



Town of Swampscott

*OFFICE OF THE SELECT BOARD
Elihu Thomson Administration Building
22 Monument Avenue
Swampscott, MA 01907-1940*

*Neal Duffy, Vice Chair
Mary Ellen Fletcher
David Grishman
Katie Phelan
Peter A. Spellios*

***SELECT BOARD
EXECUTIVE SESSION
MEETING AGENDA***

*Sean R. Fitzgerald
Town Administrator
Tel: (781) 596-8850
Email: sfitzgerald@swampscottma.gov*

***MEETING DATE:** June 7, 2022 @ 5:30 PM*

***MEETING LOCATION:** Swampscott High School, 200 Essex Street, Principal's Conference Room*

AGENDA:

1. Vote to enter into Non-Public Executive Session:
 - Executive Session - G.L. c.30A, §21(a)(6) to consider the purchase, exchange, lease or value of interests in real property, including but not limited to potential easements, where the Chair declares that discussion in open session may have a detrimental effect on the negotiating position of the Town – 0 Archer Street.



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SELECT BOARD MEETING AGENDA

Sean R. Fitzgerald
Town Administrator
Tel: (781) 596-8850
Email: sfitzgerald@swampscottma.gov

MEETING DATE: June 7, 2022 @ 6:00 PM

MEETING LOCATION (IN PERSON with VIRTUAL OPTION):

- In Person: Swampscott High School, 200 Essex Street, Room B129
- Virtual Option (see Zoom details below)

*This meeting/hearing of the Swampscott Select Board will be held **in-person** at the location provided on this notice. Members of the public are welcome to attend this in-person meeting. Virtual access to this meeting is also available. Access information is included at the bottom of this agenda.*

A. PUBLIC COMMENTS

B. TOWN ADMINISTRATOR REPORT

C. NEW AND OLD BUSINESS (Possible action / vote of the board)

1. Proclamations
 - a. Pride Day 2022
 - b. Gun Violence
2. Recommendation for new Library Director
3. Review and discussion of the Special Town Meeting Warrant
 - a. Article #1 – Acquisition of Land
 - b. Article #2 - Glover Multifamily Overlay District
 - c. Article #3 – Appropriation for Recommended Capital Projects
4. Discussion/vote on 2022-23 Select Board officers and committee liaisons

D. VOTES OF THE BOARD

- Approval of the consent agenda

CONSENT AGENDA

The Consent agenda is designed to expedite the handling of routine and miscellaneous business of the Board. The Select Board may adopt the entire consent Agenda with one motion. At the request of any Board member, any item(s) may be removed from the Consent Agenda and placed on the Regular Agenda for discussion.

Consent Agenda Items:

- Vote to approve minutes of the regular meeting of 5/25/22

E. SELECT BOARD TIME

As set forth above, this meeting/hearing of the Swampscott Select Board will be held in-person at the location provided on this notice. Members of the public are welcome to attend this in-person meeting.

If accessing the meeting online or on the smartphone app, you will be muted upon entering the meeting but can be unmuted to speak by using the “raise your hand” feature in the application. If you are viewing the meeting by phone, Facebook Live, or on TV, you can email questions in advance or during the meeting to Neal Duffy, Vice-Chair of the Select Board at nduffy@swampscottma.gov.

Online:

- Go to <https://swampscottma.zoom.us/j/87691391549>
- You will need to download Zoom software to access this meeting and computer speakers in order to hear it

By Phone

- Call (929) 205-6099
- Enter webinar ID: 876 9139 1549

Using the Zoom smartphone application

- Enter webinar ID: 876 9139 1549

Online on Swampscott Government Access TV: tv.swampscottma.gov

Facebook Live: On the Town Facebook Page - @SwampscottMA01907

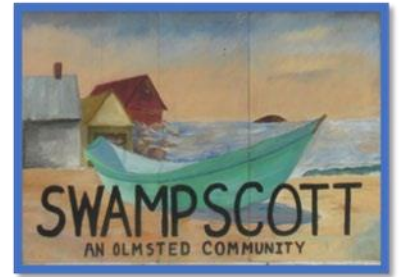
On Government Access TV:

Comcast - Channel 22; Verizon - Channel 41



Town of Swampscott

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Elihu Thomson Administrative Building
22 Monument Avenue
Swampscott, MA 01907



Sean R. Fitzgerald
Town Administrator

Tel: (781) 596-8850
Email: sfitzgerald@swampscottma.gov

June 7th 2022

Swampscott Select Board
Town Administration Building
22 Monument Avenue
Swampscott, MA 01970

RE: June 7th REPORT TO THE SELECT BOARD

Dear Select Board:

I am pleased to be able to offer the following report on programs and initiatives that are on-going in the Town of Swampscott, as well as some updates on a variety of things that have happened since my last report.

LIBRARY

I am pleased to report that I have a signed conditional offer from Jonathan Lewis Nichols for the Library Director Position. I would like to present this candidate to the Select Board this Tuesday if possible. Jonathan Lewis Nichols is a resident of Salem, MA and has been working as the Asst. Director for the City of Haverhill Library. Mr. Lewis Nichols is the unanimous preference for both the Screening Committee (Library Board) and the TA. I have attached his resume for your review.

SPECIAL TOWN WARRANT

On Tuesday, I joined the Finance Committee to discuss the Special Town meeting Warrant and land acquisition. I provided rationale for supporting the METCO and Veterans Capital investments and well as the acquisition of Open Space and I continue to hold strategic discussions with individuals regarding possible acquisition of open space.

I also am attaching the financial information share with the Finance Committee for the Board's review. I will be meeting with the Finance Committee again this Monday, June 6th to discuss the warrant.

STATUE DONATION

Rodger Volk has reached out to me several times looking to donate a statue of his five young children to the Town. He shared that the value of the statue is \$100K—I have been working with Gino to find a suitable location for this artwork. I am inclined to see if Reach Arts can paint it and perhaps, we can install in next to the Library.

COMMUNITY & ECONOMIC DEVELOPMENT:

As part of the Transportation Improvement Program (FY23-27), the Metropolitan Planning Organization has awarded the Town \$8,932,000 for the construction of the Rail Trail!

Work on the Windsor Playground is still ongoing. There will be a soft re-opening sometime this summer.

PUBLIC WORKS/FACILITIES:

The Public Works staff now stands at 16 members with the hiring of Derek Pitman on May 23, 2022. Derick is a Swampscott native and was able to hit the ground running. Here are a few updates:

- Stacy's Brook Sewer Main Rehabilitation Project Phase 1C –
 - Sewer lateral lining has been ongoing on Paradise Road and Norfolk Ave for the past three weeks.
 - Projected project completion is July 1, 2022
- Waterfront Access & Flood Protection Project –
 - The exposed aggregate concrete plaza at the entrance to Phillips Beach was rejected for the second time on May 26, 2022. The Public Works Director recommended that JAM Corp subcontract the concrete work to a contractor better suited to complete the work to the Town's satisfaction.
- Atlantic Ave & Jesse Street Water Main Improvements Project –
 - The installation of a new 8-inch water main on Jesse Street was completed on May 13th
- Burpee Road Roadway Improvements Project –
 - New asphalt curbing and sidewalks were completed at the beginning of May.
 - Roadway resurfacing was completed on May 9th.
- Walker Road Roadway Improvements Project –
 - Roadway milling will be completed
 - Sewer, Water, Drain and Gas structures have all been adjusted
 - Existing asphalt berm and asphalt sidewalks have been removed
 - New asphalt berm and sidewalk installation scheduled for week of June 6th.
 - Granite bump outs at the intersection of Walker and Banks scheduled for the week of June 13th
 - Paving scheduled for the week of June 20th.
- MassDOT Route 1A Improvements Project –
 - Overnight work began the week of May 30th after a two-week hiatus.
- MBTA Bus Stop Improvements Project –
 - Installation of ADA compliant bus stops at 60 Humphrey Street (both sides of roadway) were completed on May 27th.

MEMORIAL DAY

I appreciate all the work and effort that has gone into ensuring Swampscott has some very special Memorial Day events.

Hard to think any community has more or is more thoughtful and mindful of the supreme sacrifice that those friends, neighbors and loved ones make on our behalf. Special thanks to Select Board member David Grishman for speaking at Monday's Memorial Day and for the other Board members who also attended.

BUILDING DEPARTMENT:

The Building Department has issued:

- | | |
|-------------------------|--------------------|
| • 26 Plumbing permits | \$1,195.00 |
| • 17 Gas permits | \$580.00 |
| • 20 Electrical permits | \$1,410.00 |
| • 48 Building permits | <u>\$12,325.00</u> |
| • 111 Total permits | \$15,510.00 |

Inspectors have been out doing inspections all week and Steve Cummings, Building Inspector, has been

DEP SUPERSEDING ORDER:

On May 17th, I joined members of Swampscott's Conservation Commission and MA DEP on a site visit to the campus of the Stanley School.

DEP has issued the attached letter which includes the Superseding Order of Conditions. In short, they have affirmed the Con Com decision with some very minor tweaks mostly related to the DEP having oversight of the project moving forward, which was expected. This is good news and speaks to the thoroughness of the Conservation Commission and Town to protect the environment.

RAIL TRAIL

I joined Neal and David and advocated for the Metropolitan Planning Organization to include in the FFY23-27 TIP the Swampscott Rail Trail. No small news—the MPO has voted to approve our project and we are programmed to receive \$8,923,000 for construction of the rail trail. These funds include the cost of construction, including the bridge.

PRIDE MONTH

June 4th saw the Pride Day flag raising and celebration. This event was well attended, and another amazing event and I am pleased to see this event grow each year. Staff are already in discussion for plans for next year's event.

I do want to stress that these events are critically important as we see so many members of the LGBTQ+ face tremendous challenges. In fact, numerous studies have shown that lesbian, gay, and bisexual youth have a higher rate of suicide attempts than do heterosexual youth. The Suicide Prevention Resource Center estimated that between 5 and 10% of LGBT youth, depending on age and sex groups, have attempted suicide, a rate 1.5-3 times higher than heterosexual youth. This higher prevalence of suicidal ideation and overall mental health problems among gay teenagers compared to their heterosexual peers has been attributed to stress and challenges simply about being accepted and being different.

Parents with higher levels of education or belonging to different ethnicities do not seem to provide significant impact on LGBT+ suicide statistics.

To help address this public health crisis, and to build community, I am pleased to see these event well supported in Swampscott. A proclamation celebrating Pride Month is attached.

GUN VIOLENCE PROCLAMATION:

I have drafted a proclamation on Gun Violence for the Board to consider—we continue to see a dramatic rise in gun violence and mass shootings and enough is enough. We need to raise this conversation up publicly and help drive a policy change that we deserve.

RECREATION

June 6th was the annual golf tournament & was a sell-out. All proceeds benefit the Recreation Department's effort to help raise funds for the Fireworks. Here is a recap of upcoming June Recreational events:

- June 12th – October 30th -Farmer's Market, Sundays, 10:00 AM – 1:00 PM on the Town Hall Lawn
- June 16th – Juneteenth Celebration on the Town Hall Lawn, 1:00 PM – 3:00 PM. Free public event
- June 25th – Harbor Festival at Fisherman's Beach, 10:00 AM – 2:00 PM. Free event. There will be food, kids games, and a concert with Phillip Kids & Sea Shanty's

- June 26th – Strawberry Festival on the Town Hall Lawn from 4:00 PM – 8:00 PM, Parade at 5:00 PM, Brian Maes concert at 6:00 PM. There will be a beer garden, food & other vendors
- June 25th/26th – Swampscott's 170th Anniversary historical events will be tied in with other events
- June 27th – start of summer programs

JUNETEENTH CELEBRATION

On June 16th, the Town will hold our second JUNETEENTH Celebration from 1PM—3PM on the Town Hall lawn. This is another important celebration of our values as a community.

Respectfully Submitted,



Sean R. Fitzgerald
Town Administrator

FinCom Info Requests

1. I would like to see some back-up or explanation on how the town assessed the Hawthorne property, and what led to the increases in the past years and how that compares to increases in other property of similar size. I checked the assessors report that is publicly available and I did not see any comparative sales listed.

Response from Assessor:

The assessment on this property is based on a building value and land value, as well as a special feature value (paving, coolers, etc.). Building values are based on building cost tables which are maintained by Patriot Properties, so while there are no direct comparable sales within Swampscott, the associated building cost increases, which are then depreciated, are supported by these market cost tables. The increase in building value for FY22 was 10.52% which is inline with other properties. The Land value had not been adjusted between FY20 and FY21, so there was a 15.38% increase for FY22, but that represents two year's worth of market increases. The overall assessment is up 13% from FY21 to FY22 which is also inline with other properties in Swampscott.

2. Are we being asked to report or give a recommendation on the zoning changes for the Glover property (there is a placeholder in the draft warrant Patrick circulated - not sure if that stayed in in the closed warrant). If so, we should get some information on the impact of the construction and the completed and occupied development on the town's operating budget and expenses and also on the expected revenue. If not, it might still be worthwhile to have that information anyway, because part of the deal to buy the Hawthorne property is the development of the Glover property, and gain on revenue (if any) on the Glover may mitigate the loss in revenue on one side of town.

The printed warrant states that finance committee will report on article 2, so yes the expectation would be that finance committee has some comment on the matter. I am attaching very brief information on the glover property/tax revenues and some arbitrary calculations of possible new growth from the development to start discussion. I can gather more data for fincom based on the direction of the conversation.

3. I'd like to see debt service payments for 20, 25 and 30 years, based on level debt service....I'm assuming the 30 year schedule will support the numbers Patrick has in his presentation material.

Our financial advisor is working on debt amortization schedules that I requested last week for the \$8,875,000 figure for this project. I did not receive them in time for tonight's meeting but am told I should have them by tomorrow. I am attaching the amortizations that I used last week as a place-holder but what the FA provides us will reflect a more structured amortization of the debt and be the basis of analysis going forward.

4. An analysis of the debt service trends over the next 5 or so years based on the current 5-year capital plan (something similar to the analyses Patrick did for the new school showing when existing debt service would drop off and new debt services for planned projects like the MS would kick in). This would also fold in the stabilization fund thinking ...how much will be available to use to offset tax impact when accounting for the new school as well? Perhaps we can look at using a bit more than just “excess” reserves and take the Stabilization reserve down into the guidance range (even closer to the lower end if needed)?

Attaching draft debt service projection including components of current capital plan for discussion

TOWN OF SWAMPSCOTT, MASSACHUSETTS

Land Acquisition Financing

October 2022 Bond issue - First payments, August 2023

Twenty-five year repayment - level debt service

UniBank Fiscal Advisory Services, Inc.

6/3/2022

Financing	\$	8,875,000.00
Principal	\$	8,835,000.00
All-in cost		4.0455%

<u>Fiscal Year</u>	<u>Principal</u>	<u>Interest</u>	<u>Total</u>
2024	\$ 85,000.00	\$ 485,855.94	\$ 570,855.94
2025	\$ 215,000.00	\$ 358,662.50	\$ 573,662.50
2026	\$ 225,000.00	\$ 347,662.50	\$ 572,662.50
2027	\$ 235,000.00	\$ 336,162.50	\$ 571,162.50
2028	\$ 250,000.00	\$ 324,037.50	\$ 574,037.50
2029	\$ 260,000.00	\$ 311,287.50	\$ 571,287.50
2030	\$ 275,000.00	\$ 297,912.50	\$ 572,912.50
2031	\$ 290,000.00	\$ 283,787.50	\$ 573,787.50
2032	\$ 300,000.00	\$ 271,662.50	\$ 571,662.50
2033	\$ 310,000.00	\$ 261,750.00	\$ 571,750.00
2034	\$ 320,000.00	\$ 251,512.50	\$ 571,512.50
2035	\$ 330,000.00	\$ 240,331.25	\$ 570,331.25
2036	\$ 345,000.00	\$ 227,881.25	\$ 572,881.25
2037	\$ 355,000.00	\$ 214,756.25	\$ 569,756.25
2038	\$ 370,000.00	\$ 200,931.25	\$ 570,931.25
2039	\$ 385,000.00	\$ 186,062.50	\$ 571,062.50
2040	\$ 400,000.00	\$ 170,362.50	\$ 570,362.50
2041	\$ 420,000.00	\$ 153,962.50	\$ 573,962.50
2042	\$ 435,000.00	\$ 136,590.63	\$ 571,590.63
2043	\$ 455,000.00	\$ 118,234.38	\$ 573,234.38
2044	\$ 470,000.00	\$ 99,156.25	\$ 569,156.25
2045	\$ 495,000.00	\$ 78,943.75	\$ 573,943.75
2046	\$ 515,000.00	\$ 57,481.25	\$ 572,481.25
2047	\$ 535,000.00	\$ 35,168.75	\$ 570,168.75
2048	\$ 560,000.00	\$ 11,900.00	\$ 571,900.00
2049			\$ -
2050			\$ -
2051			\$ -
2052			\$ -
2053			\$ -
Total	<u>\$ 8,835,000.00</u>	<u>\$ 5,462,055.95</u>	<u>\$ 14,297,055.95</u>

TOWN OF SWAMPSCOTT, MASSACHUSETTS

Land Acquisition Financing

BANs until March 2024 - Bonds payable annually in October, beginning October 2024

Twenty-five year repayment - level debt service

UniBank Fiscal Advisory Services, Inc.

