



# City of Malden

Malden City Hall  
215 Pleasant Street  
Malden, MA 02148

## Meeting Minutes - Final Rules & Ordinance Committee

*Councillor Crowe, Chair*  
*Councillor Linehan, Vice-Chair*  
*Councillor Sica*  
*Councillor Spadafora*  
*Councillor Winslow*

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Tuesday, April 4, 2023

5:30 PM

215 Pleasant Street  
City Council Chambers  
Malden, MA 02148

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Watch the live stream on YouTube: <https://www.youtube.com/live/SkK-6EoAJVU?feature=share>

### Roll Call

*Chair Crowe called the meeting to order at 5:35 PM.*

*Also in attendance were Councillors Colon-Hayes, McDonald, O'Malley, and Simonelli, members of the Planning Board, Director Deb Burke, Christina Tsang, City Planner Michelle Romero, and City Solicitor John McNaught, Jr.*

**Present:** 5 - Councillor Peg Crowe, Councillor Amanda Linehan, Jadeane Sica, Craig Spadafora and Stephen Winslow

### Business

Continuing the ongoing discussion of MBTA Communities Multifamily Housing Zoning Law (M.G.L. c. 40A, Section 3A), the City's project consultant, Stantec Urban Places will appear before the Rules and Ordinance Committee, in conjunction with the Planning Board and OSPCD for the purpose of presenting an informational study update regarding the compliance, impact analysis, and preliminary potential zoning scenarios of this new law.

This meeting will be televised by Urban Media Arts at the above noted link.

#### [34-23](#)

Resolve: That it is the sense of the City Council that they wish to invite Malden City Planner, Michelle Romero, and OSPCD's Senior Planner and Policy Manager, Evan Spetrini, to appear to provide an update on the City's analysis of the new MBTA Communities Multi-Family Zoning requirements codified in Section 3A of M.G.L. c. 40A.

**Sponsors:** Barbara Murphy

**Attachments:** [MBTA Zoning Update FINAL Feb 14 2023](#)

[MBTA Communities PPT April 4 2023](#)

[Updated MBTA Communities PPT April 4 2023](#)

Ordinance Chair Crowe opened the meeting by having Sara Brent McCoy and Nels Nelson from Stantec Urban Places 40 Water Street, Boston begin their presentation, which is attached to the history of Paper 34-23. Once the presentation ended discussion opened with questions from the Council.

Councillor Winslow inquired about the undeveloped land at Overlook Ridge. There is another whole phase to be built there but as it is right now, zoned for commercial. He is concerned with utilizing Overlook Ridge to meet these zoning requirements because it is the furthest away from transit access, which will cause more people to drive. Traffic is already bad along the Salem Street corridor from Linden Square to Malden High. He is more open minded about Broadway Plaza but also likes the idea of Malden Center B; it seems to be a spot that has the most capacity with least overall added traffic. He further wondered if the city could split parcels with this zoning, ie: the giant Stop & Shop parking lot? (Possibly, needs more thought.) Additionally stated something easier than splitting lots would be to provide incentives for mixed use and affordability options that go over and above, so long as the city is first meeting the required standards for by-right housing.

Councillor O'Malley asked why Oak Grove train station property isn't included in the scenarios. This is because public land is excluded from the capacity calculator. Malden can ask for an override on this rule. The train station in Malden Center would also be excluded unless an override was obtained. Councillor asked if the city would be allowed to enforce minimum design standards to assure other amenities such as streetscape, lighting, etc is included in new building projects. (Yes) The Central Business District is included in these scenarios, can we stagger the amount of multifamily are allowed to add more to corridors, not to eat up too much of our downtown area. (Yes)

Councillor Linehan is drawn to scenarios 1 and 3. Concerned about the T not running well enough to invite these new residents into the city. If the city opts into this zoning, there needs to be trust that people will have transit options, but it doesn't feel that way right now. Seconded other Councillor's concerns on affordability with this housing growth. Asked what Stantec is scoped to do so that the Council may have an understanding of else may need to be looked at and funded to study next. (Draft zoning ordinance, overlay to grant by-right housing, perhaps adjust dimensional standards, analysis of reducing lot size on multifamily)

Councillor McDonald would like to see the balance of this zoning is transit accessible. Thinks Malden Center B is a viable option, but Broadway Plaza is also a good option because it is on a rapid bus service line. Asked if we have the ability to have mixed use as a part of this zoning or do the buildings have to be solely residential? City may not require new building to be mixed use, law calls for by-right housing. Councillor is concerned about affordability in this housing. Are there ways to incentivize affordable housing? There are limits as to how much affordable housing the city may require because the state doesn't want there to be barriers to the production of housing. Law allows for up to 20%, city's inclusionary zoning ordinance states 15%.

Councillor Spadafora asked for clarity on the by-right, if the city has any controls over that as it is concerning to think the city cannot ask for parking, design standards, etc. (The guidelines are vague on restrictions, but design standards are allowed.) He further said it was 'backwards' for the State to demand new housing but not allow it to include affordability measures. He asked if there was a way to do an analysis, once the parcels are identified, for the cost on schools, possible future bussing, infrastructure. Liked Councillor Winslow's idea for splitting large parcels, National Grid may be willing to split.

Councillor Colon-Hayes, asked if future accessory dwellings could be included in the

*multifamily counts? (No)*

*Councillor Simonelli is also in support of preserving the commercial activity in his ward while still providing more affordable housing. Pointed out the need to be aware of absentee landlords when allowing homeowners to do conversions to expand to multifamily levels. Echoed the body's concern on wear and tear on infrastructure, parking, density, schools, traffic. Also noted he would be interested in hearing City Planner Michelle Romero's point of view on this plan.*

*Chuck Ioven, Chair of Planning Board asked if the MBTA has any responsibility to the cities with this law to expand rail service, require improvements to the infrastructure, planning for more traffic, aid with impact to schools? (No.) He has concerns for the neighborhoods when discussing expanding 1 & 2 family homes and turning old Victorians into multiunit housing with respect to crowding/parking/traffic. Advises the city is very specific with what we want to allow and not allow, incentives, when writing the zoning.*

*From the Chair, Councillor Crowe stated she wished to give Stantec some direction with which to move forward with on this project and asked how the Council can best equip them with what they will need for the next step. At this meeting, were 9 out of 11 members of the entire Council, so she asked for a consensus of the body. Nels Nelson laid out the decisions points needing consideration: to get an understanding of what the City's goals are regarding unit production and if some areas are more or less choice than others. From the body, the biggest areas of concern are to get credit for the multifamily we already have, to keep the extra housing on established transit lines, to preserve the commercial space in the downtown area, development that leads to affordable, age-appropriate, sustainable, healthy growth that will be good for the city. Based on this feedback, Councillor Winslow made a motion to recommend scenario one provided we look at Malden Center A to make sure the commercial area is not overly impacted. This motion was seconded by Councillor Linehan. This motion was voted unanimously by the Rules & Ordinance Committee.*

**A motion was made by Councillor Winslow, seconded by Councillor Linehan, that the Resolution be approved and the committee recommend to the full council that scenario one be the selection to move forward for further research. The motion carried by a unanimous vote.**

**Yea:** 5 - Crowe, Councillor Linehan, Councillor Sica, Councillor at Large Spadafora and Councillor Winslow

## Adjournment

**A motion was made by Councillor at Large Spadafora, seconded by Councillor Sica, that the meeting be adjourned. The motion carried by a unanimous vote. Meeting was adjourned at 7:15 PM.**