



City of Malden

Malden City Hall
215 Pleasant Street
Malden, MA 02148

Meeting Minutes - Final Rules & Ordinance Committee

Councillor Winslow, Chair
Councillor Linehan, Vice-Chair
Councillor Crowe
Councillor O'Malley
Councillor Taylor

Tuesday, January 28, 2025

5:45 PM

215 Pleasant Street
Room 105
Malden, MA 02148

Watch the meeting with Teams: <https://tinyurl.com/sjjawh7v>

Roll Call

Chair Winslow called the meeting to order at 5:50 PM.

Also in attendance was Michelle Romero, Nelson Miller, Maria Luise, Alicia McNeil, Alex Pratt, and Councillors Simonelli, McDonald, Colon Hayes and Councillor Spadafora by Teams video.

Present: 5 - Councillor Stephen Winslow, Councillor Amanda Linehan, Peg Crowe, Ryan O'Malley and Ari Taylor

Minutes to be Approved

[45-25](#)

Minutes for the meeting of January 14, 2025

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

[46-25](#)

Minutes for the meeting of January 21, 2025

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

Business

[47-25](#)

Be it ordained by the Malden City Council that the Code of the City of Malden (MCC) Title 9 Chapter 24 Section 010(A) REGULATION OF LEAD PIPES IN RESIDENTIAL HOUSING is hereby amended as follows:

- After the word “sale,” inserting the following: “of, addition of an accessory dwelling unit to, or”

Sponsors: Craig Spadafora, Amanda Linehan, Stephen Winslow, Peg Crowe, Carey McDonald, Ryan O'Malley and Ari Taylor

Little to no conversation was necessary with this paper; all were in agreement that the amendment of this ordinance is beneficial to the community. Four Councillors, who were not already listed as co-sponsors, asked for their names to be added to the paper. City Clerk made that update.

A motion was made by Councillor Taylor, seconded by Councillor O'Malley, that the Ordinance be recommended favorably to the City Council. The motion carried by a unanimous vote.

Tabled Papers

13-25

Be it ordained by the Malden City Council that the Code of the City of Malden (MCC) Title 12 ZONING is hereby amended to establish requirements and regulations for Accessory Dwelling Units, including definitions and the establishment of Site Plan Review Committee for Accessory Dwelling Units (SPRC ADU) by amending Chapters and Sections 12.030, 16.010, 20.010, 32.060 and by adding new Subsections 12.28.010(K) and 32.030(D)

Sponsors: Amanda Linehan

Attachments: [ADU Memo Mayor January 2 2025](#)

[CCP 13-2025 ADU Final Draft 1.2.25](#)

[ADU Overview 1.7.25](#)

[CCP 13-2025 Edits Winslow 1.6.2025](#)

[ADU-Public-Comment](#)

[CCP 13-2025 Edits OMalley 1.21.2025](#)

[CCP 13-2025 Edits as voted by R&O 1.21.2025 w Comments](#)

[760 CMR 71.00 - Final 1-17-25 - REDLINE](#)

[ADU Memo Mayor 1 27 2025](#)

[CCP 13 2025 PBR 1.25](#)

[CCP 13-25 PSR wAtts](#)

[Public Comment City Council meeting on 1 28 2025 File # 13-25](#)

[Public Comment Re Accessory Dwelling Units \(ADUs\)](#)

[CCP 13-2025 DRAFT as enrolled on Jan 28 redlined](#)

[CCP 13-2025 FINAL as enrolled on Jan 28](#)

[Final Paper 13-25 ADU Zoning Amendments](#)

Ordinance Chair Winslow opened the meeting by asking City Planner Michelle Romero to introduce the Planning Board recommendations from the public hearing that was held on January 27 in a joint session of Planning Board and Rules & Ordinance. The document she read from is attached to the history of Paper 13-25 titled CCP 13 2025 PBR 1.25.

