



City of Malden

Malden City Hall
215 Pleasant Street
Malden, MA 02148

Meeting Minutes - Final City Council

Council President Ryan O'Malley
Councillor at Large Karen Colon-Hayes
Councillor Paul Condon
Councillor Peg Crowe
Councillor Amanda Linehan
Councillor at Large Carey McDonald
Councillor Jadeane Sica
Councillor Chris Simonelli
Councillor at Large Craig Spadafora
Councillor Ari Taylor
Councillor Stephen Winslow

Tuesday, January 28, 2025

7:00 PM

City Council Chambers
215 Pleasant Street
Malden, MA 02148

Watch the meeting with Teams: <https://tinyurl.com/yfzmezpt>

1. CALL TO ORDER

Council President O'Malley called the meeting to order at 8:30 PM. The delay in this meeting was due to the Rules & Ordinance Committee running long to finalize amendments to Paper 13-25 ADU Zoning Amendments, which were required prior to a final vote to enroll the paper during this meeting.

2. PLEDGE OF ALLEGIANCE & MOMENT OF SILENCE IN HONOR OF SERVICEMEN & WOMEN

3. ROLL CALL

Prior to calling the roll, Council President O'Malley offered an apology to the public for the late start to the meeting, explaining the short timeline of the accessory dwelling unit zoning changes and the need to get them passed prior to February 2, when the State law becomes effective.

Also in attendance was Alicia McNeil, Nelson Miller, Michelle Romero, Maria Luise, and Lisa Cagno.

Councillor Spadafora was in attendance via video call, therefore all votes at this meeting were taken by roll call.

Present - Councillors: 9 - Karen Colon Hayes, Peg Crowe, Amanda Linehan, Carey McDonald, Ryan O'Malley, Jadeane Sica, Craig Spadafora, Ari Taylor and Stephen Winslow

Absent - Councillors: 2 - Paul Condon and Chris Simonelli

4. GUESTS, CITIZEN ACHIEVEMENT AND ANNOUNCEMENTS

[55-25](#)

Representatives from Friends of the Malden Public Library will appear before the Council to present their annual calendar of events and to update the City on projects the organization is working on to support the Library in realizing it's mission to serve the community.

Attachments: [250127 Friends of the MPL Presentation City Council](#)

Friends of the Malden Public Library asked to be rescheduled for a different evening when they realized how long they were being made to wait. City Clerk will work with the group to find the very next possible date that is convenient for them to return.

5. PUBLIC COMMENT

6. CONSENT AGENDA

Approval of the Consent Agenda

A motion was made by Councillor Sica , seconded by Councillor Winslow, to approve the Consent Agenda. The motion carried by the following vote:

Yea: 9 - Colon Hayes, Crowe, Linehan, McDonald, O'Malley, Sica, Spadafora, Taylor and Winslow

[48-25](#)

Minutes for the meeting of January 7, 2025

These Council Minutes were approved.

[49-25](#)

Minutes for the meeting of January 14, 2025

These Council Minutes were approved.

[50-25](#)

Communication: Retirement Board respectfully submits to the Council notice of meeting to Elect to Grant Retiree COLA for July 1, 2025.

Attachments: [COLA Notice for March 2025 Board Meeting](#)

This Communication was received and filed.

7. COMMUNICATIONS

[51-25](#)

Communication from Planning Board re: CCP #13/2025 (ADU Zoning Ordinance Amendments)

Attachments: [CCP 13-25 PSR wAtts](#)

A motion was made by Councillor Winslow, seconded by Councillor Taylor, that the Communication be received and filed. The motion carried by the following vote:

Yea: 9 - Colon Hayes, Crowe, Linehan, McDonald, O'Malley, Sica, Spadafora, Taylor and Winslow

8. COMMITTEE REPORTS[52-25](#)

Committee Report: The Standing Committee on Rules & Ordinance to whom was referred Paper 13 Series of 2025, having considered the same make the following report:

A motion was made by Councillor Winslow, seconded by Councillor Linehan, that the Committee Report be received and filed. The motion carried by the following vote:

Yea: 9 - Colon Hayes, Crowe, Linehan, McDonald, O'Malley, Sica, Spadafora, Taylor and Winslow

