



City of Malden

Malden City Hall
215 Pleasant Street
Malden, MA 02148

Meeting Minutes - Final Rules & Ordinance Committee

Councillor Linehan, Chair
Councillor Crowe, Vice-Chair
Councillor O'Malley
Councillor Sica
Councillor Simonelli

Tuesday, October 1, 2024

6:00 PM

215 Pleasant Street
City Council Chambers
Malden, MA 02148

Roll Call

Chair Linehan called the meeting to order at 6:00 PM.

Present: 5 - Councillor Amanda Linehan, Councillor Peg Crowe, Ryan O'Malley, Jadeane Sica and Chris Simonelli

Minutes to be Approved

[366-24](#)

Minutes for the meeting of September 17, 2024

Councillor Linehan expressed her wish that the minutes from the last Ordinance meeting went into further detail regarding Councillor Simonelli's comments on Winn during the discussion of Paper 286-24. A motion was made to table the approval of these minutes until the City Clerk can provide an updated draft.

A motion was made by Councillor Simonelli, seconded by Councillor O'Malley, that the Committee Minutes be amended. The motion carried by a unanimous vote.

A motion was made by Councillor Simonelli, seconded by Councillor O'Malley, that the Committee Minutes be tabled. The motion carried by a unanimous vote.

Business

[356-24](#)

Be it ordained by the Malden City Council that the Code of the City of Malden (MCC) is hereby amended by adding Title 12, Chapter .12, Section 500 SITE PLAN REVIEW - EDUCATIONAL, RELIGIOUS, AND/OR CHILD CARE FACILITY USES

Sponsors: Stephen Winslow and Chris Simonelli

Councillor Winslow introduced this Paper as first having been considered back in 2021. After having been worked through the process of Planning Board and Rules & Ordinance review, it was decided at that time all that was needed were some changes to dimensional controls. This current Paper is an updated version of what was researched and written back then.

Since that time, it has been recommended by Building Commissioner Nelson Miller that a site plan review for the purpose of religious and educational purposes is now necessary. He also recommended the addition of day care facilities be added to comply with the Dover Amendment. M.G.L. c. 40A s. 3 paragraph speaks to child care facilities.

Councillor Winslow inquired if the city needs a definition of day care facilities be listed in the zoning ordinance. Councillor Crowe indicated it can be difficult to define what a day care is. They are overseen by the State, not the City, or they can be small, privately owned in home businesses. Lists of those holding day care licenses may be obtained from the State.

Councillor Sica made a motion to amend anywhere in the paper where 'educational and religious uses' is stated to now read 'educational, religious and/or child care facilities'. Motion seconded by Councillor O'Malley. Motion carried by unanimous vote.

Councillor Crowe pointed out that with multiple SPRs in the zoning ordinance, this one should be identified with ERC to distinguish it from the others; Site Plan Review ERC. Additionally, the current version of the paper has submission materials forwarded to the City Clerk's Office, which is not consistent with the current SPR protocol.

Councillor Crowe made a motion to amend Section D to strike 'the City Clerk for'. Motion seconded by Councillor Sica. Motion carried by unanimous vote.

A motion was made by Councillor Sica, seconded by Councillor O'Malley, that the Ordinance be amended. The motion carried by a unanimous vote.

A motion was made by Councillor Crowe, seconded by Councillor Sica, that the Ordinance be amended. The motion carried by a unanimous vote.

A motion was made by Councillor O'Malley, seconded by Councillor Sica, that the Ordinance be recommended favorably as amended to the City Council. The motion carried by a unanimous vote.

A motion was made by Councillor Simonelli, seconded by Councillor Crowe, to recess the meeting. Motion carried by unanimous vote.

Meeting was recessed for ten minutes to afford Councillor McDonald time enough to complete his Public Property meeting and step into Ordinance for the purpose of discussion on Paper 357-24.

Meeting came back into session at 6:34 PM.

[357-24](#)

Be it ordained by the Malden City Council that the Code of the City of Malden (MCC) Title 2, Chapter 16, Section 060 COMMISSION ON ENERGY EFFICIENCY AND SUSTAINABILITY is hereby amended by striking and replacing in its entirety with the following title and text:

Sponsors: Carey McDonald, Karen Colon Hayes, Peg Crowe, Amanda Linehan, Ari Taylor and Stephen Winslow

Attachments: [Current 2.16.060 Commission on Energy Efficiency and Sustainability Ordinance](#)

The Commission on Energy Efficiency and Sustainability has been doing much of the work overseeing climate action and sustainability. The purpose of amending 2.16.060 is to have a commission, that is not city staff, but who is paying attention to the work necessary in these areas. Conversations were had with the Climate Steering Committee, EES Commission, city staff, and consultants; research was done as to what surrounding communities have in their ordinances, and it was decided that this updated Commission will better serve the needs of Malden moving forward in the area of sustainability.

The title change is for clarity but the description of the commission also changes the tasks the body is charged with. This group will monitor and support implementation of a climate action plan that is endorsed by the Mayor and the City Council. Goals of the

commission are listed in the paper. Councillor McDonald has already identified individuals who are looking forward to becoming a part of this body.

Discussion revolved around Section A regarding the two youth members who will be appointed by the Superintendent of Schools and how the MPS Superintendent will reach students from non-MPS school systems. In the past, the City has had success with postings initiated by the Mayor's Office and shared with all the school districts, reaching a wider sample of interested youth than the new Superintendent may have. It was the sense of the Committee this opportunity should be posted city wide so youth from all school districts may participate, so long as they reside in the City of Malden. Additionally, there was concern about the term length allowable for youth members. The writing of the original version could lead a reasonable person to believe a youth would have the opportunity to serve a total of nine years overall, while locking up the youth seat keeping new members from joining.

Councillor Simonelli made a motion to amend the paper by striking paragraph two of section A and replacing it with the following:

Additionally, the Commission shall include two youth members appointed by the Mayor for a term of one year, and the position shall be annually publicly posted and advertised to multiple high school settings. Youth members shall be current high school students residing in Malden, and can serve a maximum of three years. Once a former youth member is no longer in high school, they may serve as a regular member for additional terms for up to ten years of total service, inclusive of their time as a youth member.

A motion was made by Councillor Simonelli, seconded by Councillor Crowe, that the Ordinance be amended. The motion carried by a unanimous vote.

A motion was made by Councillor Crowe, seconded by Councillor Simonelli, that the Ordinance be recommended favorably as amended to the City Council. The motion carried by a unanimous vote.

Other Business

Adjournment

**A motion was made by Councillor Simonelli, seconded by Councillor Crowe, that the meeting be adjourned. The motion carried unanimously.
Meeting was adjourned at 7:16 PM.**