open space requirements for day care facilities as per plans, at the property known as and numbered **148 Pleasant Street, Malden MA**, and also known by City Assessor's Parcel ID # **051-275-504**.

400.1.3.2 Chapter 12 of the revised ordinances of 1991 as Amended of the City of Malden
Open Space

Chair O'Brien addressed the issued that the petitioner missed their morning appointment with the board members for site visit. Chair O'Brien attempted to call, but the petitioner's phone was not accepting calls. The petitioner said she was unaware of this appointment but Chair O'Brien did point out this site visit was stated in the letter petitioner received with directions on how to advertise.

Petitioner stated there are 2 playgrounds (Cotyemore Lea and Macarthur Park) and the Malden public library are within a 5 – 7 min walk

Pickup and drop off – Pleasant St, Exchange St, Malden T Station

Due to the petitioner missing the morning appointment, the board members had questions regarding the layout of the interior of the space.

Two drawings were submitted – the board asked for clarification given the handwritten notations. The petitioner stated it was one space but she was showing different layouts approx 2600 sq ft

Building inspector denied this permit due to open space requirements that could not be met. All open spaces mentioned by the petitioner were public spaces, all playgrounds were 5-7 minutes away per the applicant.

The following is a question and answer period between the Board Members and the Petitioner:

Member John King- asked for open space clarification

Chair O'Brien – outside of their space

John King – where are the exists?
Rialda Pellumbi – Lead to the hallway
John King- distance to door?
Rialda Pellumbi - immediately outside their doorway
Chair O’Brien – license from State?
Rialda Pellumbi -not yet – needed building permission first
Chair O’Brien – statement – State has not see the building

Adam Sherwin – asked what may be considered open space
Chair O’Brien referred to section 400.8 Usable Open Space Requirements for all districts (porches, decks, roof decks etc.)

Chair any questions from board?

Adam Sherwin stated property does not appear to be daycare space

Chair O’Brien - space is residential and commercial

John King - not designed for daycare
Traffic - tough on parking
Dangerous area for children – difficult location
Double parking in front of school

Motion to deny made by Member King second by Member Sherwin

Vote: O’Brien yes, King yes, Sherwin yes, Sullivan yes, Summers yes

Motion carried – 5 in favor 0 opposed

Other Business

Discussion of November meeting:

3rd wed is thanksgiving eve – all city offices are closing at noon and the availability of the senior center for the evening is in question.

Chair O’Brien contacted the two attorneys with cases in November and asked if they would be amenable to postponing their respective meeting until November 28. All parties agreed and will accept a one week delay.

Vote to move meeting to November 28, 2018

Vote: O’Brien yes, King yes, Sherwin yes, Sullivan yes, Summers yes


Motion carried – 5 in favor 0 opposed

Notify Ron Cochran to change meeting date on city website

Motion by John King, second Deano Summers to adjourn

Adjourned at 7:02 pm

Respectfully Submitted


Catherine Bartlett