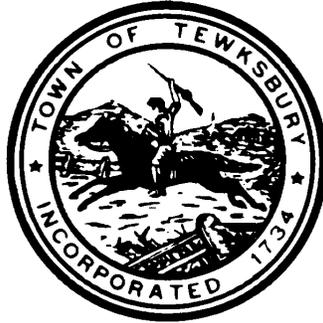


SPECIAL TOWN MEETING

**2025
WARRANT**



TOWN OF TEWKSBURY COMMONWEALTH OF MASSACHUSETTS

Finance Committee Public Hearing

September 29, 2025 7:00 P.M.
Town Hall 1009 Main Street

Special Town Meeting

October 7, 2025 7:00 P.M.
Tewksbury Memorial High School

Town of Tewksbury Website: <http://www.tewksbury-ma.gov>

TOWN MEETING GUIDELINES

- ** Voters and visitors shall have their identification ribbons conspicuously displayed.
- ** Visitors shall sit in the designated VISITORS SECTION unless they are assigned to a designated area.
- ** Standing at the doors or in the aisles inside the gymnasium or auditorium is prohibited.
- ** No one shall enter the gymnasium or auditorium while voting is in progress.
- ** Everyone shall be at a seat to allow the vote to be counted without hindrance.
- ** Collecting signatures upon petitions or nomination papers is prohibited in the building where the Town Meeting is being held.
- ** Food and beverages are not allowed in the gymnasium or auditorium as per order of the School Committee.
- ** Smoking is not allowed in the School Building or on School Property.
- ** To prevent active interference with the conduct of the Town Meeting, any person taping, videotaping or using any other means of sonic reproduction is assigned to the designated Press Table or the side aisle perimeters of the gymnasium or auditorium.

This meeting is being held at a site which is physically accessible to persons with disabilities.

For further information please call 978-640-4355.

CART services need to be requested as early as possible, as CART providers often fill their schedule 2-3 months in advance. Other reasonable accommodations for disability related needs will be provided upon request.

Special Town Meeting

TUESDAY
October 7, 2025
7:00 P.M.

For more information about Town Meeting:

<https://www.tewksbury-ma.gov/399/Town-Meeting-Information>

FACEBOOK: Library: www.facebook.com/TewksburyLib

Tewksbury Community Market: <https://www.facebook.com/tewksburymarket/>

Town: www.facebook.com/pages/Town-of-Tewksbury/393895750722817

TWITTER: Library: @TewksburyLib Police: @TewksburyPD

Tewksbury Community Market: @TewksburyMarket Town: @TownofTewksbury

WEBSITE: Library's Website: www.tewksburypl.org/Pages/index Town's Website: www.tewksbury-ma.gov

Middlesex, ss:

To any of the Constables of the Town of Tewksbury, in said County:

In the name of the Commonwealth of Massachusetts you are hereby directed to notify and warn the inhabitants of the Town of Tewksbury, qualified to vote in Town affairs, to meet and assemble at the Tewksbury Memorial High School, 320 Pleasant Street, in said Tewksbury on Tuesday, October 7, 2025, at 7:00 P.M. to act on the following articles:

ARTICLE 1

To see if the Town will vote to raise and appropriate funds into the Following FY2026 Departmental Budgets; or take any action related thereto:

<u>Department and Line Item</u>	<u>Account Number</u>	<u>Amount</u>
Town Manager Regular Salaries	1011231-5111	\$ 11,951
Town Manager Professional Services	1011232-5310	4,800
Administrative Services Regular Salaries	1011531-5111	12,129
Planning Professional Services	1011752-5310	10,500
Fire Regular Salaries	1042201-5111	46,000
EMS Part-Time Salaries	1042911-5120	5,000
EMS Professional Services	1042912-5310	15,000
Building Regular Salaries	1042411-5111	16,040
DPW Admin Regular Salaries	10640011-5111	43,585
	Total	<u>\$ 165,005</u>

Town Manager

Executive Summary: This article raises and appropriates funds to FY2026 Budgets. Additional funds are available since state and local revenue will be higher than projected. This will not adversely impact the tax rate.

ARTICLE 2

To see if the Town will vote to transfer from certified General Fund Free Cash the sum of \$2,469,640 to be expended by the Town Manager to fund the following; or take any other action relative thereto.

<u>Projects and Equipment to be funded from Free Cash</u>	
Facilities & Grounds Truck 2025 Ford F350	\$ 120,000
Facilities & Grounds Field Stripe Painting Machine	21,000
AC Unit Livingston	20,000
Facilities & Grounds Kubota Tractor and Equipment	18,000
Police HVAC Repairs	8,000
Police Station Improvements - Walkway	14,100
Police Motorcycles (trade-ins)	35,118
Police ATVs	24,122
Fire Fitness Equipment	9,300
Livingston Restrooms	200,000
Road & Sidewalk Improvements	2,000,000
Total	<u>\$ 2,469,640</u>

Town Manager

Executive Summary: This article transfers funds from certified General Fund Free Cash for specific one-time capital expenditures.

ARTICLE 3

To see if the Town will vote to transfer from certified General Fund Free Cash the sum of \$18,761 to pay the following outstanding bills from the previous year; or take any action relative thereto.

