



MALDEN HISTORICAL COMMISSION
Malden City Hall, 215 Pleasant Street, Malden, Massachusetts 02148

May 21, 2026

Mayor Gary Christenson and Malden City Council
City Hall, 215 Pleasant Street
Malden, Massachusetts 02148

Re: CCP 256/2026 - Proposed Amendments to Demolition & Alteration Delay Ordinance, Title 4.24, MCC

Dear Honorable Mayor and Members of the City Council,

The Malden Historical Commission respectfully submits this response and statement of opposition to the proposed amendments to the Malden Demolition & Alteration Delay Ordinance, Title 4.24 of the Code of the City of Malden (the Ordinance), referenced in CCP 256/2026, the Economic Development Proposal presented by the Office of Strategic Planning & Community Development at the Council's Economic Development Committee meeting on May 18, 2026 (the Proposal). For important background, please see attached comment letter dated May 18, 2026 that was presented by the Commission's Chair at that meeting.

As you know, the Commission was established in 1973 under Massachusetts General Laws Chapter 40, Section 8D, and pursuant to the Code of the City of Malden, has been expressly charged with administering the Ordinance since adopted in 2018. Under the Ordinance, the Commission has made historical preservation determinations regarding more than eighty properties over the last eight years. Of the eighty, twenty-five were applications to demolish a commercial or institutional building; and of the twenty-five, nine demolition permits were delayed: seven for a period of zero to two months; one for seven months (1 Salem Street), and one for three years (15 Ferry Street). During its work, the Commission routinely considers how the Ordinance may be improved. As a starting point, the Commission recommends the attached revisions to the Ordinance.

Regarding the amendments presented in the Proposal, the Commission has reviewed and concludes that the proposed changes collectively would materially weaken the practical effectiveness of the Ordinance and substantially impair the City's ability to protect historically significant properties, exposing them to irreversible loss. Specifically, the Commission finds:

- the proposed date 1950 to be arbitrary and non-sensical given Malden's great diversity of architectural styles and historic resources spanning nearly 400 years of history, as documented in the nearly 600 historical inventories on file with the Massachusetts Historical Commission.
- the so-called "objective measures for decision-making" reduce the ability to conduct meaningful and thorough preservation review processes consistent with the Ordinance's intent and established preservation practice.
- the broad delegation of administrative approval to another entity introduces procedural exceptions or mechanisms that facilitate circumvention of the Ordinance's protective purposes.

The Demolition & Alteration Delay Ordinance is the City's principal legal mechanism ensuring thoughtful review before historically significant structures are lost or altered. Weakening that framework at a time of intensified redevelopment pressure would have long-term and irreversible consequences for Malden's historic resources and civic character. Accordingly, the Commission respectfully urges the Mayor and City Council to reject the amendments presented in the Proposal in their entirety.

Historic preservation and economic development are not conflicting objectives. Historic preservation complements economic growth by strengthening local business, tourism, property values, and civic identity. Malden's historic buildings are not obstacles to the City's future—they are irreplaceable assets that support the City's economy, neighborhoods, environment and community identity.

Malden has already experienced substantial and irreversible losses to its historic built environment over the last centuries. Urban renewal erased entire historic neighborhoods, such as Suffolk Square. Today, ongoing redevelopment pressures continue to erode our historical resources, despite the Ordinance. These losses are permanent: once demolished or substantially altered, a historic building cannot be authentically recreated, and the cultural, architectural, and historical continuity it embodied cannot be restored.

As with the adoption of the Ordinance in 2018 and amendments in 2022, the Commission remains fully committed to work collaboratively with the Mayor and the City Council to make any necessary revisions to the Ordinance. The Commission thanks you for recognizing the Commission's central role and expertise with the Ordinance, for consulting with the Commission regarding any amendments, and for valuing and heeding the Commission's recommendations. We appreciate your continued stewardship of the City.

