



# City of Malden

Malden City Hall  
215 Pleasant Street  
Malden, MA 02148

## Meeting Minutes - Final City Council

*Council President Barbara Murphy*  
*Councillor at Large Karen Colon-Hayes*  
*Councillor Paul Condon*  
*Councillor Peg Crowe*  
*Councillor Amanda Linehan*  
*Councillor at Large Carey McDonald*  
*Councillor Ryan O'Malley*  
*Councillor Jadeane Sica*  
*Councillor Chris Simonelli*  
*Councillor at Large Craig Spadafora*  
*Councillor Stephen Winslow*

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Tuesday, September 12, 2023

7:00 PM

City Council Chambers  
215 Pleasant Street  
Malden, MA 02148

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### Committee of the Whole

Watch the live stream on YouTube:

<https://www.youtube.com/live/--VuYZvv2QQ?si=84ga8WnpBZCx-RzM>

#### 1. CALL TO ORDER

*Council President Murphy called the meeting to order at 7:11 PM.*

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

#### 3. ROLL CALL

*Also in attendance were Deb Burke and Andrew Mikula of OSPCD, Michelle Romero, Maria Luise, Alicia McNeil, and Nels Nelson and Sarabrent McCoy from Stantec Urban Places.*

**Present - Councillors:** 10 - Barbara Murphy, Carey McDonald, Chris Simonelli, Jadeane Sica, Karen Colon Hayes, Craig Spadafora, Peg Crowe, Amanda Linehan, Paul Condon and Stephen Winslow

**Absent - Councillors:** 1 - Ryan O'Malley

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

*A motion was made by Councillor Crowe, seconded by Councillor Condon, to suspend Council Rules for the purpose of hearing Paper 315-23. Motion passed by unanimous vote.*

#### [315-23](#)

Presentation by City Planner, Office of Strategic Planning & Community Development and City consultant, Stantec Urban Places, re: MBTA Communities Zoning Law (M.G.L. c. 40A, Section 3A) draft zoning scenario and request for state review, as required by new Compliance Guidelines issued by Executive Office of

Housing and Livable Communities (fka Department of Housing and Community Development).

**Attachments:** [MBTA Communities Hearing Draft Proposal for 9.12.23](#)

*Deborah Burke, Director of Office of Strategic Planning & Community Development, opened the discussion by first explaining the State has recently come out with new guidance which will now allow for mixed use development within the zoning under M.G.L. c. 40A, s. 3A. This evening's presentation is for informational purposes only and will not require a vote. However, a draft plan does have to be submitted to the State by September 19 for initial review.*

*Sarabrent McCoy and Nels Nelson, consultants from Stantec Urban Places, then proceeded with a prepared presentation, which is attached to the history of Paper 315-23.*

*Councillor McDonald offered feedback to the planning team that he wishes to see Malden comply with the spirit of the law and not just piece together the minimum we need to get through compliance. It is important to figure out to make it possible for people to continue to be able to afford to live in Malden and not be priced out of their hometown.*

*Councillor Crowe countered, regarding affordability, that it may be preferred to do just we are required to comply with 3A. She prefers not to have so many by right with the 15% affordable housing when the city can then work on other parcels with the Affordable Housing Trust to ensure 100%.*

*Expected to happen next is the City will file a draft with the State by September 19, public hearing in November, City Council will consider whether or not to ordain by December 19, City files with the State a complete zoning ordinance by December 31, 2023.*

## **5. EXECUTIVE SESSION**

*A motion was made by Councillor Simonelli, seconded by Councillor Colon-Hayes, to suspend Council Rules for the purpose of hearing Paper 316-23. Motion passed by unanimous vote.*

### **316-23**

Order: That the City Council will vote to go into Executive Session with legal counsel for the City regarding the matter of Benevolent Botanicals and 926 Eastern Avenue v. The City of Malden for the purposes of Exemption Three Massachusetts General Laws Chapter 30A Section 21(a)(3) to discuss strategy with respect to litigation, where such discussion in open meeting may have a detrimental effect on the litigation position of the City, if so declared by the chair. And if so allowed by the Body, to admit Maria Luise, Special Assistant to the Mayor.

(Roll Call Required)

**Sponsors:** Barbara Murphy

*Council President Murphy declared discussion of the ongoing matter of Benevolent Botanicals and 926 Eastern Avenue v. City of Malden in open session would have a detrimental effect on the litigation of the City and that it is deemed allowable to have Special Assistant to the Mayor, Maria Luise in attendance.*

*President Murphy further stated that after Executive Session adjourns the Council would reconvene momentarily for the sole purpose of adjourning Committee of the Whole.*

**A motion was made by Councillor Crowe, seconded by Councillor Simonelli, that the Order be adopted. The motion carried by the following vote:  
The meeting was recessed and the Council entered into Executive Session.**

**Yea:** 10 - Murphy, McDonald, Simonelli, Sica, Colon Hayes, Spadafora, Crowe, Linehan, Condon and Winslow

**6. ADJOURNMENT**

**A motion was made by Councillor Linehan, seconded by Councillor Sica, that the be adjourned. The motion carried by a unanimous vote. Meeting was adjourned at 9:11 PM.**

**CAROL ANN DESIDERIO, CITY CLERK**