



## GLOUCESTER CITY COUNCIL

9 Dale Avenue, Gloucester, MA 01930  
Office (978) 281-9720 Fax (978) 282-3051

### Budget & Finance Committee

Thursday, June 7, 2012 – **5:00 p.m.**  
1<sup>st</sup> Fl. Council Committee Rm. – City Hall

#### AGENDA

*(Items May be taken out of order at the discretion of the Committee)*

1. **Continued Business:** Memorandum from Emergency Management Director re: Request City Council accept donation of a fire boat from the City of New Bedford (matter referred back by City Council 5/22/12)
2. **Memorandum from Harbormaster re: request Council approval for withdrawal of funds in the amount of \$27,100 from Waterways Enterprise Free Cash account for two planned projects**
3. **Memorandum from CFO on behalf of Senior Center Coordinator re: permission to pay invoice without a purchase order in place**
4. **Memorandum from Acting Community Development Director re: Get Fit Gloucester! Mass in Motion Grants**
5. **Memorandum, Grant Application & Checklist from DPW Director re: Mass Interlocal Insurance Assoc. Loss Prevention Grant in the amount of \$20,000**
6. **Memorandum from Public Health Director re: Mass Dept. of Public Health, Bureau of Substance Abuse Services (BSAS), Mass Call Extension Grant in the amount of \$30,000**
7. **Memorandum, Grant Application & Checklist from Acting Community Development Director re: FY2012 Mass Local Acquisition for Natural Diversity (LAND) Grant for Briar Neck Crossing**
8. **Memorandum, two Grant Applications & Checklists from CAO re: Brownfields Redevelopment Fund-Site Assessment Applications for grants to perform environmental assessments of 91 and 110 Commercial Street**
9. **Special Budgetary Transfer Request (#2012-SBT-36) from the Police Department**
10. **Memorandum from Police Chief re: Council acceptance of a donation of a 2004 Ford Astro Van from Cape Ann Transportation Authority**
11. **Memo from City Auditor regarding accounts having expenditures which exceed their authorization And Auditor's Report**

#### COMMITTEE

Councilor Paul McGeary, Chair  
Councilor Joseph Ciolino, Vice Chair  
Councilor Melissa Cox

#### Committee members – Please bring relevant documentation

Back-up and Supporting Documentation all on file at the City Clerk's Office, City Hall

CC: Mayor Carolyn Kirk  
Jim Duggan  
Kenny Costa  
Jeffrey Towne  
Gregg Cademartori  
Mike Hale  
Noreen Burke  
Mike Lane/Heidi Fialho  
Jim Caulkett/Tony Gross/Miles Schlichte

The listing of matters is those reasonably anticipated by the Chair which may be discussed at the meeting. Not all items listed may in fact be discussed and other items not listed may also be brought up for discussion to the extent permitted by law.



Nineteen Harbor Loop  
Gloucester, MA 01930

TEL 978-282-3012  
FAX 978-978-281-4188  
jcaulkett@gloucester-ma.gov

CITY OF GLOUCESTER  
HARBORMASTER'S OFFICE

**Memorandum**

From: Jim Caulkett, Harbormaster  
To: Mayor Carolyn Kirk  
Date: May 8, 2012  
Subject: Waterways Enterprise Reserve Funds

Mayor Kirk,

The Gloucester Waterways Board is requesting you forward in your next Report to Council this request to withdraw funds from the Waterways Enterprise Free Cash account in the amount of \$27,100.00 for two planned projects.

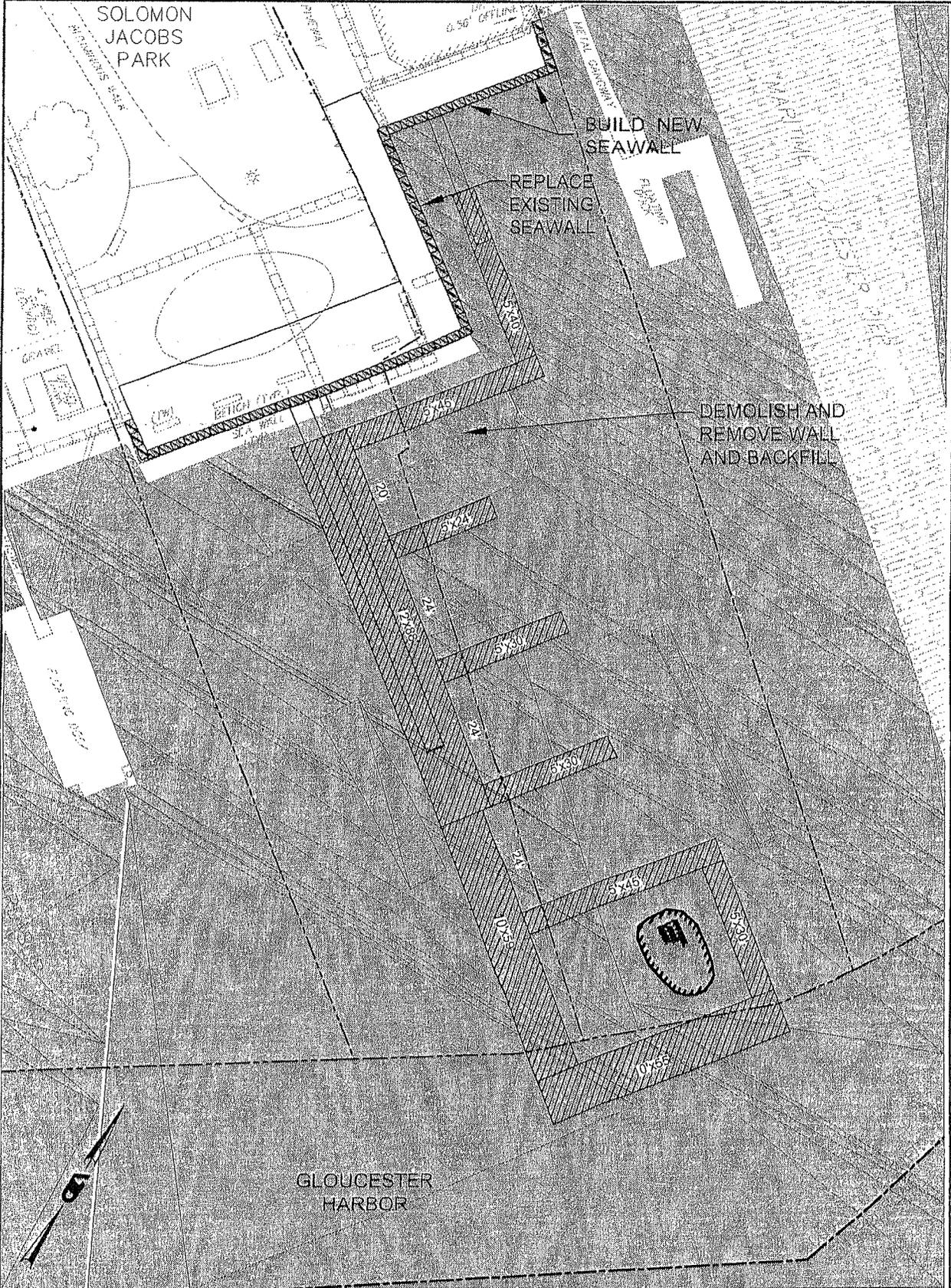
The first is \$25,000.00 for the design, engineering and permitting of a new float system at Solomon Jacobs Park. These funds are to be secured from the Chapter 91 mitigation fees collected from property owners outside of the DPA. A conceptual drawing has been attached for your review.

The second is \$2,100.00 for the Lanes Cove Fish Shack Restoration Project. A list of supplies has been provided.

If you have any questions please feel free to contact me.

Sincerely,

Jim Caulkett

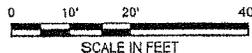


**LEGEND**

- EDGE PAVEMENT
- PROPERTY LINE
- ASSESSOR'S LINE
- FORMER AND EXISTING SEAWALL
- NEW AND REPLACEMENT SEAWALL
- CHAIN LINK FENCE
- EDGE OF WOODED AREA/PLANTED AREA

**SITE PLAN**  
SCALE: 1"=20'

**DRAFT**



UNLESS SPECIFICALLY STATED BY WRITTEN AGREEMENT THIS DRAWING IS THE SOLE PROPERTY OF GZA GEOENVIRONMENTAL, INC. (GZA). THE INFORMATION SHOWN ON THE DRAWING IS SOLELY FOR USE BY GZA'S CLIENT OR THE CLIENT'S DESIGNATED REPRESENTATIVE FOR THE SPECIFIC PROJECT AND LOCATION IDENTIFIED ON THE DRAWING. THE DRAWING SHALL NOT BE REPRODUCED, REUSED, COPIED, OR MODIFIED IN WHOLE OR IN PART FOR ANY OTHER PURPOSE OR PROJECT, AND ANY SUCH REUSE, COPI, OR MODIFICATION TO THE DRAWING SHALL BE AT THE USER'S OR SUCH OTHER PARTY'S SOLE RISK AND WITHOUT ANY RISK OR LIABILITY TO GZA.

<b>GLOUCESTER HARBORMASTER BERTHING FACILITY IMPROVEMENTS</b>			
GLOUCESTER, MASSACHUSETTS			
<b>CONCEPTUAL FLOAT LAYOUT</b>			
PREPARED BY:	GZA GeoEnvironmental, Inc. Engineers and Scientists Professionals		PREPARED FOR: CITY OF GLOUCESTER
DESIGNED BY:	REVIEWED BY:	CHECKED BY:	FIGURE
DAS	DBV	DAS	1
DATE:	PROJECT NO.:	SCALE:	REVISION NO.:
APRIL 2012	12 P00027.13	AS SHOWN	

*Same Come  
Yosh Shrek*

8 1 ton come-a-longs @ \$65 ea	\$520
6 2 ton hydraulic jacks @ \$83 ea	\$498
400 lf 6x6 cribbing @ \$1.70/lf	\$680
Misc. rope/cablling /fasteners	\$375
Total	\$2,073

City Hall  
Nine Dale Avenue  
Gloucester, MA 01930



TEL 978-281-9707  
FAX 978-281-8472  
jtowne@gloucester-ma.gov

**CITY OF GLOUCESTER**  
**OFFICE OF THE CHIEF FINANCE OFFICER**

MEMORANDUM

To: Mayor Kirk

From: Jeffrey C. Towne, City CFO/Treasurer/Collector 

Date: May 9, 2012

Re: Council on Aging – Request to pay an invoice without a purchase order

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**RECEIVED**

MAY 9 2012

**Mayor's Office**

Please see attached a memo from Lucia Sheehan regarding a request to pay an invoice without a purchase order. Please refer the matter to the City Council for referral to the Budget & Finance Committee.

**INTEROFFICE MEMO  
OFFICE OF THE COUNCIL ON AGING  
978 281-9765**

To: Mr. Jeff Towne  
Chief Financial Officer

From: Lucia Sheehan  
Council on Aging

Enclosed is an invoice in the amount for \$1,097.00 for services provided for the installation of a downdraft vent system that will remove caustic fumes from kiln to the outdoors and eliminate the escape of these fumes from the kiln to the Art Room at the Rose Baker Senior Center. The invoice also includes support services.

I am sorry to say that although I thought that I had requested a Purchase Order previously for this work as I should have, I found that I did not.

Boston Kiln Sales & Service \$1,097.00  
Account #101000.10.541.58425.0000.00.000.00.058

Enclosed: Invoice  
Federal ID Number  
Quotation for the work to be done



**Boston Kiln Sales and Service**  
**66 Thomas Street**  
**Medford, MA 02155**  
**Tel. 617-926-1802**  
**Fax 781-391-8942**  
*service@bostonkiln.com*  
*Master License A11154*

## **Quotation**

Lucille Sheehan  
Senior Center Coordinator  
Rose Baker Senior Center  
6 Manuel F Lewis Street  
Gloucester, MA 01930

Lucille.

A downdraft vent system removes caustic fumes from kiln by producing a slight a negative pressure within the kiln and exhausting it though ductwork to the outdoors. Also it eliminates the escape of these fumes in to the room preserving the longevity of the kiln.

Below is our quotation to supply and install a downdraft vent system with support services for the kiln at the Rose Baker Senior Center. Proposal includes;

Supply, install, and verify a downdraft vent system, hard ducted and sealed to the outdoors via the side of the building.

Material fee \$ 562  
Service fee \$ 370

### **OPTIONS**

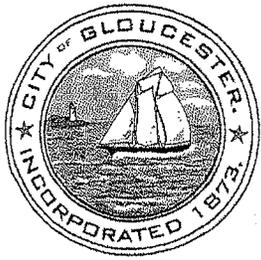
Automate downdraft vent to automatically turn on at beginning of firing and turning off at cone temperature or assist in cooling kiln down to 100 degrees, assuring proper ventilation, minimizing equipment usage, and maximizing energy efficiency.

\$ 165

Total \$1097

All workmanship is unconditionally guaranteed for one year. If you have any questions regarding this quotation please do not hesitate to contact me at 617-926-1802. Thank you for allowing *Boston Kiln Sales and Service* to service your studio equipment needs.

Tony Nardella  
March 20, 2012



CITY OF GLOUCESTER  
COMMUNITY DEVELOPMENT DEPARTMENT  
3 POND ROAD, GLOUCESTER, MA 01930

*MEMORANDUM*

DATE: May 11, 2012

TO: Mayor Carolyn Kirk

FROM: *JMC*  
Gregg Cademartori, Acting Community Development Director

CC: Stephen Winslow, Senior Project Manager, Noreen Burke, Health Director

Re: Get Fit Gloucester! Mass in Motion  
**Mass in Motion Year 4 Grant**  
**Mass in Motion Year 3 Grant Rollover**  
**Modification to Harvard Pilgrim Health Care Foundation Application**

The Community Development Department is pleased to report that Massachusetts Department of Public Health and associated funding partners will provide the City an additional twelve month grant totaling \$60,000 for the Mass in Motion Municipal Wellness and Leadership Program that funds Get Fit Gloucester! The grant award for Year 4 covers the period from May 15, 2012 through May 15, 2013. The Community Development Department has also asked that the Mass in Motion partners extend the grant period for Year 3 to May 15, 2013, rolling forward use of unexpended funds into FY 2013.

The attached draft budget for Get Fit Gloucester! displays the various sources and uses of funds planned for this effort in the next year. Mass in Motion, Boston Public Health Commission and the Harvard Pilgrim Grant are anticipated to provide \$109,251.14 in funds through May 15, 2013. As has been the case the past three years, a substantial portion of the funds pay for Senior Project Manager Stephen Winslow who has supported all Get Fit Gloucester activities provided staff support to the Open Space & Recreation Committee and has supported the efforts of the Newell Renewal and the planned Washington Street reconstruction projects. As more grants have been secured, funding has been dedicated to priorities identified in the Get Fit Gloucester! action plan. This includes additional support for the Cape Ann YMCA Clean Team, the Backyard Growers and the Passports to Fitness program. Staff will be available to answer any questions of the City Council.



Health Resources in Action  
Advancing Public Health and Medical Research

95 Berkeley Street, Suite 208  
Boston, MA 02116  
617.451.0049 | Fax: 617.451.0062  
TTY: 617.451.0007 | [www.hria.org](http://www.hria.org)

April 30, 2012

Sarah Buck  
Director  
Community Development City of Gloucester  
3 Pond Road  
Gloucester, MA 01930

Dear Ms. Buck:

Congratulations! On behalf of the Massachusetts Department of Public Health, Blue Cross Blue Shield of Massachusetts, Blue Cross Blue Shield of Massachusetts Foundation, The Boston Foundation, Harvard Pilgrim Health Care Foundation, MetroWest Community Health Foundation, Partners HealthCare, and Tufts Health Plan Foundation, Health Resources in Action is pleased to provide a twelve month grant for \$60,000.00 to the city of Gloucester, pending final appropriations in FY 2013 state budget. This funding is to continue the policy, systems, and environmental change work you have been engaged in to support healthier eating and active living. This award will cover the period of May 15, 2012 through May 15, 2013. You will receive the first installment for \$16,875.00 in May.

Should you have any questions about the grant award or reporting requirements, please contact Judi Foley, Director of Special Projects at 617-922-5632 or [jfoley@hria.org](mailto:jfoley@hria.org). We are pleased to continue to support the Mass in Motion Municipal Wellness and Leadership Grants program and look forward to working with you in the coming months.

