



City of Malden

Massachusetts

INSPECTIONAL SERVICES
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February 15, 2022

Malden City Council
Malden City Hall
215 Pleasant Street
Malden, MA 02148

**Re: Amendments of Title 12.12, Code of City of Malden
Site Plan Review for Educational and Religious Uses in All Zoning Districts
Amendments of Title 12.16, Code of City of Malden
Dimensional Controls, Open Space Requirements for Public and Non-profit Schools
City Council Paper #405/2021 as Amended**

Dear Councilors:

On February 9, 2022, the Planning Board and City Council Ordinance Committee jointly held a public hearing regarding the above-referenced proposed amendments.

As a result of the public hearing, on February 9, 2022, a majority of the Planning Board, namely, all seven of those seven members present and voting, decided to recommend to the City Council **disapproval** of the amendments as proposed and to also recommend the following:

1. Re: proposed amendment of Title 12.12, Site Plan Review for Educational and Religious Uses.
 - a) Inclusion of the following language if any amendments are ordained:
"This ordinance/amendment shall not apply to any application for a special permit or building permit filed before the date of first publication of the notice of public hearing re: this ordinance/amendment (January 21, 2022)."
 - b) Inclusion of the following language if the amendments are ordained:
"This ordinance shall not apply to an application for permitting that complies with dimensional controls and parking requirements and requires no variance by Board of Appeal."
2. Re: proposed amendment of Title 12.16, Open Space Requirements for Public and Non-profit Schools.
 - a) Research and consider using professionally prepared site survey plans of the existing school properties when considering open space requirements.
 - b) Research and consider including language, "per student based on student occupant load."
 - c) Research and consider amendments to "Usable Open Space Requirements in All Districts" (§12.16.080) to establish specific provisions that would apply to schools.
 - d) Inclusion of the following language if any amendments are ordained:
"This ordinance/amendment shall not apply to any application for a special permit or building permit filed before the date of first publication of the notice of public hearing re: this ordinance/amendment (January 21, 2022)."
 - e) Consider creating/amending open space requirements for all other non-residential uses.

For your reference, enclosed please find the Planning Report & Recommendation dated February 9, 2022, with attachments, which was presented at the public hearing.

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Finally, please be advised, that, if the City Council fails to act on the amendments within ninety (90) days of the date the public hearing closed, a new duly advertised public hearing must be held. Accordingly, **the final date for action is May 10, 2022.**

I am available to discuss and answer any questions regarding the Planning Board's recommendations. Please do not hesitate to contact me. Thank you.

Sincerely,

A handwritten signature in black ink, appearing to read "Michelle A. Romero".

Michelle A. Romero
City Planner

Enclosure

CC: Greg Lucey, City Clerk
Kathryn Fallon, City Solicitor
Mayor Gary Christenson