Department	Vendor	Amount
Council on Aging	Impact Fire Services	\$ 860.25
DPW	Brox Industries	14,647.68
DPW	CMB Tractor	1,289.00
DPW	Kraft Power	1,964.07
Total:		<u>\$ 18,761.00</u>

Executive Summary: According to Massachusetts General Laws Chapter 44 § 64, bills that are late must be approved by Town Meeting before payment. This article authorizes the charges to be paid.

ARTICLE 4

To see if the Town will vote to transfer the sum of \$4,552,639 from certified General Fund Free Cash to the Town Stabilization Fund; or take any other action relative thereto.

Town Manager

Executive Summary: This article seeks approval to set aside these funds in the Stabilization Fund to be used for future emergencies or one-time purchases or projects.

ARTICLE 5

To see if the Town will vote to establish a special purpose stabilization fund pursuant to Mass. Gen. L. c. 40 Sec. 5B to be known as the Debt Stabilization Fund for the specific purpose of funding debt service effective fiscal year beginning on July 1, 2025 which said funds may be appropriated and/or reserved for later appropriation for any lawful municipal purpose; or take any other action relative thereto.

Town Manager

Executive Summary: This article allows the Town to establish a special purpose Debt Stabilization Fund.

ARTICLE 6

To see if the Town will vote to transfer a sum of \$2,500,000 from certified General Fund Free Cash to the Town Debt Stabilization Fund; or take any other action relative thereto.

Town Manager

Executive Summary: This article seeks approval to set aside these funds in the Debt Stabilization Fund to be used reduce the tax impacts of future debt.

ARTICLE 7

To see if the Town will vote to transfer the sum of \$1,490,000 from Water Enterprise Fund Retained Earnings to be expended by the Town Manager for various purposes; or take any other action relative thereto.

<u>Transfer Retained Earnings</u>	
Water Infrastructure Improvements	\$ 1,000,000
Sludge Residual Process Alternatives Analysis	90,000
Pump & VFD Replacement at Water Raw Intake	400,000
Total	<u><u>\$ 1,490,000</u></u>

Town Manager

Executive Summary: This article utilizes funds from Water Retained Earnings for capital equipment and improvements. This includes \$1 Million of Water distribution system improvement.

ARTICLE 8

To see if the Town will vote to transfer and appropriate from the PFAS Settlement Fund the sum of \$400,000 for the purpose of conducting an operational study of the Water Treatment Plant to determine whether the plant can be efficiently and safely operated without a third shift and further that these funds be used to make the necessary capital and security changes necessary, including but not limited to SCADA upgrades and enhancements, to implement this change in operations; or take any other action relative thereto.

Town Manager

Executive Summary: This article seeks to assess the operational structure of the Water Treatment Plant to determine if efficiencies can be realized through the elimination of the third shift. It also seeks to fund capital enhancements necessary to make this change which includes but is not limited to SCADA enhancements and Cybersecurity enhancements.

ARTICLE 9

To see if the Town of Tewksbury will vote to transfer from CPA Open Space Tewksbury Community Preservation Funds in accordance with the Community Preservation Act the sum of \$22,000 to rehabilitate the Varsity infield at Tewksbury Memorial High School, including allowed costs incidental and related thereto; said rehabilitation expenses as necessary for recreational purposes pursuant to Massachusetts General Law Chapter 44B (The Community Preservation Act) and Chapter 44 Section 7(1) and/or any other enabling authority and the Secretary of the Interior's Standards for Rehabilitation; or take any other action relative thereto.

Community Preservation Committee

Executive Summary: This funding will allow for rehabilitation and upgrades to the Tewksbury Memorial High School Varsity Infield.

ARTICLE 10

To see if the Town will vote to authorize the Select Board to enter into an agreement to lease the North Street Elementary School for a period not to exceed thirty (30) years; or take any other action relative thereto.

Town Manager

Executive Summary: This article would allow for the lease of the North Street Elementary School within the statutory requirement of thirty (30) years.

ARTICLE 11

To see if the Town will vote to authorize the Select Board to file with the Great and General Court of the Commonwealth of Massachusetts a Home Rule Petition to allow the Select Board to enter into an agreement to lease the North Street Elementary School for a period not to exceed ninety-nine (99) years; or take any other action relative thereto.

Town Manager

Executive Summary: This article seeks a Home Rule Petition to allow the Town to lease the North Street Elementary School for more than the statutory requirement of thirty (30) years but not to exceed ninety-nine (99) years.

ARTICLE 12

To see if the Town will vote to authorize a ground lease of approximately 5,625 square feet at 199 Shawsheen Street, Assessors Map 70 Lot 195, for a 10-year term with two renewable five-year extensions for the construction of a 110 foot monopole and associated 10 feet wide utility easement.



Town Manager

Executive Summary: This article would allow the Town under State procurement laws to lease a portion of property at the Heath Brook School to a cellular carrier or tower company.