13-25

Be it ordained by the Malden City Council that the Code of the City of Malden (MCC) Title 12 ZONING is hereby amended to establish requirements and regulations for Accessory Dwelling Units, including definitions and the establishment of Site Plan Review Committee for Accessory Dwelling Units (SPRC ADU) by amending Chapters and Sections 12.030, 16.010, 20.010, 32.060 and by adding new Subsections 12.28.010(K) and 32.030(D)

Sponsors: Amanda Linehan

Attachments: [ADU Memo Mayor January 2 2025](#)

[CCP 13-2025 ADU Final Draft 1.2.25](#)

[ADU Overview 1.7.25](#)

[CCP 13-2025 Edits Winslow 1.6.2025](#)

[ADU-Public-Comment](#)

[CCP 13-2025 Edits OMalley 1.21.2025](#)

[CCP 13-2025 Edits as voted by R&O 1.21.2025 w Comments](#)

[760 CMR 71.00 - Final 1-17-25 - REDLINE](#)

[ADU Memo Mayor 1 27 2025](#)

[CCP 13 2025 PBR 1.25](#)

[CCP 13-25 PSR wAtts](#)

[Public Comment City Council meeting on 1 28 2025 File # 13-25](#)

[Public Comment Re Accessory Dwelling Units \(ADUs\)](#)

[CCP 13-2025 DRAFT as enrolled on Jan 28 redlined](#)

[CCP 13-2025 FINAL as enrolled on Jan 28](#)

[Final Paper 13-25 ADU Zoning Amendments](#)

Councillor Winslow explained the actions taken on this paper in the Rules and Ordinance meeting immediately preceding this Council meeting.

The written report handed down from Planning Board was discussed in great detail and of the twelve recommendations made, eleven were recommended favorably by R&O for adoption by the Council. The one not accepted is labeled as 7(c) in the PB report:

Section 12.32.030.D.5 D. To revise the following proposed provision to read as follows: Any expansion of a building's footprint or addition to an existing principal dwelling for an Accessory Dwelling Unit shall comply with all dimensional controls.

A comprehensive recording of amendments made to and votes taken on the draft version of 13-25 may be found in the meeting minutes from the Rules & Ordinance meeting dated for January 28, 2025. All votes to report out favorably at that meeting were unanimous by the committee with the exception of one.

Motion to strike sub-section 4.F in the General category that read: If the establishment of an Accessory Dwelling Unit creates a violation of dimensional controls and/or parking requirements for the principal dwelling, i.e., eliminates open space or parking required for the existing dwelling, the violation shall require a variance.

Councillor Crowe dissenting.

Councillor Crowe defended her position on requiring said variance as to discourage people from removing open space and/or parking in order to build an ADU on their

property. Councillor Spadafora added his support to Councillor Crowe's position, saying he is now not in support of this paper as amended. He further reiterated his concern that this law does not provide an affordability component. The city is at risk in a few short years from now at looking back to see the community has been overrun with increased density, less open space, less parking options for more cars, larger classroom sizes, less owner occupied houses charging higher rents, and no added affordable housing for its residents.

Councillor Linehan asked to make clear for the benefit of the community, a no vote will represent the City of Malden losing control over its own zoning choices and defaults the city to the State's zoning laws in regard to ADUs, beginning February 2. She stated the R&O Committee is also concerned about residents paving over their backyards and giving up parking but the State's zoning will prove to be even more restrictive. Councillor McDonald warned about being swayed by scare tactics from those who aren't in full support of the zoning changes being proposed. They believe this new law is good for the Malden community and will assist with the housing shortage in this area. They also pointed out that parking and green space will by definition be reviewed as part of the site plan review process.

Speaking for the second time, Councillor Crowe stated with so many aspects of this law being mandated by-right by the State, it is wise for the city to utilize every tool available to it to maintain some controls, especially since KP Law has advised variances are allowable. She therefore made a motion to add back in the language previously struck from sub-section 4.F.

Council President stated he would take up the two motions on the floor to amend prior to taking up Councillor Winslow's motion to enroll.

