



# City of Malden

Malden City Hall  
215 Pleasant Street  
Malden, MA 02148

## Meeting Agenda - Final City Council

*Council President Neal Anderson,  
Councillor David Camell,  
Councillor Paul Condon,  
Councillor Peg Crowe,  
Councillor Deborah DeMaria,  
Councillor Amanda Linehan,  
Councillor Barbara Murphy,  
Councillor Ryan O'Malley,  
Councillor Jadeane Sica,  
Councillor Craig Spadafora,  
Councillor Stephen Winslow*

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Tuesday, February 2, 2021

7:00 PM

REMOTE VIRTUAL MEETING

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### 31-21

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](http://cityofmalden.org) as soon as practicable after the meeting.

Additional information/guidelines for the public can be found here:

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

Members of the public who wish to attend remotely can do so using the following information:

Please click the link below to join the webinar:

<https://cityofmalden.zoom.us/j/98150457535?pwd=UGxjBWkpcWp0rNUxySEYwQmN2bEp0Zz09>

Passcode: 867344

Or iPhone one-tap :

US: +19294362866,,98150457535#,,,,\*867344#

+16465189805,,98150457535#,,,,\*867344#

Or Telephone:

Dial(for higher quality, dial a number based on your current location):

US: +1 929 436 2866

+1 646 518 9805

Webinar ID: 981 5045 7535

Passcode: 867344

International numbers available: <https://cityofmalden.zoom.us/j/98150457535>

If you would like to request a reasonable accommodation, please contact Maria Luise, ADA Compliance Coordinator at [mluise@cityofmalden.org](mailto:mluise@cityofmalden.org) <<mailto:mluise@cityofmalden.org>> or 781-397-7000, Ext 2005.

## **1. CALL TO ORDER**

## **2. PLEDGE OF ALLEGIANCE & MOMENT OF SILENCE IN HONOR OF SERVICEMEN & WOMEN**

## **3. ROLL CALL**

## **4. GUESTS, CITIZEN ACHIEVEMENT AND ANNOUNCEMENTS**

### **[32-21](#)**

Communication: Alex Pratt from the Malden Redevelopment Authority (MRA) will speak before the Council on the Eviction Prevention Program and the Rental Assistance Program as well as give updates on upcoming microenterprise program that uses CDBG-CV to provide grants to eligible businesses.

### **Sponsors:**

Neal Anderson

## **5. PUBLIC COMMENT**

## **6. APPROVAL OF MINUTES**

### **[34-21](#)**

Minutes of the Meeting of January 19, 2021.

### **[33-21](#)**

Minutes of the Meeting of January 26, 2021.

## **7. APPOINTMENTS & ELECTIONS**

## **8. HEARINGS, PETITIONS, MEMORIALS AND REMONSTRANCES**

### **[35-21](#)**

Class II: Richard's Motorcars, Inc., 672 Broadway, Malden, 80 cars (Renewal)

### **Sponsors:**

Paul Condon

[36-21](#) Extended Hours: Speedway #2504, 214 Broadway, Malden, Hours: 24/7 (Renewal)

**Sponsors:** Paul Condon

[37-21](#) Livery: David Ulysse, 230 Bryant St. #3, Malden, 1 livery (Renewal)

**Sponsors:** Paul Condon

[38-21](#) Livery: Ideal Park Limousine Services, Inc., 61 High Rock Rd., Malden, 1 livery (Renewal)

**Sponsors:** Paul Condon

[39-21](#) Livery: Roman Kerm, 150 Sylvan St., Malden, 3 liveries (Renewal)

**Sponsors:** Paul Condon

## **9. MOTIONS, ORDERS AND RESOLUTIONS**

[40-21](#) Order: Be it ordained that Section 12.16 (Dimensional Controls) of the Revised Ordinances of 2020 be amended by revising Section 12.16.050 as to waiving rear yard setbacks in Industrial Districts by deleting reference to “rivers or water courses.

**Sponsors:** Craig Spadafora

[41-21](#) Order: Be it ordained that Section 12.12 (Use Regulation), of the Revised Ordinances of 2020, be amended by adding new Section 12.12.200, to include Malden River Site Plan Review.

