



City of Malden

Malden City Hall
215 Pleasant Street
Malden, MA 02148

Meeting Minutes - Final Rules & Ordinance Committee

*Chairperson Craig Spadafora
Vice Chair Peg Crowe
Ryan O'Malley
David Camell
Stephen Winslow*

Tuesday, February 9, 2021

6:00 PM

REMOTE VIRTUAL MEETING

49-21

In accordance with Governor Baker's 3/12/20 Order Suspending Certain Provisions of the Open Meeting Law, G.L.c.30A,ss18, and the Governor's 3/23/20 Revised Guidance on Order by the Governor Prohibiting Assemblage of More than Ten People, this meeting will be conducted via remote participation.

In person attendance by members of the public is prohibited, and all effort will be made to permit public attendance of this meeting, in the manner specified below, via remote access by internet, telephone, and if available via public broadcast of the meeting by Malden Access Cable Television on public access television channels.

Public access will also be provided by posting draft minutes, and/or a transcript, recording, or record of the meeting on the city of Malden website at cityofmalden.org as soon as practicable after the meeting.

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<https://www.cityofmalden.org/DocumentCenter/View/2487/Public-information-on-Public-Meetings-and-Hearings-during-the-Declared-State-of-Emergency-related-to-COVID19PDF>

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US: +19294362866,,97244538337#,,,,*206916#
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Roll Call

Also in attendance was Assistant City Solicitor John McNaught.

The meeting was delayed and started at 6:35 P.M.

Present: 5 - Craig Spadafora, Peg Crowe, Ryan O'Malley, David Camell and Stephen Winslow

Minutes to be Approved

Business

[393-20](#)

Order: Be it hereby ordained that Section 11.24.020 of the Revised Ordinances of 2020 be amended by adding guidelines to applicants and the reviewing authority regarding the preferred locations and configurations for wireless telecommunication facilities in the City, provided that nothing in this section shall be construed to permit a wireless telecommunication facility in any location or configuration that it is otherwise prohibited by this chapter. Adding in section that the City of Malden ordinance prohibits any new 5G wireless telecommunications facilities in areas zoned residential and requires annual EMF readings to determine that the wireless facility is within compliance of federal and state laws. New wireless telecommunication facilities are permitted in commercial, industrial, and open space zoning districts.

Sponsors: Craig Spadafora

Councillor Spadafora told the committee that the paper needs to be tweaked. The idea behind the paper was to give relief to residential areas from being overloaded with small cell installations. Councillor Crowe would want Legal to look at the paper before she would vote on it. Councillor O'Malley is concerned that there does not seem to be an overall plan with how many small cells will be installed and what the final plan would be. The challenge is that Resident A is almost 90% of the zoning map. Councillor Linehan, Chairperson for Public Properties goal is to invite the carriers in to see what their plans are, she also has concerns as written the paper could open the city to legal action. Councillors Linehan and Winslow are concerned with equity issues if small cells were limited. Councillor Winslow wouldn't favor a blanket ban and would also like Legal to weigh in on the paper.

A motion was made by Councillor Winslow, seconded by Councillor O'Malley, that the Order be tabled. The motion carried by the following vote:

Yea: 5 - Chairperson Spadafora, Vice Chair Crowe, O'Malley, Camell and Winslow

Other Business

Adjournment

A motion was made by Vice Chair Crowe, seconded by Councillor Camell, that the meeting be adjourned. The motion carried by the following vote:

The meeting adjourned at 7:01 P.M.

Yea: 5 - Chairperson Spadafora, Vice Chair Crowe, O'Malley, Camell and Winslow