6/3/2022

BANs

Par	Issue Date	Due Date	Years
\$ 8,875,000.00	10/18/2022	10/18/2023	1.0000
\$ 8,875,000.00	10/17/2023	3/5/2024	0.3833

Bonds

Financing	\$ 8,875,000.00
Principal	\$ 8,830,000.00
All-in cost	4.3495%

<u>Fiscal Year</u>	<u>Principal</u>	<u>Interest</u>	<u>Total</u>
2024		\$ 315,432.29	\$ 315,432.29
2025	\$ 150,000.00	\$ 435,024.76	\$ 585,024.76
2026	\$ 205,000.00	\$ 381,287.50	\$ 586,287.50
2027	\$ 215,000.00	\$ 370,787.50	\$ 585,787.50
2028	\$ 225,000.00	\$ 359,787.50	\$ 584,787.50
2029	\$ 235,000.00	\$ 348,287.50	\$ 583,287.50
2030	\$ 250,000.00	\$ 336,162.50	\$ 586,162.50
2031	\$ 260,000.00	\$ 323,412.50	\$ 583,412.50
2032	\$ 275,000.00	\$ 311,068.75	\$ 586,068.75
2033	\$ 285,000.00	\$ 299,168.75	\$ 584,168.75
2034	\$ 300,000.00	\$ 286,737.50	\$ 586,737.50
2035	\$ 310,000.00	\$ 273,775.00	\$ 583,775.00
2036	\$ 325,000.00	\$ 260,281.25	\$ 585,281.25
2037	\$ 340,000.00	\$ 246,150.00	\$ 586,150.00
2038	\$ 355,000.00	\$ 231,381.25	\$ 586,381.25
2039	\$ 370,000.00	\$ 215,975.00	\$ 585,975.00
2040	\$ 385,000.00	\$ 199,931.25	\$ 584,931.25
2041	\$ 400,000.00	\$ 183,250.00	\$ 583,250.00
2042	\$ 420,000.00	\$ 165,825.00	\$ 585,825.00
2043	\$ 440,000.00	\$ 147,275.00	\$ 587,275.00
2044	\$ 460,000.00	\$ 127,587.50	\$ 587,587.50
2045	\$ 480,000.00	\$ 107,025.00	\$ 587,025.00
2046	\$ 500,000.00	\$ 85,275.00	\$ 585,275.00
2047	\$ 525,000.00	\$ 62,212.50	\$ 587,212.50
2048	\$ 545,000.00	\$ 38,137.50	\$ 583,137.50
2049	\$ 575,000.00	\$ 12,937.50	\$ 587,937.50
2050		\$ -	\$ -
2051		\$ -	\$ -
2052		\$ -	\$ -
2053		\$ -	\$ -
Total	\$ 8,830,000.00	\$ 6,124,175.80	\$ 14,954,175.80

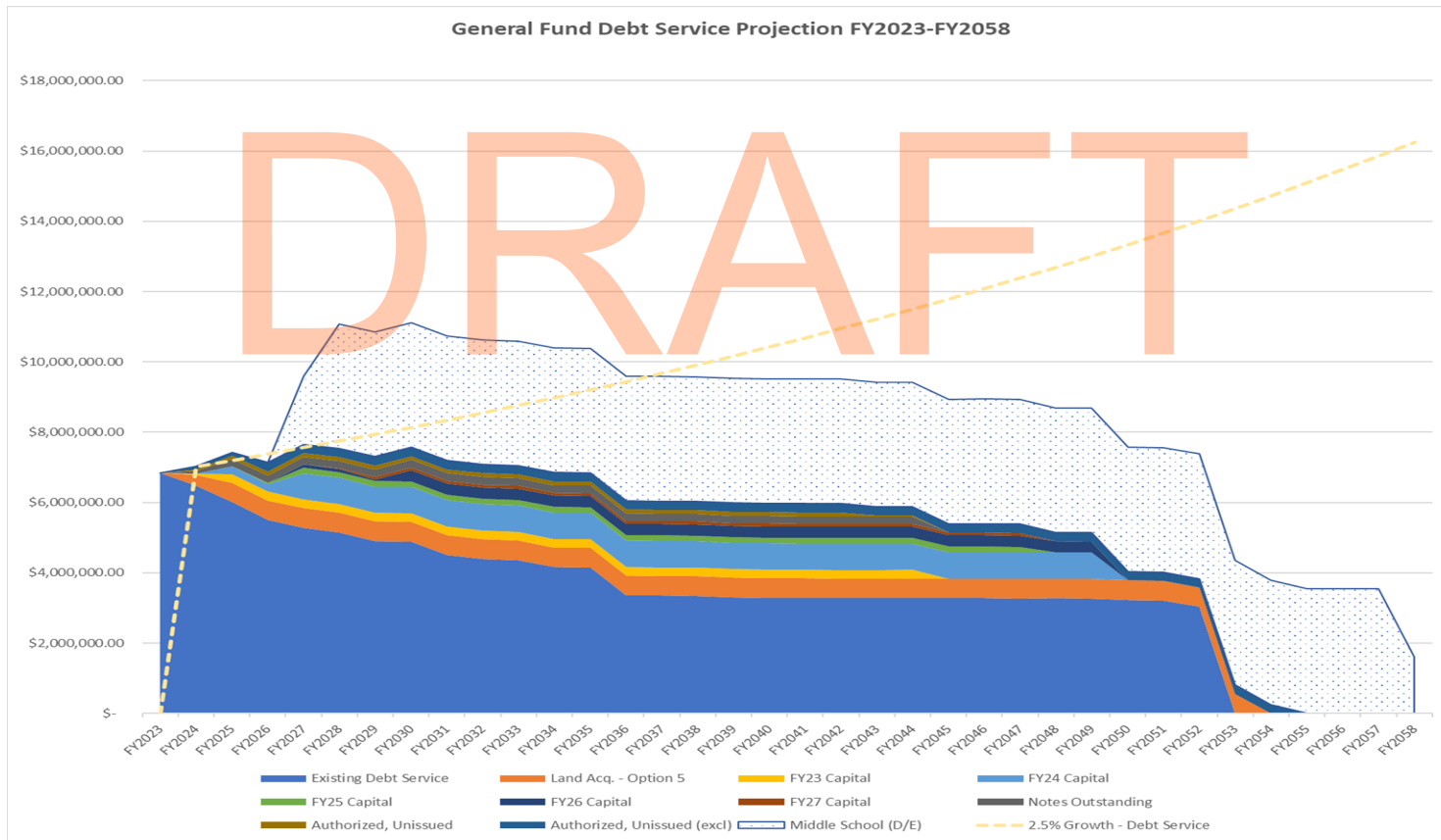
Debt Service Projection - DRAFT
Town of Swampscott, MA
FY2023-FY2058

Category	FY2023	FY2024	FY2025	FY2026	FY2027	FY2028	FY2029	FY2030	FY2031	FY2032	FY2033	FY2034
Existing Debt Service	\$ 6,847,354	\$ 6,480,996	\$ 6,010,787	\$ 5,504,647	\$ 5,279,904	\$ 5,151,784	\$ 4,904,866	\$ 4,887,011	\$ 4,510,545	\$ 4,398,737	\$ 4,362,091	\$ 4,164,890
Land Acq. - Option 5 Middle School (D/E)		\$ 307,963	\$ 553,930	\$ 553,930	\$ 553,930	\$ 553,930	\$ 553,930	\$ 553,930	\$ 553,930	\$ 553,930	\$ 553,930	\$ 553,930
FY23 Capital		\$ 38,540	\$ 246,011	\$ 246,011	\$ 246,011	\$ 246,011	\$ 246,011	\$ 246,011	\$ 246,011	\$ 246,011	\$ 246,011	\$ 246,011
FY24 Capital			\$ 211,860	\$ 211,860	\$ 748,740	\$ 748,740	\$ 748,740	\$ 748,740	\$ 748,740	\$ 748,740	\$ 748,740	\$ 748,740
FY25 Capital				\$ 45,790	\$ 166,093	\$ 166,093	\$ 166,093	\$ 166,093	\$ 166,093	\$ 166,093	\$ 166,093	\$ 166,093
FY26 Capital					\$ 85,310	\$ 85,310	\$ 31,648	\$ 316,648	\$ 316,648	\$ 316,648	\$ 316,648	\$ 316,648
FY27 Capital						\$ 16,880	\$ 80,429	\$ 80,429	\$ 80,429	\$ 80,429	\$ 80,429	\$ 80,429
Notes Outstanding Authorized, Unissued		\$ 68,713	\$ 211,294	\$ 211,294	\$ 211,294	\$ 211,294	\$ 211,294	\$ 211,294	\$ 211,294	\$ 211,294	\$ 211,294	\$ 211,294
Authorized, Unissued (excl)		\$ 34,318	\$ 89,964	\$ 109,997	\$ 109,997	\$ 109,997	\$ 109,997	\$ 109,997	\$ 109,997	\$ 109,997	\$ 109,997	\$ 109,997
Total Debt Service		\$ 7,030,528	\$ 7,423,846	\$ 7,137,612	\$ 9,586,994	\$ 11,085,447	\$ 10,848,415	\$ 11,115,561	\$ 10,739,095	\$ 10,627,287	\$ 10,590,642	\$ 10,393,440
2.5% Growth - Debt Service		\$ 7,018,538	\$ 7,194,002	\$ 7,373,852	\$ 7,558,198	\$ 7,747,153	\$ 7,940,832	\$ 8,139,352	\$ 8,342,836	\$ 8,551,407	\$ 8,765,192	\$ 8,984,322
Var		\$ (11,990)	\$ (229,845)	\$ 236,240	\$ (2,028,796)	\$ (3,338,294)	\$ (2,907,584)	\$ (2,976,209)	\$ (2,396,259)	\$ (2,075,880)	\$ (1,825,449)	\$ (1,409,118)

Category	FY2035	FY2036	FY2037	FY2038	FY2039	FY2040	FY2041	FY2042	FY2043	FY2044	FY2045	FY2046
Existing Debt Service	\$ 4,153,547	\$ 3,363,264	\$ 3,352,443	\$ 3,344,531	\$ 3,301,682	\$ 3,289,365	\$ 3,283,205	\$ 3,280,014	\$ 3,279,873	\$ 3,281,951	\$ 3,276,792	\$ 3,279,545
Land Acq. - Option 5 Middle School (D/E)	\$ 553,930	\$ 553,930	\$ 553,930	\$ 553,930	\$ 553,930	\$ 553,930	\$ 553,930	\$ 553,930	\$ 553,930	\$ 553,930	\$ 553,930	\$ 553,930
FY23 Capital	\$ 246,011	\$ 246,011	\$ 246,011	\$ 246,011	\$ 246,011	\$ 246,011	\$ 246,011	\$ 246,011	\$ 246,011	\$ 246,011	\$ 246,011	\$ 246,011
FY24 Capital	\$ 748,740	\$ 748,740	\$ 748,740	\$ 748,740	\$ 748,740	\$ 748,740	\$ 748,740	\$ 748,740	\$ 748,740	\$ 748,740	\$ 748,740	\$ 748,740
FY25 Capital	\$ 166,093	\$ 166,093	\$ 166,093	\$ 166,093	\$ 166,093	\$ 166,093	\$ 166,093	\$ 166,093	\$ 166,093	\$ 166,093	\$ 166,093	\$ 166,093
FY26 Capital	\$ 316,648	\$ 316,648	\$ 316,648	\$ 316,648	\$ 316,648	\$ 316,648	\$ 316,648	\$ 316,648	\$ 316,648	\$ 316,648	\$ 316,648	\$ 316,648
FY27 Capital	\$ 80,429	\$ 80,429	\$ 80,429	\$ 80,429	\$ 80,429	\$ 80,429	\$ 80,429	\$ 80,429	\$ 80,429	\$ 80,429	\$ 80,429	\$ 80,429
Notes Outstanding Authorized, Unissued	\$ 211,294	\$ 211,294	\$ 211,294	\$ 211,294	\$ 211,294	\$ 211,294	\$ 211,294	\$ 211,294	\$ 211,294	\$ 211,294	\$ 211,294	\$ 211,294
Authorized, Unissued (excl)	\$ 109,997	\$ 109,997	\$ 109,997	\$ 109,997	\$ 109,997	\$ 109,997	\$ 109,997	\$ 109,997	\$ 28,783	\$ 28,783		
Total Debt Service	\$ 10,382,097	\$ 9,591,814	\$ 9,580,994	\$ 9,573,081	\$ 9,530,232	\$ 9,517,915	\$ 9,511,755	\$ 9,508,564	\$ 9,427,209	\$ 9,429,287	\$ 8,938,040	\$ 8,940,794
2.5% Growth - Debt Service	\$ 9,208,930	\$ 9,439,153	\$ 9,675,132	\$ 9,917,011	\$ 10,164,936	\$ 10,419,059	\$ 10,679,536	\$ 10,946,524	\$ 11,220,187	\$ 11,500,692	\$ 11,788,209	\$ 12,082,914
Var	\$ (1,173,167)	\$ (152,661)	\$ 94,139	\$ 343,930	\$ 634,703	\$ 901,144	\$ 1,167,781	\$ 1,437,960	\$ 1,792,978	\$ 2,071,405	\$ 2,850,169	\$ 3,142,121

Category	FY2047	FY2048	FY2049	FY2050	FY2051	FY2052	FY2053	FY2054	FY2055	FY2056	FY2057	FY2058
Existing Debt Service	\$ 3,269,911	\$ 3,273,177	\$ 3,268,655	\$ 3,227,406	\$ 3,208,856	\$ 3,028,188	\$ -	\$ -				
Land Acq. - Option 5 Middle School (D/E)	\$ 553,930	\$ 553,930	\$ 553,930	\$ 553,930	\$ 553,930	\$ 553,930	\$ 553,930					\$ 1,609,693

FY23 Capital														
FY24 Capital	\$ 748,740	\$ 748,740	\$ 748,740											
FY25 Capital	\$ 166,093													
FY26 Capital	\$ 316,648	\$ 316,648	\$ 316,648											
FY27 Capital	\$ 80,429													
Notes Outstanding														
Authorized, Unissued														
Authorized, Unissued (excl)	\$ 254,083	\$ 254,083	\$ 254,083	\$ 254,083	\$ 254,083	\$ 254,083	\$ 254,083	\$ 254,083	\$ 254,083	\$ 254,083	\$ 254,083	\$ 254,083	\$ 254,083	\$ 254,083
Total Debt Service	\$ 8,931,159	\$ 8,687,903	\$ 8,683,381	\$ 7,576,744	\$ 7,558,194	\$ 7,377,526	\$ 4,349,338	\$ 3,795,408	\$ 3,541,325	\$ 3,541,325	\$ 3,541,325	\$ 3,541,325	\$ 1,609,693	
2.5% Growth - Debt Service	\$ 12,384,987	\$ 12,694,612	\$ 13,011,977	\$ 13,337,277	\$ 13,670,709	\$ 14,012,476	\$ 14,362,788	\$ 14,721,858	\$ 15,089,904	\$ 15,467,152	\$ 15,853,831	\$ 16,250,177		
Var	\$ 3,453,828	\$ 4,006,709	\$ 4,328,596	\$ 5,760,533	\$ 6,112,515	\$ 6,634,951	\$ 10,013,451	\$ 10,926,450	\$ 11,548,579	\$ 11,925,827	\$ 12,312,506	\$ 14,640,484		



Financing - 2022 Proposed Land Acquisitions
Town of Swampscott, Massachusetts

Total Assessed Values (2022) \$ 3,485,764,995 Financing \$8,875,000
 Median SFH Value (2022) \$ 589,789
 Residential Factor (2022) 94.1976%

Fiscal Year	30yr LD Oct 22		4.20% 30yr LP Oct 22		4.20% 20yr LD Oct 22		4.20% 20yr LP Oct 22		4.20% BAN; 30yr LD Mar 24		4.50%
	Option 1	Median SFH Tax Impact	Option 2	Median SFH Tax Impact	Option 3	Median SFH Tax Impact	Option 4	Median SFH Tax Impact	Option 5	Median SFH Tax Impact	
FY2024	\$ 525,777.97	\$ 83.80	\$ 668,583.33	\$ 106.56	\$ 664,655.43	\$ 105.93	\$ 816,500.00	\$ 130.14	\$ 307,962.50	\$ 49.08	
FY2025	\$ 525,777.97	\$ 83.80	\$ 656,158.33	\$ 104.58	\$ 664,655.43	\$ 105.93	\$ 797,862.50	\$ 127.16	\$ 553,929.71	\$ 88.29	
FY2026	\$ 525,777.97	\$ 83.80	\$ 643,733.33	\$ 102.60	\$ 664,655.43	\$ 105.93	\$ 779,225.00	\$ 124.19	\$ 553,929.71	\$ 88.29	
FY2027	\$ 525,777.97	\$ 83.80	\$ 631,308.33	\$ 100.62	\$ 664,655.43	\$ 105.93	\$ 760,587.50	\$ 121.22	\$ 553,929.71	\$ 88.29	
FY2028	\$ 525,777.97	\$ 83.80	\$ 618,883.33	\$ 98.64	\$ 664,655.43	\$ 105.93	\$ 741,950.00	\$ 118.25	\$ 553,929.71	\$ 88.29	
FY2029	\$ 525,777.97	\$ 83.80	\$ 606,458.33	\$ 96.66	\$ 664,655.43	\$ 105.93	\$ 723,312.50	\$ 115.28	\$ 553,929.71	\$ 88.29	
FY2030	\$ 525,777.97	\$ 83.80	\$ 594,033.33	\$ 94.68	\$ 664,655.43	\$ 105.93	\$ 704,675.00	\$ 112.31	\$ 553,929.71	\$ 88.29	
FY2031	\$ 525,777.97	\$ 83.80	\$ 581,608.33	\$ 92.70	\$ 664,655.43	\$ 105.93	\$ 686,037.50	\$ 109.34	\$ 553,929.71	\$ 88.29	
FY2032	\$ 525,777.97	\$ 83.80	\$ 569,183.33	\$ 90.72	\$ 664,655.43	\$ 105.93	\$ 667,400.00	\$ 106.37	\$ 553,929.71	\$ 88.29	
FY2033	\$ 525,777.97	\$ 83.80	\$ 556,758.33	\$ 88.74	\$ 664,655.43	\$ 105.93	\$ 648,762.50	\$ 103.40	\$ 553,929.71	\$ 88.29	
FY2034	\$ 525,777.97	\$ 83.80	\$ 544,333.33	\$ 86.76	\$ 664,655.43	\$ 105.93	\$ 630,125.00	\$ 100.43	\$ 553,929.71	\$ 88.29	
FY2035	\$ 525,777.97	\$ 83.80	\$ 531,908.33	\$ 84.78	\$ 664,655.43	\$ 105.93	\$ 611,487.50	\$ 97.46	\$ 553,929.71	\$ 88.29	
FY2036	\$ 525,777.97	\$ 83.80	\$ 519,483.33	\$ 82.80	\$ 664,655.43	\$ 105.93	\$ 592,850.00	\$ 94.49	\$ 553,929.71	\$ 88.29	
FY2037	\$ 525,777.97	\$ 83.80	\$ 507,058.33	\$ 80.82	\$ 664,655.43	\$ 105.93	\$ 574,212.50	\$ 91.52	\$ 553,929.71	\$ 88.29	
FY2038	\$ 525,777.97	\$ 83.80	\$ 494,633.33	\$ 78.84	\$ 664,655.43	\$ 105.93	\$ 555,575.00	\$ 88.55	\$ 553,929.71	\$ 88.29	
FY2039	\$ 525,777.97	\$ 83.80	\$ 482,208.33	\$ 76.86	\$ 664,655.43	\$ 105.93	\$ 536,937.50	\$ 85.58	\$ 553,929.71	\$ 88.29	
FY2040	\$ 525,777.97	\$ 83.80	\$ 469,783.33	\$ 74.87	\$ 664,655.43	\$ 105.93	\$ 518,300.00	\$ 82.61	\$ 553,929.71	\$ 88.29	
FY2041	\$ 525,777.97	\$ 83.80	\$ 457,358.33	\$ 72.89	\$ 664,655.43	\$ 105.93	\$ 499,662.50	\$ 79.64	\$ 553,929.71	\$ 88.29	
FY2042	\$ 525,777.97	\$ 83.80	\$ 444,933.33	\$ 70.91	\$ 664,655.43	\$ 105.93	\$ 481,025.00	\$ 76.67	\$ 553,929.71	\$ 88.29	
FY2043	\$ 525,777.97	\$ 83.80	\$ 432,508.33	\$ 68.93	\$ 664,655.43	\$ 105.93	\$ 462,387.50	\$ 73.70	\$ 553,929.71	\$ 88.29	
FY2044	\$ 525,777.97	\$ 83.80	\$ 420,083.33	\$ 66.95	\$ -	\$ -	\$ -	\$ -	\$ 553,929.71	\$ 88.29	
FY2045	\$ 525,777.97	\$ 83.80	\$ 407,658.33	\$ 64.97	\$ -	\$ -	\$ -	\$ -	\$ 553,929.71	\$ 88.29	
FY2046	\$ 525,777.97	\$ 83.80	\$ 395,233.33	\$ 62.99	\$ -	\$ -	\$ -	\$ -	\$ 553,929.71	\$ 88.29	
FY2047	\$ 525,777.97	\$ 83.80	\$ 382,808.33	\$ 61.01	\$ -	\$ -	\$ -	\$ -	\$ 553,929.71	\$ 88.29	
FY2048	\$ 525,777.97	\$ 83.80	\$ 370,383.33	\$ 59.03	\$ -	\$ -	\$ -	\$ -	\$ 553,929.71	\$ 88.29	
FY2049	\$ 525,777.97	\$ 83.80	\$ 357,958.33	\$ 57.05	\$ -	\$ -	\$ -	\$ -	\$ 553,929.71	\$ 88.29	
FY2050	\$ 525,777.97	\$ 83.80	\$ 345,533.33	\$ 55.07	\$ -	\$ -	\$ -	\$ -	\$ 553,929.71	\$ 88.29	
FY2051	\$ 525,777.97	\$ 83.80	\$ 333,108.33	\$ 53.09	\$ -	\$ -	\$ -	\$ -	\$ 553,929.71	\$ 88.29	
FY2052	\$ 525,777.97	\$ 83.80	\$ 320,683.33	\$ 51.11	\$ -	\$ -	\$ -	\$ -	\$ 553,929.71	\$ 88.29	
FY2053	\$ 525,777.97	\$ 83.80	\$ 308,258.33	\$ 49.13	\$ -	\$ -	\$ -	\$ -	\$ 553,929.71	\$ 88.29	
	\$ 15,773,339.09	\$ 2,513.98	\$ 14,652,625.00	\$ 2,335.36	\$ 13,293,108.70	\$ 2,118.68	\$ 12,788,875.00	\$ 2,038.31	\$ 16,371,923.97	\$ 2,609.38	
Av	\$	83.80	\$	77.85	\$	105.93	\$	101.92	\$	86.98	

