

HISTORIC USES

A significant number of manufacturing businesses historically operated along the Malden River. These industries included Malden & Melrose Gas Light Company, Converse Rubber Shoe Company, and Solvent Chemical Company. Figure 9 shows the location of some of these businesses in Malden and Everett, the historic location of the Malden River, and an overlay of current buildings.

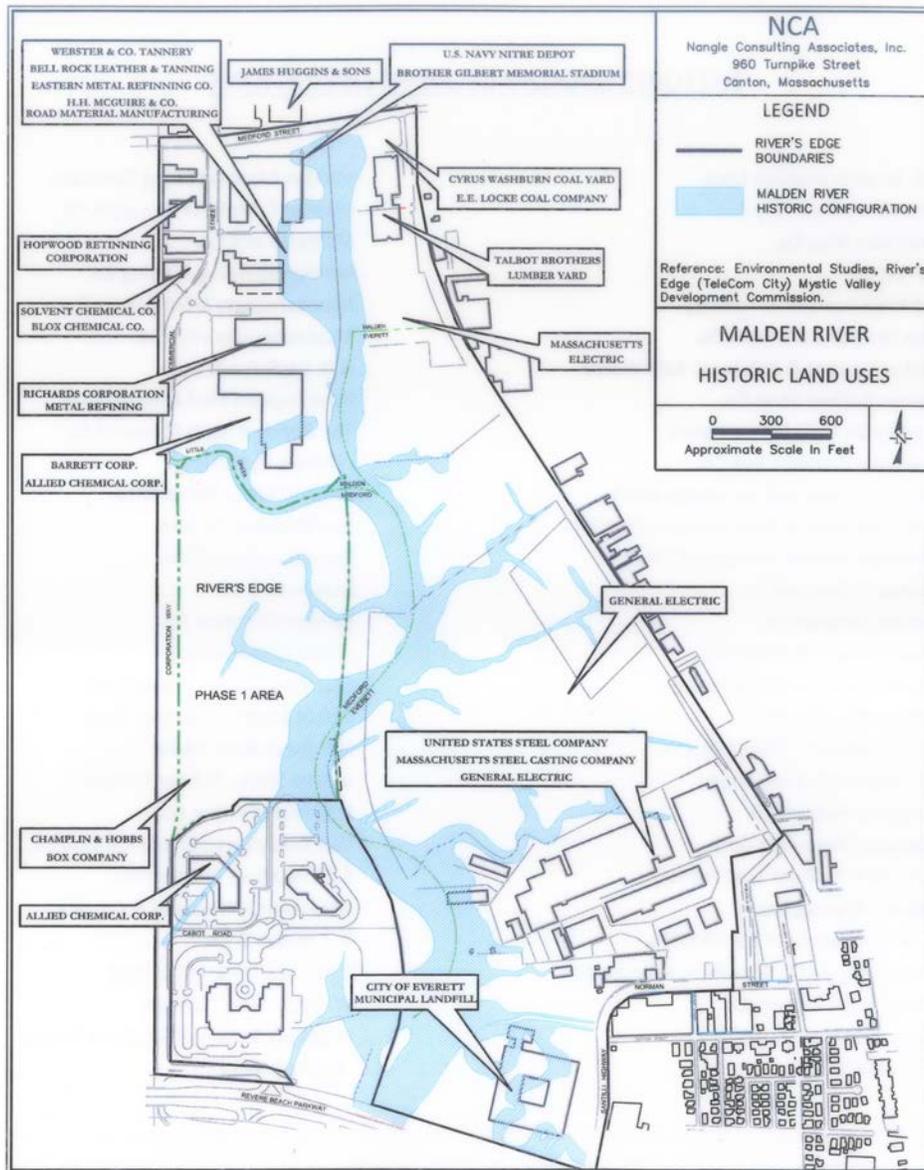


Figure 9: Historic Land Uses along the Malden River
Source: Nangle Consulting Associates, Inc.