By a roll call vote of 5-4, Councillor Crowe's amendment had passed but then Councillor Colon Hayes expressed she had misunderstood the motion and wished to change her vote. Councillor Sica objected to changing a vote after the result had already been proclaimed and the Councillor should utilize reconsideration per Council rules if she wanted a new vote. Councillor Colon Hayes explained it had been a long night and she can either utilize reconsideration, or she can change her vote right now. The distinction between what a no versus yes vote would mean for the paper was explained, after which Councillor Colon Hayes said she had meant to vote no. Council President ruled that he would allow her vote to be changed and asked if anyone wanted to doubt the ruling of the chair. Seeing none and hearing none he proclaimed the amendment had failed then moved on to entertain a motion to enroll as amended.

A motion was made by Councillor Winslow, seconded by Councillor Linehan, that the Ordinance be amended per the Planning Board and Rules & Ordinance recommendations as presented. The motion carried by the following vote:

Yea: 8 - Colon Hayes, Crowe, Linehan, McDonald, O'Malley, Sica, Taylor and Winslow

Nay: 1 - Spadafora

A motion was made by Councillor Crowe, seconded by Councillor Sica, that the Ordinance be amended by reinserting the provision: 12.32.030.D.4.F If the establishment of an Accessory Dwelling Unit creates a violation of dimensional controls and/or parking requirements for the principal dwelling, i.e., eliminates open space or parking required for the existing dwelling, the violation shall require a variance.

The motion carried by the following vote:

Yea: 5 - Colon Hayes, Crowe, Sica, Spadafora and Taylor

Nay: 4 - Linehan, McDonald, O'Malley and Winslow

To reflect the changing of Councillor Colon Hayes' vote: A motion was made by Councillor Crowe, seconded by Councillor Sica, that the Ordinance be amended by reinserting the provision: 12.32.030.D.4.F If the establishment of an Accessory Dwelling Unit creates a violation of dimensional controls and/or parking requirements for the principal dwelling, i.e., eliminates open space or parking required for the existing dwelling, the violation shall require a variance. The motion carried by the following vote:

Yea: 4 - Crowe, Sica, Spadafora and Taylor

Nay: 5 - Colon Hayes, Linehan, McDonald, O'Malley and Winslow

A motion was made by Councillor Winslow, seconded by Councillor Linehan, that the Ordinance be enrolled as amended. The motion carried by the following vote:

Yea: 8 - Colon Hayes, Crowe, Linehan, McDonald, O'Malley, Sica, Taylor and Winslow

Nay: 1 - Spadafora

53-25

Committee Report: The Standing Committee on Rules & Ordinance, in a joint session with Finance Committee, to whom was referred Papers 32 and 33 Series of 2025, having considered the same make the following report: Joint committees unanimously recommend both papers out favorably to the Full Council.

A motion was made by Councillor Winslow, seconded by Councillor Linehan, that the Committee Report be received and filed. The motion carried by the following vote:

Yea: 9 - Colon Hayes, Crowe, Linehan, McDonald, O'Malley, Sica, Spadafora, Taylor and Winslow

32-25

Be it ordained by the Malden City Council that the Code of the City of Malden (MCC) 2.24.020 LIBRARY SALARY SCHEDULE is hereby amended by adding the updated salary schedule chart effective July 1, 2024

Sponsors: Stephen Winslow

Attachments: [Library Salary Schedule 2024-2026](#)

A motion was made by Councillor Winslow, seconded by Councillor Crowe, that the Ordinance be enrolled. The motion carried by the following vote:

Yea: 9 - Colon Hayes, Crowe, Linehan, McDonald, O'Malley, Sica, Spadafora, Taylor and Winslow

33-25

Order: That the sum of Fifty Thousand Dollars (\$50,000) be and the same is hereby transferred from Salary Reserve (0010-996-5110) to Library Salaries (0010-610-5110)

Sponsors: Carey McDonald

A motion was made by Councillor McDonald, seconded by Councillor Colon Hayes, that the Order be adopted. The motion carried by the following vote:

Yea: 9 - Colon Hayes, Crowe, Linehan, McDonald, O'Malley, Sica, Spadafora, Taylor and Winslow

54-25

Committee Report: The Standing Committee on License to whom was referred Papers 4, 20 through 27, and 37 through 44 Series of 2025, having considered the same make the following report:

A motion was made by Councillor Sica, seconded by Councillor Crowe, that the Committee Report be received and filed. The motion carried by the following vote:

Yea: 9 - Colon Hayes, Crowe, Linehan, McDonald, O'Malley, Sica, Spadafora, Taylor and Winslow

