



City of Malden

Malden City Hall
215 Pleasant Street
Malden, MA 02148

Meeting Minutes - Final License Committee

Tuesday, November 30, 2021

5:45 PM

215 Pleasant Street - Room 108

Malden, MA 02148

Roll Call

Also in attendance Asst. City Solicitor John McNaught, compliance officers Tuxbury and Morse, Councillor Crowe

Present: 4 - Paul Condon, Jadeane Sica, Amanda Linehan and Neal Anderson

Absent: 1 - Craig Spadafora

Minutes to be Approved

[546-21](#)

Minutes of the Meeting of November 16, 2021.

A motion was made by Vice Chair Sica, seconded by Linehan, that the Committee Minutes be approved. The motion carried by a unanimous vote.

Business

[521-21](#)

Petition: Class II - Richard's MotorCars, Inc., 672 Broadway, Malden, MA - 80 vehicles - renewal.

Sponsors: Paul Condon

compliance officer Morse stated there were no issues with the application.

A motion was made by Councilor Anderson, seconded by Vice Chair Sica, that the Petition be recommended favorably. The motion carried by a unanimous vote.

[522-21](#)

Petition: Class II - Auto Bazaar Corporation, 17 Charles Street, Malden, MA - 21 vehicles - renewal.

Sponsors: Paul Condon

Compliance officer Morse stated there were no issues with the application.

A motion was made by Councilor Anderson, seconded by Councilor Linehan, that the Petition be recommended favorably. The motion carried by a unanimous vote.

[523-21](#)

Petition: Class II - Quality Auto Sales, Inc., 856 Eastern Avenue, Malden, MA - 0 vehicles - renewal.

Sponsors: Paul Condon

Compliance officer Morse told the committee that there were several complaints made that the applicant had unregistered cars in his yard at his home at 577 Highland Ave.

There were tickets written and the applicant has appealed the tickets and waiting for a hearing.

A motion was made by Councillor Anderson, seconded by Councillor Linehan, that the Petition be tabled. The motion carried by a unanimous vote.

[524-21](#)

Petition: Class II - Sega Auto Sales & Service, Inc., 449 Ferry Street, Malden, MA - previously had license for 15 vehicles; **new application requests 26 vehicles (11 additional vehicles).**

Sponsors: Paul Condon

The petition was looking to increase by 11 cars from 15-26. Compliance officer Morse said the lot was not big enough and barely can fit the 15 cars on the current license. Mr. Morse also reminded the committee there needs to be 3 spaces for employees. Mr. Morse said he had gone down there Monday to follow up a complaint that Councillor Crowe had made to him on Saturday when she was walking her dog and the sidewalk was blocked by a vehicle from the business and there was no access on the sidewalk. Councillor Crowe suggested to the person working that they unblock the sidewalk by moving the car. Councillor Crowe stated that the response was very hostile and a second person from Sega came out and he was very hostile and threatening. Councillor Crowe continued that the person that came out was screaming at her and said "I will give you trouble ". While Councillor Crowe walked away and down the street , one individual stood in the middle of the street staring at her" which Councillor Crowe provided a picture. Officer Morse said that when they went down there the lot had 23 cars and there was nowhere for compliance to park but the street where there were 2 more vehicles associated with Sega.

At the suggestion of Councillor Anderson, Gilson Queroga and Steve Vasco from Sega were in attendance. Councillor Anderson stated "if what he is hearing was accurate this is a problem" and requested to hear from the two individuals from Sega.

Mr. Queroga said they have been at the location for 17 years and 15 spaces is not enough. Councillor Anderson asked him to address Councillor Crowe's situation.

Mr. Queroga said there is another business across the street that had cars in the street. Mr. Queroga also said he didn't know Peg was a councillor. Councillor Sica responded that Peg shouldn't have to tell them she was a councillor, they should be respectful to everyone. Mr. Vasco said that the compliance officers were very aggressive with them and it is not appreciated and blamed the other business for the cars in the street.

Councillor Condon stated that given what he is hearing he would not be in favor of increasing the license to 26 cars until they address the problems., we are not going to put up with intimidation.

Councillor Anderson said he told the two people from Sega the same thing Councillor Condon said and they need to prove they are a good neighbor.

Officer Morse said when they went down there they were confrontational to him and Officer Tuxbury.

Councillor Anderson said he would like to table the petition and that the business needs to do some fence mending and he wants Building Commissioner Miller to view at the plot plan they had with them tonight and the committee can revisit the petition at the next meeting.

A motion was made by Anderson, seconded by Linehan, that the Petition be tabled. The motion carried by the following vote:

Yea: 3 - Chairperson Condon, Linehan and Anderson

Nay: 1 - Vice Chair Sica

[525-21](#)

Petition: Class II - Sica's Automotive, Inc., 1114 Eastern Avenue, Malden, MA - 2 vehicles - renewal.

Sponsors: Paul Condon

Councillor Sica requested to be recused from participating on the is license, Councillor Anderson made a motion to recuse Councillor Sica on 525-21, Councillor Linehan seconded the motion, it was so voted , Condon (y), Linehan (y), Anderson (y). The motion passed 3-0.

A motion was made by Councillor Anderson, seconded by Councillor Linehan, that the Petition be recommended favorably. The motion carried by the following vote:

Yea: 3 - Chairperson Condon, Linehan and Anderson

Recused: 1 - Vice Chair Sica

[527-21](#)

Petition: Class II - Prestige Motors of Malden, 600 Broadway, Malden, MA 67 vehicles - renewal.