ENVIRONMENTAL CONSTRAINTS

Many of the historical and some current industrial uses throughout the Corridor involve the use of contaminants, such as petroleum, coal tar, metals, and other chemicals. This resulted in some environmental impairment to the soils and water (see Figure 10). Such impairments do not preclude redevelopment, but the type and level of impairment, as well as potential exposure pathways, may restrict the permissible uses of a site. Mitigation of the impairment for specific uses is possible in most situations, however, associated costs must be factored into the cost of redevelopment.

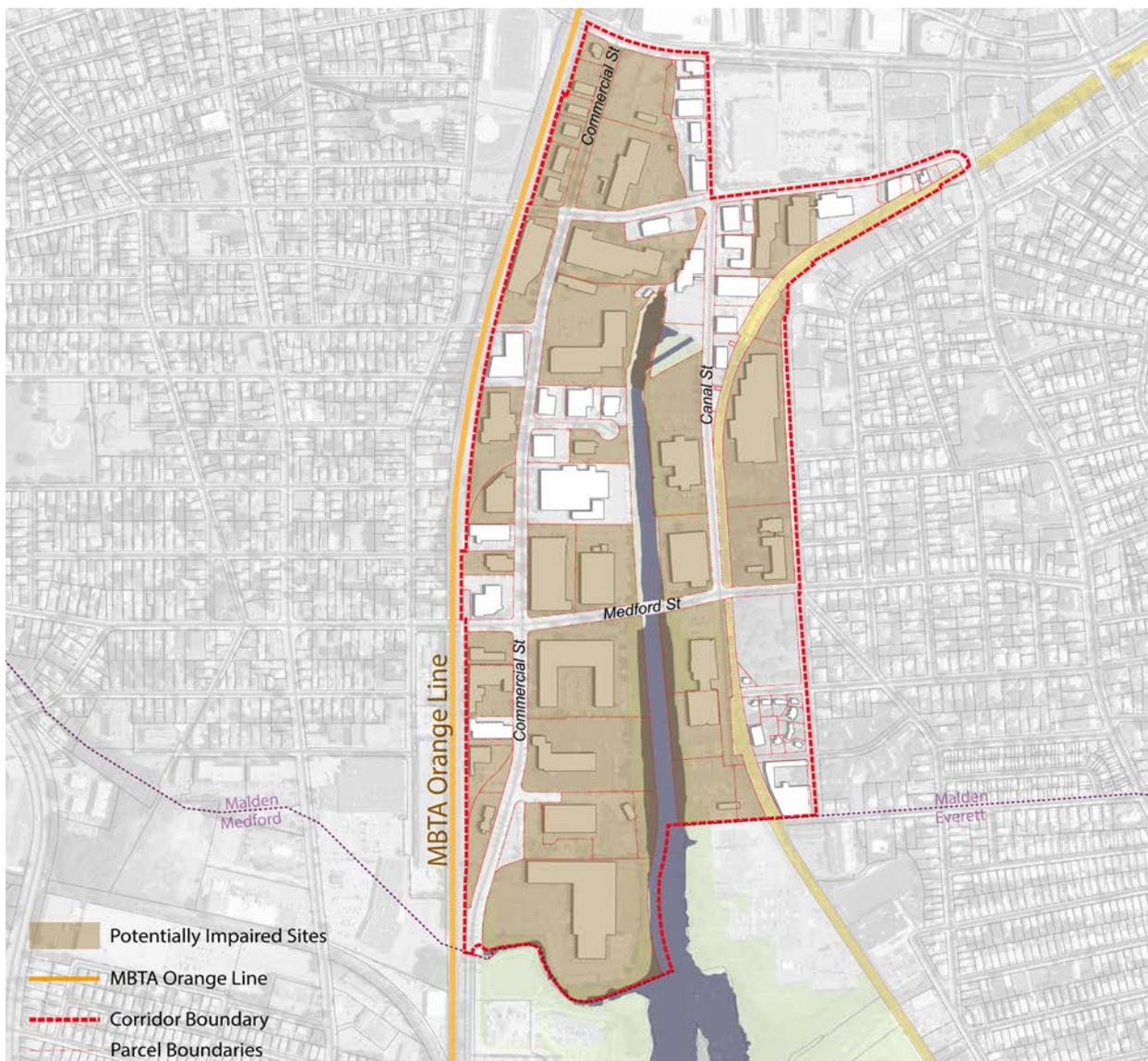


Figure 10: Potentially Impaired Parcels within the Corridor

STORMWATER

Untreated stormwater within the Corridor is a concern. As noted within the Malden Master Plan, the western half of Malden drains to the Malden River. Without proper physical and natural infrastructure, stormwater can easily enter the river, contributing to water quality and ecological impairment. Residents identified some locations of particular concern, including stormwater entering the river from the eastern portion of the Corridor and runoff from several large parking lots.

FLOOD HAZARD AREA

Flood hazard areas are those places identified as Special Flood Hazard Areas on the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM) where there is at least a 0.2 percent chance of flood occurring during any given year (often called a 500-year flood zone). Zones “A” and “AE” are areas with at least 1.0 percent chance of having a flood occur in any given year (often called a 100-year flood zone).

