

BOARD OF APPEAL
DECISION

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MALDEN, MASS.

MEETING OF
OCTOBER 18, 2017
964 MAIN STREET
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PETITION OF:

Malden Redevelopment Authority for two separate parcels. Chairman O'Brien announced the petitioner is before the Board seeking variances on two separate, contiguous parcels. Chairman O'Brien announced that the relief sought for each parcel is the same, violation of minimum lot size requirement, and confirmed, with MRA Executive Director, Deborah Burke, that her presentation to the Board would address both parcels given the same relief being sought on them.

Malden Redevelopment Authority for a variance of Section 400.1.2.1, Chapter 12, of the Revised Ordinances of 1991 as amended of the City of Malden, dimensional controls for single family residential dwellings namely, to construct a single family dwelling and reinstate the rights authorized by variance granted on January 17, 2013, as per plans, at the property known as and numbered 964 Main Street, Malden, MA and also known by City Assessor's Parcel ID # 045-856-624 and the property known as and numbered 968 Main Street, Malden, MA and also known by City Assessor's Parcel ID # 045-856-622.

All statutory notices have been met and this petition is properly before the Board.

FINDINGS OF FACT AND DECISION

The Petitioner, Deborah Burke appeared before the Board on October 18, 2017 proposing to extend a variance issued in 2013 to construct a single family dwelling and reinstate the rights authorized by variance granted on January 17, 2013, as per plans, at the property known as and numbered 964 Main Street, Malden, MA

Deborah Burke, Executive Director, Malden Redevelopment Authority explained that her office has been unsuccessful in marketing and selling these two parcels. She admitted they are challenging properties given their respective lot sizes and the presence of ledge/outcropping to the rear. Director Burke mentioned the Authority has handled these properties as they transitioned from commercial to residential uses and would like to have variances so she might continue forward with marketing the properties for sale.

The minimum lot requirement is at issue. Subsequent to the grant of the petitioners 2013 variance , Malden Zoning requirements for minimum lot requirements changed from 6,000 sq. ft. to 7,500 sq. ft.

IN FAVOR

A letter of support, from Mayor Gary Christenson, for the (2) variances was read into the record. No one else appeared to speak.

OPPOSED

A letter in opposition to the variances from Nancy Delaney, 946 Main Street, was read into the record. No one else appeared to speak.

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 involve a substantial hardship, financial and otherwise, to the petitioner.

In addition, the requested relief may be granted without substantial detriment to the public good and without nullifying or substantially derogating from the purpose or intent of the applicable zoning ordinance.

Upon motion of Deano Summers which was seconded by Claire Croken the Board voted unanimously to grant this petition.

MEMBERS OF THE BOARD VOTING WERE:

James O'Brien
Claire Croken
Emery Haskell
John King
Deano Summers
Mike Steene
Shannon Brandano

Shannon Brandano
Board of Appeal
Shannon Brandano, Clerk
October 18, 2017