



City of Malden

Malden City Hall
215 Pleasant Street
Malden, MA 02148

Meeting Minutes - Final City Council

Council President Amanda Linehan
Councillor at Large Karen Colon Hayes
Councillor Paul Condon
Councillor Peg Crowe
Councillor at Large Michelle Luong
Councillor at Large Carey McDonald
Councillor Ryan O'Malley
Councillor Jadeane Sica
Councillor Chris Simonelli
Councillor Ari Taylor
Councillor Stephen Winslow

Tuesday, June 23, 2026

7:00 PM

City Council Chambers
215 Pleasant Street
Malden, MA 02148

Watch the meeting with Teams: <https://tinyurl.com/mr27nxsj>

1. CALL TO ORDER

Council President Linehan called the meeting to order at 7:12 PM.

2. PLEDGE OF ALLEGIANCE & MOMENT OF SILENCE IN HONOR OF SERVICE MEMBERS

3. ROLL CALL

Also in attendance was Lisa Cagno, Prasanna Rajasekaran, Alicia McNeil, Maria Luise, Ron Hogan, Nelson Miller, and a number of members of the public.

Present - Councillors: 11 - Karen Colon Hayes, Paul Condon, Peg Crowe, Amanda Linehan, Carey McDonald, Ryan O'Malley, Jadeane Sica, Chris Simonelli, Ari Taylor, Stephen Winslow and Michelle Luong

4. PUBLIC COMMENT

No members of the public signed up to speak during public comment at this evening's meeting.

5. HEARINGS, PETITIONS, MEMORIALS, AND REMONSTRANCES

Council will hold a public hearing on the petition to amend the special permit granted to DMS Trinity, LLC on behalf of Charles Street Realty Trust 2020, Roseanne J. Spinney, TRS.

[334-26](#)

Petition: DMS Trinity, LLC dba Trinity Naturals seeking amendment to special permit application # CMID-040598-2021 as granted by Council Paper 202-22, time extended by Council Paper 233-23, amended floor plan by Council Paper 77-25, now seeks to reissue the special permit and/or transfer the rights authorized by the special permit to a different entity at the property known as and numbered

36 Charles Street, Malden, MA and also known by City Assessor's Parcel ID #062 239 910.

(Public Hearing Required)

Attachments: [Application to Amend Special Permit](#)
[Public Hearing Notice](#)
[Abutters List 500'](#)
[SP Decision 202-22 36 Charles Street DMS Trinity](#)
[SP Decision Case 233-23 36 Charles Street DMS Trinity LLC](#)
[SP Decision Case 77-25 36 Charles](#)
[Planning Board Recommendation 36 Charles June 10 2026](#)
[Gath Statement DMS Trinity 6.20.2026 334-26](#)
[Opposition from Misty Mtn Attorney June 22 2026 334-26](#)
[DMS Trinity - Special Permit Legal Opinion June 23 2026 334-26](#)
[CLEC Building Memo on Transfers June 23 2026](#)
[Council Letter From DMS 6-23-26](#)
[DMS Trinity LLC Presentation June 23 2026 334-26](#)
[SP Decision Case 334-26 36 Charles Street DMS Trinity LLC](#)

Nelson Miller and Ron Hogan, representing the Cannabis Licensing and Enforcement Commission (CLEC), spoke to the Council to giving a brief review of the history of approving retail marijuana licenses. There are three distinct processes: 1) licensing through the CLEC; 2) a special permitting/zoning process, which is overseen by the City Council; 3) host community agreement, (HCA) which is negotiated through the Mayor's Office. These three steps are governed by differing authorities as a means of having checks and balances. Having the special permit/zoning process in place prior to the other two only makes sense as the license and host community agreement details are dependant upon the terms of the special permit. Given the applicant is before the Council this evening, does not mean they won't also need to complete the other two licensing steps as required by the City.