After Planner Romero's presentation, a number of votes were taken to determine if the Ordinance Committee would recommend to the full Council whether to accept the Planning Board's recommendations. In total, all recommendations were accepted with the exception of 7(c) regarding MCC 12.32.030.D.5 compliance with dimensional controls. Additionally, amendments were made to four of the accepted recommendations. There was a motion on the floor to approve most of the recommendations at once but the motion failed for not having a second after Councillor O'Malley requested each one be taken up separately.

The Committee then reviewed their own recommendations for amendments as originally presented by Councillor Winslow's addendum to the paper and Councillor O'Malley's additional suggestions as discussed in the January 21 meeting. Of all the amendments made during the January 21 meeting, only one was recommended out favorably for adoption by the Full Council.

A motion was made by Councillor O'Malley, seconded by Councillor Linehan, that the Ordinance be taken from the table. The motion carried by a unanimous

vote.

A motion was made by Councillor Linehan, seconded by Councillor Crowe, that the Ordinance Committee recommend to the Full Council the acceptance of Planning Board recommendation number one as expressed in CCP 13 2025 PBR 1.25. The motion carried by a unanimous vote.

A motion was made by Councillor O'Malley, seconded by Councillor Taylor, that the Ordinance Committee recommend to the Full Council the acceptance of Planning Board recommendation number two as expressed in CCP 13 2025 PBR 1.25. The motion carried by a unanimous vote.

A motion was made by Councillor Taylor, seconded by Councillor Linehan, that Planning Board recommendation number three as expressed in CCP 13 2025 PBR 1.25 be amended by removing 'so-called'. The motion carried by a unanimous vote.

A motion was made by Councillor Taylor, seconded by Councillor Linehan, that the Ordinance Committee recommend to the Full Council the acceptance of Planning Board recommendation number three as expressed in CCP 13 2025 PBR 1.25, as amended. The motion carried by a unanimous vote.

A motion was made by Councillor Taylor, seconded by Councillor Linehan, that the Ordinance Committee recommend to the Full Council the acceptance of Planning Board recommendation number four as expressed in CCP 13 2025 PBR 1.25. The motion carried by a unanimous vote.

A motion was made by Councillor O'Malley, seconded by Councillor Crowe, that Planning Board recommendation number five as expressed in CCP 13 2025 PBR 1.25 be amended by inserting 'reasonable' between 'impose' and 'terms'. The motion carried by a unanimous vote.

A motion was made by Councillor O'Malley, seconded by Councillor Crowe, that the Ordinance Committee recommend to the Full Council the acceptance of Planning Board recommendation number five as expressed in CCP 13 2025 PBR 1.25, as amended. The motion carried by a unanimous vote.

A motion was made by Councillor Crowe, seconded by Councillor Taylor, that the Ordinance Committee recommend to the Full Council the acceptance of Planning Board recommendation number six (a) as expressed in CCP 13 2025 PBR 1.25. The motion carried by a unanimous vote.

A motion was made by Councillor Linehan, seconded by Councillor Crowe, that the Ordinance Committee recommend to the Full Council the acceptance of Planning Board recommendation number six (b) as expressed in CCP 13 2025 PBR 1.25. The motion carried by a unanimous vote.

A motion was made by Councillor O'Malley, seconded by Councillor Taylor, that the Ordinance Committee recommend to the Full Council the acceptance of Planning Board recommendation number seven (a) as expressed in CCP 13 2025 PBR 1.25. The motion carried by a unanimous vote.

A motion was made by Councillor O'Malley, seconded by Councillor Taylor, that Planning Board recommendation number seven (b) as expressed in CCP 13 2025 PBR 1.25 be amended by inserting 'or existing' between 'required' and 'for'. The motion carried by a unanimous vote.

A motion was made by Councillor O'Malley, seconded by Councillor Taylor, that the Ordinance Committee recommend to the Full Council the acceptance of Planning Board recommendation number seven (b) as expressed in CCP 13 2025 PBR 1.25, as amended. The motion carried by a unanimous vote.

A motion was made by Councillor O'Malley, seconded by Councillor Linehan, that the Ordinance Committee recommend to the Full Council the denial of Planning Board recommendation number seven (c) as expressed in CCP 13 2025 PBR 1.25. The motion carried by a unanimous vote.