Sincerely,

Raymond Considine  
President

Get Fit Gloucester! - Grant Budget  
5/15/2012 thru 5/15/2013

Sources	
Mass in Motion Year 3 Funds Carryover	\$17,251.14
Mass in Motion Year 4 Funds	\$60,000.00
Strategic Mentoring Grant (BPHC)	\$22,000.00
Harvard Pilgrim Grant	\$10,000.00
Community Development Funds	
<b>Total Sources</b>	<b>\$109,251.14</b>

Uses				
Item	Source	FTE	Description	Amount
<b>Personnel</b>				
Get Fit Gloucester! Project Manager May 15 - June 30, 2012	MIM Yr 3	1 FTE	Project management	\$7,784.71
Fringe Benefits	MiM Yr 3			\$160.32
July 1 - June 30th, 2013	MIM Yr 4	1 FTE	Project management	\$48,084.00
	BPHC		Spend by 9/30/2012	\$11,916.00
Fringe Benefits	MiM Year 4			\$3,759.00
	BPHC		Spend by 9/30/2012	\$1,034.00
<i>Sub-total Personnel</i>				<i>\$72,738.03</i>
<b>Non-Employee Compensation</b>				
Consultants	MIM Yr 3		Design Services & Outreach	\$9,306.11
	MIM Yr 4			\$694.44
Subcontractees				
Passport to Fitness Support	Harv Pil			\$10,000.00
Cape Ann Farmer's Market	BPHC		Backyard Growers by 9/30	\$1,000.00
Cape Ann YMCA / Chill Zone	BPHC		Clean Team Stipends by 9/30 (6 Summer Yth 2 days/wk)	\$8,050.00
<b>Operating Expenses</b>				
Travel	MiM Yr 4		MiM Training / Conference(s)	\$800.00
Supplies	MiM Yr 4			\$400.00
Printing	MiM Yr 4			\$800.00
Other				
<i>Sub-total Operating Expenses</i>				<i>\$2,000.00</i>
<b>Total Direct Expense</b>				
				<b>\$103,788.58</b>
<i>Indirect Expenses (Not to Exceed 12%)</i>	MiM Yr 4		9% of MiM Yr 4 Budget	<i>\$5,462.56</i>
<b>TOTAL Direct and Indirect Expenses</b>				<b>\$109,251.14</b>

*Direct to Community Partner*

OK  
JAH

RECEIVED

MAY 11 2012

Mayor's Office



Public Works  
28 Poplar Street  
Gloucester, MA 01930

TEL 978-281-9777  
FAX 978-281-3896  
mhale@gloucester-ma.gov

## CITY OF GLOUCESTER

DEPARTMENT OF PUBLIC WORKS

TO: James Duggan, Chief Administrative Officer

FROM: Michael B. Hale, Department of Public Works *MBH*

RE: Massachusetts Interlocal Insurance Association Loss Prevention Grant

DATE: May 9, 2012

Due to the timing of the attached MIIA Loss Prevention Grant award, I am requesting that the grant be presented to the Council for acceptance as soon as possible. Due to MIIA's fiscal year budget process all grants must be invoiced or paid by June 15, 2012.

This year's grant of \$10,000.00 includes the development of a downtown area cleaning and inspection program. The second year's grant of \$10,000.00 is for an annual city-wide investigation and rehabilitation program. There is no City match - monetary or administrative.

Attached for Council information is the Grant Application, the proposal from Weston & Sampson for the engineering services, and the MIIA approval of our grant request.

Thank you.

Council: MIIA Grant



City of Gloucester  
Grant Application and Check List

Granting Authority: State \_\_\_\_\_ Federal \_\_\_\_\_ Other X

Name of Grant: Massachusetts Interlocal Insurance Association Loss Prevention Grant

Department Applying for Grant: DPW

Agency-Federal or State application is requested from: \_\_\_\_\_

Object of the application: Minimize loss claims associated with sewer backups

Any match requirements: None

Mayor's approval to proceed: *[Signature]* 5/15/12  
Signature Date

City Council's referral to Budget & Finance Standing Committee: \_\_\_\_\_  
Vote Date

Budget & Finance Standing Committee: \_\_\_\_\_  
Positive or Negative Recommendation Date

City Council's Approval or Rejection: \_\_\_\_\_  
Vote Date

City Clerk's Certification of Vote to City Auditor: \_\_\_\_\_  
Certification Date

City Auditor:  
Assignment of account title and value of grant: \_\_\_\_\_  
Title Amount

Auditor's distribution to managing department: \_\_\_\_\_  
Department Date sent

NOTE: A copy of all grant paperwork must be submitted to the Auditor's Office

FORM: AUDIT GRANT CHECKLIST - V.1



**City of Gloucester  
Grant Application and Check List (Continued)**

The following are documents needed by the Auditing Office for grant account creation:

1. Grant Application
2. Grant Award Letter/Standard Contract Approval Form
3. Council Order Approval
4. Original Grant Account Budget as approved by Grantor
5. Amended Grant Account Budget as approved by Grantor (if applicable)
6. Any additional information as requested by the Auditing Department

Note: All documents must be complete signed copies.

Please attach the following documents with the Grant Application and Check List and send to the Auditors' Office.

CITY OF GLOUCESTER

ACCOUNT BUDGET

DEPARTMENT NAME: \_\_\_\_\_

ACCOUNT NAME: \_\_\_\_\_

FUND NUMBER AND NAME: (N/A FOR NEW FUND) \_\_\_\_\_

CFDA # (Required for Federal Grants): \_\_\_\_\_

DATE PREPARED: \_\_\_\_\_

APPROVED  
AMENDED BUDGET

OBJECT	ORIGINAL BUDGET	(IF APPLICABLE)	AMENDED REQUEST	REVISED BUDGET
REVENUE (4_____)				
				\$0.00
				\$0.00
				\$0.00
Total:	\$0.00	\$0.00	\$0.00	\$0.00
EXPENSE (5_____)				
				\$0.00
				\$0.00
				\$0.00
				\$0.00
				\$0.00
				\$0.00
				\$0.00
				\$0.00
				\$0.00
				\$0.00
				\$0.00
Total:	\$0.00	\$0.00	\$0.00	\$0.00

DEPARTMENT HEAD SIGNATURE \_\_\_\_\_

DATE ENTERED (AUDIT) \_\_\_\_\_

AUDITING DEPARTMENT INITIALS \_\_\_\_\_

**FORM: AUDIT ACCOUNT BUDGET - V1**

City of Gloucester, Massachusetts

April 19, 2012

Mr. Michael Hale  
Director of Public Works  
28 Poplar Street  
Gloucester, Massachusetts 01930

**RE: Annual Downtown Area Cleaning & Inspection Program  
Annual City-Wide Investigation & Rehabilitation Program**

Dear Mr. Hale:

Weston & Sampson is pleased to submit this proposal to the City of Gloucester for engineering services related to developing programs for investigating, cleaning and repairing sewers in the downtown area, and City-wide. The development of a program is anticipated to be funded by a Loss Prevention Grant from the Massachusetts Inter-Local Insurance Association (MIIA), the City's municipal insurance carrier. The ultimate goal of the grant program, and this project, is the reduction of loss claims filed against the City and forwarded to MIIA for sewer system-related incidents.

The project shall have two discrete components. The first component, Task 1, will include the development of a cleaning and inspection program in the downtown area bounded to the east and north by Route 128, to the west by the ocean, and to the south by the Annisquam River.

The second component, Task 2, will include the development of an annual city-wide investigation and rehabilitation program. Our recommended scope of services, and associated fees, for helping Gloucester work toward these goals is presented below.

***Task 1: Scope of Services – Development of a Downtown Area Cleaning & Inspection Program***

Weston & Sampson will compile and review available data from sewer-related activities over the past several years. The information will be used to develop a Sewer Cleaning & Inspection Program for the downtown area that will provide a systematic plan for cleaning and inspections of sewers and, where necessary, rehabilitation of the sewer system. The primary goal of this program will be to remove debris from the sewer system and restore capacity to the system in the downtown area. A secondary goal is to identify and repair defects before pipeline defects become collapses that might lead to blockages and overflows. The program will provide a general work schedule to complete investigation and cleaning for the project area over a multi-year period.

Weston & Sampson will attend one meeting with key staff from the Department of Public Works to discuss goals and objectives of the program, availability of funding, and to identify known problem areas within the sewer system. We will review and utilize information from Gloucester's sewer system Geographic Information System (GIS), and Fat, Oil & Grease (FOG) Program as provided by the City. We will also work

with the City and your MIIA Representative to ascertain locations within the sewer system where prior sewer backups, sanitary sewer overflows, or other problems have led to property damage claims. These areas will be discussed to select appropriate priorities on which to base the program.

Weston & Sampson will develop preliminary cost estimates for cleaning and inspection for each year of the program. Using cleaning, inspection and rehabilitation budgets determined through discussions with the City, we will define a schedule of investigation work to be completed each year. The City's annual budget will define the duration of the program. The program may be revised each year based on available budget or system operational needs.

The proposed program will be presented for review by the City in a letter report format. The letter report will contain a summary of project discussion and decisions, explanation of what areas were prioritized and why, a description of the work to be performed, cost estimates, and a proposed schedule. We will also provide recommendations for protocols to be followed when pipeline defects are encountered, including a ranking system for determining defect severity, following through to pipeline repair, and suggested logging tools and formats. Weston & Sampson will incorporate comments received from the City and provide a final version of the recommended program.

***Task 2: Scope of Services – Annual City-Wide Investigation & Rehabilitation Program***

Weston & Sampson will compile and review available data from sewer-related activities, pump station inspections (performed by Weston & Sampson CMR), wastewater flow monitoring, and sewer separation construction from the past several years. The information will be used to develop an Annual City-Wide Investigation & Rehabilitation Program that will provide a plan for cleaning, inspection, evaluation and rehabilitation of the sewer system. The primary goal of this program will be to maintain the sewer system through regular cleaning and inspection. A secondary goal is to identify and repair defects and reduce inflow and infiltration (I/I), and identify potential capacity issues. The program will provide a general work schedule to complete investigation and cleaning City-wide over a multi-year period.

Weston & Sampson will attend a kick-off with the Department of Public Works, to discuss goals and objectives of the program, availability of funding, and to identify known problem areas within the sewer system including sewer overflows and back-ups, chronic operation and maintenance problems, potential capacity bottlenecks. These areas will be discussed to select appropriate priorities on which to base the program.

Weston & Sampson will develop preliminary cost estimates for cleaning, investigation, data evaluation, and engineering recommendations for each year of the program. We will also develop correlating estimates for design, construction, and construction services for subsequent rehabilitation of identified problems. Using annual cleaning, inspection and rehabilitation budgets determined through discussions with the City, we will define a schedule of investigation work to be completed each year. The City's annual budget will define the duration of the program. The program may be revised each year based on available budget or system operational needs.

The proposed program will be presented for review by the City in a letter report format. The letter report will contain a summary of project discussion and decisions, explanation of what areas were prioritized and

Mr. Michael Hale

April 19, 2012

Page 3

why, a description of the annual work to be performed, cost estimates, and a proposed schedule. Weston & Sampson will incorporate comments received from the City and provide a final version of the recommended program.

**Fee**

Our fee has been prepared based on the Scope of Services outlined above. The lump-sum prices for each task are presented below:

Task 1: Development of a Downtown Area Cleaning & Inspection Program - \$9,800

Task 2: Annual City-Wide Investigation & Rehabilitation Program - \$9,800

Weston & Sampson appreciates the opportunity to provide this proposal to the City of Gloucester. Should you require further information, have questions regarding our proposal, or desire a formal contract for the services described herein, please do not hesitate to contact me at (978) 532-1900, ext. 2297.

Very truly yours,

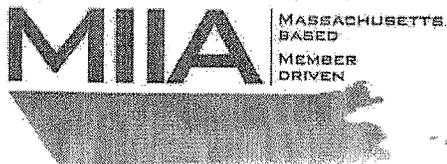
WESTON & SAMPSON ENGINEERS, INC.



Donald G. Gallucci, P.E.

Vice President

O:\Gloucester MA\MIA Grant Assistance\scope outline.docx



One Winthrop Square, Boston, MA 02110  
617-426-7272 or 800-882-1498  
Facsimile 617-426-9546 • www.emiia.org

May 7, 2012

Mr. Michael Hale  
Public Works Director  
City of Gloucester  
28 Poplar Street  
Gloucester, MA 01930

MIIA is pleased to inform you that your application for a 'MIIA Loss Control Risk Management Grant' has been approved for the following items and amounts: A two year grant for implementation of a sewer program in the following manner:

**First year**

Payment for audit by a qualified vendor of your sewer lines and manholes in your primary sewer area.

**Second year**

Development of a customized preventative maintenance program based on the audit results.

**Please forward vendor /supplier invoice to MIIA for payment.**

Due to fiscal year budgeting requirements, all grants must be invoiced or paid by June 15, 2012. There will be no exceptions. Vendor/supplier invoices received after June 15th cannot be paid.

MIIA staff would like to meet with you at the end of the policy year to discuss how this grant has impacted the risk management efforts in your community. Please contact your loss control representative, Kevin Perkins, at 978-494-2801 to set up a convenient date for this meeting.

Sincerely,

A handwritten signature in cursive script, appearing to read "Lin Chabra".

Lin Chabra  
Membership/ Rewards/Training Coordinator  
617-426-7272 (250)

# Memorandum

**To:** Mayor Carolyn Kirk  
**From:** Noreen Burke, Public Health Director  
**CC:** Claudia Schweitzer, Chairperson Board of Health  
Joan Whitney, Healthy Gloucester Collaborative Director  
**Date:** 5/14/2012  
**Re:** Bureau of Substance Abuse Services (BSAS), Mass Call Extension Grant \$30,000.

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Dear Mayor Kirk,

The Gloucester Health Department is pleased to report that Massachusetts Department of Public Health, Bureau of Substance Abuse Services, Mass Collaborative for Action, Leadership and Learning 2 will provide the City with extension funding of \$30,000. The time period for expenditure of the funds will be from July 1<sup>st</sup> 2012 to September 30<sup>th</sup> 2012. September 30<sup>th</sup> 2012 will then mark the end of this five year Center for Substance Abuse Prevention (CSAP) grant.

The Healthy Gloucester Collaborative Overdose Prevention Project has had many notable data driven successes.

These include educating opiate users, community and service providers in overdose prevention techniques, and educating patients in or leaving treatment or detox in appropriate overdose management strategies.

The project led to the creation of a Health Promotion Advocate position located at Addison Gilbert Hospital. Patients with behavioral health/substance abuse issues who utilize ambulance services multiple times per week/day are referred to the Health Promotion Advocate for screening, brief Intervention and referral to treatment.

The project has worked successfully over the past five years with police, EMT and other first responders in addressing users and bystanders' reluctance to contact emergency services when an overdose occurs.

Staff will be available to answer any questions of the City Council.

Thank You for your support.



CITY OF GLOUCESTER  
COMMUNITY DEVELOPMENT DEPARTMENT  
3 POND ROAD, GLOUCESTER, MA 01930

*MEMORANDUM*

DATE: May 14, 2012

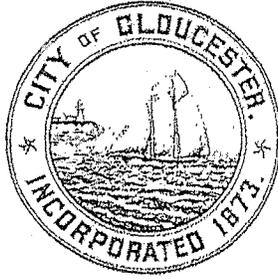
TO: Mayor Carolyn Kirk

FROM: Gregg Cademartori, Acting Community Development Director

CC: Lisa Press, Conservation Agent, Rob Gulla & Ann Jo Jackson, Conservation Commission Co-chairs,  
Denton Crews, President of the Friends of Good Harbor

Re: **FY2013 Massachusetts Local Acquisition for Natural Diversity (LAND) Grant  
BRIERNECK CROSSING**

The Community Development Department has assisted the Conservation Commission and the Friends of Good Harbor (FOGH) in the development of a grant application to the Massachusetts Department of Conservation and Recreation (DCR) for funding in support of the acquisition of the property known as Brierneck Crossing, located at the intersection of Witham Street and Thatcher Road. The locus has been the subject of a lengthy legal dispute over the development of a residential project in this sensitive environment, which was filed as a comprehensive permit under MGL Chapter 40B. Since the exhaustion of appeals in favor of the developer, the FOGH has approached the landowner and has secured an option to purchase and preserve the property. The Conservation Commission has agreed to be the lead City agency to assist in the acquisition with access to LAND grant funds. Attached is the draft application for review and recommendation. This is a reimbursement grant with the balance of matching funding targeting private donations and a Community Preservation Act grant, which is also currently under review. Please do not hesitate to contact this office with any questions; staff will be available to answer any questions of the City Council.