It was reiterated several times throughout the course of this evening's meeting, that the petitioner is not able to bring their new investor to be vetted by the CLEC, until and unless the special permit is amended by the Council. MCC 6.08.070.F as currently written does not allow for the CLEC to transfer a license; the special permit must first be amended by the Council before the petitioner and their new investor may proceed with CLEC and HCA.

For this evening's purposes, the Council only need concern themselves with the question of allowing the non-transferability to be removed from the current special permit. Further, the recommendation of the Building Commissioner is that the special permit be assigned to the property, not the petitioner, just as all other special permits issued by the City are managed.

The validity of the special permit being discussed tonight has been questioned for not having been recorded at the Registry of Deeds. In fact, the work provided for in this special permit was begun and completed, showing the petitioner has exercised their rights under the special permit. Additionally, the Permit Extension Act automatically extends the lifespan of this permit without requiring the applicant to file additional paperwork. Building Commissioner Miller stated his confidence that the permit is legally

valid. The City Solicitor has also offered an opinion on this issue, agreeing that the permit is valid.

Councillor O'Malley asked why the petitioner is before the Council first in this process instead of going first through the CLEC. Previously, when applications first opened for retail marijuana the process was that the application began with the CLEC. Through the vetting of the CLEC, certain applications were then moved forward for the zoning approval process. CLEC oversight didn't end there but rather continued ongoing throughout the entire process as the petition progressed. As a part of the same process, when a petitioner is seeking an amendment to their zoning, this must be done first to get the location in order, before they then go before CLEC to complete the vetting process. It doesn't make sense for CLEC/Mayor to finalize their piece of the vetting process if the Council is then going to vote to change the transferability of the special permit for a new business partner that would then need to be vetted all over again.

Councillor O'Malley asked City Solicitor McNeil what involvement the Legal Department had in having the petitioner come before the Council for the zoning piece before the CLEC for the licensing piece. Solicitor McNeil stated her office had no involvement in the order for which this process is taking place.

Councillor O'Malley also asked why this public hearing was scheduled for the last meeting of the Council prior to the summer break. The timing of this meeting was triggered by the submission of the application by the petitioner. Once the process begins, the clock starts on a 65 day window in which to schedule the hearing with the body, alert abutters, publish the public notice for two consecutive weeks in advance, etc.

Councillor O'Malley expressed that he feels undue pressure regarding this timeline in that the body has not been given enough time to complete their due diligence. In fact, this petition was sent to abutters and Councillors on May 27, posted to the city website on June 9, and published in the Malden Advocate on June 5 and 12 in preparation for this June 23 hearing.

Councillor O'Malley made a motion to table this petition. Motion failed for lack of a second.

Councillor O'Malley stated he is unclear on what the Council is meant to be taking action. He expressed his opinion that this process has been unprofessional and untimely; as such he chose to remove himself from the conversation. Councillor O'Malley vacated the Chamber at 9:00 PM and is not reflected in the roll call vote taken by the Body.

Once the public hearing was open, those speaking in favor of the petition were:
Attorney Roberto DeMarco of 350 Main Street, Malden, presenting on behalf of the petitioners.

Those speaking in opposition were:

Attorney Blake Mensing of 90 Conz Street, Northampton, presenting on behalf of Misty Mountain;

Erik Gath, Owner of Misty Mountain at 323 Commercial Street, Malden;

Christopher Dreyer of Mountain Avenue, Malden.

During the public hearing an unidentified man got up at the microphone, scolded Councillor Condon on an unrelated matter and walked out of Chambers without stating name or address.