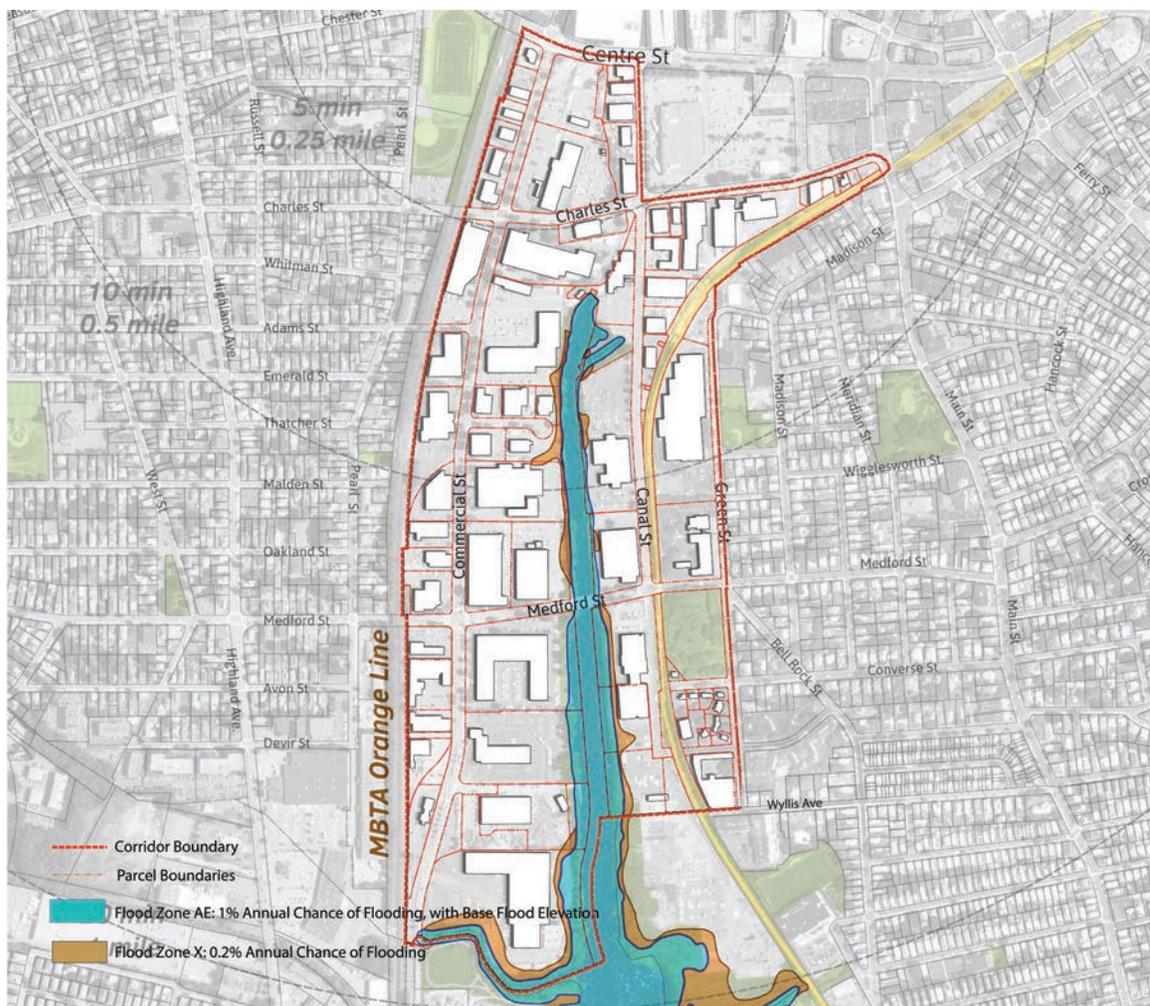


Figure 11: FEMA Flood Zones within the Corridor

Figure 11 shows that several parcels along the Malden River are within a flood zone. Those areas shaded in orange are within the 500-year flood zone, and the areas shaded in blue are within the 100-year flood zone, with base flood (a flood having a 1.0 percent chance of being equaled or exceeded in any given year) elevation.

Regulatory Conditions

ZONING

The City of Malden is divided into nine zoning districts (Table 1). In some instances, a zoning district contains subdistricts. For example, industrial districts are further distinguished as Industrial 1 and Industrial 2 districts. The only Reclamation and Redevelopment district within Malden is the Rowe’s Quarry Reclamation and Redevelopment district.

Table 1: Malden Zoning Districts

Zoning District	Notation
Residence A	A
Residence B	B
Residence C	C
Residential Office	RO
Neighborhood Business	BN
Central Business	BC
Highway Business	BH
Industrial	I
Reclamation and Redevelopment	R(x)

The Corridor is composed of 101 parcels. Table 2 and Figure 12 show the zoning categorization of these parcels using data from the City’s Zoning Map. Industrial 1 and 2 districts make up 87 percent of the Corridor’s area. The Bell Rock Cemetery is categorized within the Residential A zoning district. The Corridor is adjacent to primarily residential zoning districts, although portions abut Highway Business, Central Business, and Residential Office zones.

Table 2: Zoning Districts within the Corridor

Zoning District	Count of Parcels	Total Land Area (Square Feet)	Total Land Area (Acres)
A	7	174,028	4.0
B	22	395,110	9.1
C	1	121,585	2.8
BC	3	15,655	0.4
I1	21	2,078,587	47.7
I2	47	2,613,107	60.6

