



# City of Malden

Malden City Hall  
215 Pleasant Street  
Malden, MA 02148

## Meeting Minutes - Final Rules & Ordinance Committee

*Chairperson Peg Crowe*  
*Vice Chair Amanda Linehan*  
*Councillor at Large Carey McDonald*  
*Councillor Chris Simonelli*  
*Councillor Jadeane Sica*

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Tuesday, March 8, 2022

6:00 PM

215 Pleasant Street - Room 113  
Malden, MA 02148

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### Roll Call

*Councillors Simonelli and Linehan were in other committee meetings being held at the same time as this Ordinance meeting.*

*Councillor Linehan came into the meeting at 6:35 P.M.*

*Also present, City Planner Michelle Romero, Building Commissioner Nelson Miller, Councillor Steve Winslow, Assistant City Solicitor Zaheer Samee, Assistant Registrar of Voters Carol Ann Desiderio.*

**Present:** 3 - Peg Crowe, Carey McDonald and Jadeane Sica

**Absent:** 2 - Amanda Linehan and Chris Simonelli

### Minutes to be Approved

[88-22](#)

Minutes of the Meeting of February 15, 2022.

**A motion was made by Councillor Sica, seconded by Councillor at Large McDonald, that the Committee Minutes be approved. The motion carried by a unanimous vote.**

### Business

[79-22](#)

Order: Be it hereby Ordained by the Malden City Council that Sections 4.24.050, 4.24.070, 4.24.080, 4.24.110, 4.24.120 and 4.24.180 of the Delay Before Demolition or Alteration Ordinance of Title 4.24, Code of the City of Malden, Chapter 4, of the City's Revised Ordinances of 2020 be amended as follows: (See attached).

**Sponsors:** Peg Crowe

**Attachments:** [Prop Rev DD MHC rec 9.20](#)  
[20220224 4.24.010 INTENT AND PURPOSE](#)  
[Ordinance Amendment Proposal Letter 2 2022](#)

*Chair Crowe opened the discussion with the Mayor's letter in support of the Ordinance change and stated that the Historical Commission has been following the protocols for 2 years. Chair Crowe turned it over to City Planner Michelle Romero. Ms. Romero told the committee the change reflects what protocols we have been following now and are straight forward. Ms. Romero continued the change would clarify the fees, review time and*

*the administrative aspects of the process. Updates would become a requirement instead of asking for them. The changes would put teeth in the Ordinance and gives the Building Commissioner options to fine if there are violations, if the project is significant it would get moved to a public hearing.*

*Councillor McDonald stated the Historical Commission has done a good job and the process seems to be working well, the changes seem good.*

*The Charter School recent purchase of property in Maplewood Square was discussed and if they were getting around demolition delay by tearing the buildings down to a vacant lot and building later. Building Commissioner Nelson talked about you can't tell them what is going there. Planner Romero talked about One Salem Street, it is currently a hole in the ground but when they come back there will be conditions. Ms. Romero continued "do not get hung up on what are they going to do there".*

**A motion was made by Councillor at Large McDonald, seconded by Councillor Sica, that the Order be recommended favorably to the City Council. The motion carried by a unanimous vote.**

#### 66-22

Communication: Planning Board Paper # 452-21 Order: Be it hereby ordained that the Revised Ordinances of 2020 Section 12.28.060 Obstructions be amended as follows, (See Attached); and Paper # 405-21 Order: Be it hereby ordained that Section 12 of the Revised Ordinances of 2020 effective 1/1/2020 be amended by adding Section 12.12.300 Site Plan Review.

**Sponsors:** Craig Spadafora

**Attachments:** [CCP 405 2021 Amended 12.21 PBR 2.22](#)  
[CCP 405 2021 Rev SPR PSR w Att 2.7.22](#)  
[CCP 452 2021 PBR 2.22](#)  
[CCP 452 2021 PSR w Att](#)

**A motion was made by Councillor Sica, seconded by Councillor at Large McDonald, that the Ordinance be recommended favorably to the City Council. The motion carried by a unanimous vote.**

#### 452-21

Order: Be it hereby ordained that the Revised Ordinances of 2020 Section 12.28.060 Obstructions be amended as follows, (See Attached).

**Sponsors:** Craig Spadafora

**Attachments:** [Proposed Ordin.Change.N.Miller](#)

*Commissioner Miller spoke on the paper saying the rule we have now doesn't work. By going to 25 feet instead of 10 feet you can't have a 6 foot fence and the fence would have to be smaller preventing obstruction for people using the sidewalk.*

**A motion was made by Councillor Sica, seconded by Councillor at Large McDonald, that the Order be recommended favorably to the City Council. The motion carried by a unanimous vote.**

#### 405-21

Order: Be it hereby ordained that Section 12 of the Revised Ordinances of 2020 effective 1/1/2020 be amended by adding Section 12.12.300 Site Plan Review:

**Sponsors:** Stephen Winslow

**Attachments:** [12.12.300 SITE PLAN REVIEW OTHER v2](#)  
[12.12.300 SITE PLAN Paper 405.21 Revised](#)  
[CCP 405 2021 PBR](#)  
[CCP 405 2021 PSR w Att](#)  
[Attachment Paper 405-21](#)  
[12.12.300 SITE PLAN REVIEW OTHER v5. 11.30.2021](#)  
[Councillor Winslow's Recom 4.05.2022](#)

*Chair Crowe turned the meeting over to Councillor Winslow who was the sponsor of the paper. Councillor Winslow stated we had heard from the Planning Board and Legal about the challenges legally, the Planning Board voted to not approve. Councillor Winslow continued that we do not have a standard for education open space and that instead of having square foot per student look at square foot per classroom. Councillor Winslow suggested to table the paper and we have until May 10th to act.*

**A motion was made by Councillor Sica that the Order be tabled to the Rules & Ordinance Committee, seconded by Councillor Linehan. The motion carried by a unanimous vote.**

### 36-22

Order: Be it hereby ordained that Title 1, Section 12 of the Code of the City of Malden be amended to the new ward/precinct boundaries submitted by the City Council to the Local Election District Review Commission and approved on December 10, 2021.

**Sponsors:** Ryan O'Malley

**Attachments:** [2021 Precinct boundaries](#)

*Councillor Winslow dug into the legal descriptions and if they match the map that was approved and how the census tracks are drawn. There was a question to why the Broadway lot next to Howard Park was in ward 7 and not ward 6. Ms. Desiderio stated the Broadway lot looked strange when we were looking at it but it does go by census tracks not population so the lot did fit into a different census track and in ward 7.*

**A motion was made by Councillor Sica, seconded by Councillor at Large McDonald, that the Order be recommended favorably to the City Council. The motion carried by a unanimous vote.**

## Other Business

### Tabled

### 283-21

Order: That the City of Malden submit to the Massachusetts Legislature for passage in substantially the following form: (See Attached).

**Sponsors:** Stephen Winslow

**Attachments:** [Traffic Comm. - Charter Update 2021.Paper.283.21 Attachment](#)

## Adjournment

**A motion was made by Councillor Sica, seconded by Councillor at Large McDonald, that the be adjourned. The motion carried by a unanimous vote.**

The meeting adjourned at 6:42 P.M.