A motion was made by Councillor Sica, seconded by Councillor Simonelli, to grant the petition to amend the Special Permit to remove the non-transferable condition. The motion carried by the following vote:

Yea: 10 - Colon Hayes, Condon, Crowe, Linehan, McDonald, Sica, Simonelli, Taylor, Winslow and Luong

6. MOTIONS, ORDERS, AND RESOLUTIONS

335-26

Be it ordained by the Malden City Council that the Code of the City of Malden (MCC) 12.12.300 INCLUSIONARY ZONING is hereby amended by striking the ordinance in its entirety and inserting the following:

Sponsors: Stephen Winslow

Attachments: [IZ Section-By-Section Attachment A](#)

[IZ OSPCD Cover letter](#)

[IZ Study Report](#)

[IZ Section-By-Section with Summary for CC distribution](#)

[Amended Language, Section H June 23 2026 335-26](#)

[CCP 335-26 PB Report](#)

[CCP 335- 2026 PBR 8.26 wAtt](#)

[Comment approval of docket-number 335-26, approving amendment to Inclusionary Zoning Ordinance](#)
[Public Comment 335 & 369](#)

[Malden City Council Meeting Sep 8th, 2026 - Item 335-26 Public Comment](#)

[Public comment on city council item 335-26](#)

[Public Comment City Council Paper 335-26](#)

[335-26 Comment on Zoning Reform](#)

[335-26 Comment re affordable housing](#)

[335-26 Public comment on housing ordinance](#)

[09 08 26 - 335-26 - Malden inclusionary zoning ordinance meeting](#)

[CCP 335 26 regarding changes to inclusionary zoning](#)

[Public Comment on Support for 335-26 and 369-26](#)

[Comment for 335 and 369](#)

[Re 335-26](#)

[Public Comment for 335-26](#)

[Public Comment - Papers 335-26 & 369-26](#)

[In support of CCP 369 & 335](#)

[Two comments 369 & 335](#)

[Comments on 369-26 and 335-26](#)

[Bryan Vermes - Public Comment - Malden - IZ-CCP335-2026](#)

Section H. In-Lieu Fee of the proposed ordinance was amended on the floor to reflect that approval of in lieu fees are contingent on approval of the Affordable Housing Trust and not the Director of OSPCD.

A motion was made by Councillor McDonald, seconded by Councillor Winslow,

that the Ordinance be amended. The motion carried by a unanimous vote.

A motion was made by Councillor Winslow, seconded by Councillor Colon Hayes, that the Ordinance be referred to a joint session of the Planning Board and Rules & Ordinance. The motion carried by a unanimous vote.

7. COMMUNICATIONS

336-26

Communication: The Board of Registrars of Voters respectfully submits to the City Council the Board's recommendation for papers necessary to the upcoming 2026 State Election cycle, numbered as 337, 338, 339, and 340 Series of 2026. The Board recommends these papers out favorably by unanimous vote for adoption by the Council.

This Communication was received and filed.

337-26

Order: That the City Council adopt in-person Early Voting for the 2026 election cycle, and to designate the City Clerk's Office, 215 Pleasant Street, Room 220 as the central early voting polling location during the dates and times to be determined as voted on by the Board of Registrars of Voters, which are as follows:

Attachments: [Final Paper: 337-26](#)

A motion was made by Councillor Simonelli, seconded by Councillor Taylor, that the Order be adopted. The motion carried by a unanimous vote.

338-26

Order: That the City Council designate the polling locations for the entirety of the 2026 election cycle as follows:

Attachments: [Final Paper: 338-26](#)

A motion was made by Councillor Simonelli, seconded by Councillor Taylor, that the Order be adopted. The motion carried by a unanimous vote.

339-26

Order: That for the entirety of the 2026 Election cycle, the City detail a minimum of one officer for each polling building, to be determined by the Chief of Police and the City Clerk, or their respective designees.

Attachments: [Final Paper: 339-26](#)

A motion was made by Councillor Simonelli, seconded by Councillor Taylor, that the Order be adopted. The motion carried by a unanimous vote.

340-26

Order: That the City Clerk notify and warn the inhabitants of the City of Malden who are qualified to vote in the State Primary and Election to vote at their respective wards and precincts on Tuesday, September 1 and Tuesday, November 3, 2026 respectively, from 7:00 A.M. TO 8:00 P.M. per the Secretary of State's election warrant.

Attachments: [Final Paper: 340-26](#)

A motion was made by Councillor Simonelli, seconded by Councillor Taylor, that the Order be adopted. The motion carried by a unanimous vote.