4-25

Petition: Amusement Machines: Town Line Ten Pin Corp., 665 Broadway, Malden, 25 machines (Renewal)

A motion was made by Councillor Sica, seconded by Councillor Colon Hayes, that the Petition be granted. The motion carried by the following vote:

Yea: 9 - Colon Hayes, Crowe, Linehan, McDonald, O'Malley, Sica, Spadafora, Taylor and Winslow

20-25

Petition: Class II: Top Cars Motor Group, Inc. 259 Main Street, Malden, 30 cars (Renewal)

A motion was made by Councillor Sica, seconded by Councillor Colon Hayes, that the Petition be granted. The motion carried by the following vote:

Yea: 9 - Colon Hayes, Crowe, Linehan, McDonald, O'Malley, Sica, Spadafora, Taylor and Winslow

21-25

Petition: Extended Hours: Planet Fitness, 795 Eastern Avenue, Malden, Hours: Open 24 hours Monday 12am - Friday 9pm (Renewal)

A motion was made by Councillor Sica, seconded by Councillor Colon Hayes, that the Petition be granted. The motion carried by the following vote:

Yea: 9 - Colon Hayes, Crowe, Linehan, McDonald, O'Malley, Sica, Spadafora, Taylor and Winslow

22-25

Petition: Livery Company: Bella Luxury Transportation, 19 Mount Vernon Street, Malden, 1 vehicle (Renewal)

A motion was made by Councillor Sica, seconded by Councillor Colon Hayes, that the Petition be granted. The motion carried by the following vote:

Yea: 9 - Colon Hayes, Crowe, Linehan, McDonald, O'Malley, Sica, Spadafora, Taylor and Winslow

23-25

Petition: Livery Driver: Michael Checca, 19 Mount Vernon Street, Malden (Renewal)

A motion was made by Councillor Sica, seconded by Councillor Colon Hayes, that the Petition be granted. The motion carried by the following vote:

Yea: 9 - Colon Hayes, Crowe, Linehan, McDonald, O'Malley, Sica, Spadafora, Taylor and Winslow

[24-25](#)

Petition: Livery Company: Kassahun T. Damita, 411 Salem Street, Malden, 1 vehicle (Renewal)

A motion was made by Councillor Sica, seconded by Councillor Colon Hayes, that the Petition be granted. The motion carried by the following vote:

Yea: 9 - Colon Hayes, Crowe, Linehan, McDonald, O'Malley, Sica, Spadafora, Taylor and Winslow

[25-25](#)

Petition: Livery Driver: Kassahun T. Damita, 411 Salem Street, Malden (Renewal)

A motion was made by Councillor Sica, seconded by Councillor Colon Hayes, that the Petition be granted. The motion carried by the following vote:

Yea: 9 - Colon Hayes, Crowe, Linehan, McDonald, O'Malley, Sica, Spadafora, Taylor and Winslow

[26-25](#)

Petition: Livery Company: JML Luxury, 500 Broadway Apt. 5158, Malden, 2 vehicles (Renewal)

A motion was made by Councillor Sica, seconded by Councillor Colon Hayes, that the Petition be granted. The motion carried by the following vote:

Yea: 9 - Colon Hayes, Crowe, Linehan, McDonald, O'Malley, Sica, Spadafora, Taylor and Winslow

[27-25](#)

Petition: Livery Driver: Joel Lopez, 500 Broadway Apt. 5158, Malden (Renewal)

A motion was made by Councillor Sica, seconded by Councillor Colon Hayes, that the Petition be granted. The motion carried by the following vote:

Yea: 9 - Colon Hayes, Crowe, Linehan, McDonald, O'Malley, Sica, Spadafora, Taylor and Winslow

[37-25](#)

Petition: Livery Company: AB Limo Services, Inc., 51-53 Claremont Street, Malden, 1 vehicle (Renewal)

A motion was made by Councillor Sica, seconded by Councillor Colon Hayes, that the Petition be granted. The motion carried by the following vote:

Yea: 9 - Colon Hayes, Crowe, Linehan, McDonald, O'Malley, Sica, Spadafora, Taylor and Winslow

[38-25](#)

Petition: Livery Driver: Abderrahim Bouchouk, 51-53 Claremont Street, Malden (Renewal)