Fiscal Year	BAN; 30yr LP Mar :		4.50% BAN; 20 yr LD Mar		4.50% BAN; 20yr LP Mar :		4.50%	
	Option 6	Median SFH Tax Impact	Option 7	Median SFH Tax Impact	Option 8	Median SFH Tax Impact		
FY2024	\$ 307,962.50	\$ 49.08	\$ 307,962.50	\$ 49.08	\$ 307,962.50	\$ 49.08		
FY2025	\$ 705,409.48	\$ 112.43	\$ 682,275.78	\$ 108.74	\$ 843,125.00	\$ 134.38		
FY2026	\$ 691,637.93	\$ 110.23	\$ 682,275.78	\$ 108.74	\$ 823,156.25	\$ 131.20		
FY2027	\$ 677,866.38	\$ 108.04	\$ 682,275.78	\$ 108.74	\$ 803,187.50	\$ 128.01		
FY2028	\$ 664,094.83	\$ 105.84	\$ 682,275.78	\$ 108.74	\$ 783,218.75	\$ 124.83		
FY2029	\$ 650,323.28	\$ 103.65	\$ 682,275.78	\$ 108.74	\$ 763,250.00	\$ 121.65		
FY2030	\$ 636,551.72	\$ 101.45	\$ 682,275.78	\$ 108.74	\$ 743,281.25	\$ 118.47		
FY2031	\$ 622,780.17	\$ 99.26	\$ 682,275.78	\$ 108.74	\$ 723,312.50	\$ 115.28		
FY2032	\$ 609,008.62	\$ 97.06	\$ 682,275.78	\$ 108.74	\$ 703,343.75	\$ 112.10		
FY2033	\$ 595,237.07	\$ 94.87	\$ 682,275.78	\$ 108.74	\$ 683,375.00	\$ 108.92		
FY2034	\$ 581,465.52	\$ 92.67	\$ 682,275.78	\$ 108.74	\$ 663,406.25	\$ 105.73		
FY2035	\$ 567,693.97	\$ 90.48	\$ 682,275.78	\$ 108.74	\$ 643,437.50	\$ 102.55		
FY2036	\$ 553,922.41	\$ 88.29	\$ 682,275.78	\$ 108.74	\$ 623,468.75	\$ 99.37		
FY2037	\$ 540,150.86	\$ 86.09	\$ 682,275.78	\$ 108.74	\$ 603,500.00	\$ 96.19		
FY2038	\$ 526,379.31	\$ 83.90	\$ 682,275.78	\$ 108.74	\$ 583,531.25	\$ 93.00		
FY2039	\$ 512,607.76	\$ 81.70	\$ 682,275.78	\$ 108.74	\$ 563,562.50	\$ 89.82		
FY2040	\$ 498,836.21	\$ 79.51	\$ 682,275.78	\$ 108.74	\$ 543,593.75	\$ 86.64		
FY2041	\$ 485,064.66	\$ 77.31	\$ 682,275.78	\$ 108.74	\$ 523,625.00	\$ 83.46		
FY2042	\$ 471,293.10	\$ 75.12	\$ 682,275.78	\$ 108.74	\$ 503,656.25	\$ 80.27		
FY2043	\$ 457,521.55	\$ 72.92	\$ 682,275.78	\$ 108.74	\$ 483,687.50	\$ 77.09		
FY2044	\$ 443,750.00	\$ 70.73	\$ 682,275.78	\$ 108.74	\$ 463,718.75	\$ 73.91		
FY2045	\$ 429,978.45	\$ 68.53	\$ -	\$ -	\$ -	\$ -		
FY2046	\$ 416,206.90	\$ 66.34	\$ -	\$ -	\$ -	\$ -		
FY2047	\$ 402,435.34	\$ 64.14	\$ -	\$ -	\$ -	\$ -		
FY2048	\$ 388,663.79	\$ 61.95	\$ -	\$ -	\$ -	\$ -		
FY2049	\$ 374,892.24	\$ 59.75	\$ -	\$ -	\$ -	\$ -		
FY2050	\$ 361,120.69	\$ 57.56	\$ -	\$ -	\$ -	\$ -		
FY2051	\$ 347,349.14	\$ 55.36	\$ -	\$ -	\$ -	\$ -		
FY2052	\$ 333,577.59	\$ 53.17	\$ -	\$ -	\$ -	\$ -		
FY2053	\$ 319,806.03	\$ 50.97	\$ -	\$ -	\$ -	\$ -		
	\$ 15,173,587.50	\$ 2,418.39	\$ 13,953,478.12	\$ 2,223.93	\$ 13,376,400.00	\$ 2,131.95		
	\$	80.61	\$	105.90	\$	101.52		
Av	\$	161.22	\$	147.93	\$	97.42		

JONATHAN LEWIS NICHOLS

Address

Town of Swampscott
22 Monument Avenue
Swampscott, MA 01907

Dear Selection Committee,

It is with great enthusiasm that I submit my application for the position of Library Director for the Swampscott Public Library. In my career, I have been privileged to work with unique library communities in both rural and urban settings. Working with each community has been both inspiring and extremely rewarding. These experiences have strengthened my passion for libraries, as I have witnessed the value that they provide to individuals of all backgrounds and ages. The possibility of developing and executing a vision that builds upon this special relationship between communities and libraries is what excites me about being the next Library Director for the Swampscott Public Library.

I consider myself an excellent fit for this position as I bring fourteen years of experience working in libraries; six of those years in management roles involved in library fiscal oversight. This time has honed my knowledge and skills in library and staff management, developing, executing, and promoting innovative and engaging programs, and implementing new and exciting library services. Some examples include the launching of a customized book box service, The Book Concierge, and a homebound delivery service, The Book Chauffeur. I also spearheaded the creation of Haverhill Public Library's new website, from fundraising and designing to building and daily maintenance.

It is evident that your library is thriving. You offer creative and relevant programming, a diverse collection, and a high quality of customer service, highlighted in your recent long-range plan and your concepts for improving and modifying your existing building. I would very much like to be a part of your library's strong present and help it grow into a vibrant and modern future.

I am committed to producing high-quality work and seek collaboration with others. My coworkers have all commented on my infectious attitude towards library services and how patrons of all ages appreciate the services and skills I provide. I take pride in maintaining excellence in everything I do—from patron services to administrative duties.

My creativity, enthusiasm, and insight into libraries have enabled me to empower and motivate library staff, as well as volunteers and interns, to reach new heights of library excellence and service. These initiatives have included expanding access to historical archives, innovating programs and services during the pandemic, and fully engaging with the community on multiple levels, from site visits to serving on local organizational boards.

Additionally, I have helped open a teen center, obtained grants, created action and strategic plans, remodeled and revitalized existing facilities, expanded collections, developed and executed community-wide events, fundraisers, and outreach initiatives, and enhanced customer service in a collaborative team atmosphere.

While I have accomplished a great deal in my career, I am always striving to innovate library services and programs by adapting to new trends and working to strengthen the library's role within the community.

I welcome the chance to discuss how I could use my experiences, leadership skills, and enthusiasm for libraries as your next Library Director for the Swampscott Public Library.

Sincerely,

JONATHAN LEWIS NICHOLS



EDUCATION

SIMMONS COLLEGE

Boston, MA, December 2015
Master's in Library and Information Science

HENDRIX COLLEGE

Conway, AR, May 2008
Bachelor's in English



PROFESSIONAL EXPERIENCE

HAVERHILL PUBLIC LIBRARY

Assistant Director, December 2019 - Present

- Responsible for supervising 30 staff members, including hiring and any disciplinary actions, as well as vetting and training all volunteers and interns.
- Leader for the redesign and implementation of the library's new website, from fundraising to overall design and aesthetics, to building and maintaining all content, pages, and posts.
- Develop new library services including a book box subscription service, The Book Concierge, and homebound delivery service, The Book Chauffeur.
- Implementation of new technologies and policies during the pandemic including a comprehensive pandemic response plan and adopting and training staff on new software: myLibro, LibraryH3lp, Cypress, among many.
- Assist with strategic planning, action plans, and ARIS reporting. Including preparing reports, surveys, and organizing community forums and staff engagement.
- Research, present, and implement redesigns for library spaces and collections. Including cosmetic upgrades to the Special Collections research room, and first-floor improvements.
- Responsible for the management of the library's two budgets, City and Trustee, and meeting all MAR and MER requirements. Assist with the creation and defense of yearly budgets.
- Awarded a virtual programming grant for \$3,500 and an ARPA grant for \$25,000 to assist with delivering services to populations hit hardest by the pandemic.

BELMONT PUBLIC LIBRARY

Community Outreach Librarian, Jan 2019 - Dec. 2019

- Responsible for the library's website and social media presence, including maintenance, creating posts and pages, and troubleshooting issues.
- Negotiated performer fees and contracts, and petitioned businesses and organizations for sponsorships and partnerships.
- Developed programming and events for adults and the community of Belmont.
- Acted as liaison for the library to authors, businesses, performers, community partners, and library patrons.
- Created the majority of promotional materials, press releases, and signs.
- Planned yearly budget allocations for programs, events, supplies, and collections.

LYNNFIELD PUBLIC LIBRARY

Head of Youth Services, April 2016 - January 2019

- Developed exciting and engaging programs, outreach initiatives, and large-scale events for all ages, including a comic convention, Harry Potter party, and partnerships with the local Middle School and High School, Mom's Groups, and businesses, among many.
- Planned yearly budget allocations for collections, programming, and technology. Research and apply for grants.



PROFESSIONAL EXPERIENCE, *continued*

NEWTON FREE LIBRARY

Children's Librarian, October 2014 - April 2016

- Provided outreach services to surrounding organizations, schools, and daycares – including storytimes and book talks, among many.
- Wrote, performed, and promoted puppet shows and puppet programs- Filmed for NewTV on Books and Beyond program for August 2015.

Circulation Staff, March 2014 - October 2014

- Provided excellent customer service while performing circulation tasks and responsibilities.

CENTRAL ARKANSAS LIBRARY SYSTEM - TEEN CENTER

Teen Programmer, September 2011- December 2013

- Utilized local connections and graphic design abilities to create, organize, and oversee the library's first-ever comic convention, ComiCALS, with almost 2000 patrons in attendance.

CENTRAL ARKANSAS LIBRARY SYSTEM - DEE BROWN LIBRARY

Youth Programmer, July 2008 - September 2011

- Perfected customer services skills in an economically and culturally diverse urban setting.
- Organized and orchestrated an outreach initiative to surrounding schools, daycares, and organizations, including storytimes, puppet shows, library nights, and book talks - Outreach increased from 93 to over 1500 children reached.



TECHNOLOGY SKILLS

Library Software

Sierra/Millennium
SirsiDynix/Workflows
Encore
Evergreen
Insight
Gimlet / PC Reservation

Other Software/Coding Languages

Photoshop, Illustrator, InDesign, and XD
WordPress
HootSuite / Sendible / Storrito
HTML/XML & CSS
MYSQL/SQL & PHP
Usability Software: Morae and Tobii Studio



PRESENTATIONS AND SERVICE TO THE PROFESSION

2021

PRESENTER - Implementation of new software, myLibro, for curbside delivery and expanded mobile services.

2018

PRESENTER - How to throw a library Comic-Con
NOBS Program Power Breakfast - Nevins Memorial Library

2013

Reader and moderator for the Arkansas Teen Book Award
Judge for Letters About Literature competition

2012

PRESENTER - Fitness programs in libraries
Ferndale Library Conference (state-wide)

Selected for reconsideration committee - graphic novel division

Reader and moderator for the Arkansas Teen Book Award
Judge for Letters About Literature competition

2011

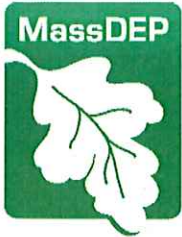
PRESENTER - Puppetry workshop/Graphic Novels workshop
AAIM (Arkansas Association of Instructional Media)



PROFESSIONAL ORGANIZATIONS

American Library Association (ALA)

Massachusetts Library Association (MLA)



Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection

Northeast Regional Office • 205B Lowell Street, Wilmington MA 01887 • 978-694-3200

Charles D. Baker
Governor

Karyn E. Polito
Lieutenant Governor

Bethany A. Card
Secretary

Martin Suuberg
Commissioner

May 24, 2022

Resident Group
c/o Mary Brock
12 Laurel Road
Swampscott, MA 01907

RE: WETLANDS/SWAMPSCOTT
DEP File #071-0349
10 Whitman Rd. and 101 Forest Ave.
**Superseding Order of
Conditions-Affirmation**

Dear Ms. Brock,

Following an in-depth review of the file referenced above, and in accordance with Massachusetts General Laws, Chapter 131, Section 40, the Northeast Regional Office of the Massachusetts Department of Environmental Protection, Wetlands Program (MassDEP), is issuing the enclosed Superseding Order of Conditions (SOC) approving the project by affirming the Swampscott Conservation Commission's Order of Conditions (OOC). This SOC allows the project based upon: 1) information contained in the file to date and plans submitted; 2) information gathered during the site inspection; and 3) reasons MassDEP has deemed necessary to protect the statutory interests identified in the Wetlands Protection Act (the "Act") and Regulations.

The project site is located at 10 Whitman Road (Map 22, Lot E1) and 101 Forest Avenue (Map 22, Lot E) in Swampscott, MA (the "site"). The majority of the proposed work is on the 7.51-acre parcel located at 10 Whitman Road. This parcel is bound by Forest Avenue, Charles Ewing Woods to the south, residential properties to the east, Whitman Road to the north, and the Unitarian Universalist Church located at 101 Forest Avenue to the west (the other portion of the site). Existing conditions on the 10 Whitman Road parcel include the existing Swampscott Elementary School containing the school building, driveways and parking areas, walkways, paved play areas, landscaped areas, playing fields, sewer, and other utilities. Existing conditions on the 101 Forest Avenue parcel include the Unitarian Universalist Church building, driveway and parking areas, and associated utilities. The owner of 10 Whitman Road, the Town of Swampscott/Swampscott Public Schools, has an easement on portions of the 101 Forest Avenue property where proposed work is to occur.

This information is available in alternate format. Contact Glynis Bugg at 617-348-4040.
TTY# MassRelay Service 1-800-439-2370
MassDEP Website: www.mass.gov/dep

Printed on Recycled Paper

The project as proposed in the Notice of Intent (NOI) filed with the Swampscott Conservation Commission (SCC) on March 17, 2022, consists of the construction of a new 59,500 square-foot elementary school building and associated appurtenances including access roadways, parking lots, utility services, sport fields, and a stormwater management system. The work proposed on the 101 Forest Avenue parcel includes new pedestrian sidewalks, striped crosswalks, pedestrian lighting, changes to parking lot layout, and installation of stormwater management systems. The majority of the proposed project will occur outside the 100-foot buffer zone to Bordering Vegetated Wetlands (BVW). The portions of the work proposed within the 100-foot buffer zone to BVW include parking lot improvements, paved vehicular access, utilities, landscaping, retaining walls, rip-rap slope stabilization, athletic field, stormwater management systems, and associated earthwork and plantings. The shortest distance between the limit of work and the BVW is approximately 18 feet. The proposed project will not result in any temporary or permanent impacts to wetland resource areas. The proposed project will result in a 2.5 acre increase in impervious area. Stormwater management is proposed at the site and will include Deep Sump and Hooded Catch Basins, Subsurface Detention Systems with Isolator Rows, Isolator Row, and a Water Quality Structure.

On April 7, 2022, the SCC issued an Order of Conditions (OOC) approving the project based on its opinion that the proposed project could be conditioned to meet the performance standards set forth in the Regulations.

On April 15, 2022, MassDEP received your appeal of the OOC for issuance of a Superseding Order of Conditions. The appeal states that it is your opinion the proposed project will impact "wetlands and wetlands buffer" on the project site. Additionally, you claim that portions of the proposed work will have an adverse impact on wildlife and/or wildlife habitat, specifically a potential Vernal Pool located within the BVW on the project site.

On May 17, 2022, MassDEP conducted a site visit. In attendance were you and other members of the Resident Group, representatives from the SCC, and representatives on behalf of the project's applicant. At the site visit, MassDEP discussed the project and observed the areas where work is proposed.

MassDEP's review of the file and site visit confirms that the project site contains the following Areas Subject to Protection Under the Act: BVW. This area is significant to the statutory interests listed on the attached form. Portions of the proposed project will occur within the 100-foot buffer zone to BVW. However, no portions of the proposed work will occur in any wetland resource area.

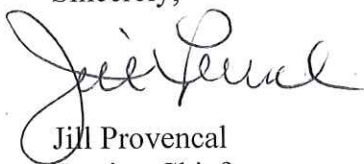
A potential Vernal Pool is identified on the MassGIS data layer for the Natural Heritage & Endangered Species Program (NHESP). The potential Vernal Pool is located within the delineated BVW on the 101 Forest Avenue parcel. The potential Vernal Pool has not been certified by the MassWildlife Natural Heritage & Endangered Species Program, at this time. As the proposed project will not result in any impacts to this BVW, the proposed project will not impact vernal pool habitat as defined in 310 CMR 10.04.

Currently, the existing site has no stormwater quality treatment. Portions of the proposed stormwater management system are proposed within the 100-foot buffer zone to BVW. A portion of rooftop runoff from the new school building is being collected and treated through a subsurface isolator row that has an 81% TSS removal rate. Stormwater will then be directed to a level spreader on the south side of the property adjacent to a BVW where it will discharge. The level spreader will be approximately 18 feet from the BVW located on the adjacent property to the south. In accordance with Volume 1, Chapter 1 of the Stormwater Handbook, runoff from non-metal roofs may be discharged without pretreatment. While some deep sump catch basins are located within the buffer zone to BVW, the stormwater from the catch basins will be directed to either a water quality structure or a subsurface detention system with an isolator row outside the jurisdiction of the Act. Additionally, the stormwater will discharge outside the jurisdiction of the Act into the existing municipal drainage system. The proposed stormwater management system meets the applicable Stormwater Standards.

Based on the information and plans contained in the file, information gathered at the site inspection, and consideration of all issues raised through the appeal, it is MassDEP's opinion that the project as currently proposed meets performance standards under 310 CMR 10.05(6)(k) for stormwater management. The SOC and OOC, in accordance with 310 CMR 10.53(1) includes conditions to ensure that work proposed in the buffer zone will not have an adverse impact on the BVW. It is MassDEP's opinion that the enclosed SOC approving this project serves to protect the interests of the Act and Regulations. Please be advised that it is MassDEP's responsibility to address only those interests identified in the Act. However, MassDEP reserves the right, should there be further proceedings in this case, to raise additional issues and present further evidence as may be appropriate. Should you or any concerned party dispute these findings, your attention is directed to the language at the end of the attached Superseding Order specifying the rights and procedures for appeal.

Should you have any questions regarding this letter, please contact Tyler Ferrick at Tyler.Ferrick@mass.gov.

Sincerely,



Jill Provencal
Section Chief
Wetlands Program - NERO

cc: Max Kasper, Town of Swampscott, 22 Monument Avenue, Swampscott, MA 01907
Swampscott Conservation Commission, 22 Monument Avenue, Swampscott, MA 01907



Massachusetts Department of Environmental Protection
Bureau of Resource Protection – Wetlands Program
Superseding Order of Conditions - Affirmation
 Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

MassDEP File #
071-0349

A. General Information

1. From: Northeast Regional Office
Massachusetts Department of Environmental Protection

2. This issuance is for: **Superseding Order of Conditions - Affirmation**

3. To: Applicant:

<u>Max</u>	<u>Kasper</u>	
a. First Name, Last Name	b. Company	
<u>Town of Swampscott</u>		
c. Organization		
<u>22 Monument Ave</u>		
d. Mailing Address Line 1		
<u>Swampscott</u>	<u>MA</u>	<u>01907</u>
e. City/Town	f. State	g. Zip Code

4. Property Owner (if different from applicant):

<u>Town of Swampscott</u>	<u></u>	
a. First Name	b. Last Name	
c. Organization		
<u>22 Monument Ave</u>		
d. Mailing Address Line 1		
<u>Swampscott</u>	<u>MA</u>	<u>01907</u>
e. City/Town	f. State	g. Zip Code

5. Project Location:

<u>10 Whitman Rd & 101 Forest Ave</u>	<u>Swampscott</u>
a. Street Address	b. City/Town
<u>Map 22</u>	<u>Lot E1 & E</u>
c. Assessors Map/Plat Number	d. Parcel/Lot Number

6. General Description of Approved Project:

New 59,500 square-foot elementary school building, access roadways, parking lots, utility services, sport fields, and a stormwater system.