ARTICLE 13

To see if the Town will vote to amend the Town Code: Chapter 19 Stormwater Management & Erosion Control by deleting text with strikethroughs and inserting text with underlines, as follows:

Chapter 19

STORMWATER MANAGEMENT & EROSION CONTROL

Sections:

- 19.010 Purpose**
 - 19.020 Definitions**
 - 19.030 Authority**
 - 19.040 Applicability**
 - 19.041 Regulated Activities**
 - 19.042 Exempt Activities**
 - 19.043 Activities Allowed to Request Exemption**
 - 19.050 Administration**
 - 19.060 Permits and Procedures**
 - 19.070 Fees**
 - 19.080 Surety**
 - 19.090 Waivers**
 - 19.100 Inspections**
 - 19.110 Enforcement**
 - 19.120 Stormwater Management Plan**
 - 19.130 Operation and Maintenance Plans**
 - 19.140 Severability**
-

19.010 Purpose

- A. Increased volumes of stormwater, contaminated stormwater runoff from impervious surfaces, and soil erosion and sedimentation are major causes of:
1. impairment of water quality
 2. decreased flow in lakes, ponds, streams, rivers, wetlands and groundwater;
 3. contamination of drinking water supplies;
 4. erosion of stream channels;
 5. alteration or destruction of aquatic and wildlife habitat;
 6. flooding;
 7. overloading or clogging of municipal catch basins and storm drainage systems; and
 8. flooding and erosion on abutting properties.

The United States Environmental Protection Agency (EPA) has identified sedimentation from land disturbance activities and polluted stormwater runoff from land development and redevelopment as major sources of water pollution, impacting drinking water supplies, natural habitats, and recreational resources. Regulation of activities that result in the disturbance of land and the creation of stormwater runoff is necessary for the protection of the Town of Tewksbury water bodies and groundwater resources, to safeguard the health, safety, and welfare of the general public and protect the natural resources of the Town.

In addition, this bylaw establishes stormwater management standards for the final conditions that result from development and redevelopment projects to minimize adverse impacts offsite and downstream which would be borne by abutters, townspeople and the general public

- B. The objectives of this Bylaw are to:
1. protect water resources;
 2. require practices that eliminate soil erosion and sedimentation;
 3. control the volume and rate of stormwater runoff resulting from land disturbance activities in order to minimize potential impacts of flooding;

4. require practices to manage and treat stormwater runoff generated from new development and redevelopment;
5. protect groundwater and surface water from degradation or depletion;
6. promote infiltration and the recharge of groundwater;
7. prevent pollutants from entering the municipal storm drain system;
8. prevent flooding and erosion to abutting properties.
9. ensure that soil erosion and sedimentation control measures and stormwater runoff management practices are incorporated into the site planning and design process and are implemented and maintained;
10. ensure adequate long-term operation and maintenance of stormwater best management practices so they work as designed;
11. require practices to control waste such as discarded building materials, concrete truck washout, chemicals, litter, and sanitary waste at construction sites that may cause adverse impacts to water quality;
12. comply with state and federal statutes and regulations relating to stormwater discharges; and
13. establish the Town of Tewksbury legal authority to ensure compliance with the provisions of this Bylaw through inspection, monitoring and enforcement.

19.020 Definitions.

ABUTTER: The owner(s) of land abutting the land disturbance site within 100' of the property line.

AGRICULTURE: The normal maintenance or improvement of land in agricultural or aqua cultural use, as defined by the Massachusetts Wetlands Protection Act (M.G.L. c. 131 § 40) and its implementing regulations (310 CMR 10.00).

ALTERATION OF DRAINAGE CHARACTERISTICS: Any activity on an area of land that changes the water quality, or the force, quantity, direction, timing or location of runoff flowing from the area. Such changes include: change from distributed runoff to confined, discrete discharge; change in the volume of runoff from the area; change in the peak rate of runoff from the area; and change in the recharge to groundwater on the area.

APPLICANT: Shall be the owner of record of all the land shown on any plan submitted for approval to the ~~Planning Board~~ Conservation Commission in accordance with the Stormwater Management Bylaw and Regulations, any person or persons acting on behalf of the applicant for purposes of preparing and submitting plans and documents to the ~~Planning Board~~ Conservation Commission, and may include engineers, surveyors, contractors or attorneys, and may also include any person or persons having an equitable interest in the land under an agreement or option to purchase the land. The owner shall certify in writing the identity of each applicant who is authorized to submit plans and/or documents and act on behalf of the owner. Without such certification an applicant shall not act on behalf of the owner. The applicant shall submit the title reference or references from the Middlesex County Registry of Deeds indicating the owner of record. All applications shall include original signatures of all owners.

AUTHORIZED ENFORCEMENT AGENCY: The ~~Planning Board~~ Conservation Commission and its employees or agents who will be in charge of enforcing the requirements of this bylaw.

BEST MANAGEMENT PRACTICE (BMP): An activity, procedure, restraint, or structural improvement that helps to reduce the quantity or improve the quality of stormwater runoff.

~~THE BOARD COMMISSION~~– Town of Tewksbury ~~Planning Board~~ Conservation Commission

CONSTRUCTION AND WASTE MATERIALS: Excess or discarded building or construction site materials that may adversely impact water quality, including but not limited to discarded building materials, concrete truck washout, chemicals, litter and sanitary waste.

CLEARING: Any activity that removes the vegetative surface cover. Clearing activities generally include grubbing activity as defined below.

DEVELOPMENT: The modification of land to accommodate a new use or expansion of use, usually involving construction.

DISTURBANCE OF LAND: Any action, including clearing and grubbing, that causes a change in the position, location, or arrangement of soil, sand, rock, gravel, or similar earth material.