A motion was made by Councillor O'Malley, seconded by Councillor Taylor, that the Ordinance Committee recommend to the Full Council the acceptance of Planning Board recommendation number seven (d) as expressed in CCP 13 2025 PBR 1.25. The motion carried by a unanimous vote.

A motion was made by Councillor O'Malley, seconded by Councillor Taylor, that the Ordinance Committee recommend to the Full Council the acceptance of Planning Board recommendation number eight as expressed in CCP 13 2025 PBR 1.25. The motion carried by a unanimous vote.

A motion was made by Councillor Crowe, seconded by Councillor Taylor, that the Ordinance Committee recommend to the Full Council the acceptance of Planning Board recommendation numbers nine and ten as expressed in CCP 13 2025 PBR 1.25. The motion carried by a unanimous vote.

A motion was made by Councillor Crowe, seconded by Councillor Taylor, that Planning Board recommendation number eleven (b) as expressed in CCP 13 2025 PBR 1.25 be amended by striking 12.32.030.D.9.A and replacing with 12.32.030.D.8.A. The motion carried by a unanimous vote.

A motion was made by Councillor Crowe, seconded by Councillor Taylor, that the Ordinance Committee recommend to the Full Council the acceptance of Planning Board recommendation number eleven (a) and (c) as expressed in CCP 13 2025 PBR 1.25, and eleven (b) as amended. The motion carried by a unanimous vote.

A motion was made by Councillor Linehan, seconded by Councillor Crowe, that the Ordinance Committee recommend to the Full Council the acceptance of Planning Board recommendation number twelve as expressed in CCP 13 2025 PBR 1.25. The motion carried by a unanimous vote.

A motion was made by Councillor Linehan, seconded by Councillor O'Malley, that the amendment made during the January 21 meeting to strike sub-section D in Section 4 General and re-lettering remaining sub-sections accordingly be referred out favorably to the Full Council. The motion carried by a unanimous vote.

A motion was made by Councillor O'Malley, seconded by Councillor Linehan, that the Ordinance be amended by striking the last two sentences of 2(A) Applicability and replacing with 'Site plan review, is part of the building permit application and there shall be no additional fee for the site plan review. The motion carried by a unanimous vote.

A motion was made by Councillor Linehan, seconded by Councillor O'Malley, that the Ordinance be amended by striking 'City Councillor designated by the City Council President' in 4 Site Plan Review Committee and replace with 'Building Inspector (or designee).' The motion carried by a unanimous vote.

A motion was made by Councillor O'Malley, seconded by Councillor Linehan, that the Ordinance be amended by adding a fourth bullet in 4 Site Plan Review Committee, (A) Composition and add 'Associate member appointed by Chair of the Zoning Board of Appeal'. (B) Quorum strike 'conduct any business' and replace with 'approve, approve with conditions, or deny an application for site plan approval, unless recused for a conflict of interest. Add (C) 'Voting by Simple Majority: A simple majority of the full membership is required to take any action.' The motion carried by a unanimous vote.

A motion was made by Councillor O'Malley, seconded by Councillor Linehan, that the Ordinance be amended by striking sub-section F in 4. General. The motion carried by the following vote:

Yea: 4 - Winslow, Councillor Linehan, Councillor O'Malley and Councillor Taylor

Nay: 1 - Councillor Crowe

A motion was made by Councillor O'Malley, seconded by Councillor Linehan, that the Ordinance be recommended favorably as amended by the previous four amendments to the City Council. The motion carried by a unanimous vote.

Adjournment

A motion was made by Councillor O'Malley, seconded by Councillor Crowe, that this meeting be adjourned. The motion carried unanimously.
Meeting was adjourned at 8:18 PM.

If you would like to request a reasonable accommodation, please contact Maria Luise, ADA Compliance Coordinator at mluise@cityofmalden.org or 781-397-7000 Ext. 2005

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www.cityofmalden.org/captions