A. General Information (cont'd)

7. Final Approved Plans and Other Documents (if different from those listed in Order of Conditions):

"New Elementary School" 2/25/2022
 a. Title b. Date
 David M. Conway P.E.
 c. Signed and Stamped by:

8. Date of Issuance: 5/24/2022
 By: Certified Mail

B. Findings

The Department hereby finds that the project as proposed is **approved subject to the following conditions:**

In accordance with 310 CMR 10.05(7)(i), this Superseding Order of Conditions affirms the Order of Conditions issued by the Swampscott Conservation Commission on April 7, 2022. The Order of Conditions is attached and is incorporated by reference.

1. All work shall comply with the conditions contained in the attached Order of Conditions, subject to the following modifications:
 - a. The work shall comply with the plans referenced in this Superseding Order, if different from those listed in the Order of Conditions. Any change to the plans referenced herein shall require the applicant to inquire of the Department in writing whether the change is significant enough to require the filing of a new Notice of Intent.
 - b. The work authorized hereunder shall be completed within three years from the date of this Superseding Order unless otherwise specified below by the Department.
 - c. Requests for extensions in accordance with General Condition #5 shall be submitted to the Department.
 - d. **Proof of recording in accordance with General Condition #9 shall be submitted to the Department.**
 - e. Requests for a Certificate of Compliance in accordance with General Condition #12 shall be submitted to the Department, and wetland boundary flags shall remain in place pursuant to General Condition #16 until a Certificate of Compliance has been issued by the Department.
 - f. The Department makes no findings and imposes no conditions pursuant to a municipal bylaw or ordinance.
 - g. Other (specify): See attached special conditions

C. Issuance

Issued by: **Massachusetts Department of Environmental Protection:**

Northeast Regional Office
 MassDEP Regional Office

 Wetland Section Chief Signature
 Jill Provencal
 Wetland Section Chief Printed Name

5.24.22
 Date



D. Appeal Rights and Time Limits

The applicant, the landowner, any person aggrieved by the Superseding Order, Determination or other reviewable decision as defined at 310 CMR 10.04, who previously participated in the proceedings leading to this reviewable decision, the conservation commission, or any ten (10) residents of the city or town where the land is located if at least one resident was previously a participant in the permit proceeding, are hereby notified of their right to appeal this reviewable decision pursuant to M.G.L. c.30A, § 10, provided the request is made by certified mail or hand delivery to the Department, along with the appropriate filing fee and a MassDEP Fee Transmittal Form within ten (10) business days of the date of issuance of this Superseding Order or Determination, and addressed to:

Case Administrator
Office of Appeals and Dispute Resolution
Massachusetts Department of Environmental Protection
One Winter Street, 2nd Floor
Boston, MA 02108

A copy of the request (hereinafter also referred to as Appeal Notice) shall at the same time be sent by certified mail or hand delivery to the Conservation Commission, the applicant, the person that requested the Superseding Order or Determination, and the issuing office of the MassDEP at:

MassDEP – Northeast Regional Office
Wetlands Program
205B Lowell Street
Wilmington, MA 01887

In the event that a ten-resident group requested the Superseding Order or Determination, the Appeal Notice shall be served on the designated representative of the ten-resident group, whose name and contact information is included in this reviewable decision (when relevant).

Contents of Appeal Notice

An Appeal Notice shall comply with the Department's Rules for Adjudicatory Proceedings, 310 CMR 1.01(6) and 310 CMR 10.05(7)(j), and shall contain the following information:

- a) the MassDEP Wetlands File Number, name of the applicant, landowner if different from applicant, and address of the project;
- b) the complete name, mailing address, email address, and fax and telephone numbers of the party filing the Appeal Notice; if represented by consultant or counsel, the name, fax and telephone numbers, email address, and mailing address of the representative; if a ten-residents group, the same information for the group's designated representative;
- c) if the Appeal Notice is filed by a ten (10) resident group, then a demonstration of participation by at least one resident in the previous proceedings that led to this reviewable decision;
- d) if the Appeal Notice is filed by an aggrieved person, then a demonstration of participation in the previous proceeding that led to this reviewable decision and sufficient written facts to demonstrate status as a person aggrieved;
- e) the names, telephone and fax numbers, email addresses, and mailing addresses of all other interested parties, if known;



F. Appeal Rights and Time Limits (cont.)

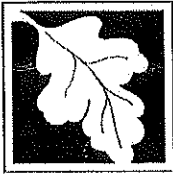
- f) a clear and concise statement of the alleged errors contained in the Department's decision and how each alleged error is inconsistent with 310 CMR 10.00 and does not contribute to the protection of the interests identified in the Wetlands Protection Act, M.G.L. c. 131, § 40, including reference to the statutory or regulatory provisions that the party filing the Appeal Notice alleges has been violated by the Department's decision, and the relief sought, including any specific desired changes to the Department's decision;
- g) a copy of the Department's reviewable decision that is being appealed and a copy of the underlying Conservation Commission decision if the reviewable decision affirms the Conservation Commission decision;
- h) a statement that a copy of the request has been sent by certified mail or hand delivery to the applicant and the conservation commission; and
- i) if asserting a matter that is Major and Complex, as defined at 310 CMR 10.04(1), a statement requesting that the Presiding Officer make a designation of Major and Complex, with specific reasons supporting the request.

Filing Fee and Address

A copy of the Appeal Notice along with a MassDEP Fee Transmittal Form and a valid check or money order payable to the Commonwealth of Massachusetts in the amount of one hundred dollars (\$100) must be mailed to:

Commonwealth of Massachusetts
Department of Environmental Protection
Commonwealth Master Lockbox
P.O. Box 4062
Boston, Massachusetts 02211

The request will be dismissed if the filing fee is not paid unless the appellant is exempt or granted a waiver. The filing fee is not required if the appellant is a city or town (or municipal agency), county, district of the Commonwealth of Massachusetts, or a municipal housing authority. The Department may waive the adjudicatory hearing filing fee pursuant to 310 CMR 4.06(2) for a person who shows that paying the fee will create an undue financial hardship. A person seeking a waiver must file an affidavit setting forth the facts believed to support the claim of undue financial hardship together with the hearing request as provided above.



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

WPA Form 5 – Order of Conditions

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

071-0349

MassDEP File #

eDEP Transaction #

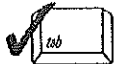
Swampscott

City/Town

A. General Information

Please note:
this form has
been modified
with added
space to
accommodate
the Registry
of Deeds
Requirements

Important:
When filling
out forms on
the
computer,
use only the
tab key to
move your
cursor - do
not use the
return key.



1. From: Swampscott
Conservation Commission

2. This issuance is for
(check one): a. Order of Conditions b. Amended Order of Conditions

3. To: Applicant:

Max Kasper
a. First Name b. Last Name
Town of Swampscott
c. Organization
22 Monument Ave
d. Mailing Address
Swampscott MA 01907
e. City/Town f. State g. Zip Code

4. Property Owner (if different from applicant):

a. First Name b. Last Name
Town of Swampscott
c. Organization
22 Monument Ave
d. Mailing Address
Swampscott MA 01907
e. City/Town f. State g. Zip Code

5. Project Location:

10 Whitman Rd & 101 Forest Ave Swampscott
a. Street Address b. City/Town
22 E1 (10 Whitman), E (101 Forest)
c. Assessors Map/Plat Number d. Parcel/Lot Number
Latitude and Longitude, if known: 42d28m20s -70d53m53s
d. Latitude e. Longitude



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands
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 Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:
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 eDEP Transaction # _____
 Swampscott
 City/Town

A. General Information (cont.)

6. Property recorded at the Registry of Deeds for (attach additional information if more than one parcel):
 Essex
 a. County
 2792 (10 Whitman) 290 (101 Forest)
 c. Book
 b. Certificate Number (if registered land)
 419 (10 Whitman) 30 (101 Forest)
 d. Page
 3/17/2022
 a. Date Notice of Intent Filed
 04/07/2022
 b. Date Public Hearing Closed
 04/07/2022
 c. Date of Issuance
 7. Dates:
 8. Final Approved Plans and Other Documents (attach additional plan or document references as needed):
 See attached spreadsheet
 a. Plan Title
 Nitsch Engineering & Lavelle Brensinger Architects
 2/25/2022
 d. Final Revision Date
 David Conway, PE
 c. Signed and Stamped by
 10
 e. Scale
 f. Additional Plan or Document Title
 g. Date

B. Findings

1. Findings pursuant to the Massachusetts Wetlands Protection Act:
 Following the review of the above-referenced Notice of Intent and based on the information provided in this application and presented at the public hearing, this Commission finds that the areas in which work is proposed is significant to the following interests of the Wetlands Protection Act (the Act). Check all that apply:
- a. Public Water Supply b. Land Containing Shellfish c. Prevention of Pollution
 d. Private Water Supply e. Fisheries f. Protection of Wildlife Habitat
 g. Groundwater Supply h. Storm Damage Prevention i. Flood Control
2. This Commission hereby finds the project, as proposed, is: (check one of the following boxes)

Approved subject to:

- a. the following conditions which are necessary in accordance with the performance standards set forth in the wetlands regulations. This Commission orders that all work shall be performed in accordance with the Notice of Intent referenced above, the following General Conditions, and any other special conditions attached to this Order. To the extent that the following conditions modify or differ from the plans, specifications, or other proposals submitted with the Notice of Intent, these conditions shall control.



Massachusetts Department of Environmental Protection
 Bureau of Resource Protection - Wetlands
WPA Form 5 – Order of Conditions
 Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

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 071-0349
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 Swampscott
 City/Town

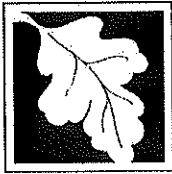
B. Findings (cont.)

Denied because:

- b. the proposed work cannot be conditioned to meet the performance standards set forth in the wetland regulations. Therefore, work on this project may not go forward unless and until a new Notice of Intent is submitted which provides measures which are adequate to protect the interests of the Act, and a final Order of Conditions is issued. **A description of the performance standards which the proposed work cannot meet is attached to this Order.**
- c. the information submitted by the applicant is not sufficient to describe the site, the work, or the effect of the work on the interests identified in the Wetlands Protection Act. Therefore, work on this project may not go forward unless and until a revised Notice of Intent is submitted which provides sufficient information and includes measures which are adequate to protect the Act's interests, and a final Order of Conditions is issued. **A description of the specific information which is lacking and why it is necessary is attached to this Order as per 310 CMR 10.05(6)(c).**
- 3. Buffer Zone Impacts: Shortest distance between limit of project disturbance and the wetland resource area specified in 310 CMR 10.02(1)(a) 18
a. linear feet

Inland Resource Area Impacts: Check all that apply below. (For Approvals Only)

Resource Area	Proposed Alteration	Permitted Alteration	Proposed Replacement	Permitted Replacement
4. <input type="checkbox"/> Bank	a. linear feet	b. linear feet	c. linear feet	d. linear feet
5. <input type="checkbox"/> Bordering Vegetated Wetland	a. square feet	b. square feet	c. square feet	d. square feet
6. <input type="checkbox"/> Land Under Waterbodies and Waterways	a. square feet	b. square feet	c. square feet	d. square feet
	e. c/y dredged	f. c/y dredged		
7. <input type="checkbox"/> Bordering Land Subject to Flooding	a. square feet	b. square feet	c. square feet	d. square feet
Cubic Feet Flood Storage	e. cubic feet	f. cubic feet	g. cubic feet	h. cubic feet
8. <input type="checkbox"/> Isolated Land Subject to Flooding	a. square feet	b. square feet		
Cubic Feet Flood Storage	c. cubic feet	d. cubic feet	e. cubic feet	f. cubic feet
9. <input type="checkbox"/> Riverfront Area	a. total sq. feet	b. total sq. feet		
Sq ft within 100 ft	c. square feet	d. square feet	e. square feet	f. square feet
Sq ft between 100-200 ft	g. square feet	h. square feet	i. square feet	j. square feet



**Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands**

WPA Form 5 – Order of Conditions

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

071-0349

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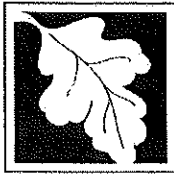
Swampscott

City/Town

B. Findings (cont.)

Coastal Resource Area Impacts: Check all that apply below. (For Approvals Only)

	Proposed Alteration	Permitted Alteration	Proposed Replacement	Permitted Replacement
10. <input type="checkbox"/> Designated Port Areas	Indicate size under Land Under the Ocean, below			
11. <input type="checkbox"/> Land Under the Ocean	_____ a. square feet	_____ b. square feet		
	_____ c. c/y dredged	_____ d. c/y dredged		
12. <input type="checkbox"/> Barrier Beaches	Indicate size under Coastal Beaches and/or Coastal Dunes below			
13. <input type="checkbox"/> Coastal Beaches	_____ a. square feet	_____ b. square feet	_____ c. nourishment cu yd	_____ d. nourishment cu yd
14. <input type="checkbox"/> Coastal Dunes	_____ a. square feet	_____ b. square feet	_____ c. nourishment cu yd	_____ d. nourishment cu yd
15. <input type="checkbox"/> Coastal Banks	_____ a. linear feet	_____ b. linear feet		
16. <input type="checkbox"/> Rocky Intertidal Shores	_____ a. square feet	_____ b. square feet		
17. <input type="checkbox"/> Salt Marshes	_____ a. square feet	_____ b. square feet	_____ c. square feet	_____ d. square feet
18. <input type="checkbox"/> Land Under Salt Ponds	_____ a. square feet	_____ b. square feet		
	_____ c. c/y dredged	_____ d. c/y dredged		
19. <input type="checkbox"/> Land Containing Shellfish	_____ a. square feet	_____ b. square feet	_____ c. square feet	_____ d. square feet
20. <input type="checkbox"/> Fish Runs	Indicate size under Coastal Banks, Inland Bank, Land Under the Ocean, and/or inland Land Under Waterbodies and Waterways, above			
	_____ a. c/y dredged	_____ b. c/y dredged		
21. <input type="checkbox"/> Land Subject to Coastal Storm Flowage	_____ a. square feet	_____ b. square feet		
22. <input type="checkbox"/> Riverfront Area	_____ a. total sq. feet	_____ b. total sq. feet		
Sq ft within 100 ft	_____ c. square feet	_____ d. square feet	_____ e. square feet	_____ f. square feet
Sq ft between 100-200 ft	_____ g. square feet	_____ h. square feet	_____ i. square feet	_____ j. square feet



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B. Findings (cont.)

* #23. If the project is for the purpose of restoring or enhancing a wetland resource area in addition to the square footage that has been entered in Section B.5.c (BVW) or B.17.c (Salt Marsh) above, please enter the additional amount here.

23. Restoration/Enhancement *:

a. square feet of BVW

b. square feet of salt marsh

24. Stream Crossing(s):

a. number of new stream crossings

b. number of replacement stream crossings

C. General Conditions Under Massachusetts Wetlands Protection Act

The following conditions are only applicable to Approved projects.

1. Failure to comply with all conditions stated herein, and with all related statutes and other regulatory measures, shall be deemed cause to revoke or modify this Order.
2. The Order does not grant any property rights or any exclusive privileges; it does not authorize any injury to private property or invasion of private rights.
3. This Order does not relieve the permittee or any other person of the necessity of complying with all other applicable federal, state, or local statutes, ordinances, bylaws, or regulations.
4. The work authorized hereunder shall be completed within three years from the date of this Order unless either of the following apply:
 - a. The work is a maintenance dredging project as provided for in the Act; or
 - b. The time for completion has been extended to a specified date more than three years, but less than five years, from the date of issuance. If this Order is intended to be valid for more than three years, the extension date and the special circumstances warranting the extended time period are set forth as a special condition in this Order.
 - c. If the work is for a Test Project, this Order of Conditions shall be valid for no more than one year.
5. This Order may be extended by the issuing authority for one or more periods of up to three years each upon application to the issuing authority at least 30 days prior to the expiration date of the Order. An Order of Conditions for a Test Project may be extended for one additional year only upon written application by the applicant, subject to the provisions of 310 CMR 10.05(11)(f).
6. If this Order constitutes an Amended Order of Conditions, this Amended Order of Conditions does not extend the issuance date of the original Final Order of Conditions and the Order will expire on _____ unless extended in writing by the Department.
7. Any fill used in connection with this project shall be clean fill. Any fill shall contain no trash, refuse, rubbish, or debris, including but not limited to lumber, bricks, plaster, wire, lath, paper, cardboard, pipe, tires, ashes, refrigerators, motor vehicles, or parts of any of the foregoing.



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WPA Form 5 – Order of Conditions

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

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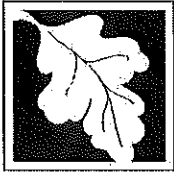
Swampscott

City/Town

C. General Conditions Under Massachusetts Wetlands Protection Act

8. This Order is not final until all administrative appeal periods from this Order have elapsed, or if such an appeal has been taken, until all proceedings before the Department have been completed.
9. No work shall be undertaken until the Order has become final and then has been recorded in the Registry of Deeds or the Land Court for the district in which the land is located, within the chain of title of the affected property. In the case of recorded land, the Final Order shall also be noted in the Registry's Grantor Index under the name of the owner of the land upon which the proposed work is to be done. In the case of the registered land, the Final Order shall also be noted on the Land Court Certificate of Title of the owner of the land upon which the proposed work is done. The recording information shall be submitted to the Conservation Commission on the form at the end of this Order, which form must be stamped by the Registry of Deeds, prior to the commencement of work.
10. A sign shall be displayed at the site not less than two square feet or more than three square feet in size bearing the words,

"Massachusetts Department of Environmental Protection" [or, "MassDEP"]
"File Number 071-0349 "
11. Where the Department of Environmental Protection is requested to issue a Superseding Order, the Conservation Commission shall be a party to all agency proceedings and hearings before MassDEP.
12. Upon completion of the work described herein, the applicant shall submit a Request for Certificate of Compliance (WPA Form 8A) to the Conservation Commission.
13. The work shall conform to the plans and special conditions referenced in this order.
14. Any change to the plans identified in Condition #13 above shall require the applicant to inquire of the Conservation Commission in writing whether the change is significant enough to require the filing of a new Notice of Intent.
15. The Agent or members of the Conservation Commission and the Department of Environmental Protection shall have the right to enter and inspect the area subject to this Order at reasonable hours to evaluate compliance with the conditions stated in this Order, and may require the submittal of any data deemed necessary by the Conservation Commission or Department for that evaluation.
16. This Order of Conditions shall apply to any successor in interest or successor in control of the property subject to this Order and to any contractor or other person performing work conditioned by this Order.