EROSION: The wearing away of the land surface by natural or artificial forces such as wind, water, ice, gravity, or vehicle traffic and the subsequent detachment and transportation of soil particles.

EROSION AND SEDIMENTATION CONTROL PLAN: A document containing narrative, drawings and details developed by a qualified professional engineer (PE) or a public land surveyor (PLS), which includes best management practices, or equivalent measures designed to control surface runoff, erosion and sedimentation during preconstruction and construction related land disturbance activities.

GRADING: Changing the level or shape of the ground surface.

GRUBBING: The act of clearing land surface by digging up roots and stumps.

IMPAIRED WATER: A water is impaired if it does not meet one or more of its designated use(s). For purposes of the MS4 permit, “impaired” refers to categories 4 and 5 of the five-part categorization approach used for classifying the water quality standards attainment status for water segments under the Total Maximum Daily Load (TMDL) program. Impaired waters compilations are also sometimes referred to as “303(d) lists.” Category 5 waters are impaired because at least one designated use is not being supported or is threatened and a TMDL is needed. Category 4 waters indicate that at least one designated use is not being supported but a TMDL is not needed (4a indicates that a TMDL has been approved or established by EPA; 4b indicates other required control measures are expected in result in the attainment of water quality standards in a reasonable period of time; and 4c indicates that the nonattainment of the water quality standard is the result of pollution (e.g. habitat) and is not caused by a pollutant.

IMPERVIOUS SURFACE: Any material or structure on or above the ground that prevents water infiltrating the underlying soil. Impervious surface includes without limitation roads, paved parking lots, sidewalks, and roof tops. Impervious surface also includes soils, gravel driveways, and similar surfaces with a runoff coefficient (Rational Method) greater than 85.

LAND DISTURBING ACTIVITY or LAND DISTURBANCE: Any activity, including clearing and grubbing, that causes a change in the position or location of soil, sand, rock, gravel, or similar earth material.

LAND DISTURBANCE PERMIT: A permit issued by the ~~Planning Board~~ Conservation Commission

LOT: An area or parcel of land or any part thereof, in common ownership, designated on a plan filed with the Town of Tewksbury by its owner or owners as a separate lot.

LOW-IMPACT DEVELOPMENT (LID): The use of innovative stormwater management systems that are modelled after natural hydrologic features. Rainfall is managed at the source using small, cost-effective landscape features located at the lot level.

MAJOR LAND DISTURBANCE: The disturbance of 40,000 square feet or more of land as listed in Section 19.041(B). Major land disturbances require a Land Disturbance Permit, as well as a Public Hearing.

MASSACHUSETTS STORMWATER MANAGEMENT STANDARDS: The Stormwater Standards and accompanying Stormwater Handbook, as amended, issued by the Department of Environmental Protection pursuant to authority under the Wetlands Protection Act, M.G.L. c. 131, §40, and the Massachusetts Clean Waters Act, M.G.L. c. §26-53. The Stormwater Management Standards are incorporated in the Wetlands Protection Act Regulations, 310 CMR 10.05(6)(k) and the Water Quality Certification Regulations, 314 CMR 9.06(6)(a).

MINOR LAND DISTURBANCE: The disturbance of five hundred (500) cubic yards or more of material or clearing activity which disturbs an area of 20,000 square feet or more and less than 40,000 square feet within any twelve (12) month period. Minor land disturbances require a Land Disturbance Permit but are exempt from the Public Hearing requirement.

MUNICIPAL STORM DRAIN SYSTEM or MUNICIPAL SEPARATE STORM SEWER SYSTEM (MS4): The system of conveyances designed or used for collecting or conveying stormwater, including any road with a drainage system, street, gutter, curb, inlet, piped storm drain, pumping facility, retention or detention basin, natural or manmade or altered drainage channel, swales, brooks, reservoir, and other drainage structure that together comprise the storm drainage system owned or operated by the Town of Tewksbury.

NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) CONSTRUCTION GENERAL PERMIT: A permit issued under the authority of the Clean Water Act (CWA) by the Environmental Protection Agency (EPA) which authorizes the discharge of stormwater (and certain authorized non-stormwater discharges) from construction sites that disturb one acre or more of land, and from smaller sites that are part of a larger common plan of development. This permit requires operators of such construction sites to implement stormwater controls to minimize the amount of sediment and other pollutants associated with construction sites from being discharged in stormwater runoff.

NEW DEVELOPMENT: Any construction activities or land alteration resulting in total earth disturbances greater than or equal to one half acre (or activities that disturb less than one acre of land but are part of a larger common plan of development disturbing greater than one acre) on an area that has not previously been developed to include impervious cover.

OPERATION AND MAINTENANCE PLAN: A plan developed by a Massachusetts licensed professional engineer (PE) describing the functional, financial and organizational mechanisms for the ongoing operation and maintenance of a stormwater management system to ensure that it continues to function as designed.

OUTFALL: The point at which stormwater flows out from a discernible, confined point source or discrete conveyance into waters of the Commonwealth.

