



City of Malden
Massachusetts

PERMITS, INSPECTIONS & PLANNING SERVICES
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January 10, 2019

The Honorable City Council
110 Pleasant Street
Malden, MA 02148

Re: **Amendment of §700.1.3.1, Ch.12, R.O. of 1991
Use Regulations for Residential Conversion of Preexisting Nonconforming Property
in Residence A, Residence B and Residence C zoning districts
CCP #521/2018**

Dear Councilors:

On January 9, 2019, the Planning Board and City Council Ordinance Committee jointly held a public hearing regarding the above-referenced proposed amendment.

As a result of the public hearing, all nine members of the Planning Board voted to recommend to the City Council approval of the amendment in concept and adoption of the following revised language (in emphasis), to clarify and instead of the proposed language:

1. residential use; *provided that, in the case of an existing building or structure containing more than three stories and/or having a height of 35 feet or more, where the change of use is to multifamily dwelling use, no increase in height shall be allowed; and in the case of reconstruction or new construction, the only multifamily dwelling use of the property that shall be allowed is "Dwelling, Multifamily, up to 3 stories inclusive;" these provisions are use regulations and there shall be no variance of these provisions;*

The minutes of the joint public hearing will be made available at your request. For your reference, attached please find the Planning Report & Recommendation dated January 9, 2019 and memorandum from City Solicitor Kate Fallon dated January 7, 2019, which were presented at the hearing.

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 April 9, 2019.

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

Sincerely,

Michelle A. Romero
City Planner

Enclosures

CC: Thomas Brennan, City Clerk
Kathryn Fallon, City Solicitor
Mayor Gary Christenson