City of Gloucester  
Grant Application and Check List

Granting Authority: State  Federal \_\_\_\_\_ Other \_\_\_\_\_

Name of Grant: Massachusetts Local Acquisitions for Natural Diversity  
(LAND) program

Department Applying for Grant: Conservation Commission

Agency-Federal or State application is requested from: Energy + Environmental Affairs:

Object of the application: Brierneck Crossing Acquisition Division of Conservation Services

Any match requirements: Reimbursement Grant

Mayor's approval to proceed: [Signature] 5/15/12  
Signature Date

City Council's referral to Budget & Finance Standing Committee: \_\_\_\_\_  
Vote Date

Budget & Finance Standing Committee: \_\_\_\_\_  
Positive or Negative Recommendation Date

City Council's Approval or Rejection: \_\_\_\_\_  
Vote Date

City Clerk's Certification of Vote to City Auditor: \_\_\_\_\_  
Certification Date

City Auditor:  
Assignment of account title and value of grant: \_\_\_\_\_  
Title Amount

Auditor's distribution to managing department: \_\_\_\_\_  
Department Date sent

NOTE: A copy of all grant paperwork must be submitted to the Auditor's Office



City of Gloucester  
Grant Application and Check List (Continued)

The following are documents needed by the Auditing Office for grant account creation:

1. Grant Application
2. Grant Award Letter/Standard Contract Approval Form
3. Council Order Approval
4. Original Grant Account Budget as approved by Grantor
5. Amended Grant Account Budget as approved by Grantor (if applicable)
6. Any additional information as requested by the Auditing Department

Note: All documents must be complete signed copies.

Please attach the following documents with the Grant Application and Check List and send to the Auditors' Office.

CITY OF GLOUCESTER

ACCOUNT BUDGET

DEPARTMENT NAME: COMMUNITY DEVELOPMENT  
 ACCOUNT NAME: BIRMINGHAM CROSSING LAND GRANT 2013  
 FUND NUMBER AND NAME: (N/A FOR NEW FUND) N/A STATE  
 FEA # (Required for Federal Grants): N/A  
 DATE PREPARED: 5/14/12

APPROVED  
 AMENDED BUDGET

OBJECT	ORIGINAL BUDGET	AMENDED BUDGET (IF APPLICABLE)	AMENDED REQUEST	REVISED BUDGET
REVENUE (4_ _ _)				
				\$ 300,000 <del>-\$0.00</del>
				\$0.00
				\$0.00
Total:	\$0.00	\$0.00	\$0.00	\$0.00
EXPENSE (5_ _ _)				
7000	\$ 300,000			\$ 300,000 <del>-\$0.00</del>
				\$0.00
				\$0.00
				\$0.00
				\$0.00
				\$0.00
				\$0.00
				\$0.00
				\$0.00
				\$0.00
				\$0.00
Total:	\$0.00	\$0.00	\$0.00	\$0.00

DEPARTMENT HEAD SIGNATURE 

DATE ENTERED (AUDIT) \_\_\_\_\_ AUDITING DEPARTMENT INITIALS \_\_\_\_\_

## Required Documents for 2012 LAND Grant Application

1. **Application form Draft Included**
2. **Appraisal report(s) Draft Included**
3. Cover letter signed by an authorized signatory for the applicant organization (eg, Chair of the Selectmen, Mayor), authorizing the project manager to apply for the grant on behalf of the municipality.
4. Town meeting or city council vote authorizing the acquisition for conservation and passive recreation (if already completed).
5. Project description narrative **Draft Included**
6. Budget, itemized as anticipated **Draft Included**
7. Maps illustrating project resources and values **Drafts Included**
8. Conservation Restriction draft (if applicable) **Forthcoming**
9. Letter from Natural Heritage and Endangered Species Program (NHESP) indicating the presence or absence of rare and endangered species. **Forthcoming**
10. Letter from Massachusetts Historical Commission (MHC) indicating the presence or absence of historic or archaeological sites. **Forthcoming**

Local Acquisitions for Natural Diversity (LAND) Grant Program  
APPLICATION FORM – FY2013

*Please print double-sided*

**I. APPLICANT INFORMATION**

Project name: Brierneck Crossing

Municipality: City of Gloucester

Population 2010: 27,598

Population 2000: 29,361

**Contact person / project manager:**

This is the person who will be the day-to-day manager of the project and who will represent the municipality in communication with DCS. Attach authorization from the Chief Executive Officer identifying the individual named below.

Name: Lisa Press

Affiliation with Municipality: Conservation Agent

Address at City or Town Hall: City Hall Annex

3 Pond Rd

Gloucester, MA 01930

Phone Number: (978) 282-8008

Fax Number: (978) 281-9779

E-mail address: lpress@gloucester-ma.gov

Date Prepared: May 15, 2012

**2. COVER LETTER**

Summarize the project's importance to the community's natural resource protection and/or passive outdoor recreation needs. Identify any financial or other partnerships formed to advance the project, and summarize the anticipated project timeline.

3. PROJECT DETAILS

Acres: 6

Number of parcels: 2

Interest municipality will acquire:  Fee  Conservation Restriction (CR)  Both  
If both, describe:

If CPA funds (which have been applied for) are used to acquire the property, a Conservation Restriction will also be given to Essex County Greenbelt Association.

Parcel information:

County: Essex Watershed: North Coastal

Assessor's map/lot number: Map 184, Lot 5 and Map 184, Lot 9

Current owner(s) Brierneck Realty

Address: \_\_\_\_\_

Does property have frontage on a street?  Yes  No

If yes, list name of street(s):

Thatcher Road, Witham Street

If no, describe how the public can access the property through adjacent landholdings. Grant funds are used to purchase land for conservation and public passive recreational use. Properties that do not have suitable public access will not be funded.

**Zoning:** The parcel is actually two lots located at the northwestern corner of the intersection of Thatcher Road and Wiltham Street, Lots 184.5 and 184.9 on Map 39 (see Figures 1 and 2). The front is nearly 1.5 acre. It is zoned EB (Extensive Business) which by special permit allows business, retail, and service uses. The rear portion is zoned R-10, formerly R-3 (Medium/High Density Residential).

**Present use(s):** Currently permitted for an eleven unit condominium development

**Past use(s):** undeveloped

**Are there buildings or structures on the property?**  Yes  No

If yes, list each and indicate current and planned use. The LAND Program is intended to preserve undeveloped land, not to purchase buildings. If the building is not to be used for conservation purposes, it is not eligible for grant funding and its value should be subtracted from the subject property.

#### 4. ACQUISITION AND FUNDING DETAILS

Appraisal Report #1

Appraisal Report #2 (if land valued at over \$750,000)

Valuation: \$ \_\_\_\_\_

Valuation: \$ \_\_\_\_\_

Appraiser: \_\_\_\_\_

Appraiser: \_\_\_\_\_

Valuation \_\_\_\_\_

Valuation \_\_\_\_\_

Date: \_\_\_\_\_

Date: \_\_\_\_\_

#### Acquisition details:

Negotiated Sale:  Yes  No

Do you have a Purchase & Sales Agreement or Agreed Price?  Yes  No

If yes, amount: \$ \_\_\_\_\_

\*Is Clear Title available?  Yes  No

If no, is an eminent domain taking anticipated?  Yes  No

If yes, proposed pro tanto award amount: \$ \_\_\_\_\_

\*If clear title is not available, the applicant may decide to acquire the property by a friendly taking (eminent domain) process to clear the title. It is best to know if there is a potential title problem as soon as possible since this can complicate the acquisition process.

Can this project be completed in Fiscal Year 2014 (July 1, 2013-June 30, 2014)?

Yes  No

**Funding request:**

Recipients of LAND grant funding are reimbursed *after* they have expended the total project cost and submitted proof of payment. See section 2E in RFR for eligible expenditures. The total project cost must be raised or appropriated by the municipality. Costs incurred prior to grant approval and contract execution will not be reimbursed. The reimbursement rate is 52-70%, based upon a municipality's Equalized Valuation Per Capita. See the DCS website for a list of rates.

Will funds from the Community Preservation Act (CPA) be used?  Yes  No  
*Use of CPA funds require the conveyance of a permanent Conservation Restriction, within the meaning of Ch. 184, to an eligible non-profit organization.*

Have you identified an organization willing to hold the CR?  Yes  No

Name of organization: Essex County Greenbelt Association

Total estimated project cost: \$ 750,000

Reimbursement rate: 56 %

Funding request: \$ 400

**Itemized project budget:**

In an attachment, list all anticipated costs associated with the project for which you are seeking reimbursement. Include the source of all local funding including other grants, donations, partner organizations, CPA.

List any partners (such as non-profits) and describe their contribution.

If a greyfield, brownfield, or formerly developed site: include preliminary budget details for site remediation/restoration.

**5. PROJECT DESCRIPTION**

Describe in a two page attachment the following:

- Purpose of acquisition
- Description of property
- Natural resource values and characteristics as they relate to the Project Quality categories below (landscape conservation, water resources, biodiversity, working lands, recreation, etc.)
- Proposed uses
- Level of development threat to the property
- Project schedule
- Consistency with any nearby State Priority Development or Preservation Areas as shown on the South Coast Rail Corridor Plan or the 495/MetroWest Development Compact Plan.

Will this project involve the removal of structures, or remediation of a greyfield, brownfield, or developed site?

Yes  No

If a brownfield, attach a copy of the most recent site assessment, either MCP Phase I or II, or ASTM Phase I or II, indicating the nature of the contamination and the remediation required for proposed use. Include in the Project Description a discussion of the importance of remediating the site, the plan for remediation, clear identification of disbursement of liability (e.g., will the town take it or will it reside with the current owner?), and any specific

stewardship that will be undertaken to ensure that the site does not in the future pose undue risk to the public due to currently existing contamination. Also provide a remediation timeline that includes funding sources. Reminder: site remediation must be completed before reimbursement.

## 6. PROJECT QUALITY

Check appropriate answer and provide supporting documentation.

### Landscape conservation:

Total project area: 6 acres

Acres of protected open space or conservation land that property links or abuts:

0 acres     1-49     50-74     75-149     >150

### Biodiversity and resource protection:

Portion of the project that lies within or abuts MA Natural Heritage and Endangered Species Program (NHESP) BioMap2 designated areas:

Core Habitat: \_\_\_\_\_ acres

Critical Natural Landscape: 104.4 acres

### Recreational opportunities:

What public recreational opportunities will the project provide?

Check the box that best describes your project. Clarify in the space below if necessary.

*Recreational opportunities will be verified by DCS during the site visit.*

- Trail-based activities (ex. hiking, Nordic skiing, biking, horseback riding)
- Wilderness activities (ex. camping, hunting)
- Water-based activities (ex. canoeing, swimming, fishing, skating)
- Historic, cultural, or environmental education
- Community gardening or other community agriculture
- Other Environmental Education about salt marsh/ barrier beach ecosystem

Additional description:

Once acquired the property will include educational signage, educational breakouts along Thatcher Road, and a stopping point for pedestrians, runners, and bicyclists, as well as the hosting of programs and events promoting civic engagement for monitoring and protecting the marsh and wetlands.

**Municipal Open Space and Recreation Plan (OSRP):**

To apply for this grant you must have a current, approved OSRP, or have submitted a draft OSRP by the grant application deadline. To be eligible to apply with only a draft, a municipality must have completed the public participation process.

List what goals, objectives, or action plan items in your *current* (or draft) OSRP this project meets. Attach to your application copies of the relevant pages (not the whole plan).

	<b>Goal, objective, or action plan item from current OSRP</b>	<b>Page no.</b>
1	Goal 4a Acquire undeveloped parcels that are part of continuous open spaces	Pages 2-3
2	Goal 2C Seek to reduce congestion around beaches	Page 1
3	Goal 1E Maintain functions and values of public and private open spaces in the face of a changing environment	Page 1
4	Goal 4C Improve on road and off-road connections to provide linkages between recreation areas.	Page 3
5		
6		
7		

**Working lands:**

Is the property currently enrolled in any of the following?

- Chapter 61 or 61A
- Forest Stewardship Program
- Forest or Farm Viability program

Will active forest management or agriculture continue or begin *after* the acquisition?

Note: agriculture and forestry activities must be compatible with public use of the property.

- Yes
- No

**Water resources:**

Portion of the property that is 0-300ft from ocean, lake, pond, river, stream, wetland,  
OR within an existing public drinking water supply area (Zone I/II or A/B),  
OR over a medium- or high-yield aquifer:

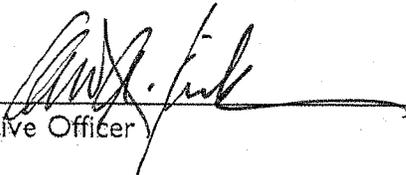
- None
- 1-24%
- 25-50%
- >51%

Send the MHC a PNF (<http://www.sec.state.ma.us/mhc/mhcpdf/pnf.pdf>) with a photocopy of the USGS locus map with the property boundaries clearly indicated, smaller-scale property maps if available, and a cover letter to include information about any known historic or archaeological sites. Send this certified mail, return receipt requested, so that you know when it was received. MHC will review and comment to DCS (and copy the applicant) within 30 days of receipt. There is no need to telephone or email the MHC. See these websites for any questions: <http://www.sec.state.ma.us/mhc/mhcpdf/pnfguide.pdf> and <http://www.sec.state.ma.us/mhc/mhcrevcom/revcomidx.htm>.

5. **Brownfields:** If the property to be acquired is a brownfield site, the applicant should submit documentation of the nature of contamination, the type of remediation required, and an estimate of the cost and time required for remediation. This should include a map of contaminant locations. Massachusetts Department of Environmental Protection maintains a database of known, current, waste sites and pollutant releases at <http://db.state.ma.us/dep/cleanup/sites/search.asp>. A more detailed, site-specific environmental cost estimate (or MCP Phase III Completion Report including a cost estimate) from a Massachusetts Licensed Site Professional will be required if a project is selected to receive funding (see <http://db.state.ma.us/dep/lsp/lspsearch.htm> for a list of LSPs). Applicants must prove that the site has achieved closure under MGL 21e by submitting either a Response Action Outcome (RAO) or Remedy Operation Status (REMOPS) prior to the end of the fiscal year of the award, before reimbursement will be made. If an Activity Use Limitation (AUL) deed clause is part of the RAO, a copy must also be submitted and approved before reimbursement.

## 9. SIGNATURES

**Attach municipality's legal authority to apply for the grant, and the Chief Executive Officer's legal authorization to execute contracts.** This is a resolution, motion or similar action that has been duly adopted or passed as an official act of the community's governing body that authorizes the filing of the application, including all understandings and assurances contained therein.

  
\_\_\_\_\_  
Chief Executive Officer

Carolyn A. Kirk Date: 5/15/12  
\_\_\_\_\_  
Type Official's Name

**Conservation Commission members:**

Signature	Printed Name
	Chair

**ATTACHMENTS – use this as a checklist.**

**REQUIRED:** Appraisal report(s). Applications lacking the correct number and type of appraisal reports will be disqualified.

**Additional material:** Provides details to information requested and assists in project evaluation.

1. Itemized budget
2. Maps of values and resources protected, proximity to other conservation lands
3. Project Description
4. Draft Conservation Restriction

If selected for LAND funding, the Respondent will be required to execute the following forms in order to complete a contract:

- LAND Project Agreement
- Commonwealth Standard Contract
- Commonwealth Standard Terms & Conditions
- Contractor Authorized Signatory Listing

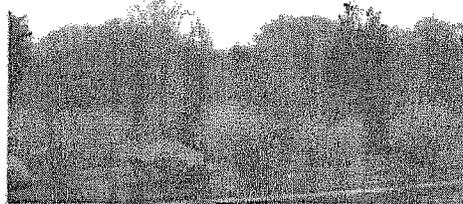


RESTRICTED APPRAISAL REPORT

70 & 74 Thatcher Road  
Corner Witham Street and Thatcher Road  
Gloucester, MA 01930

Prepared for:  
Friends of Good Harbor  
c/o 45 Old Nugent Farm  
Gloucester, MA 01930

Report requested by:  
Denton Crews



Prepared by:  
Peter T. Vadala, MRA, RA  
VADALA REAL ESTATE APPRAISALS, INC.  
9D Dr. Osman Babson Road  
Mill Pond Professional Building  
Gloucester, MA 01930

*70 & 74 Thatcher Road,  
Gloucester, MA 01930  
Friends of Good Harbor*



Vadala Real Estate Appraisals, Inc.  
Mill Pond Professional Building  
9D Dr. Osman Babson Road  
Gloucester, MA 01930

Tel: 978-281-1111

Fax: 978-281-1569

e-mail: [appraisals@vadalarerealestate.com](mailto:appraisals@vadalarerealestate.com)

January 9, 2012

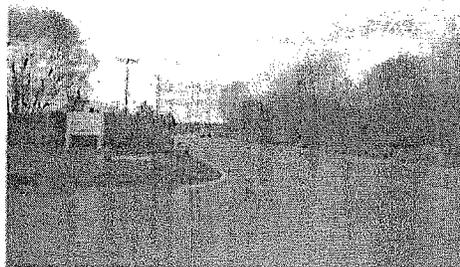
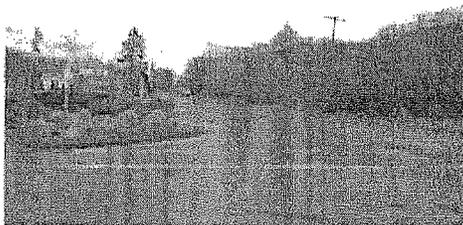
Friends of Good Harbor Beach Marsh  
45 Old Nugent Farm  
Gloucester, MA 01930

Re: 70 & 74 Thatcher Road, Gloucester, MA 01930  
Map 184 Lots 5 & 9



Dear Mr. Crews:

In compliance with your request, I have inspected the vacant site consisting of two city parcels, reviewed the plans, deeds, and relevant documents in order to render an opinion of market value of the fee simple interest as of the date of the inspection on January 2, 2012. The parcel is shown as Lots 5 & 9 on city of Gloucester Map 184 and is the same parcel as shown on property deeds recorded at the Essex South County Registry of Deeds Registered Documents 493718 and 499728 and Plan documents 16150-G (Lot 12) and 16150-J (Lot 16).



