



City of Malden

Malden City Hall
215 Pleasant Street
Malden, MA 02148

Meeting Minutes - Final Rules & Ordinance Committee

Tuesday, December 18, 2018

6:00 PM

John & Christina Markey Community Center,
7 Washington St.

Roll Call

Present: 4 - Councillor Ryan O'Malley, Councillor John P. Matheson, Craig Spadafora and Jadeane Sica

Minutes to be Approved

[577-18](#) Minutes of the Meeting of December 11, 2018.

A motion was made by Councillor Winslow that the Committee Minutes be approved. The motion carried by a unanimous vote.

Business

[273-18](#) Order: That prior to local licensure, initial community host agreements for each marijuana establishment be subject to an open and public process, by the Malden City Council, subject to Mayor approval.

Sponsors: John P. Matheson

A motion was made by Councillor Winslow, seconded by Councillor Spadafora, that the proposed amendment drafted by Attorney Fallon on 12-18-2018 be further amended as follows:

Strike Section 6.49.4 {General Process} as set forth on Page 3 and amend 6.49.4 {General Requirements} as set forth on Page 4 as follows:

Items 1 & 2 to remain the same; item 3 to become item 5; item 4 to become item 3; item 5 to become item 4. All councilors present voting yes.

Councilor made a motion to strike from Section 6.49.1 manufacture and insert manufacturing; and after the word establishments insert the word may. All councilors present voted yes.

Councilor Winslow made a motion to amend Section 6.49.3 by striking the last sentence. All councilors present voted yes.

[274-18](#) Order: Be it hereby ordained that the Malden Licensing Board be the license approval authority for marijuana retail establishments, in consultation with the Malden Board of Health.

Sponsors: John P. Matheson

This Order was tabled.

- [313-18](#) Order: That an annual license fee be imposed upon all retail marijuana establishments. The following is the fee structure:
- A \$200.00 License Application fee
 - A \$3,500.00 Annual License fee
 - A \$750.00 Special Permit fee

Sponsors: Craig Spadafora

This Order was tabled.

- [423-18](#) Ordered: That the Rules & Ordinance Committee work with the Friends of the Malden River, the Waterfront Access Committee, the Conservation Commission, and the Planning Board to draft a zoning amendment to require a setback from the Malden River.

Sponsors: Ryan O'Malley, Barbara Murphy, Neal Anderson and Stephen Winslow

The paper was introduced by Councilor Winslow who stated that the idea behind the paper was to give some teeth to the Conservation Committee. He explained that the Malden river is really not a river but a canal, as such it is not protected by the River Front Protection Act. That the buffer zone between development and the river/canal in Malden is only 25 feet. That the city with the aid of the conservation committee needs to increase the river/canal frontage. Councilor Winslow agreed to develop an updated draft of the wetland By-Law for review of the Conservation Committee. A motion was made by Councilor Matheson to table. All councillors present voted yes.

- [465-18](#) Be it hereby Ordained that Section 8.30 of Chapter 8 of the R.O of 1991, as amended, be further amended by adding a new subsection, "K.," relative to Vacancies and Hiring.

Sponsors: Barbara Murphy, Peg Crowe and Deborah DeMaria

Councilor O'Malley asked Councilor Murphy to introduce the paper. Councilor Murphy stated that the purpose of the paper was to allow the Council to have some input as to who would be the departments head assistant. A motion was made by Councilor O'Malley that the Order be tabled. The motion carried by a unanimous vote.

- [506-18](#) Order: That the City of Malden no longer accept the provisions of M.G.L. Ch. 40v, and terminate further application of its market rate housing development zone effective January 1, 2019.

Sponsors: John P. Matheson

This order was tabled.

Other Business

Adjournment

This meeting was adjourned.