



City of Malden

Malden City Hall
215 Pleasant Street
Malden, MA 02148

Meeting Minutes - Final Rules & Ordinance Committee

Councillor Winslow, Chair
Councillor Colon Hayes, Vice-Chair
Councillor Crowe
Councillor Linehan
Councillor O'Malley

Tuesday, March 10, 2026

6:00 PM

215 Pleasant Street
Room 105
Malden, MA 02148

Watch the meeting with Teams: <https://tinyurl.com/3kkczrmw>

Roll Call

Chair Winslow called the meeting to order at 6:13 PM.

Also in attendance was Alicia McNeil, Michelle Romero, Prasanna Rajasekaran, Ron Hogan, Nelson Miller, Maria Luise, and Councillors Sica and McDonald.

Present: 5 - Stephen Winslow, Karen Colon Hayes, Peg Crowe, Amanda Linehan and Ryan O'Malley

Minutes to be Approved

[141-26](#)

Minutes for the meeting of December 2, 2025

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

Business

156-26

In accordance with the Order numbered 137-26 Committee will meet to begin discussion on draft amendments to MCC 12.12.190 necessary to comply with the Court Judgement rendered in Benevolent Botanicals v City of Malden.

Sponsors: Stephen Winslow

Attachments: [Structured Analysis from O'Malley](#)

[2022 Cannabis amendments recap from McDonald](#)

[Judgement - Main Points from Winslow](#)

[Cannabis Directive v4 March 19 2026](#)

[Romero's Comments on March 19 Memo](#)

Discussion on this paper began with Chair Winslow giving a brief description of three handouts for use in the re-write of MCC 12.12.190, which are attached to what is now known as Paper 156-26.

Councillor Colon Hayes asked how the Ordinance Committee managed the process in the past when ordinances have needed to be re-written. Chair Winslow explained the steps that were taken by the city when writing and approving 12.12.190 on marijuana establishments. The question now, with the court judgment having struck the entire ordinance section, is what does the Council want to recover from the original language and what direction should the body take moving forward.

Prior to the discussion being opened up for debate, Councillor Sica raised a point of information that there is a Councillor sitting on the R&O Committee who has taken campaign donations from one of the business owners of Benevolent Botanicals. She asked before a conflict, or the appearance of a conflict of interest, happens should the Councillor recuse themselves from the conversation and vote? Councillor Colon Hayes acknowledged she was the one who accepted the donation and that she would check in on this issue and get an opinion from Ethics.

As the conversation continued, principal use requirements and a reduced buffer zones were two areas that all agreed was a good place to begin. Councillor McDonald is in support of having fewer restrictions but does support maintaining the school buffer zone of 500 feet. The school buffer zone is required by state law. All other buffer zones are up for consideration by the city.

Councillor O'Malley asked how liquor stores are regulated. City Planner noted it depends on the size of the establishment. Over certain square footage requires special permit consideration. Unlike marijuana, liquor stores do not have 'liquor store use' in zoning. Smaller liquor stores are allowed by right but they are still accountable to the Liquor Licensing Board.

Councillor Crowe noted retail sales establishments do not require as much space in the buffer zones as would a manufacturing establishment due to the odors to the neighborhood. Councillor O'Malley stated the city has tried to address that issue by only allowing growing and manufacturing in certain zoning neighborhoods, that do not include residential. Councillor Crowe is also in support of reevaluation of the primary use restrictions.

Another question brought up is whether the Council should remain the special permit granting authority on all marijuana establishments.

City Planner Romero, made the point that no one buffer zone is a problem when writing a marijuana ordinance but rather it was the cumulative effect of all six buffer zones added to the primary use clause that proved to be difficult. Through the special permitting

process, even without buffer zones the Council is still allowed to consider base criteria regarding surrounding land use. Proximity to daycare, residences, and substance abuse centers are all establishments that may be given consideration as a normal part of the special permit deliberation.

Councillor Linehan thinks the next thing that should be done by the committee is to hear from city staff who are able to advise on zoning.

Adjournment

A motion was made by Councillor Colon Hayes, seconded by Councillor Crowe, that this meeting be adjourned. The motion carried unanimously.

Meeting adjourned at 7:02 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

For instructions on enabling live translated captions in Teams, please visit:
www.cityofmalden.org/captions