70 & 74 Thatcher Road,  
Gloucester, MA 01930  
Friends of Good Harbor

Documents and a history of the site were provided by the client. The aerial views, plans, and maps are not duplicated in this report.

Market value is defined as the most probable price which a property should bring in a competitive and open market under all conditions requisite to a fair sale, the buyer and seller each acting prudently and knowledgeably, and assuming the price is not affected by undue stimulus. Implicit in this definition is the consummation of a sale as of a specified date and the passing of title from seller to buyer under conditions whereby:

- buyer and seller are typically motivated;
- both parties are well informed or well advised, and acting in what they consider their best interests.
- a reasonable time is allowed for exposure in the open market.
- payment is made in terms of cash in United States dollars or in terms of financial arrangements comparable thereto; and
- the price represents the normal consideration for the property sold unaffected by special or creative financing or sales concessions granted by anyone associated with the sale.

The restricted appraisal is communicated in a narrative format and is not so restricted as to be misleading to the reader. The intended use is to aid the client evaluate the land value relative to the proposed eight unit condominium project planned for the site. The accompanying report includes a description of the valuation methods and the data employed in their development and conclusions.

SUMMARY OF SALIENT FACTS AND CONCLUSIONS

LOCATION: 70 & 74 Thatcher Road, Gloucester, MA 01930

LEGAL DESCRIPTION: South Essex Registry of Deeds Reg. Doc. 49728 and Doc. 493718  
City Map 184 Lots 5 & 9  
Plans: 16150-G (Lot 12) and 16150-J (Lot 16)

OWNER OF RECORD: Briernack Realty LLC  
Manager: Rolling Meadow Farm, Inc.  
James M. Grifoni, President

DESCRIPTION: Vacant Land, approximately 1.5 acres upland or filled, remaining 4.5 acres marsh

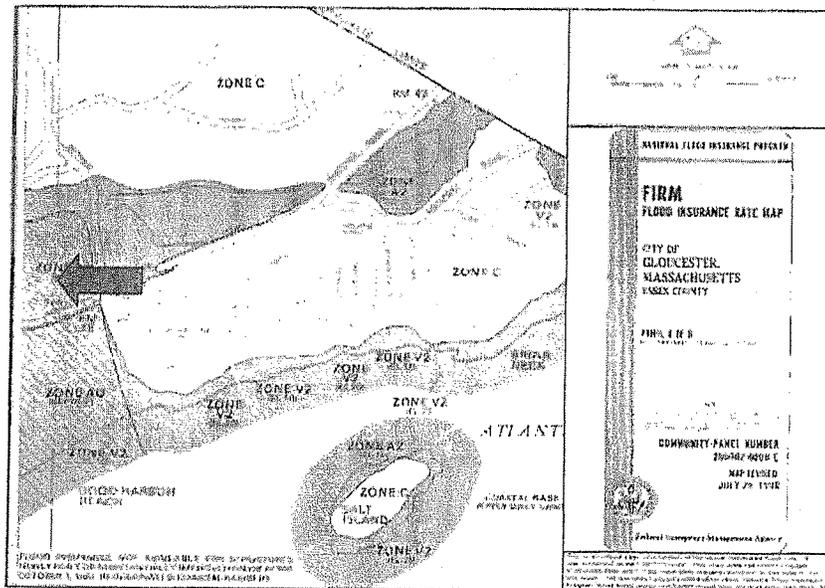
LOT AREA: 5.94+/- Acres

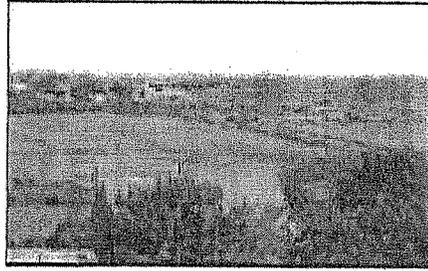
PROPERTY RIGHTS APPRAISED: Fee Simple

HIGHEST AND BEST USE: Appraised as is, land for proposed development

ZONING: Extensive Business (EB) and Residential R-10 (Formerly R-3) Medium Density Residential District

FLOOD ZONE: Zone A2, Community Flood Map 250082, Panel 0006E, dated 7/20/98





**VALUES INDICATED:**

Sales Comparison Approach:	\$720,000
Income Capitalization Approach:	N/A
Cost Approach	N/A

**FINAL VALUE OPINION:** \$720,000

DATE OF VALUE:	January 2, 2012
DATE OF INSPECTION:	January 2, 2012
DATE OF REPORT:	January 9, 2012

1/2  
Lot 12 Witham + Thatcher Street, Gloucester, MA 01930

QUITCLAIM DEED

Majeed T. Sallah, an individual with an address of  
56 Hilltop Road, Gloucester, Essex County, Massachusetts,  
in consideration of One Hundred AND 00/100 Dollars (\$100.00)  
hereby grants and conveys to BRIERNECK REALTY, LLC, a  
Massachusetts limited liability company  
of 733 Turnpike street, Suite 171, North Andover, MA 01830,  
Massachusetts

Locus: A PARCEL OF LAND LOCATED AT WITHAM AND THATCHER STREET  
IN THE CITY OF GLOUCESTER, COUNTY OF ESSEX, MASSACHUSETTS

with QUITCLAIM COVENANTS

A certain tract of land, MORE PARTICULARLY DESCRIBED AS  
FOLLOWS:

See attached Exhibit A.

This is not homestead property of the Grantor.

Dated this 29<sup>th</sup> day of May, 2009.

Majeed T. Sallah  
Majeed T. Sallah

STATE OF NEW HAMPSHIRE  
COUNTY OF ROCKINGHAM

Before me this 29<sup>th</sup> day of May, 2009, personally appeared  
Majeed T. Sallah, an individual known to me, to be the person  
whose name is subscribed to the foregoing instrument and  
acknowledged that he executed the same for the purposes  
therein contained.

E. W. H. ...  
Notary Public  
Mr. Commissioner, ...  
8/21/10.



499728 (83191+) Bch:266849  
Southern Essex District Registry  
6/12/2009 09:46 AM DEED Pg: 1/3

EXHIBIT A

A certain parcel of land situate in Gloucester in the County of Essex, Commonwealth of Massachusetts, bounded and described as follows:

SOUTHEASTERLY            by the northwesterly line of Thatcher Road  
One hundred ~~(100)~~ feet; and

SOUTHWESTERLY            two hundred (200) feet,

NORTHWESTERLY            one hundred (100) feet, and

NORTHEASTERLY            two hundred (200) feet by land now or  
formerly of George C. Nugent.

All of said boundaries are determined by the Court to be located as shown upon plan numbered 16150-G, drawn by Matt A. Hautala, Engineer, dated November 19, 1959, as modified and approved by the Court, filed in the Land Registration Office, a copy of a portion of which is filed with Certificate of Title No. 31452 in said Registry, and the above described land is shown as lot No. 12, on the last mentioned plan.

---

Being the same premises described in Certificate of Title No. 43506 filed in the Southern Registry District of Essex County.

45390  
EAB.

Document: 49728

DEED

ESSEX SOUTHERN DISTRICT REGISTRY OF DEEDS  
RECEIVED FOR REGISTRATION

On: 6/12/2009 09:46 AM

CREATED CERT: 83191 BOOK: 465  
CANCELLED CERT: 43390 BOOK: 205

3

QUITCLAIM DEED

Majeed T. Sallah, an individual with an address of 56 Hilltop Road, Gloucester, Essex County, Massachusetts, in consideration of Five Hundred Twenty Two Thousand AND 00/100 Dollars (\$522,000.00)

hereby grants and conveys to BRIERNECK REALTY, LLC, a Massachusetts limited liability company

of 733 Turnpike street, Suite 171, North Andover, MA 01830, Massachusetts

Locus: A PARCEL OF LAND LOCATED AT WITHAM AND THATCHER STREET IN THE CITY OF GLOUCESTER, COUNTY OF ESSEX, MASSACHUSETTS

with QUITCLAIM COVENANTS

A certain tract of land, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

See attached Exhibit A.

This is not homestead property of the Grantor.

Dated this 25 day of October, 2008.

Majeed T. Sallah  
Majeed T. Sallah

State of New Hampshire  
~~COMMONWEALTH OF MASSACHUSETTS~~  
COUNTY OF ~~Hillsborough~~

MASSACHUSETTS EXCISE TAX  
Southern Essex District ROD  
Date: 10/31/2008 03:31 PM  
ID: 243212 Doc# 483718  
Fee: \$2,389.32 Cons: \$522,000.00

Before me this 24th day of October, 2008, personally appeared Majeed T. Sallah, an individual known to me, ~~or satisfactorily proven by Massachusetts driver's license #~~ [Signature] to be the person whose names is subscribed to the foregoing instrument and acknowledged that he executed the same for the purposes therein contained.

Witham and Thatcher Street, Gloucester, MA

483718 (82765) Stch:243212  
Southern Essex District Registry  
10/31/2008 03:31 PM DEED Pg: 1/3

[Signature]  
Notary Public  
My Commission Expires: 6/25/2013  
Notary Seal:  
JOHN L. ALLEN

EXHIBIT A

A certain parcel of land situate in Gloucester in the County of Essex, Commonwealth of Massachusetts, bounded and described as follows:

EASTERLY by Witham Street eighty eight and 68/100 (88.68) feet, and by the westerly line of said Witham Street four hundred twenty four and 27/100 (424.27) feet; and again

EASTERLY by the westerly curving line forming the junction of said Witham Street and Thatcher Road thirty and 38/100 (30.38) feet;

SOUTHERLY by the northerly line of said Thatcher Road two hundred seventy six and 25/100 (276.25) feet;

WESTERLY two hundred (200) feet; and

SOUTHERLY one hundred (100) feet by lot 12, as shown on plan hereinafter mentioned;

WESTERLY by land now or formerly of George C. Nugent, Jr., Trustee five hundred fifty and 07/100 (550.07) feet;

NORTHERLY by land now or formerly of Mary C. Fenerty et al and of Mary B. Lehneman ninety nine and 49/100 (99.49) feet;

WESTERLY by said Lehneman land formerly two and 42/100 (42.42) feet;

NORTHERLY by lands now or formerly of Alice B. Coffin and of Katharyn M. Maddock one hundred nineteen and 92/100 (119.92) feet;

NORTHEASTERLY fourteen and 20/100 (14.20) feet, and

NORTHERLY thirty two and 71/100 (32.71) feet by said Maddock land;

EASTERLY by land now or formerly of Nelson C. Rowe and by lots 4 and 5 as shown on said plan, one hundred fifty (150) feet and

NORTHERLY by said lot 5 one hundred twelve and 35/100 (112.35) feet.

All of said boundaries are determined by the Court to be located as shown upon plan numbered 18150-J, drawn by Matt H. Hautala, Surveyor, dated June 21, 1977, as modified and approved by the Court, filed in the Land Registration Office, a copy of a portion of which is filed with Certificate of Title #47070 in said Registry, and the above described land is shown as lot #16 on last mentioned plan. The above described land is subject to the flow of natural water courses running through the same and shown on plan filed with Certificate of Title #16792.

Being the same premises as described in Certificate No. 56611, recorded with the Registered Land Section of the Essex South District Registry of Deeds.

Document: 493718

DEED

ESSEX SOUTHERN DISTRICT REGISTRY OF DEEDS  
RECEIVED FOR REGISTRATION

On: 10/31/2008 03:31 PM

CREATED CERT: 82755 BOOK: 461  
CANCELLED CERT: 56611 BOOK: 261

16150<sup>G</sup>

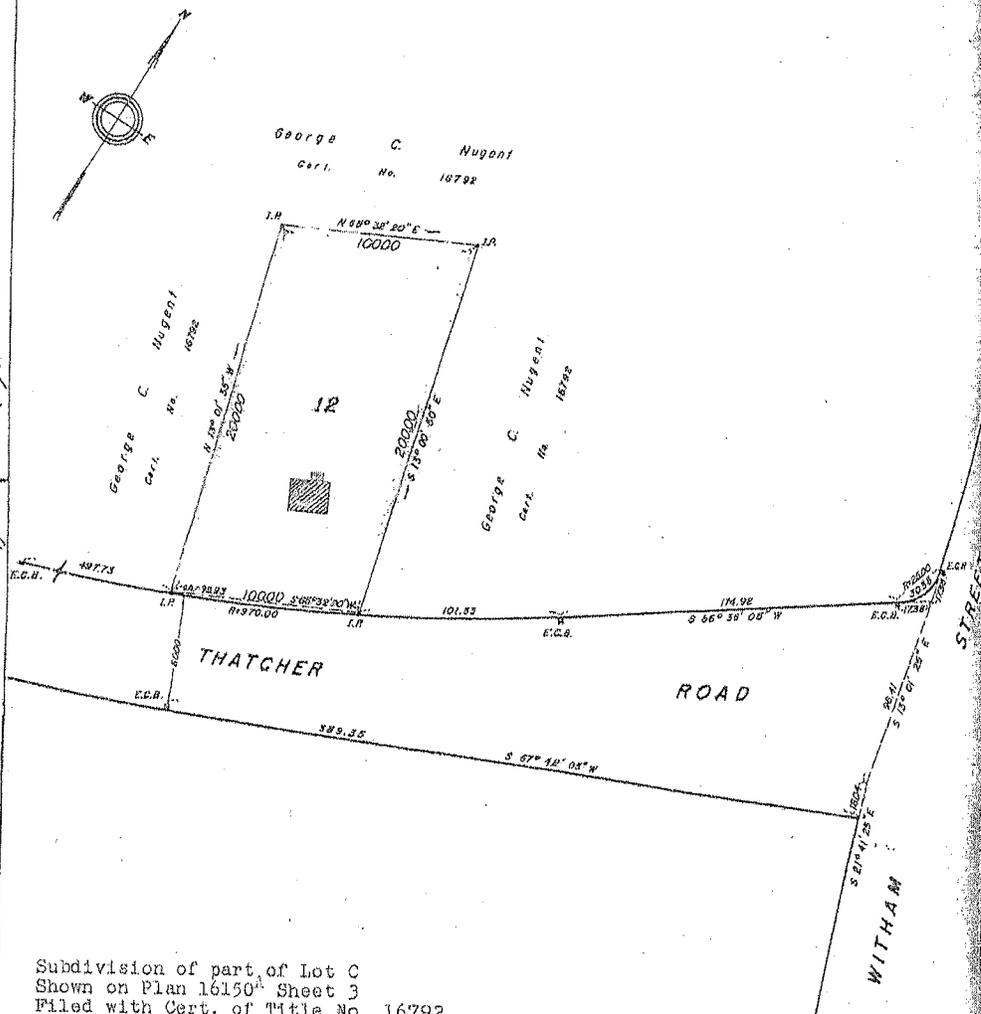
SUBDIVISION PLAN OF LAND IN GLOUCESTER

Matt A. Hautala, Engineer

November 19, 1959

Essex South Registry District  
March 13, 1962  
RECEIVED AND FILED  
With Certificate No. 91152

