



City of Malden

Malden City Hall
110 Pleasant Street
Malden, MA 02148

Meeting Agenda - Final City Council

Tuesday, April 16, 2019

7:00 PM

John & Christina Markey Community Center,
7 Washington St.

1. CALL TO ORDER

2. PLEDGE OF ALLEGIANCE & MOMENT OF SILENCE IN HONOR OF SERVICEMEN & WOMEN

3. ROLL CALL

4. GUESTS, CITIZEN ACHIEVEMENT AND ANNOUNCEMENTS

Zonta Club of Malden - "No More Silence" will appear before the City Council.

5. PUBLIC COMMENT

6. APPROVAL OF MINUTES

[147-19](#) Minutes of the Meeting of March 19, 2019.

[153-19](#) Minutes of the Meeting of April 2, 2019.

[154-19](#) Minutes of the Meeting of April 9, 2019.

7. APPOINTMENTS & ELECTIONS

8. HEARINGS, PETITIONS, MEMORIALS AND REMONSTRANCES

[155-19](#) Pool Tables: Irish American, 177 West St., Malden, 2 tables (Renewal)

[156-19](#) Second-Hand Dealer: Gamestop #6263, 44 Broadway, Malden (Renewal)

[157-19](#) Outdoor Parking: Spadafora Trust, 35 Canal St., Malden, 10 spaces (Renewal)

[158-19](#) Pool Tables: Town Line Ten Pin Corp., 665 Broadway, Malden, 19 tables

(Renewal)

[159-19](#) Bowling Alley: Town Line Ten Pin Corp., 665 Broadway, Malden, 48 lanes
(Renewal)

[160-19](#) Outdoor Parking: Pine Banks Auto, 1100 Main St., Malden, 35 cars
(Renewal)

[161-19](#) Outdoor Parking: Robert McNulty, 28 Cedar St., Malden, 14 cars
(Renewal)

[162-19](#) Pool Table: ITAMS Post 16, 40 Oakland St., Malden, 1 table (Renewal)

[163-19](#) Taxi Driver: Daniel P. Knight, 18 Wadsworth St., Malden (Renewal)

[164-19](#) Taxi Driver: Michael Rapaglia, 9 Richardson St., Malden (Renewal)

[165-19](#) Taxi Driver: William C. Cook, 98 Laurel St., Malden (Renewal)

[166-19](#) Taxi Driver: Lesly J. Rene, 41 Warren Ave., Malden (Renewal)

[167-19](#) Taxi Driver: Christopher Jackson, 24 Surfside Rd. #6, Lynn, MA 01902
(Renewal)

[168-19](#) Taxi Driver: John A. Danca, 36 Highland Ct., Malden (Renewal)

[169-19](#) Taxi Driver: Carlos F. Vargas, 123 W. Wyoming Ave., Melrose, MA 02176
(Renewal)

[170-19](#) Taxi Driver: Camille L. Kisthart, 36 Road B, Everett, MA 02149 (New)

[171-19](#) Taxi Driver: Allan Fisher, 28 Hazelwood St., Malden (Renewal)

[172-19](#) Taxi Driver: Dennis Sullivan, 500 Revere Beach Blvd. #205, Revere, MA
02151 (Renewal)

[173-19](#) Taxi Driver: William L. Sweet, 117 Medford St., Malden (Renewal)

[174-19](#) Taxi Driver: John O'Flaherty, 240 Bellingham Ave., Revere, MA 02151

(Renewal)

- [175-19](#) Taxi Driver: Valentin Tchaly, 92 Devir St. #408, Malden (Renewal)
- [176-19](#) Taxi Driver: John Snyder, 503 Columbus Ave. Suite 11, Boston, MA 02118 (Renewal)
- [177-19](#) Taxi Driver: John P. Melusky, 28 Hazelwood St., Malden (Renewal)
- [178-19](#) Taxi Driver: Richard J. Habeeb, 826 Broadway, Revere, MA 02151 (Renewal)
- [179-19](#) Taxi Driver: Steven Grasso, 90 Sylvan St. #9, Melrose, MA 02176 (New)
- [180-19](#) Lodging House: Cedar House LLC, 116-118 Cedar St., Malden (Renewal)

9. MOTIONS, ORDERS AND RESOLUTIONS

- [181-19](#) Order: Be it hereby ordained that Section 11.31 of Chapter 11 of the Revised Ordinances of 1991, be further amended by adding provisions related to fencing under “DANGEROUS SUBSTANCES IN STREETS PROHIBITED” to including the following language.
- Every property owner adjoining any public or private street, alley, sidewalk, trail or other public land shall ensure that fencing on their property remains erect and that any barbed wiring remains strung. No property owner or person responsible for fencing shall allow their fence and any barb wire to encroach on or above any public street, private street, alley, sidewalk, trail or other public land or otherwise pose a hazard to members of the public lawfully using such areas.