8. COMMITTEE REPORTS**341-26**

Committee Report: The Standing Committee on Rules and Ordinances to whom was referred Papers 317, 318, 319, and 320 Series of 2026 having considered the same make the following report:

A motion was made by Councillor Winslow, seconded by Councillor Luong, that the Committee Report be received and filed. The motion carried by a unanimous vote.

317-26

Be it ordained by the Malden City Council that the Code of the City of Malden (MCC) 2.16.030 CANNABIS LICENSING AND ENFORCEMENT COMMISSION is hereby amended by striking Subsection C and inserting the following:

C. The Cannabis Licensing and Enforcement Commission shall consist of three (3) members, as follows:

1. Police Chief
2. Building Commissioner
3. City Staff member with finance background as appointed by Mayor

Sponsors: Stephen Winslow

Attachments: [Current 2.16.030 Cannabis Licensing and Enforcement Commission Ordinance](#)

This paper was tabled in committee and therefore not presented as part of the Rules & Ordinance committee report.

318-26

Be it ordained by the Malden City Council that the Code of the City of Malden (MCC) 2.16.040 CEMETERY TRUSTEES is hereby amended by striking subsection (A) and inserting the following:

A. City cemeteries shall be under the care and management of three (3) trustees, all of whom shall be chosen by the City Council for a term of five years. Commencement of the three-member board shall take effect at such time as the current five-member board is reduced by attrition.

Sponsors: Stephen Winslow

Attachments: [Current 2.16.040 Cemetery Trustees Ordinance](#)
[Final Paper: 318-26](#)

A motion was made by Councillor Winslow, seconded by Councillor Colon Hayes, that the Ordinance be enrolled. The motion carried by a 10-1 voice vote. Councillor O'Malley dissenting.

A motion was made by Councillor Winslow, seconded by Councillor Crowe, that Council rules suspended for the purpose of ordaining. The motion carried by a 10-1 vote.

Yea: 10 - Colon Hayes, Condon, Crowe, Linehan, McDonald, Sica, Simonelli, Taylor, Winslow and Luong

Nay: 1 - O'Malley

A motion was made by Councillor Winslow, seconded by Councillor Crowe, that the Ordinance be ordained. The motion carried by the following vote:

Yea: 10 - Colon Hayes, Condon, Crowe, Linehan, McDonald, Sica, Simonelli, Taylor, Winslow and Luong

Nay: 1 - O'Malley

319-26

Be it ordained by the Malden City Council that the Code of the City of Malden (MCC) 2.16.090 EMERGENCY MANAGEMENT BOARD is hereby amended by:

1. Striking Subsection A in its entirety and inserting the following:

A. The Emergency Management Board shall be comprised of the Police Chief or their designee, the Fire Chief or their designee, the Director of Public Works, the Director of Public Health, and the Director of Public Facilities.

2. Adding the following to Subsection D(1):

Oversight of the Emergency Management Board shall be the responsibility of the Director of Emergency Management, who shall be designated by the Mayor from either the Police Chief or their designee or the Fire Chief or their designee.

Sponsors: Stephen Winslow

Attachments: [Current 2.16.090 Emergency Management Board Ordinance](#)

[Final Paper 319-26 2.16.090 Emergency Management Board Ordinance Amendment](#)

Recommendation from R&O Committee was to amend the paper utilizing gender-neutral pronouns and to move the last sentence of section A to D.1 in the MCC.

A motion was made by Councillor Winslow, seconded by Councillor Simonelli, that the Ordinance be amended. The motion carried by a unanimous vote.

A motion was made by Councillor Winslow, seconded by Councillor Crowe, that the Ordinance be enrolled as amended. The motion carried by a unanimous vote.