1000 157



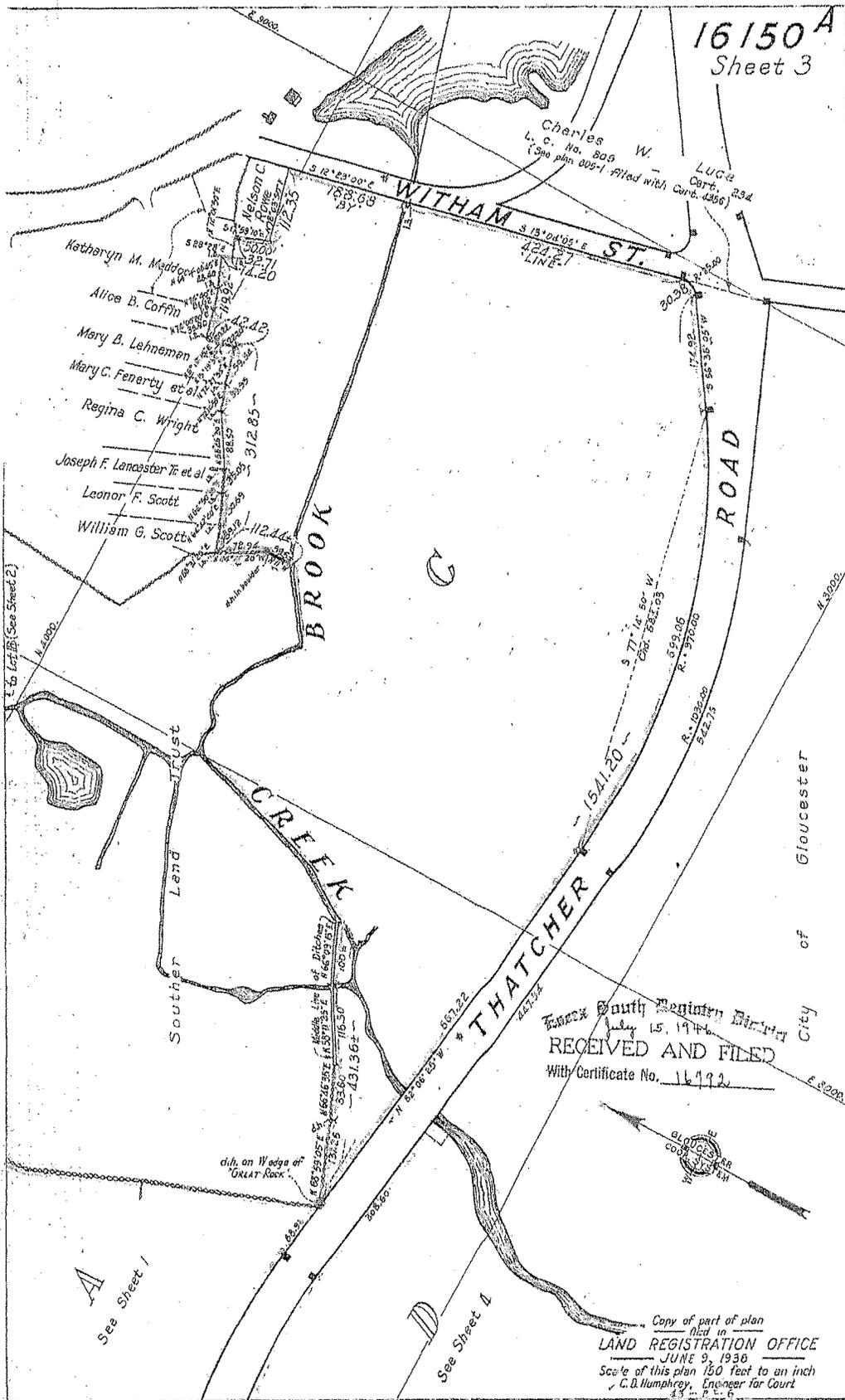
Subdivision of part of Lot C  
Shown on Plan 16150<sup>A</sup> Sheet 3  
Filed with Cert. of Title No. 16792  
South Registry District of Essex County

Separate certificates of title may be issued for land  
shown hereon as lot 12.  
By the Court.

March 13, 1962  
R.J.L.

Margaret M. Daly  
Recorded

Copy of part of plan  
Filed in  
LAND REGISTRATION OFFICE  
March 13, 1962  
Scale of this plan 60 feet to an inch  
C.M. Anderson, Engineer for Court



See  
Notes  
over

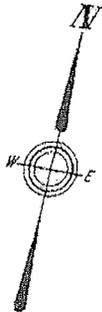
70 & 74 Thatcher Road,  
Gloucester, MA 01930  
Friends of Good Harbor

SUBDIVISION PLAN OF LAND IN GLOUCESTER

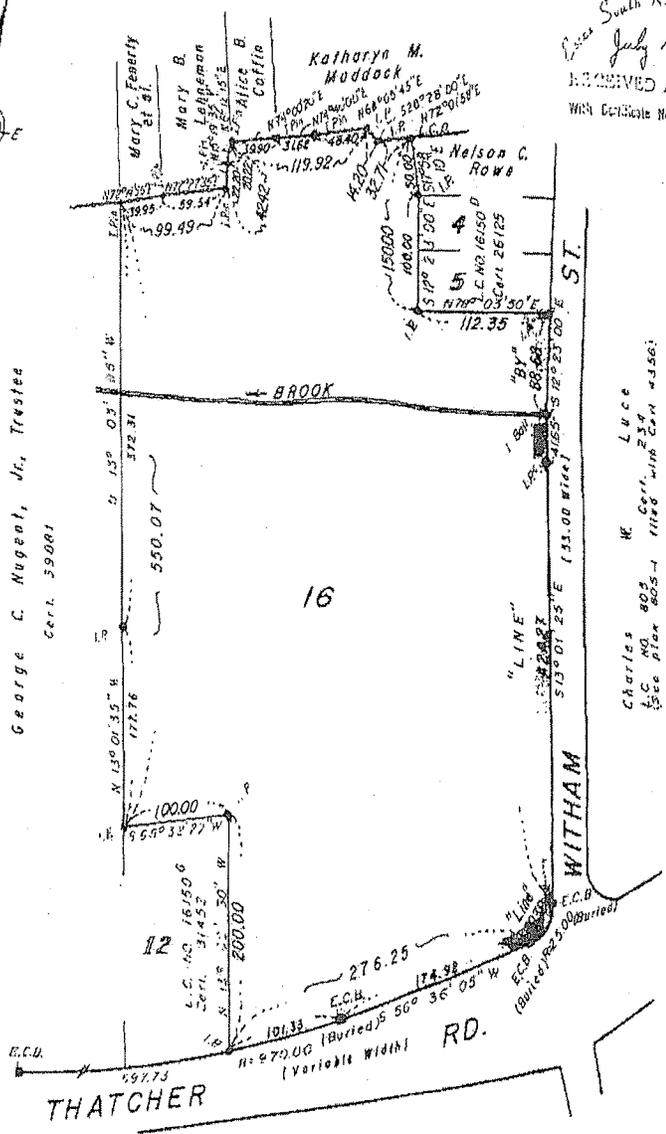
Matt A. Hauthala, Surveyor

June 21, 1977

16150<sup>4</sup>



Mass South Registry District  
 July 14, 1977  
 RECEIVED AND FILED  
 With Certificate No. 47226



Subdivider of Part of Lot C  
 Shown on Plan 16150<sup>4</sup> Sheet 3  
 Filed with Cert of Title No. 15792  
 South Registry District of Essex County  
 Separate certificates of title may be issued for land  
 shown hereon as Lot 16  
 By the Court.

JULY 12, 1977

M.S.S.  
 Form LCR-5-3, 5000-7-76

Recorder.

Copy of part of this  
 plan filed in  
 LAND REGISTRATION OFFICE  
 JULY 18, 1977  
 Scale of this plan 1" = 100'  
 R.L. Woodbury, Registrar

### COMPARABLE SALE #1

Location: 26-28 Marsh Street  
Gloucester, MA 01930

Legal Reference: South Essex Registry of Deeds Book 29904 Page 581  
Plan Book 84 Plan 19

City Map-Lot: Map 184 Lots 9 & 5

Land Area: 1.62 +/- Acres

Seller: Robert G. Herdman and Priscilla Herdman

Buyer: Action, Inc.

Financing: Seller Financing, 100% of purchase price (Land Court Doc. 493721)

Sale Date: October 27, 2010

Price: \$325,000

Source: Deed, Transfers, Assessors, Gloucester Daily Times reports

Proposed Project: Affordable Housing

# of Units: 4

Cost per unit: \$ 81,250

Price per acre: \$200,617

Cost per lot: \$325,000

Project Type: HOME Affordable Housing

%Affordable: 100%

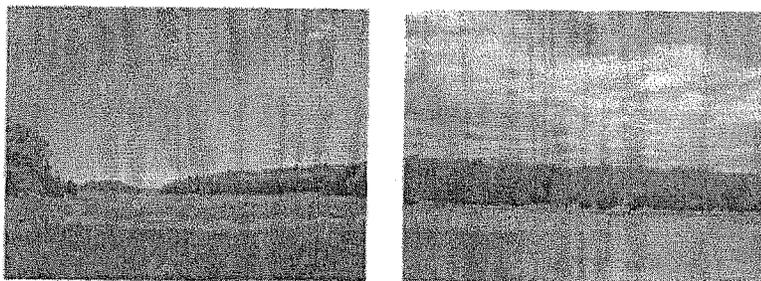
Permitted/Approved: Approved

History: The subject site presents similar environmentally sensitive concerns but with a completely different set of circumstances. Action Inc. will receive \$575,145 in subsidies for a \$1.3 million project to create four affordable units of two duplexes each. As of the day of this report, the foundations for the four units has been poured and back filled.

Peggy Hegarty-Steck, Action Inc.'s director of administration and program operations, was quoted as saying the funding provided the last key financing needed for the project, which earlier received \$400,000 in federal funds from the North Shore HOME Consortium and \$40,000 from Gloucester's Affordable Housing Trust. "We had put together a schedule we wanted to be able to adhere to, to get the units up and running as soon as possible, because there is such a strong need for housing, particularly for homeless families," she said. With the state award, the nonprofit agency is aiming to have construction begin this spring.



## COMPARABLE SALE #2



Location: 1 Stanwood Point  
Little River, West Gloucester  
Gloucester, MA 01930

Legal Reference: South Essex ROD Book 17367 Page 548

City Map-Lot: Map 239 Lot 51

Land Area: 2.88 Acres

Seller: Bernard A. Sova & Phyllis A. Sova

Buyer: Withheld

Sale Date: Pending, March-April 2012 anticipated

Price: \$970,000

Source: Buyer, Broker, Appraiser, Prior Deed, Assessors, Gloucester Daily Times, Attorney

Proposed Project: 6 duplex lots, two houses existing

# of Units: 12 (potential)

Cost per unit: \$80,833

Cost per acre: \$336,806

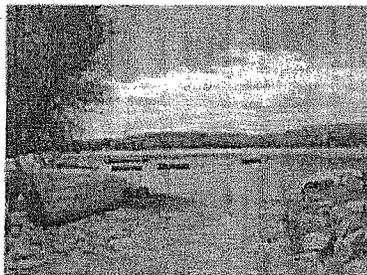
Cost per lot: \$161,666

Project Type: Individual Duplex lots, no permits in place

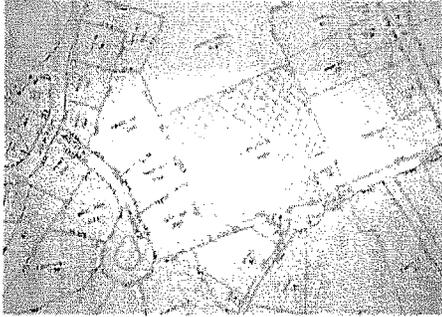
%Affordable: None

Permitted/Approved: Approvals of lots are a condition of the agreement

History: This property was purchased by Pete Sova for \$1,100,000 for the purpose of developing a family compound and individual lots on the river. The property was a 9.5 acre parcel located on both sides of Stanwood Point. The larger parcel was improved by a camp site when purchased. The smaller site is the subject parcel, a 2.88 acre parcel comprised of three separate lots and two detached houses. In all there are to be five lots + a house on a separate lot and a second dwelling which is to be relocated. The original project stalled and was blocked by city officials after zoning violations were discovered. After several years, the owner marketed the subject parcel and after several price reductions, the property was placed under agreement by a developer who wanted to construct three duplex dwellings on the 1.58 portion of the site. That deal fell through and the property was marketed again. Currently the property is under agreement but not closed. There is municipal water and sewer in the street and access to the river is across the street at a public landing.



COMPARABLE SALE #3

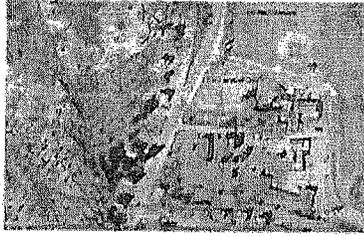


Location: 0 Gott Avenue  
Halibut Point  
Rockport, MA 01966

Legal Reference: South Essex ROD Book 30634 Page 117  
Plan Book/Plan Plan 481 of 1973  
Land Area: 5.15 Acres  
Seller: Bradford L. Bigelow  
Buyer: Department of Conservation and Recreation  
Commonwealth of Massachusetts  
Sale Date: September 2, 2011  
Price: \$250,000 + conservation contribution, Market value \$309,400  
Source: Broker, Seller, Deed, Transfers, Assessors  
Proposed Project: Purchased for protection, Halibut Point  
# of Units: 0/2  
Cost per unit: \$154,700  
Cost per acre: \$60,078  
Cost per lot: \$304,900  
Project Type: Abuts Halibut Point, added to reservation for protection, some utility  
%Affordable: N/A  
Permitted/Approved: None

History: This property was purchased by the Commonwealth of Massachusetts, Department of Conservation and Recreation to protect and support the Halibut Point Reservation which the parcel abuts. The Seller and Broker were interviewed. The agreed upon market value was \$309,400, the mid point of two appraisals and the assessed value. The Seller was willing to discount the price in order to protect the neighborhood from development further motivated to accept the tax break in lieu of the full value.

COMPARABLE SALE #4



Location: The Seasons Condominiums (Now over 55)  
Dr. Osman Babson Farm  
347 Washington Street  
Gloucester, MA 01930

Legal Reference: South Essex ROD Book 27406 Page 291  
Plan Book/Plan Plan Book 238 Plan 4 & Plan Book 385 Plan 56

Land Area: 34,717 sq. ft.

Seller: Alan Slatas

Buyer: Corcoran Brothers Development, Inc.

Sale Date: December 20, 2007

Price: \$376,875

Source: Broker, Seller, Transfers, Assessors

Proposed Project: 10 unit condominium project, originally over 62

# of Units: 10

Cost per unit: \$37,688

Cost per acre: \$477,057

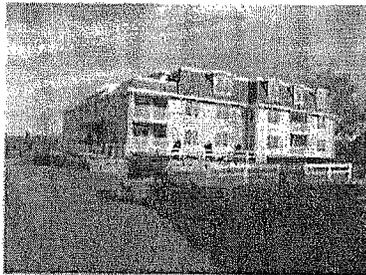
Cost per lot: \$188,438

Project Type: Condo project, 2 buildings

%Affordable: (1)

Permitted/Approved: Approvals a condition of agreement

History: This property was purchased with permits in place but the developer petitioned the ZBA for relief from the age requirement restriction reduced from over 62 to 55. The duplex, on a separate lot, is exempt from the restriction and not part of the project. The land was a portion of the Osman Babson Farm and the new building was constructed on the site of the old farm house which was moved to another part of the farm and converted to two condominiums prior to this sale.



COMPARABLE SALE #5



Location: 7-9 Essex Avenue  
Blynman Canal  
Gloucester, MA 01930

Legal Reference: South Essex ROD Book 28859 Page 367  
Plan Book/Plan Plan Book 3434 Plan 495

Land Area: 8,620 sq. ft.

Seller: Cynthia E. Burrell

Buyer: Steven J. Caruso, Trustee

Sale Date: August 23, 2009

Price: \$393,500

Source: Broker, Seller, Buyer, Inspection, Transfers, Assessors

Proposed Project: 6 unit condominium project

# of Units: 6

Cost per unit: \$65,583

Cost per acre: \$1,987,373

Cost per lot: \$393,500

Project Type: Condo project, teardown of existing building

%Affordable: None

Permitted/Approved: Approvals a condition of agreement

History: This property was purchased as a 6-unit apartment building that had structural deficiencies and required razing. Permits were obtained to build new in the footprint of the existing building. The developer is a contractor and his company performed the demolition work and the site excavation. The parcel is located in the R-20 district (R-2), fronts on the Blynman Canal and is served by municipal water and sewer. There are views of the canal and inner harbor from the upper floors. All engineering and permitting was in place prior to the sale by the buyer.



	Sale 1	Sale 2	Sale 3	Sale 4	Sale 5
Cost per unit:	\$81,250	\$80,833	\$154,700	\$37,688	\$65,583
Cost per acre:	200,617	336,806	60,078	477,057	1,987,373
Cost per lot:	150,000	161,666	304,900	188,438	393,500

Given the elements of comparison, the best and most reliable indicator is the cost per unit. Sales 1, 2, 4, and 5 are most similar. Sale 1 was approved for five units and the cost per unit is based on the actual four units. Sale 2 is individual lots and may be improved with duplex units, a total of 12. There is no 40B component. In addition to the lots there are two dwellings and two docks. The river front site was once a camp ground. Sale 4 is the only comparable sale with a 40B component and is also the lowest cost per unit. The affordable units are absorbed in the overall project cost and the unit acquisition cost is adjusted based on nine units, at \$80,000 per unit for the market units or \$60,000 for a blended rate for the 12. Based on the analysis of the data and on the proposed 12 unit plan, it is the appraiser's opinion that the subject property located at 70 & 74 Thatcher Road in Gloucester, Massachusetts as of January 2, 2012 is \$720,000. Should I be of further assistance, please call me at (978) 281-1111.