Sponsors: Stephen Winslow

- [182-19](#) Order: That the City of Malden’s Assessor, City Clerk, Controller, Solicitor and Treasurer (also known as Direct Reports) offer an update department report to the City Council. This will begin on June 1, 2019 and continue quarterly with due dates of Sept 1, December 1 and March 1. Each may identify and choose their personal preference of template for reporting. These reports will include an update of accomplishments and continued work in progress. Also be it further ordered that Annual Reports continue to

be supplied to City Council by our Direct Reports.

Sponsors:

Deborah DeMaria, David Camell, Neal Anderson, Craig Spadafora, Jadeane Sica, Ryan O'Malley and Paul Condon

183-19

Order: Be it hereby ordained that Section 3.35 of Chapter 3 of the Revised Ordinances of 1991 as amended, be further amended as follows:

Section 3.35.9.1.3 - Home Occupations - strike Section 700.1 and insert Section 700.3.

Section 3.35.9.1.5 - Nonconforming uses in Residential Districts

The following signs may be also be permitted for nonconforming uses in Residence A, Residence B, and Residence C zoning districts that meets the standards provided in Chapter 12 Section 700.1 of the Revised Ordinances of 1991 as amended, subject to any applicable review and approval by the Sign Design Review Committee and any other conditions of this code:

3.35.9.1.5.1 Wall, Awning, and Projecting Signs

The total area of all wall, awning, and projecting signs shall be limited to one (1) sq. ft. per one (1) linear foot of building frontage that faces a street frontage, subject to any limitations based on sign type as regulated in Section 3.35.8.

3.35.9.1.5.1.1 For non-residential uses or building identification, one wall sign per tenant may be permitted, provided no single sign shall exceed 24 sq. ft. in area per sign face.

3.35.9.1.5.1.2 For non-residential uses or building identification, awning signs may be permitted.

3.35.9.1.5.1.3 For non-residential uses or building identification, one (1) projecting sign per ground floor establishment and one (1) projecting sign per building entrance serving one or more commercial tenants without a ground floor entrance may be permitted, provided each sign shall not exceed six (6) sq. ft. in area per sign face.

3.35.9.1.5.1.4 Illumination shall be prohibited.

Section 3.35.9.1.5.2 Window signs as regulated in Section 3.35.8.3

Section 3.35.9.3.2.1 "insert" after area per sign face "except as follows"

3.35.9.3.2.1.2 For buildings with a footprint of greater than 10,000 sq. ft. one sign may be permitted to exceed 40 sq. ft. in area. The maximum sign area of this sign shall be calculated as 5 sq. ft. additional of sign area for each additional 5,000 sq. ft. of a building's footprint above 10,000 sq. ft. not to exceed a maximum sign area of 100 sq. ft..

Section 3.35.13.2 "to read" Except as provided in Section 3.35.13.3, nonconforming signs may be repainted or repaired up to 50% of the replacement cost of the sign. Sign faces may be replaced provided that the actions:

"Insert" 3.35.13.2.1 Do not increase the dimensions of the existing sign;

"insert" 3.35.13.2.2 Do not in any way increase the non-conformity of the sign;

“insert” 3.35.13.2.3 In the opinion of the Sign Design Review Committee, before “do not constitute a significant modification to the aesthetic appearance of the sign, “insert” and the Sign Design review Committee approves the aesthetic modification of the sign.

Section 3.35.13.3

3.35.13.3.1 “strike” Building Inspector” and “insert” Sign Design Review Committee.

