



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

Tuesday, September 19, 2023

6:00 PM

215 Pleasant Street
Room 105
Malden, MA 02148

Roll Call

Chair Crowe called the meeting to order 6:02 PM.

Also in attendance were Alicia McNeil, Maria Luise, and Councillors O'Malley, Murphy, McDonald, and Condon.

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

Minutes to be Approved

[314-23](#)

Minutes for the meeting September 5, 2023

A motion was made by Councillor Sica, seconded by Councillor at Large Spadafora, that the Committee Minutes be approved. The motion carried by a unanimous vote.

[318-23](#)

Minutes for the meeting of September 12, 2023

A motion was made by Councillor Sica, seconded by Councillor at Large Spadafora, that the Committee Minutes be approved. The motion carried by a unanimous vote.

Tabled Papers

[197-23](#)

Be it ordained by the Malden City Council that the Code of the City of Malden (MCC) 12.08.020 Zoning Map is hereby amended to better reflect the current uses of the surrounding neighborhood by changing the zoning district from Highway Business ("BH") to Neighborhood Business ("BN") for the following contiguous parcels:

1038 MAIN ST	(044 855 510)
5 ISLAND HILL AVE	(044 855 505A)
1100 MAIN ST	(044 855 507)
1128 MAIN ST	(044 855 506)

Sponsors: Ryan O'Malley

Attachments: [CCP 197 2023 Main St Rezone PSR wAtts](#)
[Corrected 12.12.030 Table Use Regs](#)
[CCP 197 2023 PBR 7.23 wAtts](#)

A motion was made by Councillor Sica, seconded by Councillor at Large Spadafora, that the Ordinance be taken from the table to the Rules & Ordinance Committee. The motion carried by a unanimous vote.

Paper 197-23 was tabled at the last session of Rules & Ordinance to give Legal time for an opinion on whether this amendment constituted spot zoning. That opinion is attached to the history of this paper.

Councillor O'Malley inquired when this paper goes to a full Council vote would this amendment only require a simple majority instead of a 2/3 vote in light of amendments made to M.G.L. c 40A by Chapter 358 of the Acts of 2020. Among these amendments are changes to section 5 of the Zoning Act, which reduce the number of votes required to enact certain kinds of zoning ordinances and bylaws from a 2/3 supermajority to a simple majority.

A motion was made to retable the paper until Legal can offer an opinion on what these amendments will mean to the outcome of Paper 197-23.

A motion was made by Councillor Winslow, seconded by Councillor Sica, that the Ordinance be tabled to the Rules & Ordinance Committee. The motion carried by a unanimous vote.

Adjournment

A motion was made by Councillor Winslow, seconded by Councillor at Large Spadafora, that the meeting be adjourned. The motion carried by a unanimous vote.

Meeting was adjourned at 6:11 PM.