



# City of Malden RECEIVED

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Board of Appeal  
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Malden, Massachusetts 02148

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## BOARD OF APPEAL

### DECISION

Meeting of January 18, 2018

485 Lynn Street  
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#### PETITION OF:

Benjamin Lawrance on behalf of JRB Realty Trust, for a variance of Section 400.1.4.14 & 500.1.4.17, Chapter 12, of the Revised Ordinances of 1991 as Amended of the City of Malden, dimensional controls and parking requirements for retail services, namely, to renovate the existing building to accommodate a laundromat, as per plans, at the property known as and numbered 485 Lynn Street, and also known by City Assessor's Parcel ID #171-533-308

The applicant seeks to renovate the existing building façade and interior to accommodate new general retail service use (Laundromat)

The property contains approximately 1,080 square feet of land mainly classified as RST/BAR consisting of 1 Unit measuring 760 square feet with two (2) – 1/2 Bathrooms.

The existing building does not meet Area (10,000 sq. ft.), Frontage (50'), Front (10') & Side (10'/20'both) set-backs or parking requirements (4 spaces per 1000 sq. ft. of gross floor area) for Retail Service.

#### FINDINGS OF FACT AND DECISION

Attorney, Pat MacDonald on behalf of Petitioner, Benjamin Lawrance appeared before the Board on January 18, 2017 seeking a Variance to renovate an existing building to accommodate a laundromat, as per plans, at the property known as and numbered 485 Lynn Street, and also known by City Assessor's Parcel ID #171-533-308

All statutory notice requirements have been met and this petition is properly before the Board for hearing.

The property is a preexisting non-conforming lot in a business zoned district. The petitioner proposes to convert the structure and change its use from an alcohol establishment to a self-operated laundromat. The proposal would not entail any structural changes with the footprint staying the same. The proposal would not increase any dimensional controls or parking violations.

The petitioner proposes to rehab the entire interior of the structure situated on the lot with coin-operated washers, dryers with a public restroom along with ADT Surveillance.

The hardship that exists in accordance with G.L. c.40A is that the lot is unique with approximately 1,080 sq. ft. of land with the structure consuming most of the square footage.

After due hearing, the Board found and adopted the facts as alleged by the Petitioner and that a literal enforcement of the zoning ordinance would "not" involve a substantial hardship, financial and otherwise, to the petitioner where the petitioner did not purchase the property.


The purpose of the Zoning Act is part and parcel to promote public safety, health and general welfare within the community. The Board had serious reservations to the petitioner's proposal for a self-operating laundry mat. The issues raised by the Board were all related to potential criminal activity taking place on the premises along with concerns for the general welfare of its participants and the community as a whole. The proposal did include surveillance cameras. However, the Board was not satisfied that cameras would act as a deterrent to potential activities arising, requiring on-site monitoring and immediate action and/or assistance.

Pursuant to Chapter 12, of the Revised Ordinances of 1991 as Amended of the City of Malden, 800.4.1.1 and G.L. c.40A §10, the requested relief shall not be granted. The Board found that a self-operating business would substantially be detrimental to the public safety and general welfare within the community, substantially derogating from the purpose and intent of the applicable zoning ordinance.

Upon motion of John King, which was seconded by Deano Summers, the Board voted unanimously to deny this petition.

**MEMBERS OF THE BOARD VOTING WERE**

James O'Brien, Chair  
Deano Summers  
John King  
Claire Croken  
Shannon Brandano, Clerk  
Emery Haskell, Fire Commissioner

  
Board of Appeal  
Shannon Brandano, Clerk  
January 19, 2017