



City of Malden

Malden City Hall
215 Pleasant Street
Malden, MA 02148

Meeting Minutes - Final Rules & Ordinance Committee

Councillor Linehan, Chair
Councillor Crowe, Vice-Chair
Councillor O'Malley
Councillor Sica
Councillor Simonelli

Tuesday, December 10, 2024

6:30 PM

215 Pleasant Street
Room 105
Malden, MA 02148

Roll Call

Chair Linehan called the meeting to order at 6:39 PM.

Also in attendance was Zaheer Samee, Christopher Mooney, Maria Luise, and Councillors Spadafora, Colon Hayes, Winslow.

Present: 5 - Councillor Amanda Linehan, Councillor Peg Crowe, Ryan O'Malley, Jadeane Sica and Chris Simonelli

Minutes to be Approved

[440-24](#)

Minutes for the meeting of November 12, 2024

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

[441-24](#)

Minutes for the meeting of December 3, 2024

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

New Business

[287-24](#)

Be it ordained by the Malden City Council that the Code of the City of Malden (MCC) Title 12, Chapter 12, Section 090, Subsection B. OFFSITE OFF-STREET PARKING LOTS and Title 12, Chapter 20, Section 020, Subsection I. GENERAL OFF-STREET PARKING REQUIREMENTS is hereby amended as follows:

Sponsors: Ryan O'Malley

Attachments: [Current Ordinance 12.12.090](#)

[Purpose of Amendments to 12.12.090 and 12.20.010](#)

Councillor O'Malley opened discussion on this paper by saying no immediate action is needed at this time but he would rather open a dialogue on how to balance the tension between parking in the city and open space requirements. In the past a requirement was implemented that states 50% of a parcel's land must remain as open space.

The purpose of this paper is to examine, what is considered open space? What materials may be used, such as crushed stone, that could be considered open space but still allow for parking on the land? The way the current ordinance is worded it is becoming difficult to enforce and should be made more specific.

Councillor Simonelli added that with the new ADU law in Massachusetts, parking and open space on privately owned parcels will become an even bigger issue.

Councillor Linehan recommended bringing Nelson Miller into this conversation. Councillor O'Malley agreed to that and included Michelle Romero in the request.

A motion was made by Councillor O'Malley, seconded by Councillor Simonelli, that the Ordinance be tabled. The motion carried by a unanimous vote.

[288-24](#)

Be it ordained by the Malden City Council that the Code of the City of Malden (MCC) Title 12 Chapter 20 Section 010 PARKING, LOADING, AND SCREENING REGULATIONS - Table of Off-street Parking and Loading Regulations is hereby amended by striking the values from the "Minimum Number of Parking Spaces" column for the corresponding "Use" rows and inserting in their place the following values:

Dwelling single family: 0.5 per bedroom

Dwelling single family with two kitchens: 0.5 per bedroom

Dwelling two family: 0.5 per bedroom

Dwelling three and four family: 0.5 per bedroom

Dwelling town or row house: 0.5 per bedroom

Dwelling, cohousing: 0.5 per bedroom

Sponsors: Ryan O'Malley

Attachments: [Current Ordinance 12.20.010](#)

[Purpose of Amendments to 12.12.090 and 12.20.010](#)

Councillor O'Malley opened discussion by stating this paper may not be the final version that gets addressed and finally voted on, but he hopes it starts a conversation on the growing issue of parking in the city. With MBTA and ADU housing laws, the need to look at zoning and apartment requirements and consider if they must be updated. The city may want to look at incentivizing people to add ADUs within the current structure of the home instead of building new units in the yard.

Attorney Samee asked how would rounding work on adding one half parking spot for every bedroom. Rounding up would be the practical solution.

Councillor Simonelli requested hearing more from OSPCD regarding MBTA zoning and ADU law prior to making changes independently when the Council isn't fully educated yet on state rules and expectations. OSPCD is scheduled to present on this issue to the Council at the January 7 meeting.

Councillor Winslow expressed concern about areas of his ward that are inaccessible to public transportation. Current parking requirements cause developers to build homes that are way out of scale for the neighborhood. The most marketable homes are three bedroom but with a house that size, it is more likely the developer will build four parking spots. This leads to larger homes with too much parking. He would rather see smaller, more affordable homes with less parking.

A motion was made by Councillor O'Malley, seconded by Councillor Simonelli, that the Ordinance be tabled. The motion carried by a unanimous vote.

[388-24](#)

Be it ordained by the Malden City Council that the Code of the City of Malden (MCC) Title 9, Chapter 20, Section 030 STANDARDS AND REGULATIONS FOR RESIDENTIAL WASTE be hereby amended by adding section K. All non-owner-occupied properties with 3 units or more must install year-round rodent control measures in proximity to the trash storage area to prevent rodent activity.

Sponsors: Stephen Winslow, Craig Spadafora and Ryan O'Malley

Due to time constraints during the meeting of December 10, Paper 388 was not taken up for business.

Tabled Papers

[179-24](#)

Order: That the Council's Rules and Ordinance Committee, in collaboration with the Board of Health and Health Director, update MCC 09.04.010A related to standing water so as to protect and allow for the use of rain barrels, exempting them from the nuisance category of our municipal health code under the final discretion of the City Health Director.

Sponsors: Amanda Linehan and Carey McDonald

Chair Linehan announced this paper would not be taken up at this evening's meeting because BOH Director Webb is not in attendance. If he is unable to attend the next Ordinance meeting, the committee will continue on with this paper without him.

[366-24](#)

Minutes for the meeting of September 17, 2024

A motion was made by Councillor Simonelli, seconded by Councillor Crowe, that the Committee Minutes be taken from table. The motion carried by a unanimous vote.

A motion was made by Councillor Simonelli, seconded by Councillor Crowe, that the Committee Minutes be approved as amended. The motion carried by a unanimous vote.

[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

Chair Linehan announced this paper would not be taken up at this evening's meeting because the committee had agreed to wait until after related papers were discussed at the public hearing being held on December 11 in the joint session between the Planning Board and Rules & Ordinance Committee.

[431-24](#)

Be it ordained by the Malden City Council that the Code of the City of Malden (MCC) Title 11 Chapter 24 Section 020 Subsection F DIMENSIONS AND APPEARANCE is hereby amended as follows:

- In item 2, strike '7-cubic feet' and replace with '24-cubic feet'.
- In item 5, between the words '16-feet above ground level' and 'using a bracket' insert 'excluding the meter socket'.
- In item 5, in the last sentence strike 'more than fifty (50) inches above the height of the pole' and replace with 'above the pole more than 60 inches or 10% of the pole height, whichever is higher.'

Sponsors: Carey McDonald

Attachments: [Current 11.24.020 Siting and Installation of Wireless Communications Equipment](#)
[Public Comment - 431-24 John Saia 11-26-2024.pdf](#)

Chair Linehan announced this paper would not be taken up at this evening's meeting because Councillor Spadafora is still working with Building Commissioner Miller regarding changes to current regulations. Will be discussed further at the December 17 Ordinance meeting.

Adjournment

**A motion was made by Councillor Sica, seconded by Councillor O'Malley, that the meeting be adjourned. The motion carried unanimously.
Meeting was adjourned at 7:01 PM.**