Respectfully submitted,



Peter T. Vadala, MRA

Mass. Certified General #75137

VADALA REAL ESTATE APPRAISALS, INC.

**APPRAISER'S QUALIFICATIONS**  
**PETER T. VADALA, MRA**  
 Massachusetts Certified General Appraiser #75137

**EDUCATION**

<u>Bridgewater State College</u>	BA Degree	1972
<u>Northeastern University</u>	MBA Program	1975-76

**RELATED STUDY**

<u>Lee Institute</u>		1975
<u>Massachusetts Board of Real Estate Appraisers (MBREA)</u>		

Primary Education:

Real Estate Appraisal I (REA 1) RE 906 C	1991	39
Real Estate Appraisal IA (REA 1A) RE 909C A Case Study		
Appraising the Single Family Residence	1992	36
Real Estate Appraisal II (REA 2A)		
Income Property Appraisal	1992	30
Residential Appraisal Review Techniques	1994	34
Appraising Complex Residential Properties (REA 5.1)	1997	18
Appraising Residential Properties (REA 1.2)	1999	18
USPAP Standards	2001	15
Virtual Appraising	2002	18
Real Estate Appraisal II (REA 2B)		
Introduction to Income Producing Property, Part B	2006	30

Graduate School of Business - Northeastern University

Financial Analysis		45
Quantitative Analysis		45
Comparative Analysis		45

The National Association of Realtors Residential Appraisal Education Program

The Basics of Appraisal	1992	15
Real Estate Analysis	1992	15
Sales Comparison Approach	1992	15
Cost and Income Approaches	1992	15
Appraisal Standards & Ethics	1992	15

Continuing education; MBREA and state approved courses for current education cycle:

USPAP 2010-2011 Update Seminar MBREA # 10220161	05/24/10	7
New England 2010 Expo Commercial Program #10220201	11/08/10	6
New England Economic & Federal Agency Conference #10220205	03/30/11	3
New England 2011 Expo Commercial Program #10220220	10/24/11	6

**CURRENT LICENSING**

Massachusetts Certified General Appraiser #75137	Expiration date: 10/05/13
Massachusetts Licensed Real Estate Broker #92361	Expiration date: 10/05/12
Vadala Real Estate Appraisals, Inc. #7611	Expiration Date: 10/16/12

70 & 74 Thatcher Road,  
 Gloucester, MA 01930  
 Friends of Good Harbor



PETER T VADALA  
 35 THURSTON POINT RD  
 GLOUCESTER, MA 01930

Commonwealth of MA  
 Div. of Professional Licensure

License No.  
 000075137  
 Serial No.  
 108985  
 Expiration Date  
 October 05, 2010

Certified General Appraiser

COMMONWEALTH OF MASSACHUSETTS

DIVISION OF PROFESSIONAL LICENSURE BOARD OF

REAL ESTATE APPRAISERS  
 CERT. GEN. REAL ESTATE APPRAISER

(ISSUES THE ABOVE LICENSE TO:

PETER T VADALA  
 35 THURSTON POINT RD  
 GLOUCESTER MA 01930-1650  
 75137 10/05/13 899840

LICENSE NO	EXPIRATION DATE	SERIAL NO
75137	10/05/13	899840



Vadala Real Estate Appraisals, Inc.  
Mill Pond Professional Building  
9D Dr. Osman Babson Road  
Gloucester, MA 01930

Tel: 978-281-1111

Fax: 978-281-1569

e-mail: [appraisals@vadalarealestate.com](mailto:appraisals@vadalarealestate.com)

January 6, 2012

Friends of Good Harbor Beach Marsh  
45 Old Nugent Farm  
Gloucester, MA 01930

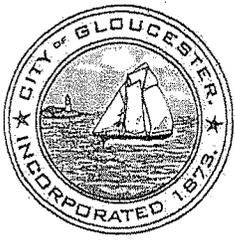
Re: 70 & 74 Thatcher Road, Gloucester, MA 01930  
Map 184 Lots 5 & 9

FOR PROFESSIONAL SERVICES RENDERED

Land appraisal report

Restricted appraisal in narrative format

Total amount billed.....	\$1,250.00
Payment received.....	625.00
Amount now due.....	\$ 625.00



CITY OF GLOUCESTER  
Conservation Commission  
3 Pond Road Gloucester MA 01930  
978-281-9781  
f 978-281-9779

Celia Riechel  
Executive Office of Energy and Environmental Affairs  
100 Cambridge Street – Suite 900  
Boston, MA 02114

Dear Ms. Riechel,

The City of Gloucester is hoping to acquire six acres of land contained in two parcels at the gateway of a contiguous salt marsh of more than 120 acres at the entrance to Good Harbor Beach and marsh eco-system, one of Cape Ann's prime natural habitats and a major scenic attraction in northeastern Massachusetts. The Gloucester Conservation Commission, on behalf of the City, is seeking funds for this significant open space acquisition. The eleven unit condominium project proposed for this site generated years of City opposition, which eventually led to a protracted series of legal battles. A final ruling by the Massachusetts Supreme Court in June 2011 has allowed the project to go forward. Recently the developer has offered the City an option to purchase the two parcels.

The Conservation Commission would like to take advantage of the 2012 grant rounds for both the Local Acquisitions for Natural Diversity (LAND) Grant and a Community Preservation Act Grant. A recent appraisal assesses the property at \$720,000. If the project moves forward, we are hoping to fund the project through a combination of the aforementioned grants in combination with Friends of Good Harbor funding. The potential sources of funding are itemized below:

Funding Sources

CPA Grant	200,000
EEA LAND Grant	300,000
Owners' Contribution	125,000
Foundation Grant	75,000
FOGH Funding	50,000
Total	750,000

At their February 15, meeting the Commission voted to move forward with the pursuing the acquisition of this property and to apply for the two grants.

The effort to protect Brierneck Crossing will help to reduce the impacts of development to this sensitive area, in addition to linking two parcels to a larger area that is an ideal site for educating the public on the species and values of a barrier beach, salt marsh and estuary eco-system.

We look forward to working with the Division of Conservation Resources in this fleeting opportunity to protect a piece of Good Harbor Beach.

Sincerely,

Rob Gulla  
City of Gloucester  
Conservation Commission, Chair

## Project Description

5-9-12

The City of Gloucester proposes to acquire six acres contained in two parcels at the gateway of a contiguous barrier beach and salt marsh of more than 120 acres at the entrance to Good Harbor Beach and Marsh, one of Cape Ann's prime natural habitats and a major scenic attraction in northeastern Massachusetts. The Gloucester Conservation Commission on behalf of the City is applying for reimbursement funding for a portion of the acquisition cost as described below. The overall budget for the acquisition also includes Community Preservation Act funding, a private foundation grant, and donor contributions raised by the Friends of Good Harbor.

### Purpose of Acquisition

The goals of the acquisition are to protect two parcels, considered the gateway to Good Harbor Beach accessible that has great environmental and educational benefits to the local community and the citizens of Massachusetts. This land was recently approved for the development of eleven condominium units

### Description of Property

The parcel is actually two lots located at the northwestern corner of the intersection of Thatcher Road and Witham Street, Lots 184.5 and 184.9 on Map 39 (see Figures 1 and 2). The front is nearly 1.5 acre. It is zoned EB (Extensive Business) which by special permit allows business, retail, and service uses. The rear portion is zoned R-10, formerly R-3 (Medium/High Density Residential). The rear portion is located in the flood plain while the front upland portion was in the flood plain until 1992 when the Federal Emergency Management Association, upon petition from the developer, re-designated the parcel as outside the special flood hazard area.

### Proposed Uses of Property

The Good Harbor marsh and wetlands, including the parcel for acquisition, are a natural resource of immense value to the ecosystem of Cape Ann. Its importance is well documented in the categories of landscape conservation, biodiversity, and recreational and environmental education uses.

**1. Landscape conservation.** The extensive marsh and beach, known simply as Good Harbor because historically it was a small harbor, is a focal point on Route 127A between Gloucester and Rockport along the Atlantic coast. The marsh is largely owned by the City of Gloucester, the Old Nugent Farm Association, and smaller abutters. Although the marsh is protected from development by the ordinances of the City and its Conservation Commission (except for the parcel to be acquired), the Friends of Good Harbor are working with the various owners to secure permanent conservation restrictions for the entire marsh.

**2. Biodiversity.** In a study of the Good Harbor salt marsh (*Wetland Health Assessment Toolbox Program Report*, Salem Sound Coastwatch, 2005), the following elements were identified as biological evidence of the diversity of the habitat: birds, fish, aquatic macro-invertebrates, and vegetation. By way of illustration, the following species of birds were documented: Barn Swallow, Tree Swallow, Least Sandpiper, Yellow Warbler, Black-Bellied Plover, Semipalmated Plover, Greater Yellowlegs, Killdeer, Great Egret, Common Yellowthroat, Double-crested Cormorant, Great Blue Heron, Great Egret, Greater Yellowlegs, Herring Gull, Mallard, Red-

winged Blackbird, and Salt Marsh Sharp-tailed Sparrow, as well as Starlings and Blackbirds. The following non-invasive types of vegetation were documented: *Atriplex patula*, *Spartina alterniflora*, *Spartina patens*, *Distichlis spicata*, *Juncus gerardii*, *Suaeda linearis*, *Salicornia europaea*, *Solidago sempervirens*, *Limonium nashii*, and *Iva frutescens*. Among the aquatic macro-invertebrates were: Ephydriidae shorefly larvae, Amphipods, and Polychaetes. Among the fish (nekton) documented in the marsh were: *Fundulus heteroclitus* (mummichogs), *Fundulus majalis* (striped killfish), *Pungitius pungitius* (ninespine sticklebacks), and *Tautoglabrus adspersus* (cunner). Clearly the marsh and wetlands of Good Harbor, despite the presence of invasive species (e.g. *Phragmites australis* and *Cacrinus maenas* or green crab), are a wildlife habitat with significant biodiversity to protect.

**3. Recreational and Environmental Education Uses.** The Good Harbor beach and marsh are already a passive recreational resource. With the acquisition of the six acre property, Good Harbor marsh, which is visible to all who approach the beach, can become even more of a resource for environmental education. As envisioned by the Friends of Good Harbor, the Good Harbor Gateway will include educational signage, educational breakouts along Thatcher Road, and a stopping point for pedestrians, runners, and bicyclists, as well as the hosting of programs and events promoting civic engagement for monitoring and protecting the marsh and wetlands.

**Level of Threat to Property**

The property at the northwest corner of the intersection of Thatcher Road and Witham Street in Gloucester, formerly a wetland behind Good Harbor Beach, has been the subject of controversy since the 1970s when a section of the salt marsh was filled and partially paved. Nearly twenty years later, a developer proposed to build condominiums on the site, which was followed by more than a decade of city opposition, citizen action, and a string of legal appeals culminating in a final ruling by the state Supreme Judicial Court, in June, 2011, that the project could go forward (Figures 3 and 4). In the summer of 2011, the one-year-old neighborhood organization, Friends of Good Harbor, proposed a plan to the owners, Briernack Realty LLC, for acquiring the parcel for land restoration and a gateway to the Good Harbor salt marsh. The owners have accepted a purchase price of \$720,000 (the assessed valuation of the land obtained by FOGH from Vadala Real Estate Appraisals) and an offer agreement has been signed. The agreement is valid through January, 2013, at which time the developers could proceed with construction.

**Project Schedule**

The Gloucester Conservation Commission anticipates a sequence of events that lead to the acquisition of the property in early 2013. The following milestones are scheduled:

CPA Application	March, 2012
Completion of Donor Fund Raising Phase 1	June, 2012
Conversion of Offer to Purchase & Sale	June, 2012
Additional Grant Application	June, 2012
EEA LAND Grant Application	July, 2012
Notification of Grant Awards	October, 2012
Completion of Donor Fund Raising Phase 2	December, 2012
Completion of Acquisition Closing	January, 2013
Submission to EEA for Reimbursement	February, 2013



## Aerial Views of Property

Figure 3.



**GOOD HARBOR GATEWAY PROJECT  
EEA LAND GRANT APPLICATION**

**Project Budget**

**5-14-12**

The following is the overall budget, both revenues and expenses, for the Good Harbor Gateway Project (to be submitted in the EEA LAND Grant Application by the Gloucester Conservation Commission). Funding awarded under the LAND Grant would be a reimbursement to the City of Gloucester for a portion of the purchase price for the property when acquired.

Revenues

CPA Grant	200,000
EEA LAND Grant	300,000
Owners' Contribution	125,000
Foundation Grant	75,000
FOGH Funding	50,000
Total	750,000

Expenses

Purchase Price	720,000
Appraisal	1,250
Environmental Site Assessment	2,500
Legal, Title Search, Closing	4,250
Survey/Engineering	7,500
Signage, Other Stewardship	2,500
Restoration Seed Funding	12,000
Total	750,000

City Hall  
Nine Dale Ave  
Gloucester, MA 01930



TEL 978-281-9700  
FAX 978-281-9738  
jduggan@gloucester-ma.gov

CITY OF GLOUCESTER  
OFFICE OF THE MAYOR

## *Memorandum*

To: City Council President Hardy and Members of the Gloucester City Council

From: Jim Duggan, Chief Administrative Officer 

Date: May 14, 2012

**Re: Brownfields Assessment Grants**

Attached for your review are two grants, both from MassDevelopment for the environmental assessments of two city-owned properties located at 91 and 110 Commercial Street.

The purpose for the assessment is to determine whether remediation will be necessary to develop the sites. If remediation is necessary, it is the intent of the Administration to submit a follow-up application to MassDevelopment focused on remediation.

Both parcels were acquired by the city, through a taking for non payment of taxes. The disposition plans for the properties, supporting economic development are:

- 91 Commercial Street - It is the intent of the Administration for the city to maintain ownership and further explore developing the site to support area businesses.
- 110 Commercial Street - The property at 110 Commercial Street will be auctioned to support commercial development, leading to job creation.

Please refer this matter to Budget and Finance for their review and recommendation to the full City Council.

Thank you



City of Gloucester  
Grant Application and Check List

Granting Authority: State  Federal  Other

Name of Grant: BROWNFIELDS SITE ASSESSMENT APPLICATION

Department Applying for Grant: COMMUNITY DEVELOPMENT - GRANTS

Agency-Federal or State application is requested from: MASS DEVELOPMENT

Object of the application: ENVIRONMENTAL ASSESSMENT OF 91 COMMERCIAL ST

Any match requirements: YES 20% (\$4,940)

Mayor's approval to proceed: *Cliff J. Fish* 5/15/12  
Signature Date

City Council's referral to Budget & Finance Standing Committee: \_\_\_\_\_  
Vote Date

Budget & Finance Standing Committee: \_\_\_\_\_  
Positive or Negative Recommendation Date

City Council's Approval or Rejection: \_\_\_\_\_  
Vote Date

City Clerk's Certification of Vote to City Auditor: \_\_\_\_\_  
Certification Date

City Auditor:  
Assignment of account title and value of grant: \_\_\_\_\_  
Title Amount

Auditor's distribution to managing department: \_\_\_\_\_  
Department Date sent

NOTE: A copy of all grant paperwork must be submitted to the Auditor's Office



### Brownfields Redevelopment Fund – Site Assessment Application

Please fill in all applicable information in the spaces provided. If additional space is required to answer any question, please use the 'Supplemental Information' section or attach separate pages. There is no application or commitment fee. The maximum financing available for site assessments is \$100,000, and may be used solely for costs incurred in connection with conducting an environmental site assessment. The borrower must have site control or right to enter the site to conduct environmental testing.

#### LOAN AMOUNT

Amount Requested	\$24,700
------------------	----------

#### BORROWER

Borrower's Name City of Gloucester, Grants Division			
Contact Person Sharon DuBois		Title Grants Administrator	
Street Address 3 Pond Road		City Gloucester	State MA Zip Code 01930
Mailing Address (If different from Street Address)			
Telephone 978-282-8005	Fax 978-282-3035	Email sdubois@gloucester-ma.gov	
Website Address www.gloucester-ma.gov			
Organization/Company/Project Title City of Gloucester, 91 Commercial Street, Gloucester, MA 01930			
President/Executive Director Carolyn A. Kirk, Mayor			
Type of Business Government			
Business Organization: <input type="checkbox"/> Corporation <input type="checkbox"/> Partnership <input type="checkbox"/> Sole Proprietorship <input type="checkbox"/> LLC <input type="checkbox"/> LLP <input type="checkbox"/> Trust <input checked="" type="checkbox"/> Other X			
Social Security Number or Tax-Payer Identification Number 046-001-390			
Year business or organization was established or incorporated 1873		State of Incorporation MA	
Name of entity taking title to the property (If different from above)			
How did you hear about MassDevelopment?			