OUTSTANDING RESOURCE WATERS (ORWs): Waters designated by Massachusetts Department of Environmental Protection as ORWs. These waters have exceptional sociologic, recreational, ecological and/or aesthetic values and are subject to more stringent requirements under both the Massachusetts Water Quality Standards (314 CMR 4.00) and the Massachusetts Stormwater Management Standards. ORWs include vernal pools certified by the Natural Heritage Program of the Massachusetts Department of Fisheries and Wildlife and Environmental Law Enforcement, all Class A designated public water supplies with their bordering vegetated wetlands and other waters specifically designated.

OWNER: Shall be the owner of record of all the land shown on any plan submitted. The owner shall submit the title reference or references from the Middlesex County Registry of Deeds indicating the owner of record.

PERMITTEE: The person who holds a land disturbance permit and therefore bears the responsibilities and enjoys the privileges conferred

thereby.

PERSON: An individual, partnership, association, firm, company, trust, corporation, agency, authority, department or political subdivision of the Commonwealth or the federal government, to the extent permitted by law, and any officer, employee, or agent of such person.

POINT SOURCE: Any discernible, confined, and discrete conveyance, including but not limited to, any pipe, ditch, channel, tunnel, conduit, well, discrete fissure, or container from which pollutants are or may be discharged.

PRECONSTRUCTION: All activity in preparation for construction.

PRIVATE STORM DRAIN SYSTEM or PRIVATE SEPARATE STORM SEWER SYSTEM: The system of conveyances designed or used for collecting or conveying stormwater, including any road with a drainage system, street, gutter, curb, inlet, piped storm drain, pumping facility, retention or detention basin, natural or manmade or altered drainage channel, reservoir, and other drainage structure that together comprise the storm drainage system that is not owned and maintained by the Town.

REDEVELOPMENT: Any construction, land alteration, or improvement of impervious surfaces resulting in total earth disturbances greater than one half acre (or activities that disturb less than one acre of land but are part of a larger common plan of development disturbing greater than one acre) that does not meet the definition of new development (see above).

REGULATED ACTIVITY: Activities disturbing or substantially altering an area of 40,000 square feet or more. Regulated activities require a Land Disturbance Permit under this bylaw.

RESPONSIBLE PARTIES: Owner(s), persons with financial responsibility, and persons with operational responsibility.

RUNOFF: Rainfall, snowmelt, or irrigation water flowing over the ground surface.

SEDIMENT: Mineral or organic soil material that is transported by wind or water, from its origin to another location; the product of erosion processes.

SEDIMENTATION: The process or act of deposition of sediment.

SITE: Any lot or parcel of land or area of property where land disturbing activities are, were, or will be performed.

SLOPE: The incline of a ground surface expressed as a ratio of horizontal distance to vertical distance.

SOIL: Earth materials including duff, humic materials, sand, rock and gravel.

STABILIZATION: The use, singly or in combination, of mechanical, structural, or vegetative methods, to prevent or retard erosion.

STORMWATER: Stormwater runoff, snow melt runoff, and surface water runoff and drainage

STORMWATER MANAGEMENT PLAN: A document containing narrative, drawings and details prepared by a qualified professional engineer (PE) or a professional public land surveyor (PLS), which includes structural and nonstructural best management practices to manage and treat stormwater runoff generated from regulated development activity. A stormwater management plan also includes an Operation and Maintenance Plan describing the maintenance requirements for structural best management practices.

STRIP: Any activity which removes the vegetative ground surface cover, including tree removal, clearing, grubbing, and storage or removal of topsoil.

TOTAL MAXIMUM DAILY LOAD (TMDL): A TMDL is a calculation of the maximum amount of a pollutant that a waterbody can receive while still meeting water quality standards, and allocation of that amount to the pollutant's sources.

Total Suspended Solids (TSS): Material, including but not limited to trash, debris soils, sediment and sand suspended in stormwater runoff.

WATERCOURSE: A natural or man-made channel through which water flows, including a river, brook, or stream.

WETLAND RESOURCE AREA: Areas specified in the Massachusetts Wetlands Protection Act M.G.L. c. 131, s.40 and in the Town of Tewksbury Wetland Protection By-law.

19.030 Authority

This Bylaw is adopted under authority granted by the Home Rule Amendment of the Massachusetts Constitution, the Home Rule statutes, and pursuant to the regulations of the federal Clean Water Act found at 40 CFR 122.34.

19.040 Applicability.

No person may undertake a construction activity, including clearing, grading and excavation that results in a land disturbance that will disturb equal to or greater than one half acre of land or will disturb less than one acre of land but is part of a larger common plan of development that will ultimately disturb equal to or greater than one acre of land draining to the Town of Tewksbury's municipal separate storm sewer system without a permit from the ~~Planning Board~~ Conservation Commission. Construction activity does not include routine maintenance that is performed to maintain the original line and grade, hydraulic capacity or the original purpose of the site.

Except as permitted below or as otherwise provided in this Bylaw, no person shall perform any activity that results in disturbance or clearing of land without a land disturbance permit.