Respectfully submitted,

Inna Babitskaya
Chair
Malden Historical Commission

Attachments



**CITY OF MALDEN
HISTORICAL COMMISSION**

City Hall, 215 Pleasant Street, Malden, Massachusetts 02148

May 18, 2026

Honorable Members of the Malden City Council
Malden City Hall
215 Pleasant Street
Malden, Massachusetts 02148

Re: Serious Concerns Regarding Proposed Amendments to the Demolition & Alteration Delay Ordinance,
Title 4.24, Code of the City of Malden — Initiated by Office of Strategic Planning & Community Development

Dear Honorable Members of the City Council:

I, as the Chair of the Malden Historical Commission (the "Commission"), would like to express on behalf of the Malden Historical Commission serious concerns regarding the proposed amendments to the Demolition & Alteration Delay Ordinance, Title 4.24, Code of the City of Malden (the "Ordinance"), which were recently reported upon in the *Malden Advocate* of May 8, 2026, and which the Commission understands were prepared and advanced by the Office of Strategic Planning and Community Development without the involvement, knowledge, or input of the Historical Commission.

As the Chair of the Commission, I respectfully call to the Council's attention that the Ordinance and any contemplated amendments to it fall squarely and exclusively within the Historical Commission's area of expertise, legal authority, and statutory responsibilities. The Commission is designated by Massachusetts General Laws c. 9, §§ 26–27D and M.G.L. c. 40, § 8D as the body charged with historical preservation functions in the City of Malden. These statutes confer upon the Historical Commission — not upon any other city department — the authority and responsibility to administer programs relating to the preservation, protection, and documentation of the city's historically significant buildings, structures, and sites.

Furthermore, the Commission is the body designated by the Code of the City of Malden, Title 3, and M.G.L. c. 40C to implement and administer this very Ordinance and to govern the work of determining historical significance — including all criteria for making Significance determinations under Section 4.24.080 of the Ordinance. These are not administrative formalities; they are substantive determinations that require the specialized expertise and institutional knowledge that the Commission has developed over years of active practice.

As the Council is aware, the Historical Commission worked collaboratively with the Mayor and the City Council to draft and adopt the original Ordinance in 2018 and to advance amendments to it in 2022. In each instance, the Commission's involvement was not incidental — it was foundational. The Commission brought to that process the statutory mandate, technical expertise, and direct experience administering historical preservation programs that such an ordinance requires. The resulting Ordinance reflects that expertise and has been administered by the Commission in scores of cases involving Notices of Intent to Demolish and determinations of historical Significance.

On behalf of the Commission, I respectfully request that, before any amendments are formally introduced for consideration, the Commission be afforded the opportunity to review the proposed changes and have its input meaningfully considered. The Commission will begin its discussion of the proposed amendments at its upcoming regular meeting on May 21, 2026.

Respectfully submitted,

Inna Babitskaya
Chair of Malden Historical Commission

Title 4.24, Code of the City of Malden, Demolition & Alteration Delay Ordinance

I. Section 4.24.070.a.

Delegation of Authority to make Determination of Significance to one or more Historical Commissioner or a municipal employee affiliated with the Historical Commission.

For exterior alterations to properties that have not been inventoried:

1. Replacement windows and doors:
 - a. Similar design, style and material, including frame, trim and moldings
 - b. Same size and location
 - c. Same configuration and number of mullions (mullions connect two separate window or door frames)
 - d. Same configuration and number of muntins (muntins divide a single window sash into individual panes of glass creating the grid)
2. Replacement Siding:
 - a. Specialized siding and shingle styles, i.e., clapboard, scalloped;
 - b. moldings, brackets, panels, columns, newel posts, railings and similar architectural features may be renovated and maintained, or replaced with replicas.

II. Section 4.24.110 Determination Whether a Building is a Preferably Preserved Building.

B. Waiver. In the case of alterations, with the consent of the Applicant, the Commission may waive the requirement to hold a public hearing for the purpose of determining whether the building is a Preferably Preserved Building, for the purpose of approving the proposed alterations, whether subject to requirements or conditions of the Commission to modify the alterations.

III. Section 4.24.120.C. Upon Determination that a Building is a Preferably Preserved Building.

New subsection 6. The Commission may waive 2, 3 and 4, in whole or in part, based on the specific circumstances of the property.