Sponsors: Paul Condon

A motion was made by Councillor Anderson, seconded by Councillor Linehan, that the Petition be recommended favorably. The motion carried by a unanimous vote.

[528-21](#)

Petition: Class II - Andy's Service Center, Inc., 356 Lebanon St., Malden, MA - 3 vehicles - renewal.

Sponsors: Paul Condon

A motion was made by Vice Chair Sica, seconded by CouncillorAnderson, that the Petition be recommended favorably. The motion carried by a unanimous vote.

[532-21](#)

Petition: Amusement Machines - Pearl St. Station (Alben, Inc.), 53 Summer St., Malden, MA - 2 machines - renewal.

Sponsors: Paul Condon

A motion was made by Councillor Linehan, seconded by Councillor Anderson, that the Petition be recommended favorably to the City Council. The motion carried by a unanimous vote.

[533-21](#)

Petition: Extended Hours - Honey Dew Donuts, 691 Eastern Ave., Malden, MA - 5 a.m. to 7:00 p.m. - 7 days; renewal.

Sponsors: Paul Condon

A motion was made by Councillor Anderson, seconded by CouncillorLinehan, that the Petition be recommended favorably to the City Council. The motion

carried by a unanimous vote.

[534-21](#)

Petition: Lodging House - Top Tier Properties, LLC (Sir Carlton), 33 Maple Street, Malden, MA - 44 units.

Sponsors: Paul Condon

A motion was made by Councillor Linehan, seconded by Vice Chair Sica, that the Petition be recommended favorably to the City Council. The motion carried by a unanimous vote.

Other Business

Tabled

[311-21](#)

Bonzer, Cambridge, MA SNAP Vehicle License to Operate in the City of Malden, (see attached document).

Sponsors: Stephen Winslow

[500-21](#)

Petition: Class II - Nick's Foreign Car Center, 121 Beach Street, Malden, MA - 19 vehicles - renewal (Name Change from Linden Automotive to Nick's Foreign Car Center) New Owner.

Sponsors: Paul Condon

Councillor Linehan made a motion to untable 500-21, seconded by Councillor Anderson, it was so voted by voice vote 4-0; Condon (y), Linehan (y), Spadafora (y), Anderson (y).

Compliance officer Tuxbury stated after an inspection of the site there are 25 lined spaces which 5 are taken up by a storage container. Another issue is that the business is an active repair shop.

Councillor Sica stated these are new owners and that the previous license from the previous owners never renewed in 2021. The previous owner, Linden Automotive did not reapply or were they open for business in 2021.

Councillor Anderson there is no penalty if they did not reapply or were in operation so the question is do we want to grant the license or deny it on the general requirements for a Class II Dealer License.

Asst. City Solicitor McNaught told the committee they need to invite them to appear before the committee to state their case. Councillor Anderson agreed to have them come in.

Councillor Sica said that the Dealers License would not be the primary use of the property. Councilor Condon asked what constitutes primary use. Attorney McNaught said they need to tell you about the operations of the business.

Compliance officer Tuxbury said the Building Commissioner Miller told him that the business would need 27 spaces because of having other uses. Compliance officer Morse said they could change to a license for 15 but the repair shop would have to be incidental.

Councillor Anderson made a motion to table to bring the applicants in to explain their

operation. Motion was seconded by Councillor Linehan. It was so voted 4-0, Condon (y), Linehan (y), Sica (y), Anderson (y).

This Petition was tabled to the License Committee

[510-21](#)

Petition: Class I - Absolute Auto Rental & Sales, Inc., 495 Broadway, Malden, MA - renewal.

Sponsors: Paul Condon

Councillor Sica made a motion to untable 510-21. The motion was seconded by Councillor Anderson and was so voted 4-0, Condon (y), Linehan (y), Sica (y), Anderson (y)

Compliance officer Morse stated that the class II should be at 495 Broadway and the Class I should be at 616 Broadway. The applications have it reversed. Officer Morse said that the applicant is selling the new scooters at 616 Broadway.

Councillor Sica said she had talked to the owner and at 616 what is being sold are scooters under 50 CC that the owner said do not need to be titled, Scooters over 50cc are being shipped to 495 Broadway and need to be titled.

Councillor Anderson said if we change Smart Buy, 616 Broadway to a Class 1 it would solve the problem.

Compliance officer Tuxbury brought us the recent story in the news about the elderly gentleman that was surrounded, harassed and beaten by 30-40 ATV riders. Officer Tuxbury said the applicant should be required to keep a book on all sales of the scooters.

Councillor Anderson made a motion to change the license to a class I license seconded by Councillor Linehan.

A motion was made by Councillor Anderson, seconded by Councillor Linehan, that the Petition be recommended favorably as amended to the City Council. The motion carried by a unanimous vote.

[511-21](#)

Petition: Class II - Smart Buy Auto Group d/b/a Smart Buy USA, 616 Broadway, Malden, MA 26 vehicles - renewal.

Councillor Sica made a motion to untable paper 511-21, seconded by Councillor Anderson, it was so voted 4-0, Condon (y), Linehan (y), Sica (y), Anderson (y)

Councillor Anderson made a motion to amend the license to a class I (see notes in prior license 510-21) seconded by Councillor Linehan

A motion was made by Councillor Anderson, seconded by Councillor Linehan, that the Petition be recommended favorably as amended to the City Council. The motion carried by a unanimous vote.

Adjournment

A motion was made by Vice Chair Sica, seconded by Councillor Linehan, that the meeting be adjourned. The motion carried by a unanimous vote.

The meeting adjourned at 6:43 P.M.