19.041 Regulated Activities.

- A. For minor land disturbance, defined as the disturbance of five hundred (500) cubic yards or more of material or clearing activity which disturbs an area of 20,000 square feet or more and less than 40,000 square feet within any twelve (12) month period, the activity shall be allowed only under a Land Disturbance Permit issued by the Planning Board Conservation Commission. Said permit shall be considered an administrative action by the Planning Board Conservation Commission and no public hearing shall be required. The Department of Community Development shall be the administrator of a minor land disturbance permit.
- B. Regulated activities by the Planning Board Conservation Commission, which constitute major land disturbances, shall include, but not be limited to:
1. Land disturbance of 40,000 square feet or more of land, associated with construction or reconstruction of structures,
 2. Development or redevelopment involving multiple separate activities in discontinuous locations or on different schedules if the activities are part of a larger common plan of development that all together disturbs 40,000 square feet or more of land,
 3. Paving or other change in surface material over an area of 40,000 square feet or more causing a significant reduction of permeability or increase in runoff,
 4. Construction of a new drainage system or alteration of an existing drainage system or conveyance serving a drainage area of more than 40,000 square feet,
 5. Any other activity altering the surface of an area exceeding 40,000 square feet that will, or may, result in increased stormwater runoff flowing from the property into a public way or the municipal storm drain system, OR
 6. Land disturbance where there is a 15% or greater slope and where the land disturbance is greater than or equal to 200 square feet within the sloped area.
- C. Minimum performance standards for regulated activities:

Applications for a Land Disturbance Permit for both Minor Land Disturbances and Regulated Activities (Major Land Disturbance) shall include an Erosion and Sediment Control Plan. This Plan shall be designed to ensure compliance with this Bylaw, and if applicable, the NPDES General Permit for Stormwater Discharges from Construction Activities. The Plan shall ensure that the Massachusetts Surface Water Quality Standards (314 CMR 4.00) are met in all seasons, and shall conform to the design standards outlined in the most recent version of the Massachusetts Erosion and Sediment Control Guidelines for Urban and Suburban Areas.¹ The following minimum performance standards for erosion and sediment control shall be met on all regulated construction sites:

1. Erosion control structures will be located no closer than 15 feet from an abutting property line and will be designed so as not to create point discharges onto abutting properties.
2. Dust from all earthmoving activities shall be controlled.
3. Earth materials shall not be deposited onto any roadways.
4. The amount of disturbed area shall be minimized. Natural resources shall protected.
5. Vegetative stabilization measures shall be employed during the Regulated Activity and construction activity as required by the approving authority. All perimeter dikes and slopes, basin or trap embankments shall be stabilized with sod, seed, anchored mulch within seven (7) days of disturbance. All other disturbed areas shall be stabilized with sod, seed and anchored mulch within fourteen (14) days after disturbing activities are ceased.
6. Topsoil shall be stripped from disturbed areas and stockpiled in an approved area and stabilized with a temporary vegetative cover if left more than fifteen (15) calendar days. Perimeter sediment controls shall be installed around stockpiled topsoil.
7. During cold weather months, when seeding and sodding may be impractical, anchored mulch shall be applied as approved.
8. All storm drain inlets shall be protected, and all newly constructed outlets shall be armored in accordance with the above-mentioned guidelines.
9. Perimeter controls shall be used at the site.
10. All construction site entrances and exits shall be stabilized to prevent off-site tracking.
11. Stormwater controls shall be inspected at consistent intervals, including during or immediately after a storm.
12. Construction site operators shall control all construction and waste materials, as defined in Section 19.020 of this bylaw.

¹ <https://www.mass.gov/files/documents/2016/08/qz/esfull.pdf>

These wastes may not be discharged to the MS4.

19.042 Exempt Activities.

The following activities are exempt from the requirements of this Bylaw:

1. Normal maintenance and improvement of Town owned public ways and appurtenances.
2. Normal maintenance and improvement of land in agricultural use.
3. Repair of septic systems when required by the Board of Health for the protection of public health.
4. Normal maintenance of currently existing landscaping, gardens or lawn areas associated with a single-family dwelling.
5. The construction of fencing that will not alter existing terrain or drainage patterns.
6. Construction of utilities other than drainage (gas, water, electric, telephone, etc.) that will not alter terrain or drainage patterns.
7. Maintenance of existing town drainage system, including, but not limited to removal of trees, debris, sediment and trash from swales, brooks, culverts, and any other impediment to the flow of the town's drainage system.
8. Normal maintenance and improvement of land in agricultural use as defined by the Wetlands Protection Act regulation 310 CMR 10.04;
9. As authorized in the Phase II Small MS4 General Permit for Massachusetts, storm water discharges resulting from the activities that disturb less than one acre and are not part of a larger common plan of development that disturbs more than once acre that are wholly subject to jurisdiction under the Wetlands Protection Act and demonstrate compliance with the Massachusetts Stormwater Management Standards as reflected in an Order of Conditions issued by the Conservation Commission are exempt from compliance with this bylaw.