Sponsors: Craig Spadafora

10. COMMUNICATIONS

11. CLAIMS

- [184-19](#) Claim: Michael LoRusso, 47 Skyline Drive, Malden
- [185-19](#) Claim: Cheryl Palo, 68 Wesmur Rd., Malden
- [186-19](#) Claim: Joseph Oppedisano, 92 Columbia St., Malden
- [187-19](#) Claim: Sean Moore, 6 foley Farm Rd., Wilmington, MA

12. COMMITTEE REPORTS

- [188-19](#) Committee Report: License - Petitions (21 various listed below)
Various Class I,II & III Renewals
Class I
532-18: Baystate Ambulance, 163 Eastern Ave.
Class II
22-19: Malden Middlesex, 129 Charles St. - 15 cars
52-19: West End Auto, 373 Summer St. - 0 cars
111-19: Loca Enterprises, 7-11 Bow St.. - 15 cars
Class III
23-19: Malden Middlesex, 129 Charles St.
Extended Hours Renewal
53-19: Walgreens, 185 Centre St. - 7 days, 24 hours - renewal
Fortune Teller Renewal
133-19: Angie Marks, 495 Broadway, Malden - renewal
Livery Renewals
49-19: Linda Dellolacono, 259 Mountain Ave. # 1, 1 car
50-19: Ideal Park Limo, 61 High Rock Rd., 1 car
51-19: Samson Assefa, 47 2nd St., 2 cars
82-19: David Gustave, 230 Bryant St., Apt. 3, 1 car

Lodging House

136-19: Robert H. Laquidara, 155 Clifton St., new (lapsed due to fire)

Second Hand Dealer

137-19: AM Design Jewelry, 664 Salem St., - renewal

Outdoor Parking

130-19: Caycort Realty, LLC, 17 Green St., - 25 spaces renewal

131-19: SL Realty Holdings LLC, 11 Charles St., 15 spaces new

132-19: T.J. Automotive, 315 Pleasant St., 28 cars renewal

PoolRooms

134-19: Loyal Order of the Moose, 562 Broadway, 2 tables renewal

135-19: Club 24, Inc., 787 Salem St., 2 tables renewal

Second Hand Dealer & Pawnbroker

138-19: Art Carl Jewelers, 56 Pleasant St., renewal

Second Hand Dealer

139-19: Gold & Diamonds, Etc., Inc., 25-29 Pleasant St., renewal

Taxi Cab Licenses

83-19: Malden Transportation , 292 Eastern Ave., renewal 39 licenses

[189-19](#)

Committee Report: Personnel/Appointments (Paper 80-19 Council re-appointment of Kathryn Fallon, Malden, MA as the City Solicitor, term to expire March 1, 2022.)

[190-19](#)

Committee Report: Finance (Paper #115-19 Order: The City of Malden file with the U.S. Department of Housing and Urban Development a Consolidated Plan including applications for grants under the Housing and Community Development Act of 1974 as amended and the Cranston-Gonzalez Housing Act of 1990 as amended to be administered by the Malden Redevelopment Authority for fiscal year 2020, including all understanding and assurances contained therein on or substantially in the form presented to this meeting; and that Gary Christenson, Mayor and Chief Executive Officer of the City of Malden, be and hereby is directed and designated as the authorized representative for and in the name and behalf of the City of Malden to sign and file said plan, to act in connection with said plan, and to provide such additional information as may be required.

[191-19](#)

Committee Report: Finance (Paper #116-19 ordered that the Mayor be authorized to file an application for grants under the Housing and Community Development Act of 1974 and the Cranston-Gonzalez Housing Act of 1990 (CDBG Budget).)

[192-19](#)

Committee Report: Rules & Ordinance (Paper #554-18) Be it Hereby Ordained that Chapter 12 of the R.O. of 1991, as amended, be further amended by adding new sections: 800.6.2.24.b, 300.3.2.13, 400.1.2.10, 500.1.2.9, and 500.2.23 relative to Co-Housing.

[193-19](#)

Committee Report: Rules & Ordinance (Paper #449-18) Be it hereby Ordained that Chapter 7 of the R.O. of 1991, as amended , be further

amended by adding a new section 7.29 relative to the Use of Recyclable and Reusable Bags.

13. TABLED PAPERS

[224-18](#)

Order: The Fellsmere Housing Group and Friends of Fellsmere Heights to present their proposal of a zoning overlay allowing clustered mixed of residential housing at the former Malden Hospital Site to the Rules & Ordinance Committee.

[385-18](#)

Order: That the City Council create a five member ad hoc committee to investigate the Condition and Safety of the Natural Gas Infrastructure in Malden. The committee shall be composed of three City Coucillors, the DPW Director and the City Engineer, or their designees.

Sponsors:

Ryan O'Malley and David Camell

[64-19](#)

Be it hereby Ordained that Section 35, Subsection 1 of Chapter 11 of the Rules & Ordinance of 1991 be amended.

Sponsors:

Ryan O'Malley and Stephen Winslow

14. PERSONAL PRIVILEGE

15. ADJOURNMENT

THOMAS E. BRENNAN, CITY CLERK