

Section 12.12.200 Malden River Site Plan Review

Section 12.12.200.A. Purpose and Intent:

Add the following after the first sentence:

“As used herein this Ordinance, the Malden River is defined to be the Malden River and Little Creek, as referenced by the USGS Topographic map, where daylighted.”

Section 12.12.200.B. Applicability:

- Delete the word, “construction,” and insert the phrase, “work requiring a permit.”
- After the word “daylighted,” insert the phrase, “at the time application is made under this Ordinance,”
- Insert the following two sentences at the end of the section:
 - “Any permit for any work issued prior to the date of first publication of the notice of public hearing on this Ordinance shall be exempt from the provisions of this Ordinance.”
 - “Prior to applying for Site Plan Review, applicant shall obtain any necessary zoning relief and approvals of the Historical Commission and Conservation Commission.”

Section 12.12.200. E. Site Plan Review Committee.

Section E. 1 Composition

- Delete, “Malden Redevelopment Authority,” and insert, “Office of Strategic Planning & Economic Development.”
- Delete, “the City Planner or designee”
- Delete, “the City Engineer or designee.”
- Add, “Two residents appointed by the Mayor and confirmed by the City Council.”

Section E. 2 Operation

- Add to the end of the first sentence: City Engineer and City Planner.
- In the second sentence, delete, “request” and insert, “require.”
- In the second sentence, delete, “§53,” an insert, “§53G.”
- In the fifth sentence, delete “seven” and insert, “100% of the ”

Section 12.12.200.I. Expiration.

After the word, “notice,” add the phrase, “of Site Plan Approval.”

Section 12.12.200.J. Site Plan Review Criteria.

Section J.3 Buffer Area

- Insert the following phrase at the end of subsection (a):
“with the exception of any invasive trees greater than a 4” caliper, measured by diameter breast height; and any invasive removal strategy shall include a sapling replanting strategy.”
- Insert the following new subsection (d):
“The most current versions of the following shall be used as guidelines to determine invasiveness of species to be planted and removed: U.S. Fish and Wildlife Service’

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(Includes Planning Board Recommendations dated 4/22/21 as further amended by the Committee)

National List of Plant Species that Occur in Wetlands: Massachusetts (Reed, 1988); and The Evaluation of Non-Native Plan Species for Invasiveness in Massachusetts (April 2005) by Massachusetts Invasive Plant Advisory Group.”

- Insert the following new subsection:
“Maintenance: The property owner shall be responsible for the completion and maintenance of the landscaping of the required buffer area.”

Section J.4 Set Backs.

- After the word “construction,” add the phrase, “not required by the Malden River Site Plan Ordinance.”
- After the word “Malden River,” add the phrase, “provided, however, that the Site Plan Review Committee may allow Water Dependent uses, as defined by M.G.L. Chapter 91, within the set back.”]

[As revised the provision will read as follows:

“Any new construction not required by the Malden River Site Plan Ordinance shall be set back 100 feet from the Malden River; provided, however, that the Site Plan Review Committee may allow Water Dependent uses, as defined by M.G.L. Chapter 91, within the set back.”]

Section J.5 Parking.

- Delete the phrase, ““unless the parking is needed to meet the parking requirements of the City ordinance.”
- After the first sentence, add the following sentence:
“Any required parking that is removed pursuant to this provision does not need to be replaced on-site and a Traffic Demand Management Plan is required.”

[As revised, the provision will read as follows:

“No surface parking is permitted within 75 feet of the Malden River. Any required parking that is removed pursuant to this provision does not need to be replaced on-site and a Traffic Demand Management Plan is required.”]

- Add the following provision:
“The greater of two parking spaces or 5% of existing parking on-site shall be designated for Malden River Users, unless this puts property in violation of the zoning ordinance.”

Section 12.12.200.I.6. Optional Amenities: Delete this section in its entirety.