19.050 Administration.

- A. The ~~Planning Board~~ Conservation Commission shall administer this bylaw. The Town of Tewksbury's Community Development Department shall serve as the ~~Planning Board's~~ Conservation Commission primary staff support for this bylaw. The Department may use the Director, Conservation Administrator, Town Engineer, or others to implement this bylaw.
- B. The ~~Planning Board~~ Conservation Commission and its agents shall review all applications for a land disturbance permit, conduct inspections, issue a final permit and conduct any necessary enforcement action.
- C. The ~~Planning Board~~ Conservation Commission may adopt and periodically amend Stormwater Regulations relating to Land Disturbance Permits, exemption or waiver applications; permit terms or conditions, Design Criteria, additional definitions, enforcement, fees (including application, inspection, and/or consultant fees), or other procedures and administration of this Bylaw after conducting a public hearing to receive comments on any proposed revisions. Such hearing dates shall be advertised in a newspaper of general local circulation, at least seven (7) days before the hearing date. After public notice and hearing, the ~~Planning Board~~ Conservation Commission may promulgate rules and regulations to effectuate the purposes of this Bylaw. Failure by the ~~Planning Board~~ Conservation Commission to promulgate such rules and regulations shall not have the effect of suspending or invalidating this Bylaw.
- D. The ~~Planning Board~~ Conservation Commission will refer to the criteria and information including specifications and standards of the latest edition of the Massachusetts Stormwater Management Standards, the criteria required under Section 19.120 of this bylaw, or with Design Criteria that may be developed or in Tewksbury's Subdivision Regulations, whichever is more stringent, in the protection of the town's environmental and infrastructure resources, for execution of the provisions of this Bylaw.
- E. All meetings of the ~~Planning Board~~ Conservation Commission are subject to the Open Meeting Law. A notice in the local newspaper of a hearing on the Land Disturbance Application and that the ~~Planning Board~~ Conservation Commission is accepting comments on the Land Disturbance Application shall be published at the applicant's expense. The Land Disturbance Application shall be available for inspection by the public during normal business hours at the Town offices. Comments may be submitted to the ~~Planning Board~~ Conservation Commission during business hours at the Town offices.
- F. Filing an application for a land disturbance permit grants the ~~Planning Board~~ Conservation Commission or its agent, permission to enter the site to verify the information in the application and to inspect for compliance with permit conditions.
- G. The ~~Planning Board~~ Conservation Commission may:
 - i. Approve the Application and issue a permit if it finds that the proposed plan will protect water resources and meets the objectives and requirements of this Bylaw;
 - ii. Approve the Application and issue a permit with conditions, modifications, requirements for operation and maintenance requirements of permanent structural BMPs, designation of responsible party, or restrictions that the ~~Planning Board~~ Conservation Commission determines are required to ensure that the project will protect water resources and will meet the objectives and requirements of this Bylaw; or

- iii. Disapprove the application and deny a permit if it finds that the proposed plan fails to meet the objectives and requirements of this Bylaw and its Regulations. If the Planning Board Conservation Commission finds that the applicant has submitted insufficient information to describe the site, the work, or the effect of the work on water quality and runoff volume, the Planning Board Conservation Commission may disapprove the application, denying a permit.
- H. The Planning Board Conservation Commission shall take final action on an Application within 30 days of receipt of a complete application. If in the Planning Board's Conservation Commission's opinion, additional time or information is required for review, the Planning Board Conservation Commission by written agreement of the applicant may continue a consideration of the request to a date certain announced at the meeting.
- I. Failure to take action shall be deemed to be approval of said application. Upon certification by the Town Clerk that the allowed time has passed without the Planning Board's Conservation Commission action, the Land Disturbance Permit shall be issued by the Planning Board Conservation Commission.
- J. Appeals of Action by the Planning Board Conservation Commission. A decision of the Planning Board Conservation Commission shall be final. Further relief of a decision by the Planning Board Conservation Commission made under this Bylaw shall be reviewable in the Superior Court or Land Court in accordance with the applicable law. The remedies listed in this Bylaw are not exclusive of any other remedies available under any applicable federal, state or local law. No work shall commence until the applicable appeal period has passed with no appeal or if an appeal has been filed, the appeal has been finally resolved by adjudication or otherwise.
- K. All activity permitted by the Land Disturbance Permit must be completed within one year of permit issuance. Extensions of time can be granted by the Planning Board Conservation Commission upon formal written request by the applicant. Should the one year pass without an extension being granted the permit is then considered revoked.
- L. Project Completion. At completion of the project the permittee shall submit as built record drawings of all structural stormwater controls and treatment best management practices required for the site. The as built drawing shall show deviations from the approved plans, if any, and be certified by a Registered Professional engineer. As built drawings must comply with the Town's Digital data submission requirements.

19.060 Permits & Procedures.

Permit Procedures and Requirements are defined and included as part of the Stormwater Management and Erosion Control Regulations promulgated as permitted under Section 19.050 of this Bylaw.

19.070 Fees.

The Planning Board Conservation Commission shall establish fees subject to cover expenses connected with application review and monitoring permit compliance. The fees shall be sufficient to cover Town secretarial staff and professional staff. The Planning Board Conservation Commission is also authorized to charge the applicant fees to pay a Registered Professional Engineer or other professional consultant to advise the Planning Board Conservation Commission on any or all aspects of the project. The applicant for a Land Disturbance Permit may be required to establish and maintain an escrow account to cover the costs of said consultants.

19.080 Surety.

The Planning Board Conservation Commission may require the permittee to post before the start of land disturbance activity, a surety bond, or other acceptable security. The form of the bond shall be approved by the Planning Board Conservation Commission, which may consult with town counsel when necessary, and be in an amount deemed sufficient by the Planning Board Conservation Commission to insure that the work will be completed in accordance with the permit. If the project is phased, the Planning Board Conservation Commission may release part of the bond as each phase is completed in compliance with the permit but the bond may not be fully released until the Planning Board Conservation Commission has issued a certificate of completion.