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WPA Form 5 – Order of Conditions

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

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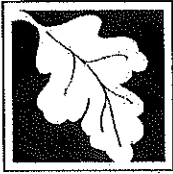
City/Town

C. General Conditions Under Massachusetts Wetlands Protection Act (cont.)

17. Prior to the start of work, and if the project involves work adjacent to a Bordering Vegetated Wetland, the boundary of the wetland in the vicinity of the proposed work area shall be marked by wooden stakes or flagging. Once in place, the wetland boundary markers shall be maintained until a Certificate of Compliance has been issued by the Conservation Commission.
18. All sedimentation barriers shall be maintained in good repair until all disturbed areas have been fully stabilized with vegetation or other means. At no time shall sediments be deposited in a wetland or water body. During construction, the applicant or his/her designee shall inspect the erosion controls on a daily basis and shall remove accumulated sediments as needed. The applicant shall immediately control any erosion problems that occur at the site and shall also immediately notify the Conservation Commission, which reserves the right to require additional erosion and/or damage prevention controls it may deem necessary. Sedimentation barriers shall serve as the limit of work unless another limit of work line has been approved by this Order.
19. The work associated with this Order (the "Project")
- (1) is subject to the Massachusetts Stormwater Standards
- (2) is NOT subject to the Massachusetts Stormwater Standards

If the work is subject to the Stormwater Standards, then the project is subject to the following conditions:

- a) All work, including site preparation, land disturbance, construction and redevelopment, shall be implemented in accordance with the construction period pollution prevention and erosion and sedimentation control plan and, if applicable, the Stormwater Pollution Prevention Plan required by the National Pollution Discharge Elimination System Construction General Permit as required by Stormwater Condition 8. Construction period erosion, sedimentation and pollution control measures and best management practices (BMPs) shall remain in place until the site is fully stabilized.
- b) No stormwater runoff may be discharged to the post-construction stormwater BMPs unless and until a Registered Professional Engineer provides a Certification that:
- i. all construction period BMPs have been removed or will be removed by a date certain specified in the Certification. For any construction period BMPs intended to be converted to post construction operation for stormwater attenuation, recharge, and/or treatment, the conversion is allowed by the MassDEP Stormwater Handbook BMP specifications and that the BMP has been properly cleaned or prepared for post construction operation, including removal of all construction period sediment trapped in inlet and outlet control structures;
 - ii. as-built final construction BMP plans are included, signed and stamped by a Registered Professional Engineer, certifying the site is fully stabilized;
 - iii. any illicit discharges to the stormwater management system have been removed, as per the requirements of Stormwater Standard 10;



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C. General Conditions Under Massachusetts Wetlands Protection Act (cont.)

iv. all post-construction stormwater BMPs are installed in accordance with the plans (including all planting plans) approved by the issuing authority, and have been inspected to ensure that they are not damaged and that they are in proper working condition;

v. any vegetation associated with post-construction BMPs is suitably established to withstand erosion.

c) The landowner is responsible for BMP maintenance until the issuing authority is notified that another party has legally assumed responsibility for BMP maintenance. Prior to requesting a Certificate of Compliance, or Partial Certificate of Compliance, the responsible party (defined in General Condition 18(e)) shall execute and submit to the issuing authority an Operation and Maintenance Compliance Statement ("O&M Statement") for the Stormwater BMPs identifying the party responsible for implementing the stormwater BMP Operation and Maintenance Plan ("O&M Plan") and certifying the following:

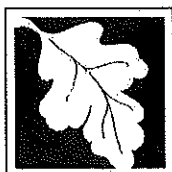
i.) the O&M Plan is complete and will be implemented upon receipt of the Certificate of Compliance, and

ii.) the future responsible parties shall be notified in writing of their ongoing legal responsibility to operate and maintain the stormwater management BMPs and implement the Stormwater Pollution Prevention Plan.

d) Post-construction pollution prevention and source control shall be implemented in accordance with the long-term pollution prevention plan section of the approved Stormwater Report and, if applicable, the Stormwater Pollution Prevention Plan required by the National Pollution Discharge Elimination System Multi-Sector General Permit.

e) Unless and until another party accepts responsibility, the landowner, or owner of any drainage easement, assumes responsibility for maintaining each BMP. To overcome this presumption, the landowner of the property must submit to the issuing authority a legally binding agreement of record, acceptable to the issuing authority, evidencing that another entity has accepted responsibility for maintaining the BMP, and that the proposed responsible party shall be treated as a permittee for purposes of implementing the requirements of Conditions 18(f) through 18(k) with respect to that BMP. Any failure of the proposed responsible party to implement the requirements of Conditions 18(f) through 18(k) with respect to that BMP shall be a violation of the Order of Conditions or Certificate of Compliance. In the case of stormwater BMPs that are serving more than one lot, the legally binding agreement shall also identify the lots that will be serviced by the stormwater BMPs. A plan and easement deed that grants the responsible party access to perform the required operation and maintenance must be submitted along with the legally binding agreement.

f) The responsible party shall operate and maintain all stormwater BMPs in accordance with the design plans, the O&M Plan, and the requirements of the Massachusetts Stormwater Handbook.



Massachusetts Department of Environmental Protection
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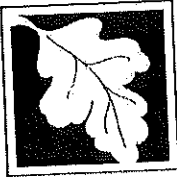
C. General Conditions Under Massachusetts Wetlands Protection Act (cont.)

- g) The responsible party shall:
1. Maintain an operation and maintenance log for the last three (3) consecutive calendar years of inspections, repairs, maintenance and/or replacement of the stormwater management system or any part thereof, and disposal (for disposal the log shall indicate the type of material and the disposal location);
 2. Make the maintenance log available to MassDEP and the Conservation Commission ("Commission") upon request; and
 3. Allow members and agents of the MassDEP and the Commission to enter and inspect the site to evaluate and ensure that the responsible party is in compliance with the requirements for each BMP established in the O&M Plan approved by the issuing authority.
- h) All sediment or other contaminants removed from stormwater BMPs shall be disposed of in accordance with all applicable federal, state, and local laws and regulations.
- i) Illicit discharges to the stormwater management system as defined in 310 CMR 10.04 are prohibited.
- j) The stormwater management system approved in the Order of Conditions shall not be changed without the prior written approval of the issuing authority.
- k) Areas designated as qualifying pervious areas for the purpose of the Low Impact Site Design Credit (as defined in the MassDEP Stormwater Handbook, Volume 3, Chapter 1, Low Impact Development Site Design Credits) shall not be altered without the prior written approval of the issuing authority.
- l) Access for maintenance, repair, and/or replacement of BMPs shall not be withheld. Any fencing constructed around stormwater BMPs shall include access gates and shall be at least six inches above grade to allow for wildlife passage.

Special Conditions (if you need more space for additional conditions, please attach a text document):

See attached document

20. For Test Projects subject to 310 CMR 10.05(11), the applicant shall also implement the monitoring plan and the restoration plan submitted with the Notice of Intent. If the conservation commission or Department determines that the Test Project threatens the public health, safety or the environment, the applicant shall implement the removal plan submitted with the Notice of Intent or modify the project as directed by the conservation commission or the Department.



Massachusetts Department of Environmental Protection
 Bureau of Resource Protection - Wetlands
WPA Form 5 – Order of Conditions
 Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:
 071-0349
 MassDEP File #

eDEP Transaction #
 Swampscott
 City/Town

D. Findings Under Municipal Wetlands Bylaw or Ordinance

1. Is a municipal wetlands bylaw or ordinance applicable? Yes No

2. The Conservation Commission hereby finds (check one that applies):

a. that the proposed work cannot be conditioned to meet the standards set forth in a municipal ordinance or bylaw, specifically:

1. Municipal Ordinance or Bylaw _____ 2. Citation _____

Therefore, work on this project may not go forward unless and until a revised Notice of Intent is submitted which provides measures which are adequate to meet these standards, and a final Order of Conditions is issued.

b. that the following additional conditions are necessary to comply with a municipal ordinance or bylaw:

1. Municipal Ordinance or Bylaw _____ 2. Citation _____

3. The Commission orders that all work shall be performed in accordance with the following conditions and with the Notice of Intent referenced above. To the extent that the following conditions modify or differ from the plans, specifications, or other proposals submitted with the Notice of Intent, the conditions shall control.

The special conditions relating to municipal ordinance or bylaw are as follows (if you need more space for additional conditions, attach a text document):



Massachusetts Department of Environmental Protection
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E. Signatures

This Order is valid for three years, unless otherwise specified as a special condition pursuant to General Conditions #4, from the date of issuance.

Please indicate the number of members who will sign this form.
 This Order must be signed by a majority of the Conservation Commission.

The Order must be mailed by certified mail (return receipt requested) or hand delivered to the applicant. A copy also must be mailed or hand delivered at the same time to the appropriate Department of Environmental Protection Regional Office, if not filing electronically, and the property owner, if different from applicant.

04/07/2022

1. Date of Issuance

5

2. Number of Signers

Tonia Bandrowicz
 Signature

Tonia Bandrowicz
 Printed Name

Colleen Hitchcock
 Signature

Colleen Hitchcock
 Printed Name

A. Randall Hughes
 Signature

A. Randall Hughes
 Printed Name

Monica Lagerquist
 Signature

Monica Lagerquist
 Printed Name

Jonathan Grabowski
 Signature

Jonathan Grabowski
 Printed Name

Signature

Printed Name

Signature

Printed Name

Signature

Printed Name

by hand delivery on

by certified mail, return receipt requested, on

04/12/2022

Date

Date



TOWN OF SWAMPSCOTT CONSERVATION COMMISSION

ELIHU THOMSON ADMINISTRATION BUILDING 22
MONUMENT AVENUE, SWAMPSCOTT, MA 01907

MEMBERS
TOM RUSKIN, CHAIR
TONIA BANDROWICZ, VICE-CHAIR
MONICA TAMBORINI
JONATHAN GRABOWSKI
MONICA LAGERQUIST
COLLEEN HITCHCOCK
A.RANDALL HUGHES

CERTIFICATE OF VOTE AUTHORIZING SIGNATURES PURSUANT TO M.G.L. c. 110G

On October 20, 2020, the Town of Swampscott Conservation Commission met in open session through publicly accessible video-conference software, pursuant to the "Order Suspending Certain Provisions of the Open Meeting Law, G.L. c. 30A 20," issued by Governor Charles D. Baker on March 12, 2020. At this duly held meeting, the following action was taken:

Motion made by Thomas Ruskin: The Swampscott Conservation Commission hereby recognizes and accepts the provisions of the M.G.L. c.110G regarding electronic signatures and that its members will henceforth execute documents either with electronic signatures or with wet ink signatures and that both will carry the same legal weight and effect. Motion seconded by Tonia Bandrowicz.



SO. ESSEX #258 Bk:40213 Pg:305
08/26/2021 11:51 VOTE Pg 1/1

Roll Call Vote:

Monica Tamborini
Monica Tamborini - Aye;

A. Randall Hughes
A. Randall Hughes - Aye;

Colleen Hitchcock
Colleen Hitchcock - Aye;

Monica Lagerquist
Monica Lagerquist - Aye

Jonathan Grabowski
Jonathan Grabowski - Aye;

Tonia Bandrowicz
Tonia Bandrowicz, Vice Chair - Aye;

Thomas Ruskin
Thomas Ruskin, Chair - Aye

Vote was 7-0

Name/Title: Marissa Meaney Date: July 28, 2021
Marissa Meaney, Land Use Coordinator

County of Essex, ss.

On this 28th day of July, 2021, before me, personally appeared Marissa Meaney, Land Use Coordinator and Town staff liaison to said Conservation Commission, as aforesaid, and proved to me through satisfactory evidence of identification, which was Driver's License to be the person whose name is signed on the preceding document, and acknowledge to me that she signed it voluntarily for the purpose stated on behalf of the Town of Swampscott.

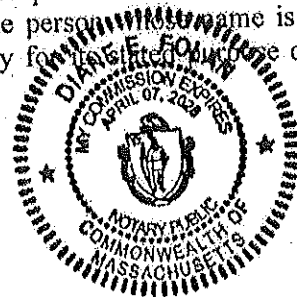
[Signature]

Notary Public

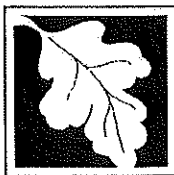
My Commission Expires: April 7, 2028

Certified by Town Clerk:

Name: [Signature]



Date: July 28, 2021



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

WPA Form 5 – Order of Conditions

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

071-0349

MassDEP File #

eDEP Transaction #

Swampscott

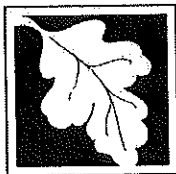
City/Town

F. Appeals

The applicant, the owner, any person aggrieved by this Order, any owner of land abutting the land subject to this Order, or any ten residents of the city or town in which such land is located, are hereby notified of their right to request the appropriate MassDEP Regional Office to issue a Superseding Order of Conditions. The request must be made by certified mail or hand delivery to the Department, with the appropriate filing fee and a completed Request for Departmental Action Fee Transmittal Form, as provided in 310 CMR 10.03(7) within ten business days from the date of issuance of this Order. A copy of the request shall at the same time be sent by certified mail or hand delivery to the Conservation Commission and to the applicant, if he/she is not the appellant.

Any appellants seeking to appeal the Department's Superseding Order associated with this appeal will be required to demonstrate prior participation in the review of this project. Previous participation in the permit proceeding means the submission of written information to the Conservation Commission prior to the close of the public hearing, requesting a Superseding Order, or providing written information to the Department prior to issuance of a Superseding Order.

The request shall state clearly and concisely the objections to the Order which is being appealed and how the Order does not contribute to the protection of the interests identified in the Massachusetts Wetlands Protection Act (M.G.L. c. 131, § 40), and is inconsistent with the wetlands regulations (310 CMR 10.00). To the extent that the Order is based on a municipal ordinance or bylaw, and not on the Massachusetts Wetlands Protection Act or regulations, the Department has no appellate jurisdiction.



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands
WPA Form 5 – Order of Conditions
Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:
071-0349
MassDEP File #

eDEP Transaction #
Swampscott
City/Town

G. Recording Information

Prior to commencement of work, this Order of Conditions must be recorded in the Registry of Deeds or the Land Court for the district in which the land is located, within the chain of title of the affected property. In the case of recorded land, the Final Order shall also be noted in the Registry's Grantor Index under the name of the owner of the land subject to the Order. In the case of registered land, this Order shall also be noted on the Land Court Certificate of Title of the owner of the land subject to the Order of Conditions. The recording information on this page shall be submitted to the Conservation Commission listed below.

Conservation Commission

Detach on dotted line, have stamped by the Registry of Deeds and submit to the Conservation Commission.

To:

Conservation Commission

Please be advised that the Order of Conditions for the Project at:

Project Location

MassDEP File Number

Has been recorded at the Registry of Deeds of:

County

Book

Page

for:

Property Owner

and has been noted in the chain of title of the affected property in:

Book

Page

In accordance with the Order of Conditions issued on:

Date

If recorded land, the instrument number identifying this transaction is:

Instrument Number

If registered land, the document number identifying this transaction is:

Document Number

Signature of Applicant



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

DEP File Number: _____

**Request for Departmental Action Fee
Transmittal Form**

Provided by DEP _____

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

A. Request Information

1. Location of Project

a. Street Address _____

b. City/Town, Zip _____

c. Check number _____

d. Fee amount _____

2. Person or party making request (if appropriate, name the citizen group's representative):

Name _____

Mailing Address _____

City/Town _____

State _____

Zip Code _____

Phone Number _____

Fax Number (if applicable) _____

3. Applicant (as shown on Determination of Applicability (Form 2), Order of Resource Area Delineation (Form 4B), Order of Conditions (Form 5), Restoration Order of Conditions (Form 5A), or Notice of Non-Significance (Form 6)):

Name _____

Mailing Address _____

City/Town _____

State _____

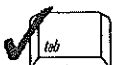
Zip Code _____

Phone Number _____

Fax Number (if applicable) _____

4. DEP File Number: _____

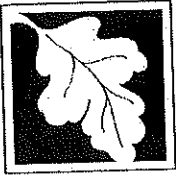
Important:
When filling out forms on the computer, use only the tab key to move your cursor - do not use the return key.



B. Instructions

1. When the Departmental action request is for (check one):

- Superseding Order of Conditions – Fee: \$120.00 (single family house projects) or \$245 (all other projects)
- Superseding Determination of Applicability – Fee: \$120
- Superseding Order of Resource Area Delineation – Fee: \$120



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

DEP File Number:

**Request for Departmental Action Fee
Transmittal Form**

Provided by DEP

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

B. Instructions (cont.)

Send this form and check or money order, payable to the *Commonwealth of Massachusetts*, to:

Department of Environmental Protection
Box 4062
Boston, MA 02211

2. On a separate sheet attached to this form, state clearly and concisely the objections to the Determination or Order which is being appealed. To the extent that the Determination or Order is based on a municipal bylaw, and not on the Massachusetts Wetlands Protection Act or regulations, the Department has no appellate jurisdiction.
3. Send a **copy** of this form and a **copy** of the check or money order with the Request for a Superseding Determination or Order by certified mail or hand delivery to the appropriate DEP Regional Office (see <https://www.mass.gov/service-details/massdep-regional-offices-by-community>).
4. A copy of the request shall at the same time be sent by certified mail or hand delivery to the Conservation Commission and to the applicant, if he/she is not the appellant.



Town of Swampscott
OFFICE OF THE
Conservation Commission
Elihu Thomson Administrative Building
22 Monument Avenue
Swampscott, Massachusetts 01907

Tonia Bandrowicz, Vice-Chairman
Jonathan Grabowski
Colleen Hitchcock
A. Randall Hughes
Monica Lagerquist
Monica Tamborini

Swampscott Conservation Commission
New Elementary School, 10 Whitman Street
DEP File #071-0349

Findings

1. On February 23, 2022, the Town of Swampscott submitted a Notice of Intent (NOI) for new elementary school project, prepared by its consultant, Nitsch Engineering Inc. (Nitsch). Given the interest in this project, the Commission decided to hire its own third-party consultant, Linden Engineering Partners LLC (Linden) to do a peer review of the project.
2. The Town, through its consultant, Nitsch, presented the project at a March 17, 2022 public hearing; however, because Linden, the peer reviewer, had not completed its review of the Town's proposal, the Commission, with the agreement of the Town, and pursuant to WPA regulations 310 CMR 10.05(5), continued the hearing until March 28, 2022.
3. In the intervening time, Linden along with two Commissioners had an opportunity to visit the site with town representatives and consultants on March 10, 2022.
4. Linden completed its review and submitted a report on the Town's NOI the afternoon of March 28, 2022. At the March 28 public hearing, because the Commission had only received Linden's report that afternoon, the Commission, again with the Town's agreement and pursuant to WPA regulations 310 CMR 10.05(5), continued the hearing until April 7, 2022. In the intervening time, Nitsch addressed Linden's March 28 comments and some additional comments made by the Commission in a March 31, 2022 Memorandum and April 5, 2022 addendum.
5. While the majority of Linden's comments concerned clarifying, expanding, and/or correcting technical aspects of the Town's NOI, there were two issues of a more substantive nature: (1) whether the NOI form needed to be signed by the Unitarian Universalist Church of Greater Lynn as well as the Town given that the easement proposed as part of the project is on Church property. On March 24 and 31, 2022, the Town's Legal Counsel, KP Law, submitted legal opinions, with supporting citations, that the Town had acquired a legal interest as an easement holder in the relevant portion of the Church property when it recorded its Order of Taking at the Registry of Deeds on or about March 17, 2022, and so had acquired a legal interest as an easement holder in the Church property prior to the opening of the public hearing by the Commission on the Town's NOI, and that signature by the Church was not required; (2) whether a small separate wet area located at the very bottom of the long narrow island on the Church parking lot, which is immediately adjacent to several wet sumps, should have been delineated as jurisdictional wetlands under the WPA. In a March 30, 2022 memorandum from the Town's environmental consultant, LEC Environmental Consultants (LEC), LEC stated that it had reviewed the issue with Pam Merrill, Environmental Analyst at the Massachusetts Department of Environmental Protection (DEP) Wetlands Program and that the DEP

confirmed LEC's determination that the area in question is not jurisdictional under the WPA. A request will be made to obtain a written confirmation from the DEP on this issue for the record.

6. The project consists of the demolition of an existing building and site improvements on the Stanley School property located at 10 Whitman Street in Swampscott and the construction of a new elementary school and site improvements on the property along with a proposed access to the adjacent property of the Church. While none of the work is proposed within wetland resource areas, portions of the work will occur within the wetlands buffer zone of wetland resource areas in both Ewing Woods and a wooded area on Church property. Nitsch has described these wetlands as "hydrologically isolated and topographically confined" but characterized them as a Bordering Vegetated Wetland (BVW) due to the presence of "internal intermittent stream channels.