A motion was made by Councillor Winslow, seconded by Councillor Simonelli, that the Ordinance be rules suspended for the purpose of ordaining. The motion carried by the following vote:

Yea: 11 - Colon Hayes, Condon, Crowe, Linehan, McDonald, O'Malley, Sica, Simonelli, Taylor, Winslow and Luong

A motion was made by Councillor Winslow, seconded by Councillor Simonelli, that the Ordinance be ordained. The motion carried by the following vote:

Yea: 11 - Colon Hayes, Condon, Crowe, Linehan, McDonald, O'Malley, Sica, Simonelli, Taylor, Winslow and Luong

320-26

Be it ordained by the Malden City Council that the Code of the City of Malden (MCC) 4.12.020 BUILDING PERMIT FEES Subsection C is hereby amended by striking '\$16' and inserting '\$18' in its place.

Sponsors: Stephen Winslow

Attachments: [Current 4.12.020 Building Permit Fees Ordinance](#)
[Final Paper: 320-26](#)

A motion was made by Councillor Winslow, seconded by Councillor Simonelli, that the Ordinance be enrolled. The motion carried by a unanimous vote.

A motion was made by Councillor Winslow, seconded by Councillor Simonelli, that Council rules be suspended for the purpose of ordaining. The motion carried by the following vote:

Yea: 11 - Colon Hayes, Condon, Crowe, Linehan, McDonald, O'Malley, Sica, Simonelli, Taylor, Winslow and Luong

A motion was made by Councillor Winslow, seconded by Councillor Simonelli, that the Ordinance be ordained. The motion carried by the following vote:

Yea: 11 - Colon Hayes, Condon, Crowe, Linehan, McDonald, O'Malley, Sica, Simonelli, Taylor, Winslow and Luong

342-26

Committee Report: The Standing Committee on License to whom was referred Papers 273, 274 and 311 through 315 Series of 2026 having considered the same make the following report:

A motion was made by Councillor Sica, seconded by Councillor Taylor, that the Committee Report be received and filed. The motion carried by a unanimous vote.

273-26

Petition: Open-Air Parking Lot: AGM Auto Sales, Inc., 135 Eastern Avenue, Malden, 28 spaces (Renewal)

A motion was made by Councillor Sica, seconded by Councillor O'Malley, that the Petition be granted. The motion carried by a unanimous vote.

274-26

Petition: Pool Tables: Top Pools, Inc., 77 Exchange Street, Malden, 7 tables (New)

A motion was made by Councillor Sica, seconded by Councillor O'Malley, that the Petition be granted. The motion carried by a unanimous vote.

311-26

Petition: Extended Hours: El Mexsal, 97 Medford Street, Malden, Hours: 7 Days, 6am- 1am (New)

A motion was made by Councillor Sica, seconded by Councillor O'Malley, that the Petition be granted. The motion carried by a unanimous vote.

312-26

Petition: Livery Company: Luxury Fleet, LLC, 9 Constance Street, Malden, 1 Vehicle (New)

A motion was made by Councillor Sica, seconded by Councillor O'Malley, that the Petition be granted. The motion carried by a unanimous vote.

313-26

Petition: Livery Driver: Ankush Kumar, 9 Constance Street, Malden (New)

A motion was made by Councillor Sica, seconded by Councillor O'Malley, that the Petition be granted. The motion carried by a unanimous vote.

[314-26](#)

Petition: Outdoor Parking: United Properties Inc. 25 Florence Street, Malden, 34 spaces (Renewal)

A motion was made by Councillor Sica, seconded by Councillor O'Malley, that the Petition be granted. The motion carried by a unanimous vote.

[315-26](#)

Petition: Outdoor Parking: United Properties Inc. 29 Madison Street, Malden, 40 spaces (Renewal)

A motion was made by Councillor Sica, seconded by Councillor O'Malley, that the Petition be granted. The motion carried by a unanimous vote.

[343-26](#)

Committee Report: The Standing Committees on Economic Development and Rules and Ordinance serving in a joint session to whom was referred Paper 263 Series of 2026, having considered the same make the following report:

A motion was made by Councillor Winslow, seconded by Councillor Taylor, that the Committee Report be received and filed. The motion carried by a unanimous vote.

