



City of Malden
Massachusetts
Board of Appeal
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Malden, Massachusetts 02148

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**Board of Appeal - Public Meeting
January 21, 2026
Minutes**

The Malden Board of Appeal held a Public Hearing Wednesday, January 21, 2026, at 6:30 pm at Malden City Hall, 215 Pleasant St., Room #106 Herbert L Jackson Council Chambers, Malden, MA on the following named petitions:

Roll Call: Bilgen, King, Yu, Sherwin and Cramer
Maria D'Esposito and Steve Froio are absent

In Steve Froio's absence, Chairman Cramer asked Alex Yu to sit in as voting member for tonight's meeting.

Minutes: Motion by King to approve the minutes of November 19, 2025, 2nd by Sherwin- All in favor.

Petition 26-001 by Daniel Miller, seeking a variance under Code of the City of Malden as amended - **Title 12.16.010 Table of Intensity Regulations: Specifically: Side Yard Setback, Dwelling, Single Family as per Plans Res-074859-2025** at the property known as and numbered **52 Murray Hill Road, Malden, MA** and also known by City Assessor's Parcel ID **#027-103-309**

Petition 26-001 is being represented by Daniel and Kari Miller as well as builder John Downie.

Mr. and Mrs. Miller stated they want to extend out on the first floor by taking what is currently the footprint of the deck and turning that into additional living space for another bedroom. The house is small and by doing this, it would allow their family to remain in the home.

King asked if there was going to be a full foundation under the addition and would the footing go into the easement. He voiced his concern about a 12' clay tile pipe that was put in back in the 1930's, which he had paperwork from the Engineering department. If the addition is granted and some day in the future that pipe had to be removed and something happened to the house it will not be the City's responsibility.

Mr. Downie confirmed there is no foundation under the addition, it's all ledge, no basement. He is familiar with the ground at this home and believes there is no way a clay pipe could still be there. Himself and Mr. Miller understand the city would not be responsible if they had to dig to remove the clay pipe at some point in the future.

Sherwin asked for confirmation that they were not expanding the set back to which Mr. Downie confirmed that the addition will be in the same spot as the current deck, which is 12 feet.

No one appeared in support or opposition.

Bilgen made a motion to approve the petition given that it is no more non-conforming than what is there with the existing deck and add a condition that the foundation does not go within the easement, 2nd by Yu:

Bilgen-Yes, King-Yes, Yu-Yes, Sherwin-Yes, Cramer-Yes- **Petition 26-001** has been granted by a vote of 5-0.

Motion by King to adjourn, 2nd by Sherwin - All in favor. Adjourned at 6:48 pm.