



City of Malden

Malden City Hall
215 Pleasant Street
Malden, MA 02148

Meeting Minutes - Final License Committee

Councillor Jadeane Sica, Chair
Councillor Chris Simonelli, Vice Chair
Councillor Paul Condon
Councillor at Large Karen Colon Hayes
Councillor Ryan O'Malley

Tuesday, November 21, 2023

5:30 PM

215 Pleasant Street
Room 108
Malden, MA 02148

Roll Call

Chair Sica called the meeting to order at 5:34 PM.

Also in attendance were Dan Grover, Nelson Miller, Dave Morse, Jim Tuxbury, Zaheer Samee, Morgan Hunte, and Councillors Murphy and Winslow.

Present: 3 - Councillor Jadeane Sica, Paul Condon and Karen Colon Hayes

Absent: 2 - Councillor Chris Simonelli and Ryan O'Malley

Minutes to be Approved

[424-23](#)

Minutes for the meeting of November 14, 2023

A motion was made by Councillor Condon, seconded by Councillor at Large Colon Hayes, that the Committee Minutes be approved. The motion carried by a unanimous vote.

Business

[406-23](#)

Petition: Amusement Machines: GLS Associates, Inc. 50 Holden Street, Malden, 5 machines (Renewal)

A motion was made by Councillor at Large Colon Hayes, seconded by Councillor Condon, that the Petition be recommended favorably to the City Council. The motion carried by a unanimous vote.

[407-23](#)

Petition: Amusement Machines: Loyal Order of the Moose Lodge 1910, 562 Broadway, Malden, 2 machines (Renewal)

A motion was made by Councillor at Large Colon Hayes, seconded by Councillor Condon, that the Petition be recommended favorably to the City Council. The motion carried by a unanimous vote.

[408-23](#)

Petition: Amusement Machines: Pearl Street Station, 53 Summer Street, Malden, 2 machines (Renewal)

A motion was made by Councillor at Large Colon Hayes, seconded by Councillor Condon, that the Petition be recommended favorably to the City Council. The motion carried by a unanimous vote.

[409-23](#)

Petition: Extended Hours: Boda Borg Boston, LLC 90 Pleasant Street, Malden, Hours: Friday, Saturday, and Sunday 10am - 3am (Renewal)

This 3:00 AM license is used conditionally based on when the business does special events, such as after prom, throughout the year and is not used on a regular basis.

A motion was made by Councillor Condon, seconded by Councillor at Large Colon Hayes, that the Petition be recommended favorably to the City Council. The motion carried by a unanimous vote.

[410-23](#)

Petition: Extended Hours: G&R Convenience, Inc. DBA Supreme Food Mart, 1018 Eastern Avenue, Malden, Hours: 24/7 (Renewal)

A motion was made by Councillor at Large Colon Hayes, seconded by Councillor Condon, that the Petition be recommended favorably to the City Council. The motion carried by a unanimous vote.

[411-23](#)

Petition: Extended Hours: Kasa Foods Inc. Food Truck, 637 Broadway, Malden, Hours: 7 days 11am - 2am (New)

This extended hours petition is for a food truck that accompanies a new restaurant on RT 99 between the Town Line Bowling Alley and 621 Grille & Tavern. Food trucks typically are allowed to stay open until 11:00 PM, this petition is for 2:00 AM. Councillor Sica expressed her concern for this business staying open so late, citing the bars next door are trying to get customers exited and home between those hours, not hanging around continuing the party in the parking lot.

Building Inspector Nelson Miller questioned how one issues an extended hours license to a food truck given there is no one location at which the truck can do business. The city would have no way of knowing if this truck was driving around to different locations until 2 AM.

It was unanimously agreed to recommend this petition out unfavorably.

A motion was made by Councillor Condon, seconded by Councillor at Large Colon Hayes, that the Petition be recommended unfavorably to the City Council. The motion carried by a unanimous vote.

[412-23](#)

Petition: Extended Hours: Planet Fitness, 795 Eastern Avenue, Malden, Hours: Open 24 hours Monday 12am - Friday 9pm (Renewal)

A motion was made by Councillor Condon, seconded by Councillor at Large Colon Hayes, that the Petition be recommended favorably to the City Council. The motion carried by a unanimous vote.

Other Business

Committee will continue discussion from November 14, 2023 on a comprehensive strategy on how to go about reviewing and approving upcoming Class II licenses for 2024.

The violation of Class II licenses is a city-wide issue that has been allowed to go unchecked for quite some time. It is not reasonable to deny this year's renewals without granting the businesses some warning and a timeline to get into compliance with their certified plot plans. If given a year or possibly two-year notice to come into compliance and the business owner does not anticipate being able to meet that compliance, then they at least have time to begin finding a new location at which to do business.

Last week, the Compliance Officers checked 15 Class II businesses that are up for renewal and 12 of them had too many cars than is allowed for their lots. Certified plot plans for each car lot must be the first requirement mandated. Once the car lot obtains this, the document itself will determine the proper number of cars that will be allowable by law. For this reason, it is understood that some licenses may need to be adjusted in 2025.

- The agreed upon plan is to conditionally grant all Class II license renewals for 2024, informing the business owners they have until August to obtain certified plot plans and submit to the Building Commissioner and Fire Department for approval.*
- All other application requirements (bond, taxes paid) must be adhered to prior to submission of petition to Council process.*
- Plots need to be approved by Building Commissioner prior to the parking lines being painted. Re-painting parking lots will not be required in 2024 but will be required for 2025 renewal.*
- Per State law, the principal use of the lot requires parking for a certain number of cars before they are allowed to consider a number of cars allowed for the Class II license.*
- The License Committee will consider if an amendment to 6.08.100 B3 allowing for no fewer than 15 spots for cars that are in storage or on display is necessary.*
- Any new Class II licenses for business whose primary use is not car sales, will be denied.*
- Commissioner Miller has a list of rules for plot plans. He will provide to City Clerk's Office who will then distribute to all concerned businesses.*

Adjournment

A motion was made by Councillor Condon, seconded by Councillor at Large Colon Hayes, that the meeting be adjourned. The motion carried by a unanimous vote. Meeting was adjourned at 6:06 PM.