General Conditions

(These supplement the General Conditions in WPA Form 5)

1. This Order of Conditions (Order) shall apply to the applicant, and its successors and/or assigns.
2. No work shall commence on the affected property until all appeal periods have elapsed. After the expiration of all appeal periods, in accordance with General Condition 9 on page 6 of this Order (WPA Form 5) and prior to commencement of any work on the affected property, this Order must be recorded at the Essex County Registry of Deeds, Southern District and notification of the Date and Book and Page of the recording shall be provided to the Commission. Failure to record this Order of Conditions will result in automatic revocation of this Order as provided by General Condition 1 on page 5 of this Order (WPA Form 5).
3. Prior to any work being done on the project site, the applicant shall inform the Commission in writing of the names, addresses, business, mobile and home telephone numbers of both the project supervisor who will be responsible for ensuring on-site compliance with this Order and his/her alternate. The notification shall occur at least 48 hours prior to commencement of any work on the site. The 48 hours shall not be over weekends or holidays. The applicant shall also notify the Commission in writing of any changes in this information.
4. At least seven days prior to the commencement of any activity on the project site the applicant shall notify the Commission in writing that activity is commencing on a date certain. The seven calendar days shall not include holidays.
5. The applicant and any person involved in the activity that is the subject of this Order shall notify the Commission immediately upon discovery of a matter related to this Order that may affect any areas within the jurisdiction of the Commission.
6. In accordance with the requirements of General Condition 14 on page 6 of this Order (WPA Form 5), any changes to the approved plans must be presented to the Commission for a determination as to whether the changes are insignificant, whether the changes require a new Public Hearing and an Amended Order of Conditions or if the changes require the filing of a new Notice of Intent. If a new public hearing is required or a new Notice of Intent is required these shall all be duly advertised and noticed to all abutters at the expense of the applicant, in order to take testimony from all interested parties. Within 21 days of the close of said hearing, the Commission shall issue an Amended or New Order of Conditions as appropriate.
7. Any errors found in the plans or information submitted by the applicant shall be considered as changes, and the procedures outlined above shall be followed.
8. The Commission reserves the right to require additional conditions if deemed necessary to protect

resource areas and interests as defined in MGL Chapter 131 Chap 40 (310 CMR 10.00).

9. Work shall be halted on the site if the Commission or Massachusetts Department of Environmental Protection determines that any of the work is not in compliance with this Order.
10. By accepting this Order, the applicant agrees with the Commission's position that the Order as written is necessary to protect the Interests of the Wetlands Protection Act. In the event that an Enforcement Order is issued to the applicant and/or the property owner and the applicant and/or the property owner fails to act after ten business days from the receipt of said Enforcement Order, the Commission may satisfy the requirements of the Enforcement Order and the applicant agrees to reimburse the Town for all administrative costs and other expenses required to satisfy the Enforcement Order including but not limited to all costs incurred by the Town due to the use of its own resources or the use of outside resources including the employment of experts, specialized contractors or any other individual or organization it deems necessary to satisfy the requirements of the Enforcement Order.
11. By accepting this Order, the applicant and property owner agree that the Town of Swampscott Conservation Commission's members and staff and the consultant or designated representative of the Commission may enter onto and inspect the property and the project pursuant to Condition 15 on page 6 of this Order (WPA Form 5), with or without probable cause or prior notice, and until a Certificate of Compliance is issued. After a Certificate of Compliance is issued the same parties may enter and inspect the property and the project, with or without probable cause or prior notice for the purpose of monitoring compliance with those Conditions of this Order which remain in effect in perpetuity. The above-named entities agree to follow the property owner's on-site check-in and safety procedures when entering the property.
12. This Order shall be made part of all construction contracts and subcontracts dealing with the work proposed, and the requirements of this Order shall supersede any conflicting contract requirements. The applicant shall assure that all contractors, subcontractors, and other personnel performing the permitted work are fully aware of the Order's terms and conditions. Any person performing work on the activity that is the subject of this Order is individually responsible for understanding and complying with the requirements of this Order.
13. The contractor, contractors, or other individual(s) in charge of work on the site shall have a copy of this Order, as well as all approved plans and documents referenced in this Order available at the on-site office upon commencement of any site work and shall make the plans and documents available to any person doing work on the site at all times until a Certificate of Compliance is granted.
14. This Order applies only to the work permitted herein, all work shall be conducted in strict accordance with the Notice of Intent and the approved plans and supporting documentation unless otherwise specified in this Order, which shall be the controlling document. Any other or additional activity in areas within the jurisdiction of the Commission will require separate review and approval by the Commission.
15. No on-site wells for irrigation shall be constructed within 100 feet of any Wetland Resource without the filing of a new Notice of Intent with the Commission
16. Issuance of these conditions does not in any way imply or certify that the site or downstream areas will not be subject to flooding, storm damage, or any other form of water damage.
17. It is the responsibility of the applicant to satisfy all procedural requirements of all agencies having jurisdiction over the activity that is the subject of this Order, and to obtain all required licenses, permits, or authorizations. These include but are not limited to the following: a) NPDES Stormwater Pollution Prevention Permit; b) Town of Swampscott Planning Board, Selectmen and other Town Boards, if required; and c) Permits from the Town Building, Wiring Inspector and Plumbing Inspectors and Board of Health, if

required. Copies of all such licenses, permits and authorizations shall be provided to the Commission immediately upon receipt.

18. The erosion controls shall be maintained per General Condition 18 on page 7 of this Order (WPA Form 5) until the referenced stabilization efforts and inspected by the Commission members, staff or other designated representative of the Commission and it is mutually agreed that they are no longer needed, at which time they will be removed, using mutually satisfactory removal procedures. The area where the erosion control devices are removed from shall be stabilized and seeded immediately after the devices are removed and restored to pre-disturbance condition.
19. Any landscaping shall not consist of any exotic, invasive plant including, but not limited to, *Euonymus alata* (Burning Bush or winged euonymous, etc.) *Berberis thunbergii* (Japanese Barberry), or any other plant listed in the Massachusetts Banned Plants List.
20. Upon completion of the work on the project, the applicant shall request in writing a Certificate of Compliance (WPA Form 8A sent to the Commission by Certified Mail) from the Commission and shall submit the following information with the request:
 - a. A certification from a Massachusetts Registered Professional (Civil) Engineer stating that construction complies in all respects with the requirements of this Order and setting forth any deviations that exist. If there are deviations that impact the function and discharge of the Stormwater Management Systems then the Engineer shall provide supporting calculations detailing the impact of the deviations on the system function and discharge;
 - b. Three sets of field surveyed as-built site plans prepared, signed and stamped by a Massachusetts Registered Professional Land Surveyor or a Massachusetts Registered Professional (Civil) Engineer. The as-built plan shall include, at a minimum, and as applicable to the project, elevations of all pipe inverts at inlets, outlets and all drainage or stormwater treatment structures, roof drainage systems, roof drainage piping, monitoring wells, elevations of the sumps of all catch basins and stormwater treatment systems, all drainage pipe sizes, pipe materials, and pipe slopes; all other drainage structures, elevations and locations of all other utilities within the limit of work, limits of clearing, grading and fill; all structures, pavement and spot elevations and 1 foot contour elevations within 100 feet of wetlands boundaries; detailed locations and elevations of all stormwater detention basins, the locations of wetlands boundaries; all alterations within wetland buffer zones and all dates of fieldwork. The as-built survey shall include a statement that the survey was made on the ground under the direct supervision of the Surveyor/Engineer and that the survey conforms to all the requirements of 250 CMR 6.02;
 - c. Two CDs, DVDs or USB Memory Sticks containing the electronic drawing file for the As-Built Survey in .pdf and AutoCAD 2013-2017 formats;
 - d. The as-built plans shall locate at least three horizontal control points and at least three benchmarks; and
 - e. Post-construction photographs demonstrating compliance with this Order, including established vegetation where required.
21. When issued by the Commission, the Certificate of Compliance must be recorded at the Essex County Registry of Deeds and a copy of the recorded Certificate shall be provided to the Commission.
22. The applicant is hereby notified that failure to comply with all requirements herein may result in the issuance of enforcement actions by the Conservation Commission including, but not limited to, civil administrative penalties under M.G.L. Chapter 21A, section 16.

Special Conditions

1. At least seven days prior to the commencement of any construction or activity on the project site, an on-site Preconstruction Meeting must be held with the contractor, designated agent and the Commission members, staff and/or designated representative of the Commission to review this Order to ensure that all conditions of this Order are understood and review the proposed construction schedule and sequencing.
2. Prior to the Preconstruction meeting, the applicant shall furnish the Commission with the Clean Water Act National Pollutant Discharge Elimination System (NPDES) Notice of Intent and EPA approved NPDES Permit.
3. Prior to the Preconstruction Meeting, all of the wetland flags within 120 feet of any proposed work shall be refreshed by placing new flags in the same location as the old flags. If flags are missing, they shall be replaced by accurate survey methods.
4. Prior to the preconstruction meeting, the proposed limit of work and siltation control lines shown on the approved plans shall be clearly marked with stakes, flags, or fencing in the field. The staking of these lines shall be approved by the Commission or its designated Agent at the preconstruction meeting. Such markers shall be maintained until all work on the site's perimeter is complete. All workers shall be informed that no activity is to occur beyond the limit of work line at any time.
5. Prior to the preconstruction meeting, the applicant shall submit the final SWPPP to the Commission for their review and approval. The Final SWPPP must be approved prior to any land disturbance at the site. A .pdf file of the Final Approved SWPPP shall be provided to the Commission.
6. At the Preconstruction Meeting, the applicant shall submit the documents listed below. These documents shall be updated regularly until construction on the project is complete. Documents shall include the following:
 - a. Photographs depicting the project site along the wetland boundary with flagging visible;
 - b. Construction sequencing plan; and
 - c. Construction schedule.
7. No clearing of vegetation, including trees, or disturbance of soil on any areas within 100 feet of any wetland resource area shall occur prior to the Preconstruction Meeting, except such minimal disturbance required in order to stake the required limit of work/erosion control lines.
8. At the Preconstruction meeting, the applicant will review with the Commission which trees, if any, are planned to be removed in the buffer zone. No cutting of trees in the buffer zone shall occur without approval of the Commission and compliance with the Town of Swampscott's Tree Bylaw, if applicable.
9. After the Preconstruction Meeting and prior to any construction at the site, all necessary erosion controls shall be installed along the approved staked line in all locations as shown on the approved plans. Erosion controls shall be installed with minimal disturbance to vegetation. Where possible, erosion controls should go around trees, shrubs, and other vegetation, on the uphill side.
10. Upon completion of the installation of erosion controls, the Commission shall be contacted in order to conduct a follow-up inspection to ensure that erosion controls have been properly installed. No other work on the project may occur until the installed erosion controls have been inspected and approved by the Commission or its consultant or other designated representative of the Commission.
11. Prior to any demolition on the property, temporary fencing or another method of screening the demolition

site from the resource area shall be installed and maintained in order to prevent the spread of dust and debris from entering the resource area.

12. The applicant and property owner must maintain erosion control devices and check on a weekly basis and after any rain event totaling more than 0.25" of precipitation over any 24-hour period. Erosion controls shall be maintained and replaced on an as-needed basis, unless the Commission determines otherwise, to prevent the passage of accumulated sediments to resource areas downgradient of the site and the work areas. Accumulated sediment upgradient of erosion control devices shall be removed immediately if its depth exceeds six inches or every two weeks during construction. See other conditions in this Order regarding reporting of the inspection results.
13. The erosion control specifications provided in the Notice of Intent and the erosion control provision in the Order will be the minimum standards for this project. Erosion control devices may be modified based upon experience at the site. Additional or modified erosion control measures may be required by the Commission at any time before, during and after construction.
14. All existing and new catch basins or stormwater inlets (immediately upon their installation) on and immediately adjacent to the site shall be protected by Silt Sacks to prevent sediment from entering the drainage system. Silt Sacks shall be maintained and regularly cleaned of sediments until all areas associated with the work permitted by this Order have been permanently stabilized and the Commission and/or staff or designated agent has formally approved their removal. Filter fabric placed under the inlet rim is not an acceptable substitute for silt sacks.
15. Until the proposed impervious surfaces for the roadway have been completed, a temporary stabilized construction entrance shall be maintained in accordance with the detail shown on the approved plans to serve as a tracking pad to assist in the removal of silt and soil from vehicle tires.
16. Street sweeping to eliminate any siltation and deposited material on paved surfaces on and immediately adjacent to the project site during construction will be provided as necessary until all affected surfaces of the site have been stabilized.
17. Accepted engineering and construction standards shall be followed in the completion of this project. This includes proper installation and maintenance of Erosion & Sediment Control (E&SC) Best Management Practices (BMPs) per applicable DEP, US Department of Agriculture Natural Resource Conservation Service (NRCS), and/or manufacturers' guidelines.
18. The applicant and property owner shall have on hand at the start of any soil disturbance, removal or stockpiling, an emergency supply of erosion control materials consisting of a minimum of 25 straw bales, three silt sacks, 100 feet of mulch sock and 100 feet of siltation control fencing along with sufficient stakes for securing the fencing and bales. Said emergency supply shall be used only for the control of emergency erosion, and shall be installed in accordance with the details shown on the approved plans. An emergency-use only reserve of products for other methods of E&SC, if previously approved in writing by the Commission, may be substituted. (See General Condition 18 on page 7 of this Order (WPA Form 5)).
19. The designated inspector under the NPDES Permit and the Storm Water Pollution Prevention Plan (SWPPP) shall provide the Commission with copies of all SWPPP Inspection Reports. Inspections shall be conducted at the intervals required under the NPDES Construction General Permit (CGP) and the approved SWPPP and as specified within this Order. The inspection reports shall address the current condition of erosion and sedimentation controls; describe any erosion or sedimentation problems and mitigation measures implemented. Reports shall be sent to the Commission by email within two days of the inspection, and if requested, followed by hard copy in the mail. Failure to provide these reports within two days of the inspection shall constitute a violation of this Order and the Commission may issue an Enforcement Order requiring that all work be ceased until the reports are provided and the site is inspected by the Commission, its agent, consultant or other designated representative.

20. The applicant's engineer shall provide the Commission with a minimum of two progress reports per month (or at intervals as agreed upon with the Commission from time to time) when work is ongoing within the Wetlands Buffer Zone, when work is ongoing of the stormwater management system, when earthwork is being performed or when the site is not in an environmentally stable condition. Progress reports shall indicate what work has been done in wetlands resource areas and associated buffer zones and elsewhere on the site, and what work is anticipated to be done over the next reporting period. The report shall also address the current condition of erosion and sedimentation controls; describe any erosion or sedimentation problems and mitigation measures implemented. Reports shall be sent to the Commission by email within two days of the inspection, and if requested, followed by hard copy in the mail. Failure to provide these reports within two days of the applicant's engineer's inspection of the site shall constitute a violation of this Order and the Commission may issue an Enforcement Order requiring that all work be ceased until the reports are provided and the site is inspected by the Commission, its agent, consultant or other designated representative.
21. If the applicant wishes to substitute another stormwater treatment unit for the Jellyfish Treatment unit specified on the plans, the Isolator Row specified on the plans or different underground chambers then he must submit a request for this substitution to the Commission in writing, including all necessary calculations for the sizing of the substituted unit(s), MASSTEP or NJCAT data for the unit(s) and a statement by a Massachusetts Registered Professional Engineer that the unit(s) are equivalent to the approved design shown on the plans. The proposed alternative must have the same (or more) treatment removals and other properties as the approved units. The Commission shall act on the request and the request must be approved prior to the shipment of the alternative unit(s) to the site.
22. Prior to ordering the underground storage chambers for the project, the applicant or its contractor shall submit buoyancy calculations to the Commission for their review and approval demonstrating that the system, when empty, will have sufficient weight to counteract the buoyant forces of the groundwater outside the unit as a whole system. The Commission shall act on the request and the request must be approved prior to the shipment of the unit(s) to the site.
23. All equipment shall be operated and maintained to prohibit any alterations of wetlands and to minimize disturbance in buffer zones to those areas clearly identified on the plans, demarcated in the field, and permitted by this Order. No equipment is to enter or cross any wetland resource area at any time except as provided for by this Order. At the end of each work day all equipment shall be parked outside of the 100-foot wetlands buffer zone as shown on the plans.
24. During and after work on this project, there shall be no discharge or spillage of fuel, oil, or other pollutants into any Wetland Resource Area or Wetland Buffer Zone. During all construction when equipment is present or in use at the site the contractor shall maintain a spill containment kit on the site in a readily accessible location for immediate use in the event of a spill. Also, there shall be no refueling of mechanical equipment within a Wetland Resource Area or within the 100-foot Wetlands Buffer Zone. Equipment for fuel storage and refueling operations shall be located outside all areas within the jurisdiction of the Commission. The applicant shall take all reasonable precautions to prevent the release of pollutants by ignorance, accident, or vandalism. No fuel, oil, or other pollutants shall be stored in any Wetland Resource Area or the Wetlands Buffer Zone.
25. All debris, fill and excavated material shall be stockpiled as far away from Wetland Resource Areas as possible and surrounded by either a double staked row of straw bales or a siltation control fence with mulch sock to prevent sediment from surface runoff entering any wetland resource areas. At no time shall any debris or other waste material be buried or disposed of within a Wetland Resource Area or Wetland Buffer Zone. All demolition debris shall be removed and disposed of properly off site prior to the construction of the building.

26. No unsuitable material of any kind (stumps, roots, trash, debris, demolition materials, etc.) may be buried, placed or dispersed on the property.
27. All construction debris that is not recycled for appropriate on-site use shall be removed from the site. All void areas shall be brought to grade in accordance with the approved grading plan. Imported backfill material, if any, which is brought to the site shall be tested for contaminants prior to being imported to the site.
28. If the work undertaken for this project results in the introduction of or growth of invasive species, it shall be the applicant's responsibility to remove the invasive species (including the roots) and re-establish native vegetation within the affected areas.
29. Concrete trucks and other vehicles shall not be washed out in any Wetland Resource Area or Wetlands Buffer Zone, or into any stormwater drainage system components. Any deposit of cement or concrete products into a Wetlands Buffer Zone or Wetland Resource Area shall be immediately removed and the area shall be restored.
30. The Contractor shall employ dust control at the site on a seven day a week basis. Dust control shall be by watering only.
31. After proper grading, all disturbed areas shall be brought to final finished grade and stabilized permanently against erosion. This shall be done either by sodding, or by loaming with a minimum of 6 inches of topsoil, seeding, and mulching according to E&SC Guidelines for Urban and Suburban Areas (DEP & NRCS, 1997). If the latter course is chosen, achievement of stabilization is considered to be when the surface shows complete vegetative cover. This shall be measured by at least 80% coverage by established vegetation.
32. Subsequent to seeding, disturbed areas will be covered with salt hay mulch, erosion control blanket or netting, or other suitable material in order to provide an adequate surface protection until seed germination. Preference should be given to erosion control netting with biodegradable stitching. Netting shall be required on all slopes 3:1 or steeper unless the slope is covered by stone riprap. As an alternate to the salt hay mulch, erosion control blanket or netting, biodegradable mulch or tackifier incorporated into a hydro seed mixture is acceptable.
33. Bare ground in the Buffer Zone that cannot be permanently stabilized within fourteen days shall be stabilized by a temporary cover of rye or other grass should be established following U.S. Natural Resource Conservation Service (NRCS) procedures to prevent erosion and sedimentation. If the season is not appropriate for plant growth, exposed surfaces shall be stabilized by straw, jute netting, or other NRCS approved methods. Any stabilization materials such as jute netting shall be firmly anchored to prevent them from being washed from slopes by rain or flooding.
34. Grading shall be performed in accordance with the approved plans for the project and shall not direct runoff to the property of others, unless such conditions already exist. This project shall not increase runoff, nor cause flood or storm damage to abutters or the property of others.
35. Site grading and construction in the Wetlands Buffer Zone shall be scheduled to avoid periods of high water. Once begun, grading and construction shall move uninterrupted to completion to avoid erosion and siltation to the wetlands.
36. If any dewatering or drawdown activities are necessary for the project, water shall not be directly released into any Wetland Resource Area or Stormwater drainage system. Water from dewatering activities shall first be deposited into and filtered by a Dirt Bag® or similar device such as a sediment sump surrounded by a crushed stone and filter fabric dike or a stilling basin to remove sediment before the water is released.

This requirement also applies to discharge of any and all construction-generated runoff, whether released by gravity or pumped.