Source: City of Malden Geographic Information System parcels

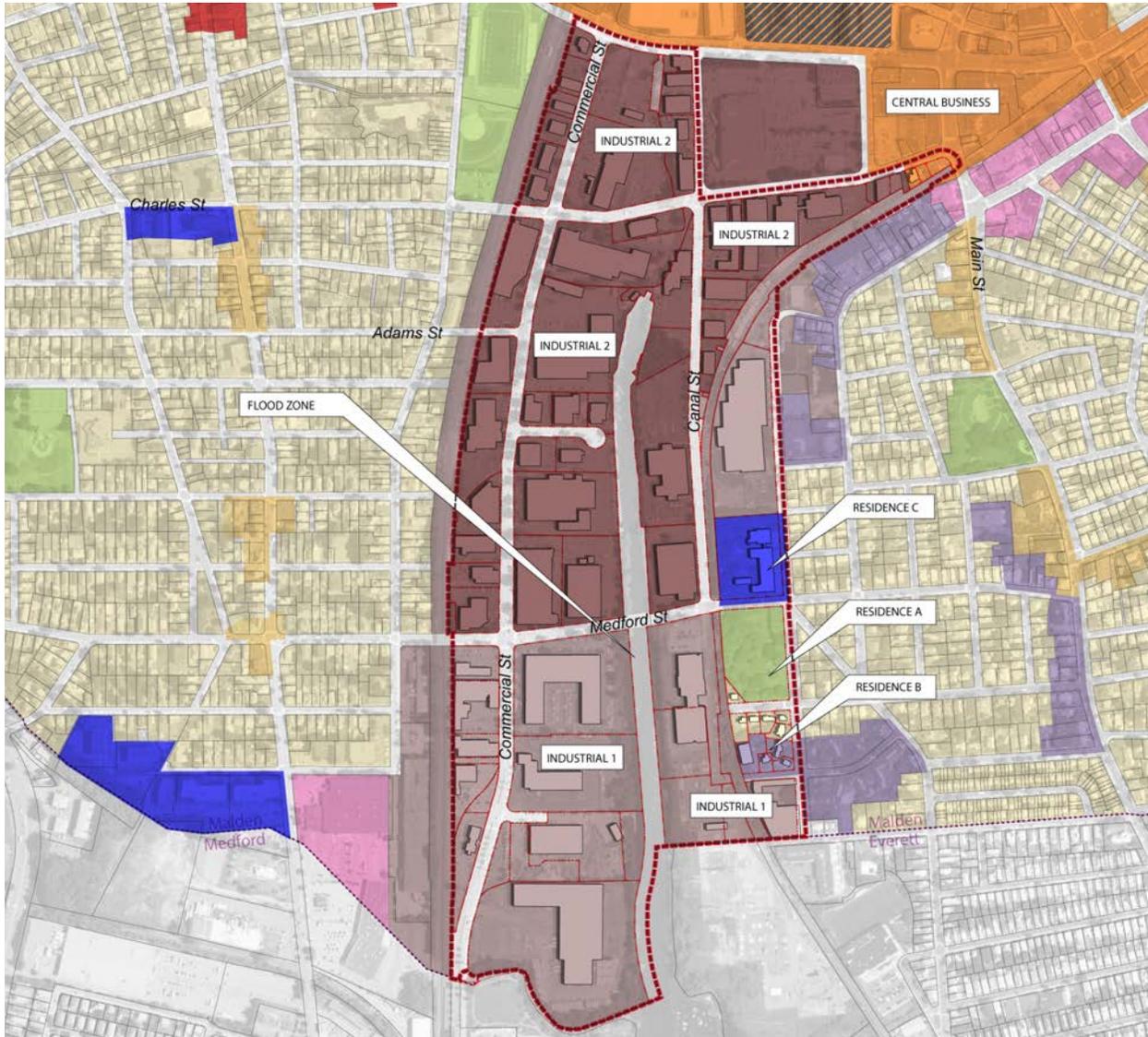


Figure 12: Zoning Districts within the Corridor

The City's Zoning Ordinances prescribe permissible uses within zoning districts. Dimensional standards are dependent on use. This is unusual, as dimensional standards are typically assigned to zoning districts, not specific uses. Dimensional standards for example uses are found in Table 3.

Some land uses are not allowed by right or special permit within the Industrial 1 or Industrial 2 zones. For example, residential, hospitals, motel-hotel, artist live/work space, and planned development uses are not permissible in either Industrial zoning district.

Table 3: Example Land Uses and Associated Dimensional Standards

Land Use	Lot Area (Square Feet)	Maximum Height	Minimum Parking Spaces (per 1,000 square feet of gross floor area)	I1	I2
Restaurant, All Other	5,000	30 feet/2 stories	1.2	Special Permit	Special Permit
General Retail Sales	10,000	30 feet/2 stories	4	Less than 5,000 square feet: Yes 5,000 square feet or more: Special Permit	Less than 5,000 square feet: Yes 5,000 square feet or more: Special Permit
Offices, General	10,000	50 feet/4 stories		Yes	Yes
Manufacturing and Repair	20,000	50 feet/4 stories	1.2	Yes	Yes
Light Manufacturing	20,000	30 feet/2 stories	1.2	Special Permit	Special Permit
Research and Development	20,000	50 feet/4 stories	1.2	No	Yes
Motel-Hotel	20,000	50 feet/4 stories	1.2 per unit	No	No