[263-26](#)

Be it ordained by the Malden City Council that the Code of the City of Malden (MCC) Title 12 is hereby amended by the following regarding residential kitchens as is outlined in the body of this paper:

Sponsors: Michelle Luong, Amanda Linehan, Carey McDonald, Ari Taylor, Ryan O'Malley and Peg Crowe

Attachments: [263-26 June 23, 2026 Edits Retail Residential Kitchen Zoning](#)
[CCP 263-26 PB Report](#)
[CCP 263 2026 PBR 8.26 wAtt](#)
[263-26 cottage bakery comment](#)
[263-26 City council Meeting letter](#)

A motion was made by Councillor Winslow, seconded by Councillor Luong, that the Order be amended in accordance with the recommendation of the R&O Committee, by splitting the paper. The motion carried by a unanimous vote.

A motion was made by Councillor Winslow, seconded by Councillor Luong, that the Order be referred to the Planning Board for a joint public hearing with Rules & Ordinance Committee. The motion carried by a unanimous vote.

[263A-26](#)

Be it ordained by the Malden City Council that the Code of the City of Malden (MCC) Title 9 is hereby amended by adding 9.10 RESIDENTIAL KITCHENS as follows:

Sponsors: Michelle Luong, Amanda Linehan, Peg Crowe, Carey McDonald, Ryan O'Malley and Ari Taylor

A motion was made by Councillor Winslow, seconded by Councillor Luong, that the Ordinance be referred to the Board of Health. The motion carried by a unanimous vote.

9. TABLED PAPERS

[285-26](#)

Petition: Massachusetts Electric Company dba National Grid and Verizon New

England, Inc. Plan No. 31115123 - National Grid to install 1 JO pole on Floral Avenue beginning at a point approximately 0 feet northeast of the centerline of the intersection of Floral Avenue and Gordon Street and continuing approximately 20 feet in a northeast direction. National Grid is petitioning to install new pole (P4799-84) and sidewalk guy wire fixture approximately 29 feet southeast off existing pole (P4799) on Floral Avenue Malden, MA.
(Hearing Required)

Attachments: [88 Floral Avenue Petition](#)
[Abutters 88 Floral Avenue](#)
[Hearing Notice 88 Floral Avenue](#)
[Public Hearing Comment Agenda Item 285-26](#)

321-26

Petition: Massachusetts Electric Company dba National Grid and Verizon New England, Inc. Plan No. 31120327

- National Grid to install 1 Sole Owned pole on Pearl Street beginning at a point approximately 145 feet south of the centerline of the intersection of Medford Street and Pearl Street, in front of 392 Pearl Street. National Grid to install new sole owned pole 354-50-1 for future riser pole.
- National Grid to install 1 Joint Owned pole on Pearl Street beginning at a point approximately 145 feet south of the centerline of the intersection of Medford Street and Pearl Street, in front of 363 Pearl Street. National Grid to install new joint owned pole 354-50 for mid-span tap.
- National Grid to install underground facilities on Pearl Street beginning at a point approximately 20 feet north of the centerline of the intersection of Medford Street and Pearl Street, in front of 315 Medford Street, and continuing approximately 205 feet in a south direction, ending in front of 392 Pearl Street. National Grid is petitioning to install two 5-inch ducts from existing MH 605 south approximately 205 feet to a new riser pole on the east side of Pearl Street.

(Hearings Required)

Attachments: [Pearl Street - New Sole Owned Pole Petition](#)
[Pearl Street - New Joint Owned Pole Petition](#)
[Pearl Street - Underground Conduit Petition](#)
[Abutters 316 Medford Street \(Pearl St\)](#)
[Hearing Notice Pearl Street Petitions](#)

10. PERSONAL PRIVILEGE

11. ADJOURNMENT

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

Meeting adjourned at 9:55 PM.

CAROL ANN DESIDERIO, CITY CLERK

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