A motion was made by Councillor Sica, seconded by Councillor Colon Hayes, that the Petition be granted. The motion carried by the following vote:

Yea: 9 - Colon Hayes, Crowe, Linehan, McDonald, O'Malley, Sica, Spadafora, Taylor and Winslow

[39-25](#)

Petition: Livery Company: RubyLynn Transportation, LLC., 259 Mountain Avenue, Malden, 1 vehicle (Renewal)

A motion was made by Councillor Sica, seconded by Councillor Colon Hayes, that the Petition be granted. The motion carried by the following vote:

Yea: 9 - Colon Hayes, Crowe, Linehan, McDonald, O'Malley, Sica, Spadafora, Taylor and Winslow

[40-25](#)

Petition: Livery Driver: Linda Dellolacono, 259 Mountain Avenue, Malden
(Renewal)

A motion was made by Councillor Sica, seconded by Councillor Colon Hayes, that the Petition be granted. The motion carried by the following vote:

Yea: 9 - Colon Hayes, Crowe, Linehan, McDonald, O'Malley, Sica, Spadafora, Taylor and Winslow

[41-25](#)

Petition: Taxi Company: Malden Transportation Inc., 290 Eastern Avenue, Malden,
10 cabs (Renewal)

A motion was made by Councillor Sica, seconded by Councillor Colon Hayes, that the Petition be granted. The motion carried by the following vote:

Yea: 9 - Colon Hayes, Crowe, Linehan, McDonald, O'Malley, Sica, Spadafora, Taylor and Winslow

[42-25](#)

Petition: Class II: Frank's Auto Sales, 189 Highland Avenue, Malden, 5 cars
(Renewal)

A motion was made by Councillor Sica, seconded by Councillor Colon Hayes, that the Petition be granted. The motion carried by the following vote:

Yea: 9 - Colon Hayes, Crowe, Linehan, McDonald, O'Malley, Sica, Spadafora, Taylor and Winslow

[43-25](#)

Petition: Class II: Joe Ciampa Auto Body, Inc., 322 Eastern Avenue, Malden, 4 cars
(Renewal)

A motion was made by Councillor Sica, seconded by Councillor Colon Hayes, that the Petition be granted. The motion carried by the following vote:

Yea: 9 - Colon Hayes, Crowe, Linehan, McDonald, O'Malley, Sica, Spadafora, Taylor and Winslow

[44-25](#)

Petition: Class II: Sega Auto Sales & Service, 451 Ferry Street, Malden, 10 cars
(Renewal)

Councillor Sica stated the recommendation from the License Committee is to grant this petition as amended as a temporary license while the company works with the committee on an issue they are having with their certified plot plan. The address on the license should reflect 451 Ferry Street instead of 449 and the amount of cars allowed is ten instead of nineteen.

A motion was made by Councillor Sica, seconded by Councillor Colon Hayes, that the Petition be granted with conditions. The motion carried by the following vote:

Yea: 9 - Colon Hayes, Crowe, Linehan, McDonald, O'Malley, Sica, Spadafora, Taylor and Winslow

9. TABLED PAPERS

99-24

Resolve: That it is the sense of the City Council that the Body would like the Community Preservation Committee to reconsider the application for historic preservation of 15 Ferry Street, the M. Ida Converse Building, (known by City Assessor's Parcel ID 075 272 211) in a modified form so as to preserve the building through an alternative location for the building.

Sponsors: Ryan O'Malley

Attachments: [Parcel id# 075272205 used for 15 Ferry Street relocation.](#)

[100-24 City Council agenda](#)

[CPC Letter to City Council and Mayor re 15 Ferry Street Preservation 2023.01.29](#)

[MHC to Mayor & CC 1.23.24 re 15 Ferry wAtts](#)

[MHC to Mayor CC 2.21.24 re 15 Ferry wAtts](#)

[Re 5 7 24 Public Comment](#)

10. PERSONAL PRIVILEGE

11. ADJOURNMENT

**A motion was made by Councillor Crowe, seconded by Councillor Sica, that this be adjourned. The motion carried by the following vote:
Meeting adjourned at 9:42 PM.**

Yea: 9 - Colon Hayes, Crowe, Linehan, McDonald, O'Malley, Sica, Spadafora, Taylor and Winslow

CAROL ANN DESIDERIO, CITY CLERK

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