37. There shall be no pumping of water from any wetland resource areas on/or adjacent to the site.
38. The area of construction shall remain in an environmentally stable condition at the close of each construction day.
39. If any portions of the stormwater treatment system are to be used as sedimentation control during construction, all accumulated silt and debris shall be thoroughly removed to the naturally occurring soil and cleaned prior to final construction and final stabilization.
40. Immediately upon the construction of all catch basins, silt sacks, silt fence or double staked straw bales shall be set around the inlet to prevent sediment from entering the drainage system.
41. Prior to the creation of any impervious surfaces within a particular phase of the project, all stormwater drainage collection, treatment and control systems including treatment and detention structures serving that phase shall be fully constructed and functional.
42. The applicant's consultant determined that the soils at the border between the school property and Ewing Woods will not act as an impervious surface causing stormwater to flow across to the wetlands in Ewing Woods. If, after construction is completed, the Commission determines that the potential for such overflow exists, the Commission may require the applicant to take action, including but not limited to, creating a nature barrier between the school property and Ewing Woods to prevent such stormwater flow.

Perpetual Conditions

The following Conditions shall survive the expiration of this Order and shall be included as continuing requirements in perpetuity on any Certificates of Compliance and the property owner shall be responsible for compliance with these conditions. These conditions shall survive the Order and shall run with the title of the property in Perpetuity. The Commission members, staff and/or designated representative of the Commission shall have permanent rights of entry onto the property to check on compliance with these Perpetual Conditions.

1. There shall be no new or expanded aboveground or underground storage of fuel oils, gasoline or other hazardous substances or pollutants allowed within any Wetland Resource Area or within the 100-foot Wetlands Buffer Zone, except for such substances stored in double walled containers with leak detection, unless permitted by the Commission in a new Notice of Intent.
2. Snow removal and disposal shall be in accordance with the Massachusetts Department of Environmental Protection Bureau of Water Resources Snow Disposal Guidance dated December 11, 2020, or subsequently issued guidance or rule and there will be no snow storage in the resource area or its buffer zone.
3. Permanent trash dumpsters are not allowed in the 100-foot buffer zone unless they are enclosed and specifically approved by the Commission. No permanent trash dumpsters (enclosed or otherwise) are allowed within 50 feet of a Wetlands Resource.
4. The property owner and its successors in ownership shall not store or dump any landscape debris including leaves, grass clippings, brush, or other debris within any Wetland Resource Area or within the 100-foot Wetlands Buffer Zone on or adjacent to the site or in any portion of the stormwater management system.
5. Pesticides, herbicides, fungicides and fertilizer shall not be used within the 100 feet of wetlands. The Integrated Pest Management ("IPM") prepared for the site both during and after construction, and any subsequent revisions to the IPM shall not include the use of pesticide products containing the second-

generation anticoagulant rodenticide (SGAR) active ingredients brodifacoum, bromadiolone, difenacoum, and difethialone. If passed by the Massachusetts legislature, pest control on the site shall conform to "An Act Relative to Pesticide Board," H.4601, or any similar legislation.

6. The property owner shall comply with all requirements of the Operation and Maintenance (O&M) Plan filed with the Commission and referenced in this Order. The property owner shall maintain and repair the storm drainage collection and treatment systems and appurtenances in order to ensure that the design capacity, the stormwater treatment and pollution abatement capacity, and structural integrity of these facilities are maintained. The property owner shall maintain all stabilized surfaces as designed including maintenance and repair of pavement and maintenance of landscaped areas maintaining a vigorous growth of all plant materials. Catch basins and stormwater treatment units shall be inspected and cleaned and roadways, driveways and sidewalks shall be swept at intervals specified in the O&M Plan. Sediments shall be removed from snow storage areas in the early spring. Accumulated sediments shall be removed from sumps and floatable wastes shall be removed from the surface of every catch basin at intervals specified in the O&M Plan. All drain pipes shall be inspected and sediment and debris removed at intervals specified in the O&M Plan. Sediments and wastes shall be disposed of in accordance with all applicable federal, state, and local laws. The stormwater BMP's shall be inspected and cleaned at intervals specified in the O&M Plan.
7. The property owner shall file written reports of the inspections, cleaning and stormwater maintenance along with an up to date certified illicit discharge statement with the Commission on an annual basis, by November 1st beginning the year after this Order is issued.
8. It is the ultimate responsibility of the property owner to maintain the stormwater management systems (collection, conveyance, treatment and storage systems) as specified in the O&M Plan for the project to ensure that they function properly.
9. Any issues which arise at any time affecting the function of any components of the Stormwater Management system on the site must be addressed within 30 days of discovery by the property owner at their sole expense.

SUPERSEDING ORDER OF CONDITIONS
DEP #071-0349
SPECIAL CONDITIONS

See the attached Order of Conditions containing the General Conditions, Findings 1-6, Supplemental General Conditions 1-22, Special Conditions 1-42, and Perpetual Conditions 1-9 with all plan references and/or other attachments, issued by the Swampscott Conservation Commission on April 7, 2022, which is hereby affirmed and made part of this decision as modified by the following special conditions:

44. In reference to Special Conditions #2, 5, 19, 20, 21, and 22 in the OOC, all submittals under this SOC shall be made to MassDEP and copied to the Swampscott Conservation Commission "SCC".

45. MassDEP is the issuing authority of this SOC, as such all correspondence referenced in Special Conditions #4, 8, 10, 12, 13, 14, 18, 24, and 42 of the OOC must be directed to MassDEP and copied to the SCC. Compliance with the conditions set forth in this SOC are enforced by MassDEP.

46. The issuance of this SOC applies to the Massachusetts Wetlands Protection Act Regulations.

47. Special Condition #1 is hereby modified to state that prior to the start of work on site, there shall be a pre-construction meeting between the applicant, the project supervisor, the contractor(s) performing the work, a representative from the SCC and MassDEP to ensure the requirements of the Superseding Order are understood. A construction schedule should be provided for the project. Arrangements for the meeting shall be with made via email with Tyler Ferrick (Tyler.ferrick@mass.gov) at least two (2) weeks prior to any activity.

48. Special Condition #3 is hereby modified to state that prior to the preconstruction meeting, all the wetland flags within 100 feet of any proposed work shall be refreshed by placing new flags in the same location as the old flags.

49. Special Condition #4 is hereby modified to state that the staking of these lines shall be approved by MassDEP at the preconstruction meeting.

50. Special Condition #8 is hereby modified to state that at the preconstruction meeting, the applicant will review with MassDEP and the SCC which trees, if any, are planned to be removed in the buffer zone.

51. Special Condition #10 is hereby modified to state that upon completion of the installation of erosion control, MassDEP and SCC shall be contacted to conduct a follow-up inspection to ensure that erosion controls have been properly installed. No other work on the project may occur until the installed erosion controls have been inspected and approved by MassDEP.

52. Special Condition #12 is hereby modified to state that erosion controls shall be maintained and replaced on an as-needed basis, unless MassDEP determines otherwise.

53. Special Condition #13 is hereby modified to state that additional or modified erosion control measures may be required by MassDEP at any time before, during or after construction.

54. Special Condition #14 is hereby modified to state that silt sacks shall be maintained and regularly cleaned of sediments until all areas associated with the work permitted by this Order have been permanently stabilized and MassDEP has formally approved their removal.

Town of Swampscott

PRIDE MONTH

PROCLAMATION

WHEREAS, our nation and our community was founded on the principle of equal rights for all Americans; and

WHEREAS, Swampscott is committed to being an inclusive community and welcoming of all people regardless of their sexual orientation and gender identity and recognizes that we are a diverse community, enriched by this diversity, including those that are lesbian, gay, bisexual, transgender, and questioning; and

WHEREAS, The Town of Swampscott supports the rights of every citizen to experience equality and freedom from discrimination; and

WHEREAS, The movement towards equal rights for lesbian, gay, bisexual and transgender (LGBT) people took a historic turning point in June 28, 1969, in New York City, with the onset of the Stonewall Riots; and

WHEREAS, We will never forget that 21 year old Matthew Shepard, a college freshman at the University of Wyoming was brutally attacked in an act of homophobic violence in 1998, where he was abducted, bound, robbed and pistol-whipped by two local men before leaving Matt for dead after being tied to a fence in a field outside of town in freezing weather for 18 hours.

WHEREAS, violence against the LGBTQ+ community continues to be a critical issue in the United States, with violence toward transgender and gender non-conforming people facing intensely concerning trends; and

WHEREAS, While there has been remarkable progress towards acceptance and equality in recent years, members of the LGBTQ+ community in the United States and around the world still face an unacceptable level of discrimination and violence. This includes LGBTQ+ people who are not safe at home and those who do not have a home in which to stay.

WHEREAS, We must push back against those who threaten the safety of LGBTQ+ residents and challenge our progress. And we must continue to make the case that all human beings share something fundamental in common – all of us want to be loved, and all of us want to love.

WHEREAS, Swampscott celebrates its diverse LGBTQ+ community; and is committed to ensuring equality for all our residents, employees and visitors; and

WHEREAS, the people of Swampscott's LGBTQ+ community are a vital part of all fields and professions and contribute to a stronger and welcoming Swampscott; and

WHEREAS, we have improved attitudes of society by encouraging inclusiveness throughout our community and celebrating PRIDE month; and

NOW THEREFORE, by virtue of the authority vested in the Town Administrator and Select Board in the Town of Swampscott, we hereby proclaim the month of June as Pride Month in Swampscott, and encourage everyone to treat others with mutual respect and understanding.

2022 PROCLAMATION
RECOGNIZING THE FIRST FRIDAY IN JUNE AS
NATIONAL GUN VIOLENCE AWARENESS DAY

This proclamation recognizes the first Friday in June to be National Gun Violence Awareness Day to honor and remember all victims and survivors of gun violence and to recognize that we as a country must do more to reduce gun violence.

WHEREAS, every day, more than 110 Americans are killed by gun violence, alongside more than 200 who are shot and wounded, and on average there are nearly 16,000 gun homicides every year; and

WHEREAS, Americans are 26 times more likely to die by gun homicide than people in other high-income countries; and

WHEREAS communities across the nation, including Swampscott, are working to end the senseless gun violence with evidence-based solutions; and

WHEREAS, protecting public safety in the communities they serve is local government's highest responsibility; and

WHEREAS, support for the Second Amendment rights of law-abiding citizens goes hand-in-hand with keeping guns away from people with dangerous histories; and

WHEREAS, gun violence prevention is more important than ever as the COVID-19 pandemic has exacerbated gun violence with more than two years of increased gun sales, increased calls to suicide and domestic violence hotlines, and an increase in community gun violence;

WHEREAS, in January 2013, Hadiya Pendleton was tragically shot and killed at age 15; and on June 3, 2022 to recognize the 25th birthday of Hadiya Pendleton (born: June 2, 1997), people across the United States will recognize National Gun Violence Awareness Day and wear orange in tribute to Hadiya Pendleton and other victims of gun violence; and to the loved ones of those victims; and

WHEREAS, the idea of recognizing this day was inspired by a group of Hadiya's friends, who asked their classmates to commemorate her life by wearing orange and they chose this color because hunters wear orange to announce themselves to other hunters when out in the woods and orange is a color that symbolizes the value of human life; and

WHEREAS, by wearing orange on June 3, 2022, Americans will raise awareness about gun violence and honor the lives of gun violence victims and survivors; and

WHEREAS, anyone can join this campaign by pledging to wear orange on June 3rd, the first Friday in June in 2022, to help raise awareness about gun violence; and

WHEREAS, we renew our commitment to reduce gun violence and pledge to do all we can to keep firearms out of the wrong hands and encourage responsible gun ownership to help keep our residents safe.

NOW, THEREFORE BE IT RESOLVED, that the Town of Swampscott recognizes the first Friday in June, June 3, 2022, to be National Gun Violence Awareness Day.

**SWAMPSCOTT 2022-23
SELECT BOARD COMMITTEE AND BOARD LIAISONS**

<p><u>David Grishman</u> Local Emergency Planning Committee Recreation Commission Housing Authority Affordable Housing Trust Fund Television Visioning Committee Earth Removal Advisory Committee Veterans' Representative Traffic Study Advisory Committee</p>	<p><u>Neal Duffy</u> Board of Library Trustees Planning Board Athletic Field Advisory Committee Hadley Reuse Advisory Committee Water and Sewer Rate Advisory Committee Renewable Energy Committee State Legislators Representative</p>
<p><u>Peter Spellios</u> School Building Committee Finance Committee Rail Trail Design and Construction Advisory Committee Article 6 Committee Historical Commission Historic District Commission Hadley Reuse Advisory Committee Zoning Board of Appeals</p>	<p><u>Katie Phelan</u> Open Space and Recreation Harbor and Waterfront Advisory Committee Conservation Commission Tree Committee Andrew's Chapel Restoration Committee Cultural Council Tree Committee</p>
<p><u>Mary Ellen Fletcher</u> Capital Improvement Committee Retirement Board Board of Health Council on Aging SFAA Board of Assessors Solid Waste Advisory Committee Commission on Disabilities</p>	

To be disbanded and/or removed from website:

- Fence Viewers
- Municipal Design Committee
- Turf Field Advisory Committee
- Television Visioning Committee??
- Article 6 Committee?
- Civil Service Study Committee
- Historic District Study Committee
- Swampscott Overdose Response Team
- Town Meeting Procedure Committee
- Representatives, Liaisons, Designers and Coordinators



TOWN OF SWAMPSCOTT
SELECT BOARD REGULAR SESSION MINUTES
MAY 25, 2022 – 6:15 P.M.
SWAMPSCOTT POLICE DEPT. & VIRTUAL

SELECT BOARD MEMBERS PRESENT: NEAL DUFFY, MARY ELLEN FLETCHER, DAVID GRISHMAN, KATIE PHELAN, PETER SPELLIOS

MEMBERS ABSENT: NONE

OTHER TOWN OFFICIALS PRESENT: SEAN FITZGERALD, TOWN ADMINISTRATOR

MR. DUFFY WELCOMED THE FINANCE COMMITTEE AND CAPITAL IMPROVEMENT COMMITTEE TO A JOINT MEETING BETWEEN ALL THREE COMMITTEES. THE SELECT BOARD WAS PRESENT IN THE POLICE DEPARTMENT'S TRAINING ROOM WHILE THE OTHERS ARE ON ZOOM. MR. DUFFY READ A STATEMENT BY MARCH FOR OUR LIVES, A NATIONAL GUN VIOLENCE PROTECTION ORGANIZATION THAT WAS BORN OUT OF A MASS SHOOTING AT STONEHAM DOUGLAS HIGH SCHOOL IN PARKLAND, FL IN 2018.

A. PUBLIC COMMENTS: NONE.

B. TOWN ADMINISTRATOR'S REPORT: I AM PLEASED TO BE ABLE TO OFFER THE FOLLOWING REPORT ON PROGRAMS AND INITIATIVES THAT ARE ON-GOING IN THE TOWN OF SWAMPSCOTT, AS WELL AS SOME UPDATES ON A VARIETY OF THINGS THAT HAVE HAPPENED SINCE MY LAST REPORT.

HUMAN RESOURCES: SWAMPSCOTT'S NEW INCOMING HR DIRECTOR AND ASST. TA, PETE KANE, HAS STARTED THIS WEEK. PETE'S OFFICE IS LOCATED ON THE 2ND FLOOR, IN THE FORMER CONFERENCE ROOM. BONNIE LAVOIE, SWAMPSCOTT'S HR COORDINATOR AND BENEFITS COORDINATOR, HAS RELOCATED FROM THE 3RD FLOOR TO THE 2ND FLOOR, NEXT TO THE LUNCH ROOM.

KING'S BEACH: ON MONDAY, MAY 23, THE TOWN HOSTED ANOTHER IMPORTANT STEERING COMMITTEE PROCESS FOR THE KING'S BEACH WATER QUALITY ENGINEERING STUDY FOR THE TOWN OF SWAMPSCOTT, THE CITY OF LYNN, AND LYNN WATER AND SEWER COMMISSION (LWSC). THE ONGOING WATER QUALITY ISSUES STEM FROM ELEVATED BACTERIA LOADING ASSOCIATED WITH NON-STORMWATER DISCHARGES THAT CONTAMINATE THE FLOW FROM BOTH LYNN AND SWAMPSCOTT STORMWATER OUTFALLS ONTO KING'S BEACH AT THIS POINT.

AT THIS MEETING, WE REVIEWED A NUMBER OF CRITERIA FOR THE PURPOSE OF PRIORITIZING THE SPECIFIC OBJECTIVE(S) OF EACH ALTERNATIVE APPROACHES TO ALLEVIATE WATER QUALITY ISSUES THAT HAVE PLAGUED KING'S BEACH. THESE OBJECTIVES INCLUDED:

SITING RESTRICTIONS – THE NECESSARY FOOTPRINT FOR THE SELECTED ALTERNATIVE. THERE IS VERY LIMITED AVAILABLE SPACE AS BOTH LYNN AND SWAMPSCOTT ARE HEAVILY DEVELOPED WITH LITTLE OPEN SPACE.

- **PERFORMANCE RELIABILITY –** THE RELIABILITY OF THE TECHNOLOGY TO OPERATE SUCCESSFULLY UNDER VARYING CONDITIONS. IN PARTICULAR CONSIDERATION FOR DRY WEATHER, WET WEATHER, TIDAL INFLUENCE, AND ITS RESILIENCE TO FUTURE CLIMATE RELATED IMPACTS.
- **OPERATIONS AND MAINTENANCE –** THE DAY-TO-DAY NEEDS FOR OPERATING AND MAINTAINING THE SOLUTION.
- **IMPLEMENTATION SCHEDULE –** HOW LONG IT WILL TAKE FOR THE SOLUTION TO BE EFFECTIVE AT IMPROVING THE WATER QUALITY AT KING'S BEACH OR OTHERWISE INCREASING THE NUMBER OF DAYS THE BEACH IS SAFE FOR SWIMMING.
- **ENVIRONMENTAL PERMITTING –** THE TYPES OF PERMITS REQUIRED FOR THIS ALTERNATIVE, INCLUDING AN APPROXIMATE COST AND DURATION FOR PERMITTING. PERMITTING TIMELINES WILL BE INCORPORATED INTO THE IMPLEMENTATION SCHEDULE CRITERION AS WELL.

- CAPITAL AND LIFE CYCLE COSTS (PLANNING LEVEL) – A PLANNING LEVEL ESTIMATE FOR THE COST TO DESIGN AND CONSTRUCT THE ALTERNATIVE. IN ADDITION, THE COST OF O&M WILL BE ESTIMATED. WITH THESE COST FACTORS AVAILABLE, AN OVERALL LIFE CYCLE COST WILL BE DEVELOPED FOR A COMMON TIMEFRAME.
- ENVIRONMENTAL IMPACT – THE TYPE OF DIRECT AND ANCILLARY IMPACTS THAT CAN BE ANTICIPATED FROM THE ALTERNATIVE.
- PUBLIC ACCEPTANCE – THE POTENTIAL FOR SUPPORT OR PUSHBACK FOR THE ALTERNATIVE.

AS A REMINDER, THE FOLLOWING SIX (6) ALTERNATIVES ARE BEING EVALUATED:

- SOURCE ELIMINATION THROUGH INFRASTRUCTURE IMPROVEMENTS (E.G. REHABILITATION OF SEWERS AND DRAINS TRIBUTARY TO KING’S BEACH)
- PUMP DRY WEATHER BASE FLOW TO LWSC WASTEWATER TREATMENT PLANT
- DISINFECTION WITH CHEMICAL ADDITION (E.G. CHLORINATION / DECHLORINATION)
- DISINFECTION WITH ULTRAVIOLET (UV) LIGHT
- EXTEND THE OUTFALL DEEPER INTO THE OCEAN
- RELOCATE THE OUTFALL ALONG THE SHORE WHERE THERE IS NO PUBLIC BEACH

BUILDING DEPARTMENT: THIS WEEK, I MET WITH STEVE CUMMINGS SWAMPSCOTT’S BUILDING COMMISSIONER AND REVIEWED THE FOLLOWING BUILDING DEPARTMENT PERMITS:

- | | |
|------------------------------|-------------------|
| • 17 PLUMBING PERMITS | \$1,480.00 |
| • 5 GAS PERMITS | \$115.00 |
| • 20 ELECTRICAL PERMITS | \$2,500.00 |
| • <u>26 BUILDING PERMITS</u> | <u>\$7,030.00</u> |
| • TOTAL OF 68 PERMITS | \$11,125.00 |

STEVE HAS BEEN BUSY WITH FOLLOWING UP ON A NUMBER OF PERMITTING ISSUES AND CODE ENFORCEMENT ISSUES.