Similar land uses, such as manufacturing and repair and light manufacturing, differ both by regulations for maximum height and the zoning district where they are allowed by right. In addition, the dimensional standards are less restrictive for more intensive industrial uses than for less intensive uses. Such discrepancies may prevent businesses from reusing existing buildings that would otherwise be suitable. The zoning does not assume the adaptive reuse of a building in this situation. In other words, a four-story building previously used for manufacturing could not be reused for light manufacturing under this zoning; light manufacturing is only allowed in a building with two stories.

The treatment of land uses by permitting process is not consistent across the zones. For example, manufacturing is an as-of-right use, while light manufacturing requires a special permit. Other uses that might be compatible, such as research and development, are allowed in one zoning district, but not the other. The inability to operate a particular business by right or receive a special permit within the Industrial 1 zone versus Industrial 2 zone may hinder redevelopment within the Corridor.

Dimensional standards are also determined by land use, which may affect the redevelopment and reuse of existing buildings if developers are unable to locate suitable sites. For example, research and development uses are allowed 50-feet or four stories. However, research and development laboratories typically need 14- to 16-feet per floor, so the zoning limits building massing to three floors. Manufacturing can have 50-feet or five stories, while light manufacturing is limited to 30-feet and two stories. A light manufacturing use could not fill an empty five-story building that previously contained a manufacturing use without a variance.

MASSACHUSETTS GENERAL LAWS, CHAPTER 91

The Massachusetts Public Waterfront Act, also referred to as Massachusetts General Laws (M.G.L.) Chapter 91, governs public access to certain waterways in Massachusetts. Such waterways include some filled and currently submerged land of formerly tidal rivers, such as the Malden River. Chapter 91 jurisdiction applies to parcels or portions of parcels with filled tidelands, which are defined as the land seaward of the historic high-water mark. Figure 13 shows the historical location of the Malden River and areas under Chapter 91 jurisdiction within the Corridor.

