



# 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*

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Tuesday, September 5, 2023

5:30 PM

215 Pleasant Street  
Room 105  
Malden, MA 02148

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### Roll Call

*Chair Crowe opened the meeting at 5:36 PM.*

*Also in attendance was Zaheer Samee, Maria Luise, Carey McDonald, and Ryan O'Malley.*

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

### Minutes to be Approved

[285-23](#)

Minutes for the meeting of July 17, 2023

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

### Business

[286-23](#)

Communication: Planning Board re: Paper 197-23 (Amendment of Title 12.08.020 To Change Zoning District of Four Parcels (5 Island Hill Avenue, 1038 Main Street, 1100 Main Street, 1128 Main Street) from Highway Business to Neighborhood Business)

**Attachments:** [CCP 197 2023 PBR 7.23 wAtts](#)

**A motion was made by Councillor Sica, seconded by Councillor Linehan, that the Communication be placed on file. The motion carried by a unanimous vote.**

[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](#)

*After the public hearing on July 17, 2023, a majority of the Planning Board, namely five of the nine members present, decided to recommend to the City Council disapproval of the amendment as written in Paper 197-23.*

*During the PB meeting, there was criticism of this amendment in that it could be considered spot zoning as the amendment will only affect one of the four properties highlighted. The property owner's attorney spoke specifically to this issue. For this reason, the Committee would like legal to review the paper prior to a vote on recommending either favorably or unfavorably to Full Council.*

**A motion was made by Councillor at Large Spadafora, seconded by Councillor Sica, that the Ordinance be tabled to the Rules & Ordinance Committee pending Legal Review. The motion carried by a unanimous vote.**

### 287-23

Communication: Planning Board re: Paper 198-23 (Amendment of Title 12.12.030 Use Regulations for Self-Storage Facilities/To Prohibit in Industrial 1 & 2 zoning districts)

**Attachments:** [CCP 198 2023 PBR 7.23 wAtts](#)

**A motion was made by Councillor Sica, seconded by Councillor Winslow, that the Communication be placed on file. The motion carried by a unanimous vote.**

### 198-23

Be it ordained by the Malden City Council that the Code of the City of Malden (MCC) 12.12.030 Use Regulations is hereby amended to prohibit any new Self-Storage Facilities by striking "SP" under both I1 and I2 and inserting "No" in their places.

**Sponsors:** Ryan O'Malley, Amanda Linehan, Chris Simonelli, Stephen Winslow, Karen Colon Hayes and Carey McDonald

**Attachments:** [CCP 198 2023 SelfStor PSR wAtts](#)  
[CCP 198 2023 PBR 7.23 wAtts](#)

*After the public hearing on July 17, 2023, a majority of the Planning Board, namely seven of the nine members present, decided to recommend to the City Council disapproval of the amendment as written in Paper 198-23.*

*Councillor Winslow noted that six councillors signed on to this amendment showing support for no more storage facilities in the community. He is seeking more information on why the Planning Board would not recommend approval of this amendment and wishes to have City Planner Michelle Romero come in for further discussion.*

**A motion was made by Councillor Winslow, seconded by Councillor Linehan, that the Ordinance be tabled pending City Planner Michelle Romero appearing before Committee to discuss the Planning Board recommendation. The motion carried by a unanimous vote.**

### 288-23

Communication: Planning Board re: Paper 227-23 (Amendment of Title 12.12.030 & 12.12.150 Use Regulations for Drive-thrus; To Prohibit in Neighborhood Business & Central Business zoning districts)

**Attachments:** [CCP 227 2023 PBR 7.23 wAtts](#)

**A motion was made by Councillor Sica, seconded by Councillor Winslow, that the Communication be placed on file. The motion carried by a unanimous vote.**

### 227-23

Be it ordained by the Malden City Council that the Code of the City of Malden (MCC) Title 12, Chapter 12 be amended as follows:

12.12.030 USE REGULATIONS be amended by striking "SP" in the Drive Thru category and replacing it with "No" in the Neighborhood Business (BN) and Central Business (BC) columns.

12.12.150 DRIVE-THRU be amended by striking "Neighborhood Business (BN), Central Business (BC)," in the first paragraph.

**Sponsors:** Ryan O'Malley, Amanda Linehan and Carey McDonald

**Attachments:** [CCP 227 2023 Drivethrus PSR wAtts](#)

[CCP 227 2023 PBR 7.23 wAtts](#)

*After the public hearing, on July 17, 2023, a majority of the Planning Board, namely all nine members present, decided to recommend to the City Council approval in part and disapproval in part of the amendment as proposed, as follows:*

- 1. Approval of the amendment of §§12.12.030 & 12.12.150 regarding the Neighborhood Business zoning district.*
- 2. Disapproval of the amendment of §§12.12.030 & 12.12.150 regarding the Central Business zoning district.*

**A motion was made by Councillor Winslow, seconded by Councillor Sica, that the Ordinance be recommended favorably to the City Council to accept the Planning Board recommendation to disapprove amendment to Central Business and approve amendment to Neighborhood Business as is outlined in their communication from the July 17, 2023 public hearing. The motion carried by a unanimous vote.**

## Other Business

## Adjournment

**A motion was made by Councillor Sica, seconded by Councillor Winslow, that the meeting be adjourned. The motion carried by a unanimous vote. Meeting was adjourned at 6:05 PM.**