POLICE: CHIEF QUESADA, SGT. MACDONALD AND DET. DELANO RECENTLY HELD A “TOWN HALL” DISCUSSION WITH MACHON RESIDENTS AND WILL BE LOOKING TO CONTINUING “TOWN HALL” DISCUSSIONS THROUGHOUT THE COMMUNITY. ADDITIONALLY, THE SWAMPSCOTT POLICE DEPARTMENT, IN CONJUNCTION WITH FIRE, HAVE ALSO STARTED “HI-FIVE FRIDAYS”. REPRESENTATIVES FROM BOTH DEPARTMENTS VISIT LOCAL SCHOOLS AND DAYCARES ON FRIDAYS.

LASTLY, THE POLICE DEPARTMENT HAS ALSO STARTED A NEW INITIATIVE – “DRIVE FOR KINDNESS” AT ALL OF THE ELEMENTARY SCHOOLS. ONE STUDENT PER MONTH IS REWARDED WITH A RIDE TO SCHOOL IN OFFICER BRUCE WILSON’S POLICE CAR FOR PERFORMING A RANDOM ACT OF KINDNESS. HIGH SCHOOL SENIORS DECORATED BOXES TO LOOK LIKE POLICE CARS. STAFF MEMBERS ADD NAMES TO BOXES WHEN THEY OBSERVE A STUDENT PERFORMING A RANDOM ACT OF KINDNESS. AT THE END OF THE MONTH, THE STUDENT WHOSE NAME HAS THE MOST ADDS IS SELECTED FOR A RIDE TO SCHOOL.

OPEN SPACE: I CONTINUE TO HOLD STRATEGIC DISCUSSIONS WITH INDIVIDUALS REGARDING POSSIBLE ACQUISITION OF OPEN SPACE—WE ARE PLANNING ON MEETING AT 5:30 P.M. IN NON-PUBLIC TO DISCUSS IN DETAIL.

RECREATION: I HAVE CONTINUED TO MEET WITH DANNIELLE STRAUSS OUR RECREATION DIRECTOR TO DISCUSS A NUMBER OF EVENTS AND PROGRAMS FOR SWAMPSCOTT. HERE IS A SUMMARY OF SOME OF THE NO-COST/LOW COST EVENTS UPCOMING JUNE:

- JUNE 4TH – PRIDE DAY CELEBRATION ON THE TOWN HALL LAWN FROM 1:00 PM – 3:00 PM. FREE PUBLIC EVENT
- JUNE 6TH – ANNUAL GOLF TOURNAMENT TO RAISE FUNDS FOR JULY 4TH CELEBRATION. TICKETS AVAILABLE ON-LINE THROUGH THE TOWN WEBSITE, RECREATION TAB: [HTTPS://EPAY.CITYHALLSYSTEMS.COM/SELECTION](https://epay.cityhallsystems.com/selection)
- JUNE 12TH – OCTOBER 30TH -FARMER’S MARKET, SUNDAYS, 10:00 AM – 1:00 PM ON THE TOWN HALL LAWN
- JUNE 16TH – JUNETEENTH CELEBRATION ON THE TOWN HALL LAWN, 1:00 PM – 3:00 PM. FREE PUBLIC EVENT

- JUNE 25TH – HARBOR FESTIVAL AT FISHERMAN’S BEACH, 10:00 AM – 2:00 PM. FREE EVENT. THERE WILL BE FOOD, KIDS GAMES, AND A CONCERT WITH PHILLIP KIDS & SEA SHANTY’S
- JUNE 26TH – STRAWBERRY FESTIVAL ON THE TOWN HALL LAWN FROM 4:00 PM – 8:00 PM, PARADE AT 5:00 PM, BRIAN MAES CONCERT AT 6:00 PM. THERE WILL BE A BEER GARDEN, FOOD & OTHER VENDORS
- JUNE 25TH/26TH – SWAMPSCOTT’S 170TH ANNIVERSARY HISTORICAL EVENTS WILL BE TIED IN WITH OTHER EVENTS
- JUNE 27TH – START OF SUMMER RECREATION PROGRAMS.

MEMORIAL DAY: I HAVE HELD SEVERAL MEETINGS WITH SWAMPSCOTT’S VETERANS SERVICES DIRECTOR MIKE SWEENEY OVER THE LAST WEEK. HE HAS BEEN BUSY COORDINATING PROGRAMS FOR MEMORIAL DAY.

- DECORATING VETERANS GRAVES AT SWAMPSCOTT CEMETERY TUESDAY, MAY 24 @ 4-7PM
- FIELD OF HEROES AT SWAMPSCOTT TOWN HALL FRIDAY, MAY 27—MONDAY, MAY 30
- MEMORIAL DAY COMMEMORATION AT SWAMPSCOTT CEMETERY MONDAY, MAY 30, 2022 @ 10AM

C. NEW & OLD BUSINESS:

1. DISCUSSION/OVERVIEW OF PROPOSED LAND ACQUISITIONS:

- ARCHER STREET ASSESSORS MAP LOT 7-1-0
- 0 ARCHER STREET
- 149 HUMPHREY STREET (HAWTHORNE BY THE SEA)

MR. SPELLIOS REVIEWED THE PROPERTY ACQUISITION PRESENTATION, GIVING A BRIEF DESCRIPTION OF ALL THREE PARCELS. HE ENVISIONS THE ARCHER STREET PARCELS AS PASSIVE RECREATION. THE COMMUNITY WILL DECIDE ON THE EXACT OPEN SPACE USE OF THE HAWTHORNE. ARCHER STREET LOT 7-1-0 HAS A SIGNED PURCHASE & SALE FOR \$400,000; THERE IS A PURCHASE & SALE FOR THE HAWTHORNE FOR \$7,000,000; NEGOTIATIONS HAVE JUST STARTED FOR 0 ARCHER STREET. THE BOARD IS GOING BEFORE A SPECIAL TOWN MEETING ON TUESDAY, JUNE 14, 2022, TO ASK FOR PERMISSION AND FUNDING TO ACQUIRE ALL THREE PARCELS.

THERE IS ALSO A NEW PROPOSED ZONING OVERLAY DISTRICT FOR THE GLOVER HOUSE, WHICH HAS BEEN CLOSED AND IN AN INCREASING STATE OF DISREPAIR SINCE THE MID-1990S. THE BOARD HAS WORKED WITH THE ATHANAS FAMILY, WHICH ALSO HAS AN AGREEMENT IN PLACE TO REDEVELOP THE PROPERTY. THE TOWN WARRANT WILL INCLUDE ADDING A NEW ZONING OVERLAY DISTRICT TO THE PROPERTY. THIS WILL ONLY IMPACT THE 2.2 ACRES LOCATED IN SWAMPSCOTT AND WILL ALLOW A DENSITY OF 68 UNITS/ACRE. THE DEVELOPER WILL ALSO PAY \$279,000 INTO THE AFFORDABLE HOUSING TRUST AS IF THE 40R WAS STILL IN PLACE. TOWN MEETING WILL BE ASKED TO CREATE AN OVERLAY DISTRICT TO INCREASE THE NUMBER OF UNITS TO 96 AND WHICH WILL REQUIRE 17 AFFORDABLE UNITS (18%).

TA FITZGERALD AND TOWN ACCOUNTANT PATRICK LUDDY DISCUSSED FINANCING OF THE THREE LOTS. TOWN MEETING WILL BE ASKED FOR \$8,875,000, TO BE FUNDED THROUGH THE GENERAL FUND. THESE ACQUISITIONS FIT INTO THE TOWN’S LONG- AND SHORT-RANGE GOALS AND THERE’S NEVER BEEN A BETTER TIME WITH RESERVES. THE TOWN CAN BOND FOR UP TO 30 YEARS USING GENERAL OBLIGATION BONDS, THE BULK OF WHICH WILL BE NEEDED BY OCTOBER. THE TAX IMPACT WILL BE MODERATE USING RESERVES; THE TAX IMPACT WITHOUT RESERVES WILL BE APPROXIMATELY \$80-110/SINGLE FAMILY HOUSE. TA FITZGERALD STATED THAT THE TOWN IS IN A GOOD POSITION TO TAKE ON A PROJECT OF THIS SCOPE & MANAGE TAX RATE AS RESERVES HAVE GROWN FROM \$3M TO \$10M. FISCAL YEAR 2023 CAPITAL PLAN WILL ALSO BE ON THE SPECIAL TOWN MEETING WARRANT. THERE WAS A DISCUSSION ABOUT RESERVES, THE STABILIZATION FUND, TAX IMPACT, CREATING A LAND TRUST AND THE FIVE-YEAR CAPITAL PLAN. THE BOARD AND TOWN ADMINISTRATOR ARE TALKING TO STATE AND FEDERAL PARTNERS TO HELP FUND THE OPEN SPACE PLAN FOR THE HAWTHORNE. THE ATHANAS FAMILY HAS UP TO ONE YEAR TO CLOSE THE RESTAURANT, DURING WHICH TIME THERE WILL BE COMMUNITY MEETINGS TO DECIDE HOW TO USE THE SPACE.

2. DISCUSSION/OPENING/CLOSING OF TOWN WARRANT FOR SPECIAL TOWN MEETING, TUESDAY, JUNE 14, 2022, 7:00 PM:

THE FINANCE COMMITTEE AND CAPITAL IMPROVEMENT COMMITTEE ADJOURNED THEIR MEETINGS AT 8:05 P.M.

UPON **MOTION**, DULY MADE BY DAVID GRISHMAN, SECONDED BY MARY ELLEN FLETCHER, IT WAS UNANIMOUSLY **VOTED**: TO OPEN THE WARRANT FOR THE SPECIAL TOWN MEETING OF TUESDAY, JUNE 14, 2022, 7:00 P.M.: ALL IN FAVOR YES. ANY OPPOSED NO. MOTION PASSES.

ARTICLE 1: THE FINANCE COMMITTEE WILL REPORT. 54 FOSTER STREET HAS TO BE REMOVED FROM THE ARTICLE. THE REPORT WILL MAKE CLEAR THAT ALL THREE PROPERTIES ARE BEING ACQUIRED STRICTLY AS OPEN SPACE.

ARTICLE 2: ZONING BY-LAW – THE APPENDIX INCLUDES THE VERBATIM. THE FINANCE COMMITTEE WILL REPORT ON THIS ARTICLE.

ARTICLE 3: CAPITAL IMPROVEMENT COMMITTEE WILL REPORT ON THIS ARTICLE. THERE ARE TWO ADDITIONS: 1) THE HIGH SCHOOL'S METCO PROGRAM'S DEDICATED ROOM NEEDS TO BE RE-DONE. THEY LOST IT A FEW YEARS AGO BUT HAVE RECENTLY GOTTEN USE OF IT AGAIN. THIS SPACE IS USED BY STUDENTS WHO COME IN EARLY OR STAY LATE AND NEED A PLACE TO WAIT TO BE TAKEN HOME. 2) THE VETERANS ASKED FOR IMPROVEMENTS TO THE VFW TO CONTINUE PROVIDING BROADER SERVICES IN THE TELEHEALTH SPACE. BOTH ARE PRIORITIES AND ARE LOW COST.

UPON **MOTION**, DULY MADE BY PETER SPELLIOS, SECONDED BY KATIE PHELAN, IT WAS UNANIMOUSLY **VOTED**: TO CLOSE THE WARRANT WITH INDICATED CHANGES AND WITH NEAL AND PETER TAKING ANOTHER LOOK AT, FOR THE SPECIAL TOWN MEETING OF TUESDAY, JUNE 14, 2022, 7:00 P.M.: ALL IN FAVOR YES. ANY OPPOSED NO. MOTION PASSES.

D. VOTES OF THE BOARD

MS. FLETCHER ASKED THAT THE MINUTES BE SEPARATED FROM THE CONSENT AGENDA AS SHE HAD SOME EDITS.

CONSENT AGENDA:

- VOTE TO APPROVE MSBA PROJECT FUNDING AGREEMENT
- VOTE TO APPROVE A ONE-DAY LIQUOR LICENSE FOR EVENT ON JULY 3, 2022, 4:00 PM – 8:30 PM, LOCATED AT TOWN HALL, 22 MONUMENT AVE., SWAMPSCOTT, MA 01907 FOR JOSEPH L. STEVENS VFW POST.
- VOTE TO APPROVE A LIQUOR LICENSE FOR 1634 MEADERY, LLC TO SELL BOTTLED WINE AT THE FARMER'S MARKET ON SUNDAYS FROM JUNE 12, 2022 – OCTOBER 30, 2022, 10:00 AM – 1:00 PM, LOCATED AT TOWN HALL, 22 MONUMENT AVE., SWAMPSCOTT, MA 01907.
- NATIONAL GRID PETITIONS:
 - 12 PURITAN ROAD – 85 PURITAN ROAD - INSTALLATION OF 2-3" CONDUIT CONCRETE
 - MORTON/HUMPHREY – INSTALL NEW POLE #3-84
 - FOSTER/CARSON TERR – RELOCATE POLE #26
- CITATIONS FOR RETIRING CONSERVATION COMMISSION MEMBERS

UPON **MOTION**, DULY MADE BY DAVID GRISHMAN, SECONDED BY KATIE PHELAN, IT WAS UNANIMOUSLY **VOTED**: TO APPROVE THE CONSENT AGENDA WITH THE REMOVAL OF THE MINUTES: ALL IN FAVOR YES. ANY OPPOSED NO. MOTION PASSES.

EDITS TO MINUTES: A) REGULAR MEETING OF MAY 11, 2022: 1) UNDER PUBLIC COMMENT - CINDY ASKED IF ANYONE ATTENDED THE LAST ZBA MEETING & DID THEY HAVE ANY COMMENTS, CHANGE "NO ONE HAD A COMMENT" TO "NO ONE ANSWERED"; 2) INCREASE RADIUS TO PRE-BLAST SURVEY TO READ UP TO 1,000 FEET; 3) THE FIRE DEPT. RESEARCHED AND REVIEWED COMPLAINTS RECEIVED DURING RECENT BLAST PROJECTS – THERE WERE NO COMPLAINTS LOGGED SO THERE WAS NOTHING FOR THE BOARD TO RECEIVE. 4) UNDER BOARD MEMBER COMMENTS - ADD MS. FLETCHER COMMENTED THAT CONSTRUCTION SIX DAYS/WEEK WOULD BE TOO MUCH FOR THE NEIGHBORHOOD; B) REGULAR MEETING OF MAY 19, 2022: UNDER NEW AND OLD BUSINESS SECTION A – ADD THAT BOARD MEETINGS REGARDING ACQUISITIONS WERE HELD IN EXECUTIVE SESSION FOR OVER A YEAR.

UPON **MOTION**, DULY MADE BY DAVID GRISHMAN, SECONDED BY KATIE PHELAN, IT WAS UNANIMOUSLY **VOTED**: TO APPROVE THE MINUTES AS AMENDED: ALL IN FAVOR YES. ANY OPPOSED NO. MOTION PASSES.

E. SELECT BOARD:

MR. DUFFY: DISCUSSED WHETHER MEETING BEFORE AND/OR AFTER THE SPECIAL TOWN MEETING WERE NEEDED. THE BOARD WILL MEET ON WEDNESDAY, JUNE 8TH AND WEDNESDAY, JUNE 15TH. THEY WILL ALSO MEET ON JUNE 14TH AT 6:30 P.M. TA FITZGERALD DISCUSSED THE POSSIBILITY OF HOLDING A ZOOM MEETING TO DISCUSS A CONDITIONAL OFFER WITH A NEW EMPLOYEE.

MR. GRISHMAN: 1) MET WITH THE HOUSING AUTHORITY BOARD. THE STATE HAS ALLOCATED \$172,000 TO REPLACE SEVEN PORCHES AT DUNCAN TERR. THE PROJECT WILL COST \$183,000 SO THEY WILL NEED TO SPEND \$11,000 OUT OF CAPITAL. THEY ARE ALSO CHANGING NON-ADA COMPLIANT UNITS TO ADA COMPLIANT UNITS, UPDATING THE OFFICE SO DUNCAN TERR. WILL BE ADA-COMPLIANT; 2) MR. GRISHMAN REPORTED THAT, AT THE END OF HIS MEETING, THE SWAMPSCOTT HOUSING AUTHORITY EXECUTIVE DIRECTOR READ A LETTER ABOUT SOME COMMENTS ADDRESSED TO HER BY A RESIDENT THAT SHE CONSIDERED RACIALLY INSENSITIVE. AT THE REQUEST OF THE EXECUTIVE DIRECTOR, MR. GRISHMAN SHARED THE LETTER WITH THE SELECT BOARD. TA FITZGERALD COMMENTED THAT THIS IS UNACCEPTABLE AND THE TOWN WILL DO WHATEVER IT CAN TO HELP HER STAND STRONG, ADDRESS THIS TYPE OF BIGOTRY & UNKINDNESS. TA FITZGERALD WILL REACH OUT TO THE TOWN'S DEI PARTNER TO SEE WHAT WE NEED TO DO TO TRY TO HELP. MR. GRISHMAN ALSO COMMENTED THAT HE SUPPORTS THE EXECUTIVE DIRECTOR AND HER TEAM. HE EMPHASIZED THAT THIS IS HAPPENING AND IS IMPACTING PEOPLE WHO WORK AND LIVE IN OUR TOWN.

MS. FLETCHER: 1) COMMENTED THAT COMMUNICATION HELPS CREATE COMMUNITY AND HAS MADE A RECOMMENDATION TO SUZANNE WRIGHT TO HAVE ALL OF THE SCHOOL BUILDING PROJECT DOCUMENTS PUT ON THE WEBSITE AND HIGHLIGHTED SO PEOPLE CAN EASILY FIND IT. SUZANNE REQUESTED THAT THE BOARD GIVE UPDATES DURING THEIR MEETINGS. MS. FLETCHER ALSO RECOMMENDED THAT SUZANNE'S BOARD MEET VIA ZOOM AS WELL; 2) THANKED SWAMPSCOTT POLICE FOR SHOWING UP SATURDAY NIGHT AROUND 3:00 A.M. BECAUSE THERE WAS AN UNWANTED VISITOR AND APPRECIATES ALWAYS FEELING SAFE, ESPECIALLY IN THE MIDDLE OF NIGHT; 3) REQUESTED THAT MEETING INFORMATION GETS DISTRIBUTED TO THE BOARD IN A TIMELY MANNER, IN ADVANCE OF THE MEETING TO GIVE BOARD MEMBERS TIME TO PROCESS & THINK ABOUT THE ISSUES. THIS WILL STREAMLINE PROCEEDINGS; 4) DR. FREEDMAN IS RUNNING THE ANNUAL RABIES CLINIC FOR DOGS AND CATS ON WEDNESDAY, JUNE 22ND, AT THE DPW YARD AT 200 PARADISE ROAD, FROM 5:00 P.M. – 7:00 P.M. VACCINES COST \$10-15; CATS SHOULD BE CONTAINED IF POSSIBLE & DOGS SHOULD BE LEASHED. VACCINES ARE GOOD FOR 1 YEAR. IF A RESIDENT BRINGS PROOF OF A PRIOR VACCINE, IT CAN EXTENDED TO 3 YEARS. THE CLERK'S OFFICE CAN HELP FIND PROOF IF YOU DON'T HAVE IT. EMAIL MS. FLETCHER AT ME@MARYELLENFLETCHER.COM IF THERE ARE ANY QUESTIONS.

MS. PHELAN: NOTHING TO ADD

MR. SPELLIOS: NOTHING TO ADD

UPON **MOTION**, DULY MADE BY KATIE PHELAN, SECONDED BY DAVID GRISHMAN, IT WAS UNANIMOUSLY **VOTED**: TO ADJOURN THE MEETING AT 8:55 P.M.: ALL IN FAVOR YES. ANY OPPOSED NO. **MOTION PASSES**.

RESPECTFULLY SUBMITTED,

DIANNE MARCHESE

DIANNE MARCHESE
EXEC. ADMIN. TO TOWN ADMINISTRATOR & SELECT BOARD