**Sponsors:** Craig Spadafora

[42-21](#) Order: Be it hereby ordained that Chapter 12 of the Revised Ordinances of 2020 be amended as follows:

**#1.**

Amend Chapter 12.08.040 FLOODPLAINS by adding:

C. To mitigate the risks of flooding, all parcels, entirely or partially within, directly adjacent to, or within 500 feet of a Zone AE, Flood Plain District, as defined by 12.08.040 A, must maintain a 100 ft setback of publicly accessible open space from the edge of any watercourse, river, or channel. Watercourses, rivers, and channels shall include but are not limited to the Malden River, a channelized waterway, and Little Creek which are located in map panel 25017C0437E of the Middlesex County Flood Insurance Rate Map (FIRM) issued by the Federal Emergency Management Agency (FEMA.) The publicly accessible open space shall include a 10 foot wide pathway which complies with the accessibility requirements of the Americans with Disabilities Act, and shall be planted with plants with a wetland indicator category of FAC, FAC+, FACW-, FACW, FACW+, or OBL as identified in the U.S. Fish and Wildlife Service's National List of Plant Species that Occur in Wetlands:

Massachusetts (Reed, 1988.) Furthermore, the publicly accessible open space shall be kept clear of plants identified as “invasive”, “likely invasive”, or “potentially invasive” in “The Evaluation of Non-Native Plant Species for Invasiveness in Massachusetts” (April, 2005) by the Massachusetts Invasive Plant Advisory Group.

**#2.**

Amend FLOODPLAIN DISTRICTS 12.12.110 A, by inserting “4. 12.08.040 C and 12.16.140 A.”

**#3.**

Amend IN INDUSTRIAL DISTRICTS 12.16.050 A, by striking “rivers or water courses, and associated properties or easements in public ownership”.

**#4.**

Amend YARD REQUIREMENT FOR ALL DISTRICTS by adding “K. All parcels shall comply with FLOODPLAINS 12.08.040 C and 12.16.140 A.”

**#5.**

Amend USEABLE OPEN SPACE REQUIREMENTS FOR ALL DISTRICTS 12.16.080 by inserting “E. Usable open space in all districts shall comply with FLOODPLAINS 12.08.040 C and 12.16.140 A.”

**#6.**

Amend 12.16 by inserting a new section “12.16.140 SETBACK FROM RIVERS, CHANNELS, AND WATERCOURSES FOR ALL DISTRICTS

1. To mitigate the risks of flooding, all parcels, entirely or partially within, directly adjacent to, or within 500 feet of a Zone AE, Flood Plain District, as defined by 12.08.040 A, must maintain a 100 ft setback of publicly accessible open space from the edge of any watercourse, river, or channel. Watercourses, rivers, and channels shall include but are not limited to the Malden River, a channelized watercourse, and Little Creek which are located in map panel 25017C0437E of the Middlesex County Flood Insurance Rate Map (FIRM) issued by the Federal Emergency Management Agency (FEMA.) The publicly accessible open space shall include a 10 foot wide pathway which complies with the accessibility requirements of the Americans with Disabilities Act, and shall be planted with plants with a wetland indicator category of FAC, FAC+, FACW-, FACW, FACW+, or OBL as identified in the U.S. Fish and Wildlife Service's National List of Plant Species that Occur in Wetlands: Massachusetts (Reed, 1988.)<sup>[1][1]</sup> Furthermore, the publicly accessible open space shall be kept clear of plants identified as “invasive”, “likely invasive”, or “potentially invasive” in “The Evaluation of Non-Native Plant Species for Invasiveness in Massachusetts” (April, 2005) by the Massachusetts Invasive Plant Advisory Group<sup>[2][2]</sup>.”

**#7.**

Amend TABLE OF INTENSITY REGULATIONS 12.16.010 by inserting a new column between “Rear” and “Min, Usable Open Space” titled “Setback from Watercourse, River, and Channel” and further inserting “100’ “ in all rows in the new column from “AGRICULTURE” to “Public Service Corporation”.