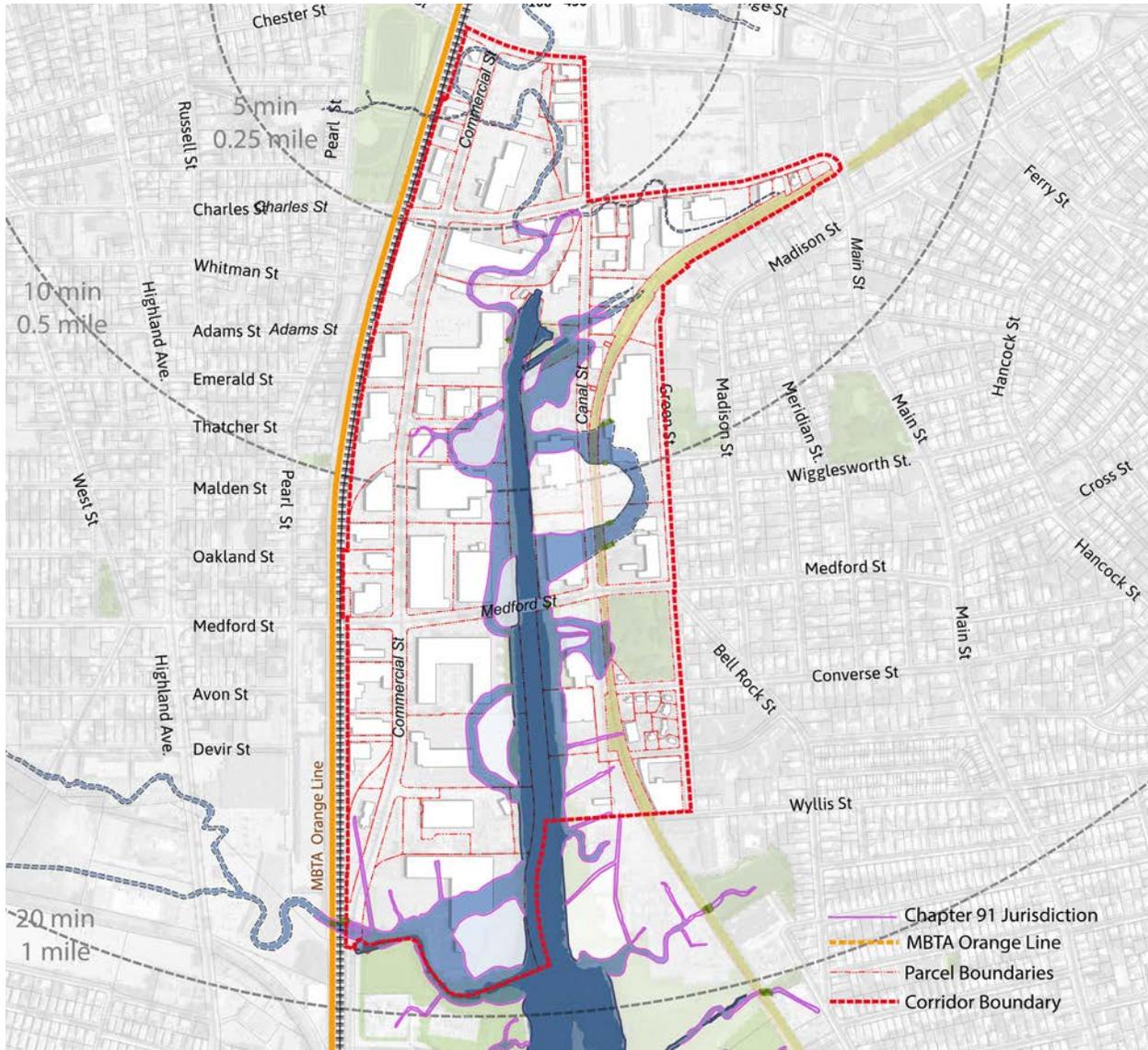


Figure 13: Historic Location of the Malden River

The ability to develop or redevelop is affected by this condition. Areas under Chapter 91 jurisdiction may be grandfathered if they are unchanged since 1984, all other areas must apply to the MassDEP for authorization (i.e., a Chapter 91 license) for new construction, new uses, or substantial changes to existing construction or uses. The application process depends on whether the use is water-dependent or non-water-dependent. Non-water-dependent projects must have interior space for Facilities of Public Accommodation, where access is granted to all members of the public. In recent revisions, this regulation has been relaxed to include Facilities of Limited Public Accommodation as a temporary measure.

MALDEN REDEVELOPMENT AUTHORITY

The Malden Redevelopment Authority (MRA) exists under M.G.L. Chapter 121B, §1, et seq. The MRA possesses the powers of an “operating agency” under section 11 of M.G.L. c. 121B and additional powers as an “urban renewal agency” under sections 9, and 45 through 57 of the same chapter. The MRA is an independent body politic and corporate. It is not a City agency.

As an urban renewal agency, the MRA plans and implements redevelopment and revitalization projects in its effort to eliminate blight, create employment opportunities, increase tax revenues to the City, and create market rate and affordable housing opportunities in the city’s neighborhoods and commercial centers. The MRA’s broad development capabilities include the ability to undertake a development project of its own or partner with a developer, dispose of land it owns to a developer and control the development with a Land Disposition Agreement, issue bonds, assemble parcels, accept gifts and grants, and lease land and/or buildings.



What are Facilities of Public Accommodation?

Facilities of Public Accommodation (FPAs) are facilities in which “goods or services are made available directly to the public on a regular basis, or at which the advantages of use are otherwise open on essentially equal terms to the public at large.” Examples include restaurants, retail stores, hotels, cultural institutions, open spaces, and pedestrian walkways.

Source: 310 CMR 9.00: Waterways.