What portion of the project site will the applicant occupy? Explain.

None. This application is for assessment to determine next steps for remediation and for planning for reuse of the site.
--

If the property is municipally-owned, describe the circumstances and status of ownership (i.e. eminent domain, tax foreclosure, etc.):

Gloucester acquired this parcel through a taking for non payment of taxes. (See attached copies of Land Court documents pertaining to the taking and the plan of land).
---

Licensed Site Professional overseeing the remediation project. LSP Name: Joseph Schmidl, LSP
LSP Address: Weston Solutions, Inc., 45 Constitution Avenue, Concord, NH 03301

Address: 91 Commercial Street, Gloucester, MA 01930

Project Address (with zip code) or Location

Release Tracking Number assigned to the site by the Department of Environmental Protection:

N/A

**PROJECT DETAILS** (Attach additional pages if necessary)

**Section One – Site Information**

Location, size (in acres), and condition of the property.

See attached.

For each building, provide number of stories, age, condition, and any existing specialized building improvements.

See attached.

Indicate availability of utilities:

Sanitary sewer: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Storm sewer: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Public water: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Electricity: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Gas: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Telephone: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Cable Television: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Other: <input type="checkbox"/> Yes <input type="checkbox"/> No	

Describe past and current uses of the site.

See attached.

There are no known environmental reports for this site. However, it is known the company had oil tanks on their land at one time.

Please describe any known environmental contamination and its cause. Attach copies of ALL available environmental reports.

### Section Two – Applicant Information

Describe the applicant's capacity to develop and manage the proposed project, including real estate professionals on staff and/or planned use of consultants. If the applicant is a developer, describe real estate development and management experience as it relates to the proposed project.

The Community Development Director coordinates harbor development, working with interest groups, property owners and state regulators. The Planning Director and the Grants Administrator support city-wide priorities with expertise in permitting and economic development, respectively. The Planning Director oversees all land-use regulatory and permitting activities, convening technical advisory groups to assist emerging development projects. The Grants Administrator manages approximately one million in annual Community Development Block Grant and HOME funding that support economic development and serve the needs of the low and moderate income families in the city. The Grants Administrator also administers EPA Brownfields Revolving Loan Fund.

### Section Three – Project Information

Describe in detail the intended redevelopment project (if known), or the applicant's intended actions in connection with the site after the performance of the site assessment.

The City of Gloucester intends to utilize the site for economic development purposes, once assessment is established, so reuse can be defined, planned and implemented. See attached note from 2009 Master Plan.

Will the project involve construction of new building(s) or rehabilitation of existing building(s)? (Include number of buildings and their square footage, the anticipated building occupants, the terms of the leases, and the building improvements, including costs, these

To be determined, once assessment reports are completed.

occupants will require)

Describe the timeframe for the proposed project.

If applicable, identify local officials and neighborhood organizations in support of and opposed to the project

Support:N/A	Opposition:N/A
-------------	----------------

Is local government providing any direct financial support or infrastructure improvements to support the project?  Yes  No  
Describe.

The City of Gloucester is providing financial support through city personnel who are fulfilling staffing for completion of this project.

**TOTAL PROJECT COSTS** (Indicate the estimated project costs, if known)

Land acquisition	Size in Acres	Cost \$ N/A
Existing building acquisition	Square Feet	Cost \$ N/A
Site Assessment Costs		Cost \$ \$24,700
Estimated Remediation Costs (if known)		Cost \$ N/A
Construction of new building	Square Feet	Cost \$ N/A
Rehabilitation of an existing building	Square Feet	Cost \$ N/A
Construction of an addition	Square Feet	Cost \$ N/A
Improvements	Square Feet	Cost \$ N/A
Fees / Other Expenses (legal, financing fees, permits, etc.)		Cost \$ N/A
<b>Total Project Costs</b>		<b>\$ 24,700</b>

**PROJECT FUNDING SOURCES** (Describe and attach specifics)

MassDevelopment Request	Amount \$24,700
Other Public Sources	Amount \$N/A
Bank Financing	Amount \$N/A
Equity	Amount \$N/A

Total Project Financing

\$24,700

**EMPLOYMENT AND PUBLIC PURPOSE**

(REQUIRED, Enter the following information to the best of your knowledge, enter "0", if None or Not Applicable.)

Current number of employees: At this site:0

In the state:N/A

Number of new employees to be hired as a result of this project: Unknown

With respect to the new employment attributable to the project, please provide the following: (Job Title, Description, Annual Salary)

MassDevelopment funds projects that produce a significant public purpose. Please describe the public benefit to be derived from your project: (Examples of public purpose benefits include, but are not limited to, job creation or retention, removal or rehabilitation of blighted property, revitalization of a community, bringing a needed service local, and the creation of affordable housing.)

Public benefit to be derived from assessment of 91 Commercial Street includes remediation of an underutilized site which can be brought back to reuse for economic development, leading to increased job creation. Additionally, assessment and eventual remediation of the site will provide increased environmental health and attractiveness to people who live and work in this area, as well as provide improved transportation accessibility.

Will any Massachusetts facility be closed or existing employees transferred as a result of the proposed loan?  Yes  No  
If yes, explain.

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**SUPPLEMENTAL INFORMATION**

Please use the box below if additional space is required to answer any question on this form. Specify which question the answer is in reference to.

N/A

---

CERTIFICATION (REQUIRED – By signing this application, the borrower agrees to the following.)

a) Brownfields Redevelopment Fund Certification – Borrower must agree with all of the following:

- i. Borrower did not own or operate the property at the time of any release of hazardous materials; did not cause or contribute to the contamination;
  - ii. Borrower does not have a familial, direct, or indirect business relationship with a party potentially responsible for the contamination;
  - iii. Borrower is not subject to any continuing enforcement action by the Commonwealth of Massachusetts for the remediation of any contamination, and;
  - iv. The cost of the remediation work is not eligible for funding under the Commonwealth's Underground Storage Tank Fund.
- b) Survival of Representations: The representations included in this application shall survive the closing of the agency financing applied for.
- c) This application constitutes an agreement pursuant to the provisions of M.G.L. Chapter 149, Section 182, whereby any facility financed in whole or part by MassDevelopment is subject to certain voluntary standards of corporate behavior in the event of a plant closing or partial closing as defined in M.G.L. Chapter 151A, Section 71A.
- d) Northern Ireland: The borrower certifies that if it conducts business in Northern Ireland, it does or will do so in accordance with the McBride Principles.
- e) People's Republic of China: Prior to closing, the borrower will be required to make certain certifications and agree to comply with a code of corporate standards relative to any business interest or involvement with or in the People's Republic of China.
- f) The borrower agrees to provide information as to the number of employees in its hire when so requested by MassDevelopment.
- g) The borrower agrees that if it accepts financial assistance from MassDevelopment, it shall include MassDevelopment in any public relations events or materials related to the project, and cooperate with and permit MassDevelopment to publicize its assistance, for marketing and public relations purposes, including but not limited to, signage, press releases, public events, and promotional materials.
- h) MassDevelopment Contractor Policy: By signing below, applicant agrees that, for costs of the Project which are to be financed by MassDevelopment, applicant and or its affiliates have not and will not knowingly solicit or consider bids, contract or negotiate with, or approve a subcontract with any vendor listed as debarred or suspended on the debarment lists. Applicable debarment lists are maintained by the Commonwealth of Massachusetts' Division of Capital Asset Management and Maintenance, the Department of Transportation, the Department of Industrial Accidents, the Office of the Attorney General, and the Federal government.

The applicant also agrees that for any Project costs financed by MassDevelopment, contracts for such work will include a specific requirement that the vendor will also adhere to this policy with regards to subcontractors.

If MassDevelopment learns that these requirements have not been met, it reserves the right to withhold final approval and not proceed with the applicant's request for funding.

The applicant will be required to certify at closing as to its compliance with these requirements.

The Commonwealth's Executive Office of Administration and Finance has a webpage with a link to the lists, <http://www.mass.gov/anf/property-mgmt-and-construction/design-and-construction-of-public-bldgs/vendor-debarment.html>.

(Answer "Yes" or "No" to the following.)

- i). Taxes and Accounting: Has the applicant filed or caused to be filed all required federal, state, and local tax returns, and has it paid or caused to be paid all taxes due and payable?  Yes  No
- j). Employment Laws: Has the applicant ever been subject to a labor-related enforcement action, violation, or fine from the state or federal government, including citations for any violations of OSHA or of the Americans with Disabilities Act?  Yes  No
- k). Bankruptcy: Has the applicant ever filed for or been the subject of a petition for bankruptcy or protection against creditors?  Yes  No
- l). Criminal Convictions: Has the applicant been convicted of a felony under federal or any state law?  Yes  No
- m) Does the borrower have any contingent liabilities as a result of suits or enforcement actions, etc. currently outstanding or unresolved?  Yes  No

If the answer to item (i) is No, or the answer to any of items (j), (k), (l), or (m) is Yes, please explain.

**IMPORTANT NOTICE**

The undersigned hereby represents and certifies to the best of his/her knowledge and belief that the information contained in the foregoing Statement and exhibits or attachments hereto is true and complete and accurately describes the proposed project, and agrees to promptly inform MassDevelopment of any changes in the proposed project which may occur.

Borrower Carolyn A. Kirk	Title Mayor
Signature	Date

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#### ATTACHMENTS TO INCLUDE WITH APPLICATION

- Attach any historic environmental reports on the site (if available)
- Attach a detailed Scope of Services prepared by the LSP for the site assessment
- Include list and status of permitting, zoning, and other public approvals, including agency name(s) (if applicable)
- Attach a summary of qualifications and contact information for all development team members
- Attach a project development schedule and preliminary design materials (if applicable)
- Attach a breakdown of renovation/construction costs (if applicable)
- Attach copies of CPA prepared Financial Statements  
(Include Income Statements, Balance Sheets, Cash Flows, and Notes for the past three fiscal years)
- Attach Term Sheets/Specifics of other sources of project funding (Commercial Bank, Public Sources, etc.)
- Attach a recent photo of the subject property, a site map, and evidence of site control (if available)
- 501(c)(3) Articles of Incorporation (if applicable)

---

#### HOW TO SUBMIT THE APPLICATION

PRINT OUT A COPY OF THIS APPLICATION FORM FOR YOUR RECORDS.

Submit the completed and signed application, along with attachments, by one of the following ways: **In Person:** To your Regional Community Development Representative; **By Mail:** Attn: Community Development Division, MassDevelopment, 160 Federal Street, Boston, MA 02110; or, **By Fax:** 617-330-2001.

MassDevelopment's staff is available to answer any questions you may have and assist you in completing this application. If you have questions, please call 800-445-8030.

**Scope of Work**  
**Environmental Site Assessment**  
**91 Commercial Street**  
**Gloucester, Massachusetts**

**Background**

This background summary for the property at 91 Commercial Street in Gloucester, MA was prepared based on limited historical information, including assessor's records; deed information; an undated historical photograph; historical atlases from 1884 and 1899; and Sanborn maps from 1888, 1903, and 1917.

The property is located on a small peninsula referred to as "The Fort." Named for an earthwork fort built to protect Gloucester's harbor during the Revolutionary War era, the area has been considered an ideal spot to build wharves, dock fishing boats, process fish, and build homes for the families of fishermen (Source: [www.downthefort.com](http://www.downthefort.com)). Historical atlases and Sanborn Maps depict historical uses as dwellings and a pool room/storage building. A restaurant was formerly located on an adjacent parcel. In 1930, the property and the nearby 110 Commercial Street property were purchased by Producers Fish Company and used for fish processing. At least two former above ground oil storage tanks (ASTs) were present on the property. The AST foundations are still present. Between October and November 2009, the City of Gloucester acquired the property for unpaid taxes.

**Scope of Work**

Based on the background information, an environment site assessment will be performed to investigate potential environmental impacts from historical site activities. Based on known historic site activities, soil and groundwater will be assessed for petroleum compounds and metals. Additional samples may be collected based on the findings of the Phase I ESA. The site assessment will consist of the following tasks.

1. *Phase I Environmental Site Assessment (ESA)* - A Phase I ESA will be conducted in accordance with the American Society for Testing and Materials (ASTM) Standard E 1527-05, A Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process. The purpose of the Phase I ESA is to identify Recognized Environmental Conditions (RECs). **Estimated cost: \$3,800.**
2. *Preparation for Phase II Site Assessment Activities* - A Site-specific Health and Safety Plan (HASP), as required by the Occupational Safety and Health Administration in 29 Code of Federal Regulations 1910.120, will be prepared for the proposed investigative work. A DigSafe clearance of subsurface utilities will also be performed. **Estimated cost: \$1,000.**
3. *Ground-Penetrating Radar (GPR) Survey* -A GPR survey will be performed to identify historical subsurface structures (e.g., tanks, vaults, etc.). **Estimated cost: \$4,500.**

4. *Soil Boring Advancement and Sample Collection* – Three soil borings will be advanced using a direct-push drill rig. Borings will be advanced to an estimated depth of 20 feet below grade and will be completed as monitoring wells. Continuous soil samples will be collected from the soil borings and screened with a photoionization detector (PID) using the Massachusetts Department of Environmental Protection (MassDEP) headspace screening method. One soil sample from each boring will be collected for laboratory analysis of extractable petroleum hydrocarbons (EPH), volatile petroleum hydrocarbons (VPH), and Massachusetts Contingency Plan (MCP) metals. **Estimated cost: \$5,800.**
3. *Monitoring Well Installation* - Soil borings will be completed as two-inch diameter polyvinyl chloride (PVC) monitoring wells, installed with a flush-mounted road box. **Estimated cost: \$1,000.**
4. *Monitoring Well Development and Survey* – Monitoring wells will be developed using a submersible pump (or similar equipment). Wells will be surveyed relative to a local, on-site benchmark. **Estimated cost: \$2,600.**
5. *Groundwater Sample Collection and Gauging* - One groundwater sample will be collected from each of the three newly-installed monitoring wells using low-flow methodology for laboratory analysis of EPH, VPH, and MCP metals. Prior to sampling, depth-to-groundwater measurement will be collected to estimate groundwater flow. **Estimated cost: \$1,500.**
6. *Summary Report* - A Phase I and Limited Phase II Site Assessment Report will be prepared summarizing the analytical results and comparing the data to applicable regulatory criteria. The report will include an overview of investigative activities, a brief discussion of the results, and recommendations. **Estimated cost: \$4,500.**

Total Estimated Cost: \$24,700.



City of Gloucester  
Grant Application and Check List

Granting Authority: State  Federal \_\_\_\_\_ Other \_\_\_\_\_

Name of Grant: BROWNFIELD SITE ASSESSMENT APPLICATION

Department Applying for Grant: COMMUNITY DEVELOPMENT - GRANTS

Agency-Federal or State application is requested from: MASS DEVELOPMENT

Object of the application: ENVIRONMENTAL ASSESSMENT OF 110 COMMERCIAL ST

Any match requirements: YES - 20% (\$4,940)

Mayor's approval to proceed: *[Signature]* 5/15/12  
Signature Date

City Council's referral to Budget & Finance Standing Committee: \_\_\_\_\_  
Vote Date

Budget & Finance Standing Committee: \_\_\_\_\_  
Positive or Negative Recommendation Date

City Council's Approval or Rejection: \_\_\_\_\_  
Vote Date

City Clerk's Certification of Vote to City Auditor: \_\_\_\_\_  
Certification Date

City Auditor:  
Assignment of account title and value of grant: \_\_\_\_\_  
Title Amount

Auditor's distribution to managing department: \_\_\_\_\_  
Department Date sent

NOTE: A copy of all grant paperwork must be submitted to the Auditor's Office



Brownfields Redevelopment Fund – Site Assessment Application

Please fill in all applicable information in the spaces provided. If additional space is required to answer any question, please use the 'Supplemental Information' section or attach separate pages. There is no application or commitment fee. The maximum financing available for site assessments is \$100,000, and may be used solely for costs incurred in connection with conducting an environmental site assessment. The borrower must have site control or right to enter the site to conduct environmental testing.

LOAN AMOUNT

Table with 2 columns: Amount Requested, \$24,700

BORROWER

Form with fields for Borrower's Name, Contact Person, Title, Street Address, City, State, Zip Code, Mailing Address, Telephone, Fax, Email, Website Address, Organization/Company/Project Title, President/Executive Director, Type of Business, Business Organization, Social Security Number or Tax-Payer Identification Number, Year business or organization was established or incorporated, State of Incorporation, Name of entity taking title to the property, How did you hear about MassDevelopment?