**Sponsors:**

Ryan O'Malley

**43-21**

Resolve: That the City Council acknowledge the work of the Administration and thank them as they continue to navigate through the pandemic. We request that a

disclosure and review of all COVID-19 funds received and expended to date be provided to the Council along with a programmatic description of the sources and uses of these funds; past, present and future.

**Sponsors:** Deborah DeMaria and Amanda Linehan

[44-21](#)

Resolve: That it is the sense of the City Council, that in response to the impact that the COVID-19 pandemic, the City of Malden shall promote economic development to recover and grow the local economy by the creation of 2,000 private sector jobs in Malden by 2025.

**Sponsors:** Ryan O'Malley, Stephen Winslow and Deborah DeMaria

## **10. COMMUNICATIONS**

[45-21](#)

Communication: From Mayor Gary Christenson regard update on Inclusionary Zoning along with the Feasibility Report.

**Sponsors:** Neal Anderson

## **11. ENROLLED ORDINANCES**

[466-20](#)

Order: Be it hereby Ordained that Sections 2.08.040 and 2.16.060 of Chapter 2 of the R.O. of 2020 be amended to read "COMMISSION ON ENERGY EFFICIENCY AND SUSTAINABILITY".

**Sponsors:** David Camell

[468-20](#)

Order: Be it hereby ordained that the City of Malden Revised Ordinances of 2020 Section 4.16 Sign Control be amended by adding the following additional language:

1. Definitions: By adding a definition for "Recreational Trail" and "Sign, Recreational Trail Facing".
2. Regulations of signs; by sign type: By adding regulations for this new type of sign.
3. Regulations of signs, by district: By adding this sign type to the allowed signs in Residence A, B & C Zoning Districts.  
Recreational Trail Facing Signs must be wall signs, cannot be illuminated, and are limited to 50% of the area of the allowable wall sign for that district.  
These signs will not count against the total signage allowed for building or tenant.  
These signs are restricted to non-residential uses.  
Allowing the signs in Residence A, B & C Zoning districts makes them allowable in all districts which accounts for the numerous parcels located along the trail.

**Sponsors:** Craig Spadafora

**12. COMMITTEE REPORTS**[46-21](#)

Committee Report: License Committee -Papers (Listed Below): Recommends favorably the following Petitions:

- 20-21 Class II: Andy's Service Center , Inc. 356 Lebanon St., Malden 3 cars renewal
- 12-21 Class II: Broadway Auto Motors, Inc. 495 Broadway, Malden 27 cars renewal
- 13-21 Class II: Rigano's 1081 Fellsway, Malden 20 cars renewal
- 452-20 Class II: Culleton Bros. Inc. 61 Clinton St. Malden 2 cars renewal
- 453-20 Class II: Malden Middlesex Motors Sales, Inc. 129 Charles St, Malden 15 cars renewal
- 454-20: Class II: Next Level Motors Inc. 189 Eastern Ave., Malden 35 cars renewal
- 455-20: Class II: Smart Buy USA 616 Broadway Malden 26 cars renewal
- 285-20: Class II: GP Motorcycle Supply , 420 Broadway, Malden granted **w/conditions (no vehicles motorcycles only) - 15 vehicles - new**
- 338-20: Class II: Auto Tech II, 1236 Eastern Ave., Malden 5 cars renewal
- 14-21: Class III: Malden Broadway Auto Body Inc. 590 Broadway Malden renewal
- 456-20: Class III: Malden Middlesex Motors Sales, Inc. 129 Charles St. Malden renewal
- 15-21: Extended Hours: Walgreens 185 Centre St. Malden Hours 24/7 renewal
- 16-21: Livery: Linda Dellolacono, 259 Mountain Ave., # 1 Malden 1 Livery renewal
- 457-20: Second-Hand Dealer: Great Eastern Vintage, 258 Highland Ave., Malden new

**13. TABLED PAPERS****14. PERSONAL PRIVILEGE****15. ADJOURNMENT**

**GREGORY LUCEY, CITY CLERK**