



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, March 2, 2021

6:00 PM

REMOTE VIRTUAL MEETING

JOINT RULES & ORDINANCE AND WATERFRONT ACCESS COMMITTEE MEETING

75-21

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.

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Roll Call

Council President Anderson sat in on committee to make quorum. At the time of the roll call, Councillors Spadafora and Crowe were present. Councillors Winslow and O'Malley joined after attending a Traffic Commission meeting at 6:10. Councillor Camell joined at the same time.

Also in attendance Asst. Solicitor John McNaught, Councillors Murphy, Condon, DeMaria, Linehan, Sica and Isaac Slavitt, Chair of the Conservation Commission.

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

Minutes to be Approved

[91-21](#)

Minutes of the Meeting of January 26, 2021.

A motion was made by Councillor Winslow, seconded by Vice Chair Crowe, that the Committee Minutes be approved. The motion carried by the following vote:

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

[92-21](#)

Minutes of the Meeting of February 9, 2021.

A motion was made by Councillor Winslow, seconded by Vice Chair Crowe, that the Committee Minutes be approved. The motion carried by the following vote:

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

[93-21](#)

Minutes of the Meeting of February 16, 2021.

A motion was made by Councillor Winslow, seconded by Vice Chair Crowe, that the Committee Minutes be approved. The motion carried by the following vote:

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

Business

18-21

Communication: The Conservation Commission's request to have the City Council adopt the wetlands by-laws; (City of Malden Wetlands Protection Ordinance).

Sponsors: Stephen Winslow and Barbara Murphy

Isaac Slavitt from the Conservation Commission was present to give an overview of the bylaw proposal. Mr. Slavitt informed the committee, over 200 cities and towns have wetland bylaws. Councillor Winslow was instrumental in drafting the proposal before the committee. The Conservation Commission did not write the proposal from scratch and the proposal mirrors state law/Wetlands Protection Act (WPA). Mass laws are complicated with jurisdiction issues. The bylaws being presented are items not covered in state law and specific to Malden's needs. The Conservation Commission tried to put things in context for enforcement. Mr. Slavitt stated having a local ordinance in place would make the Conservation Commission's job more difficult and require more assistance from the Engineering Department and additional staff. The bylaws would give rules for projects being done around the Malden River. Mr. Slavitt proceeded to go over the proposal section by section and telling the committee, the Conservation Commission members are available to answer any questions. Key points stated by Mr. Slavitt that jurisdiction was taken from the state model but items that did not pertain to Malden were taken out, Wetlands Protection Act excludes something called a canal, exemptions and exceptions mirrors the Water Protection Act, there is no fee schedule yet but fees are not designed to be high and would be looking to cover administrative costs, hearings need to be clear whether it is under the WPA or city ordinance, communication with other Boards need to be part of the process.

Councillor Winslow made a motion to send the document to Legal, seconded by Councillor O'Malley.

A motion was made by Councillor Winslow, seconded by Councillor O'Malley, that the Communication be recommended favorably. 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 O'Malley, that the meeting be adjourned. The motion carried by the following vote:

The meeting adjourned at 7:00

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