



City of Malden

Malden City Hall
215 Pleasant Street
Malden, MA 02148

Meeting Minutes - Final Rules & Ordinance Committee

Councillor Winslow, Chair
Councillor Linehan, Vice-Chair
Councillor Crowe
Councillor O'Malley
Councillor Taylor

Tuesday, February 4, 2025

5:30 PM

215 Pleasant Street
Room 105
Malden, MA 02148

Watch the meeting with Teams: <https://tinyurl.com/uk5sya6y>

Roll Call

Committee Chair Winslow called the meeting to order at 5:34 PM.

Also in attendance were Maria Luise, Ron Hogan, Nelson Miller, Alicia McNeil, Michelle Romero, and Councillors Spadafora, Condon, Colon Hayes, and Simonelli.

Present: 5 - Councillor Stephen Winslow, Councillor Amanda Linehan, Peg Crowe, Ryan O'Malley and Ari Taylor

Minutes to be Approved

[56-25](#)

Minutes for the meeting of January 28, 2025

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

Business

[356-24](#)

Be it ordained by the City Council of the City of Malden 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

Attachments: [CCP 356-24 PSR](#)

[MVRCS Comment Letter on Proposed Zoning Amendment 12.09.24 \(002\)](#)

[CCP 356 2024 PBR 12.24 wAtts](#)

[12.12.500 Site Plan Review Winslow Edits Feb 4 2025](#)

[Public Comment Paper 356-24 Regarding Revisions to Proposed Amendment](#)

[12.12.500 SITE PLAN REVIEW enrolled as amended](#)

Councillor Winslow drafted the proposed amendment for Paper 356-24 so he handed the meeting over to Vice-Chair Linehan while he discussed the changes. Winslow handed out a red-lined draft of the ordinance, which is attached to the history of the paper, entitled 12.12.500 Site Plan Review Winslow Edits Feb 4 2025.

With this plan, if a petitioner comes in with a proposal for religious, educational, or childcare facilities, and they meet dimensional controls and parking requirements for the use, then the petitioner will not have to go through site plan review. This proposed site plan review only applies when the petitioner is seeking additional relief from zoning.

Winslow's recommendation is to have Engineer, Directors of Parking & OSPCD, or designee, sit as the site plan committee, an associate member will be appointed from the Board of Appeal. Councillor O'Malley recommended specifying how many members are necessary for quorum. This was later amended to insert Building Commissioner and Director of Public Health in the place of Engineering and Parking.

Councillor Spadafora is of the opinion that all by-right projects should have the same site plan review committee or at least have consistent requirements among committees. The benefit of having one site plan review committee is the group would oversee all projects, it would encourage continued learning, and consistency of standards.

Councillor O'Malley suggested entering a guideline for this site plan review to also consider municipal objectives as defined by the Malden River Site Plan Review as defined in MCC 12.12.200. Solicitor McNeil advised against that as it is too specific and may tie the hands of the SPRC. Instead Chapter 91 of M.G.L was referenced for guidance the SPRC is advised to consider with future petitions.

A motion was made by Councillor Winslow, seconded by Councillor O'Malley, that the Ordinance be amended by adding the word 'substantially' between the words 'changed, or' and 'expanded religious' in paragraph two of section B. Applicability. The motion carried by a unanimous vote.

A motion was made by Councillor Winslow, seconded by Councillor O'Malley, that the Ordinance be amended by replacing City Engineer with Building Commissioner and Director of Parking with Director of Public Health in Section E.1.A. Site Plan Review Committee. The motion carried by a unanimous vote.

A motion was made by Councillor Winslow, seconded by Councillor O'Malley, that the Ordinance be amended by striking the current language in Section E.1.B. Quorum and replacing it with, 'Three members of the committee are required to consider an application.'

The motion carried by a unanimous vote.

A motion was made by Councillor Winslow, seconded by Councillor Taylor, that the Ordinance be amended by striking the words 'of the full regular membership' in Section E.1.C. The motion carried by a unanimous vote.

A motion was made by Councillor Winslow, seconded by Councillor O'Malley, that the Ordinance be amended by striking from 'The use qualifies for....' to 'Section 3, strict' in Section E.3. Scope of Review.

The motion carried by a unanimous vote.

A motion was made by Councillor Winslow, seconded by Councillor O'Malley, that the Ordinance be amended in Section E.4. Decision. by striking 'The SPRC shall file a written decision with the city clerk within 14 days of the close of the public hearing. Failure to file a decision within said 14-day period shall constitute approval of the site plan.' and instead insert, 'Within 65 days of the submission of the site plan to the Building Commissioner the SPRC shall provide recommendations in writing to the Building Commissioner. If no action is taken within 65 days, the application shall be deemed approved as submitted and the applicant may apply for a building permit without a Site Plan Review letter.'

The motion carried by a unanimous vote.

A motion was made by Councillor O'Malley, seconded by Councillor Taylor, that the Ordinance be amended under Section E.3. Scope of Review by adding 'including Chapter 91' after 'requirements, would be unreasonable.'

The motion carried by a unanimous vote.

A motion was made by Councillor Winslow, seconded by Councillor O'Malley, that the Ordinance be recommended favorably as amended to the City Council.

The motion carried by a unanimous vote.

[389-24](#)

Be it ordained by the Malden City Council that the Code of the City of Malden (MCC)

Title 12 is hereby amended as follows:

Sponsors: Ryan O'Malley, Karen Colon Hayes, Amanda Linehan, Carey McDonald, Jadeane Sica and Stephen Winslow

Attachments: [CCP 389.399-24 PSR](#)
[CCP 389 2024 PBR 12.24 wAtts](#)

Due to time constraints, this paper was not taken up for business during the meeting of February 4, 2025.

Councillor O'Malley was prepared and anxious to present on Paper 389-24 and made a motion to recess the Rules & Ordinance meeting until after Committee of the Whole. Motion failed for lack of a second.

Tabled Papers

[402-24](#)

Be it ordained by the Malden City Council that the Code of the City of Malden (MCC)
6.12.010 HOURS OF OPERATION; IN GENERAL is hereby amended by adding under
Paragraph A: Retail Car Wash 8:00 AM to 6:00 PM

Sponsors: Ryan O'Malley and Stephen Winslow

Adjournment

**A motion was made by Councillor Linehan, seconded by Councillor Crowe, that
this be adjourned. The motion carried unanimously.
Meeting adjourned at 6:40 PM.**

If you would like to request a reasonable accommodation, please contact Maria Luise, ADA
Compliance Coordinator at mluise@cityofmalden.org or 781-397-7000 Ext. 2005

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