What portion of the project site will the applicant occupy? Explain.

None. This application is for assessment to determine next steps for remediation and for planning for reuse of the site.

If the property is municipally-owned, describe the circumstances and status of ownership (i.e. eminent domain, tax foreclosure, etc.):

Gloucester acquired this parcel through a taking for non payment of taxes. (See attached copies of Land Court documents pertaining to the taking and the plan of land).

Licensed Site Professional overseeing the remediation project. LSP Name: Joseph Schmidl, LSP

LSP Address: Weston Solutions, Inc., 45 Constitution Avenue, Concord, NH 03301

Address: 110 Commercial Street, Gloucester, MA 01930

Project Address (with zip code) or Location

Release Tracking Number assigned to the site by the Department of Environmental Protection:

N/A

**PROJECT DETAILS** (Attach additional pages if necessary)

**Section One – Site Information**

Location, size (in acres), and condition of the property.

See attached.

For each building, provide number of stories, age, condition, and any existing specialized building improvements.

See attached.

Indicate availability of utilities:

Sanitary sewer: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Storm sewer: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Public water: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Electricity: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Gas: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Telephone: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Cable Television: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Other: <input type="checkbox"/> Yes <input type="checkbox"/> No	

Describe past and current uses of the site.

Marine Industrial. See attached.

There are no known environmental reports for this site.

However, it is known the site had a fire and a building was removed.

The site also contained oil tanks, pumps and an ice conveyor.

Please describe any known environmental contamination and its cause. Attach copies of ALL available environmental reports.

### Section Two – Applicant Information

[Empty box for applicant information]

Describe the applicant's capacity to develop and manage the proposed project, including real estate professionals on staff and/or planned use of consultants. If the applicant is a developer, describe real estate development and management experience as it relates to the proposed project.

The Community Development Director coordinates harbor development, working with interest groups, property owners and state regulators. The Planning Director and the Grants Administrator support city-wide priorities with expertise in permitting and economic development, respectively. The Planning Director oversees all land-use regulatory and permitting activities, convening technical advisory groups to assist emerging development projects. The Grants Administrator manages approximately one million in annual Community Development Block Grant and HOME funding that support economic development and serve the needs of the low and moderate income families in the city. The Grants Administrator also administers EPA Brownfields Revolving Loan Fund.

### Section Three – Project Information

Describe in detail the intended redevelopment project (if known), or the applicant's intended actions in connection with the site after the performance of the site assessment.

The City of Gloucester intends to utilize the site for economic development purposes, once assessment is established, so reuse can be defined, planned and implemented. See attached note from 2009 Master Plan.

Will the project involve construction of new building(s) or rehabilitation of existing building(s)? (Include number of buildings and their square footage, the anticipated building occupants, the terms of the leases, and the building improvements, including costs, these

To be determined, once assessment reports are completed.

occupants will require)

Describe the timeframe for the proposed project.

If applicable, identify local officials and neighborhood organizations in support of and opposed to the project

Support: N/A	Opposition: N/A
--------------	-----------------

Is local government providing any direct financial support or infrastructure improvements to support the project?  Yes  No  
Describe.

The City of Gloucester is providing financial support through city personnel who are fulfilling staffing for completion of this project.

**TOTAL PROJECT COSTS** (Indicate the estimated project costs, if known)

Land acquisition	Size in Acres	Cost \$ N/A
Existing building acquisition	Square Feet	Cost \$ N/A
Site Assessment Costs		Cost \$ \$24,700
Estimated Remediation Costs (if known)		Cost \$ N/A
Construction of new building	Square Feet	Cost \$ N/A
Rehabilitation of an existing building	Square Feet	Cost \$ N/A
Construction of an addition	Square Feet	Cost \$ N/A
Improvements	Square Feet	Cost \$ N/A
Fees / Other Expenses (legal, financing fees, permits, etc.)		Cost \$ N/A
<b>Total Project Costs</b>		<b>\$ 24,700</b>

**PROJECT FUNDING SOURCES** (Describe and attach specifics)

MassDevelopment Request	Amount \$24,700
Other Public Sources	Amount \$N/A
Bank Financing	Amount \$N/A
Equity	Amount \$N/A

Total Project Financing

\$24,700

**EMPLOYMENT AND PUBLIC PURPOSE**

(REQUIRED, Enter the following information to the best of your knowledge, enter "0", if None or Not Applicable.)

Current number of employees: At this site:0

In the state:N/A

--

Number of new employees to be hired as a result of this project: Unknown

With respect to the new employment attributable to the project, please provide the following: (Job Title, Description, Annual Salary)

MassDevelopment funds projects that produce a significant public purpose. Please describe the public benefit to be derived from your project: (Examples of public purpose benefits include, but are not limited to, job creation or retention, removal or rehabilitation of blighted property, revitalization of a community, bringing a needed service local, and the creation of affordable housing.)

Public benefit to be derived from assessment of 110 Commercial Street includes remediation of an underutilized site which can be brought back to reuse for economic development, leading to increased job creation. Additionally, assessment and eventual remediation of the site will provide increased environmental health and attractiveness to people who live and work in this area.

Will any Massachusetts facility be closed or existing employees transferred as a result of the proposed loan?  Yes  No  
If yes, explain.

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**SUPPLEMENTAL INFORMATION**

Please use the box below if additional space is required to answer any question on this form. Specify which question the answer is in reference to.

N/A

---

CERTIFICATION (REQUIRED – By signing this application, the borrower agrees to the following.)

a) Brownfields Redevelopment Fund Certification – Borrower must agree with all of the following:

- i. Borrower did not own or operate the property at the time of any release of hazardous materials; did not cause or contribute to the contamination;
  - ii. Borrower does not have a familial, direct, or indirect business relationship with a party potentially responsible for the contamination;
  - iii. Borrower is not subject to any continuing enforcement action by the Commonwealth of Massachusetts for the remediation of any contamination, and;
  - iv. The cost of the remediation work is not eligible for funding under the Commonwealth's Underground Storage Tank Fund.
- b) Survival of Representations: The representations included in this application shall survive the closing of the agency financing applied for.
- c) This application constitutes an agreement pursuant to the provisions of M.G.L. Chapter 149, Section 182, whereby any facility financed in whole or part by MassDevelopment is subject to certain voluntary standards of corporate behavior in the event of a plant closing or partial closing as defined in M.G.L. Chapter 151A, Section 71A.
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- f) The borrower agrees to provide information as to the number of employees in its hire when so requested by MassDevelopment.
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The applicant also agrees that for any Project costs financed by MassDevelopment, contracts for such work will include a specific requirement that the vendor will also adhere to this policy with regards to subcontractors.

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The Commonwealth's Executive Office of Administration and Finance has a webpage with a link to the lists, <http://www.mass.gov/eof/property-mgmt-and-construction/design-and-construction-of-public-bldgs/vendor-debarment.html>.

(Answer "Yes" or "No" to the following.)

- i) Taxes and Accounting: Has the applicant filed or caused to be filed all required federal, state, and local tax returns, and has it paid or caused to be paid all taxes due and payable?  Yes  No
- j) Employment Laws: Has the applicant ever been subject to a labor-related enforcement action, violation, or fine from the state or federal government, including citations for any violations of OSHA or of the Americans with Disabilities Act?  Yes  No
- k) Bankruptcy: Has the applicant ever filed for or been the subject of a petition for bankruptcy or protection against creditors?  Yes  No
- l) Criminal Convictions: Has the applicant been convicted of a felony under federal or any state law?  Yes  No
- m) Does the borrower have any contingent liabilities as a result of suits or enforcement actions, etc. currently outstanding or unresolved?  Yes  No

If the answer to item (i) is No, or the answer to any of items (j), (k), (l), or (m) is Yes, please explain.

**IMPORTANT NOTICE**

The undersigned hereby represents and certifies to the best of his/her knowledge and belief that the information contained in the foregoing Statement and exhibits or attachments hereto is true and complete and accurately describes the proposed project, and agrees to promptly inform MassDevelopment of any changes in the proposed project which may occur.

Borrower Carolyn A. Kirk	Title Mayor
Signature	Date

---

#### ATTACHMENTS TO INCLUDE WITH APPLICATION

- Attach any historic environmental reports on the site (if available)
- Attach a detailed Scope of Services prepared by the LSP for the site assessment
- Include list and status of permitting, zoning, and other public approvals, including agency name(s) (if applicable)
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(Include Income Statements, Balance Sheets, Cash Flows, and Notes for the past three fiscal years)
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**Scope of Work**  
**Environmental Site Assessment**  
**110 Commercial Street**  
**Gloucester, Massachusetts**

**Background**

This background summary for the property at 110 Commercial Street in Gloucester, MA was prepared based on limited historical information, including assessor's records; deed information; historical atlases from 1856 and 1884; and a Sanborn map from 1917.

The property is located on a small peninsula referred to as "The Fort." Named for an earthwork fort built to protect Gloucester's harbor during the Revolutionary War era, the area has been considered an ideal spot to build wharves, dock fishing boats, process fish, and build homes for the families of fishermen (Source: [www.downthefort.com](http://www.downthefort.com)). The 1917 Sanborn Maps depicts a large building described as McDonald's Fish House and Lufkin & Tarr Fish House. Adjacent historical uses include Gloucester Oil & Grease Company to the east and R. Cooney Fish Company and Cold Storage to the west. A 500-gallon gasoline underground storage tank is depicted at the R. Cooney Fish Company property. In 1930, the property and the nearby 91 Commercial Street property were purchased by Producers Fish Company and used for fish processing. Reportedly, a fire destroyed the on-site buildings, and they were subsequently demolished between 1996 and 1998. Between October and November 2009, the City of Gloucester acquired the property for unpaid taxes.

The property is currently being used for the storage of lobster traps and other fishing equipment. The property is surrounded by a chain link fence and locked vehicle access gate.

**Scope of Work**

Based on the background information, an environment site assessment will be performed to investigate potential environmental impacts from historical site activities. Based on known historic site activities, soil and groundwater will be assessed for petroleum compounds and metals. Additional samples may be collected based on the findings of the Phase I ESA. The site assessment will consist of the following tasks.

1. *Phase I Environmental Site Assessment (ESA)* - A Phase I ESA will be conducted in accordance with the American Society for Testing and Materials (ASTM) Standard E 1527-05, A Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process. The purpose of the Phase I ESA is to identify Recognized Environmental Conditions (RECs). **Estimated cost: \$3,800.**
2. *Preparation for Phase II Site Assessment Activities* - A Site-specific Health and Safety Plan (HASP), as required by the Occupational Safety and Health Administration in 29 Code of Federal Regulations 1910.120, will be prepared for the proposed investigative work. A DigSafe clearance of subsurface utilities will also be performed. **Estimated cost: \$1,000.**

3. Ground-Penetrating Radar (GPR) Survey --A GPR survey will be performed to identify historical subsurface structures (e.g., tanks, vaults, etc.). **Estimated cost: \$4,500.**
4. *Soil Boring Advancement and Sample Collection* -- Three soil borings will be advanced using a direct-push drill rig. Borings will be advanced to an estimated depth of 20 feet below grade and will be completed as monitoring wells. Continuous soil samples will be collected from the soil borings and screened with a photoionization detector (PID) using the Massachusetts Department of Environmental Protection (MassDEP) headspace screening method. One soil sample from each boring will be collected for laboratory analysis of extractable petroleum hydrocarbons (EPH), volatile petroleum hydrocarbons (VPH), and Massachusetts Contingency Plan (MCP) metals. **Estimated cost: \$5,800.**
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4. *Monitoring Well Development and Survey* -- Monitoring wells will be developed using a submersible pump (or similar equipment). Wells will be surveyed relative to a local, on-site benchmark. **Estimated cost: \$2,600.**
5. *Groundwater Sample Collection and Gauging* - One groundwater sample will be collected from each of the three newly-installed monitoring wells using low-flow methodology for laboratory analysis of EPH, VPH, and MCP metals. Prior to sampling, depth-to-groundwater measurement will be collected to estimate groundwater flow. **Estimated cost: \$1,500.**
6. *Summary Report* - A Phase I and Limited Phase II Site Assessment Report will be prepared summarizing the analytical results and comparing the data to applicable regulatory criteria. The report will include an overview of investigative activities, a brief discussion of the results, and recommendations. **Estimated cost: \$4,500.**

Total Estimated Cost: \$24,700.

**City of Gloucester  
Special Budgetary Transfer Request  
Fiscal Year 2012**

INTER-departmental requiring City Council approval - 6 Votes Required  
 INTRA-departmental requiring City Council approval - Majority Vote Required

TRANSFER # 2012-SBT- 36 *Auditor's Use Only*

DEPARTMENT REQUESTING TRANSFER: Police

DATE: 4/17/2012 BALANCE IN ACCOUNT: \$ 39,875.57

(FROM) PERSONAL SERVICES ACCOUNT # *Unifund Account #*  
101000.10.211.51950.0000.00.000.00.051

(FROM) ORDINARY EXPENSE ACCOUNT # *Unifund Account #*

Police-Uniform, Career Incentive Pay  
*Account Description*

DETAILED EXPLANATION OF SURPLUS: Death of an officer

(TO) PERSONAL SERVICES ACCOUNT # *Unifund Account #*  
101000.10.210.51950.0000.00.000.00.051

(TO) ORDINARY EXPENSE ACCOUNT # *Unifund Account #*

Police-Admin, Career Incentive Pay  
*Account Description*

DETAILED ANALYSIS OF NEED(S): Contractual raise increased Chief Lane's stipend.

TOTAL TRANSFER AMOUNT: \$ 411.06 NEW BALANCE IN ACCOUNTS AFTER TRANSFER  
 FROM ACCOUNT: \$ 39,464.51  
 TO ACCOUNT: \$ -

APPROVALS: *JTA*  
 DEPT. HEAD: *Chief Mike Lane* DATE: 4/17/2012  
 ADMINISTRATION: *[Signature]* DATE: 5/15/12  
 BUDGET & FINANCE: \_\_\_\_\_ DATE: \_\_\_\_\_  
 CITY COUNCIL: \_\_\_\_\_ DATE: \_\_\_\_\_



# CITY OF GLOUCESTER

POLICE DEPARTMENT  
197 MAIN STREET  
GLOUCESTER, MA 01930

To: Jim Duggan, Chief Administrative Officer  
From: Chief Mike Lane  
Date: April 20, 2012  
Re: Request City to accept donation

Dear Jim,

The Gloucester Police Dept is I receipt of an offer from the Cape Ann Transportation Authority to donate to the department a 2004 Ford Astro Van, which is surplus equipment. It is mechanically sound, and is valued at approximately \$ 600.

I am requesting the this letter and the accompanying paperwork be submitted in the Mayors Report for submission to the full City Council, so that it may be reviewed by the Budget and Finance sub committee for their review and recommendation.

Thank you.

*Chief Mike Lane*

RECEIVED

MAY 15 2012

Mayor's Office

**GLOUCESTER  
POLICE  
DEPARTMENT**

**LT. JOE AIELLO  
OPERATIONS  
COMMANDER**

# Memo

**To:** Chief Mike Lane  
**From:** Lt Joe Aiello  
**CC:** file  
**Date:** 4/19/2012  
**Re:** 1984 Transport Van

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Chief,

Bob Ryan of CATA has a 16 passenger van with a handicapped wheel chair lift that he has offered to this department. The van is a 2004 Ford Astro Van (VIN#1FDWE45F43HB77331) This is surplus equipment and would be an asset to the Police department. We have talked to Ron Garvey of the DPW and he thinks the vehicle is a worth while endeavor. The wheelchair lift would assist us in transporting of handicapped prisoners. As you know this has been a problem in the past. The van would also be useful in evacuations. The vehicle would be used to transport as many as 16 officers at one time to training as well as the Cape Ann Regional Response Team to and from an incident. The listed value is under \$600.00.

**GLOUCESTER  
POLICE  
DEPARTMENT**

**LT. JOE AIELLO  
OPERATIONS  
COMMANDER**

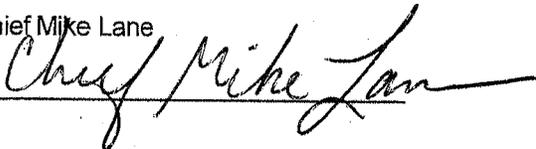
# Memo

**To:** Bob Ryan CATA  
**From:** Lt Joe Aiello  
**CC:** file  
**Date:** 4/19/2012  
**Re:** 2004 Ford Astro Van

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Bob, please accept this as a formal request to transfer the 2004 Ford Astro Van VIN # 1FDWE45F43HB77331 to the Gloucester Police Department. Your support of the Gloucester Police and our mission in the community is commendable.

Chief Mike Lane



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