



City of Malden Massachusetts

INSPECTIONAL SERVICES
215 Pleasant Street, 3rd Floor
Malden, Massachusetts 02148
(781) 397-7000 ext. 2044

August 23, 2022

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

**Re: Amendments of Title 12.12.190.E, Code of City of Malden
Use Regulations for Marijuana Establishments, Principal Use Requirement
City Council Paper #316/2022**

Dear Councilors:

On August 16, 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 August 16, 2022, a majority of the Planning Board, namely, six of those nine members present, decided to recommend to the City Council **disapproval** of the amendments as proposed, with the additional recommendation, that if the City Council approves any amendment, the following provision be added:

A Marijuana Establishment shall not be a principal use of and/or located in the same building or on the same property, which, as of the date of filing of the petition for a special permit for the Marijuana Establishment, is lawfully used for any of the following:

- a) residential use*
- b) daycare licensed by the Commonwealth of Massachusetts*
- c) club/lodge*
- d) hospital*
- e) public, non-profit or private school providing education in kindergarten, or Grades 1- 12*
- f) religious facilities*
- g) business school*
- h) motel-hotel*
- i) nursing or convalescent home*
- j) recreation for gainful business*
- k) restaurants (fast-food service, and all other)*
- l) retail sales of alcohol (any SF gfa)*
- m) convenience store*
- n) supermarket*
- o) substance abuse treatment center*
- p) any park playground, recreational field or recreational facility, and including, but not limited to: the Malden Teen Enrichment Center, the YMCA and the YWCA;*
- q) facilities in which children commonly congregate*

For your reference, enclosed please find the Planning Report & Recommendation dated August 16, 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 November 14, 2022.**

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

Sincerely,

A handwritten signature in black ink, appearing to read 'Michelle A. Romero', written in a cursive style.

Michelle A. Romero
City Planner

Enclosure

CC: Greg Lucey, City Clerk
Mayor Gary Christenson
John McNaught, Acting City Solicitor