19.090 Waivers.

- A. The Planning Board Conservation Commission may waive strict compliance with any requirement of this bylaw or the rules and regulations promulgated hereunder, where the activity:
 - 1. is allowed by federal, state or local statutes and/or regulations, or
 - 2. is in the public interest, and is not inconsistent with the purpose and intent of this bylaw and its regulations.
- B. Any applicant may submit a written request to be granted such a waiver at the time of submission. Such a request shall be accompanied by an explanation or documentation supporting the waiver request and demonstrating that the activity is allowed by federal, state or local statutes and/or regulations or is in the public interest and is not inconsistent with the purpose and intent of this bylaw and its regulations.
- C. All waiver requests shall be discussed and a decision will be made at the time of final action by the Planning Board Conservation Commission.

- D. If in the ~~Planning Board's~~ Conservation Commission opinion, additional information is required for review of a waiver request, the ~~Planning Board~~ Conservation Commission may continue a consideration of the waiver request to a date certain announced at the meeting. In the event the applicant fails to provide requested information, the waiver request shall be denied.

19.100 Inspections

- A. The ~~Planning Board~~ Conservation Commission or its agents shall inspect the project site at the following stages:
1. Initial Site Inspection: prior to approval of any plan.
 2. Erosion Control Inspection: to ensure erosion control practices are in accordance with the filed plan.
 3. Bury Inspection: prior to backfilling of any underground drainage or stormwater conveyance structures.
 4. Final Inspection. After the stormwater management system has been constructed and before the surety has been released, the applicant must submit a record plan detailing the actual stormwater management system as installed. The ~~Board~~ Commission shall inspect the system to confirm its "as built" features. This inspector shall also evaluate the effectiveness of the system in an actual storm. If the inspector finds the system to be adequate, he shall so report to the ~~Board~~ Commission which will issue a Certificate of Completion.
- B. If the system is found to be inadequate by virtue of physical evidence of operational failure, even though it was built as called for in the Stormwater Management Plan, it shall be corrected by the permittee before the performance guarantee is released. If the permittee fails to act the Town of Tewksbury may use the surety bond to complete the work. Examples of inadequacy include, but shall not be limited to: errors in the infiltrative capability, errors in the maximum groundwater elevation, failure to properly define or construct flow paths, or erosive discharges from basins.

19.110 Enforcement.

The ~~Planning Board~~ Conservation Commission or its authorized agent shall enforce this Bylaw, its regulations, orders, violation notices, and enforcement orders, and may pursue all civil and criminal remedies for such violations.

- A. Orders. The ~~Planning Board~~ Conservation Commission or its authorized agent may issue a written order to enforce the provisions of this Bylaw or the regulations there under, which may include:
1. a requirement to cease and desist from the land disturbing activity until there is compliance with the Bylaw or provisions of the land disturbance permit;
 2. maintenance, installation or performance of additional erosion and sediment control measures;
 3. monitoring, analyses, and reporting;
 4. remediation of erosion and sedimentation resulting directly or indirectly from the land disturbing activity;
 5. compliance with the Operation and Maintenance Plan.

If the enforcing person determines that abatement or remediation of erosion and sedimentation is required, the order shall set forth a deadline by which such abatement or remediation must be completed. Said order shall further advise that, should the violator or property owner fail to abate or perform remediation within the specified deadline, the Town of Tewksbury may, at its option, undertake such work, and the property owner shall reimburse the town's expenses. Within thirty (30) days after completing all measures necessary to abate the violation or to perform remediation, the violator and the property owner shall be notified of the costs incurred by the Town of Tewksbury, including administrative costs. The violator or property owner may file a written protest objecting to the amount or basis of costs with the ~~Board~~ Commission within thirty (30) days of receipt of the notification of the costs incurred.

- B. Fines. Any person who violates any provision of this Bylaw, regulation, order or permit issued there under, shall be punished by a fine of not more than \$ 300.00. Each day or part there under that such violation occurs or continues shall constitute a separate offense.
- C. Non-Criminal Disposition. As an alternative to criminal prosecution or civil action, the ~~Planning Board~~ Conservation Commission may elect to utilize the noncriminal disposition procedure set forth in G.L. Ch. 40, §21D, which has been adopted by the Town, in which case the ~~Planning Board~~ Conservation Commission or authorized agent shall be the enforcing person. The penalty for each violation shall be \$300.00. Each day or part thereof that such violation occurs or continues shall constitute a separate offense.

19.120 Stormwater Management Plan

- A. The Stormwater Management Plan shall contain sufficient information for the ~~Board~~ Commission to evaluate the environmental impact, effectiveness, and acceptability of the measures proposed by the applicant for reducing adverse impacts from stormwater. The Plan shall be designed to meet the Massachusetts Stormwater Management Standards, the requirements as set forth in Parts B

through D of this section and DEP Stormwater Management Handbook Volumes I and II. The Stormwater Management Plan shall fully describe the project in drawings, and narrative. The ~~Planning Board~~ Conservation Commission may adopt regulations for specific submittal requirements.

- B. Standards. All projects requiring a Land Disturbance Permit shall meet the Massachusetts Stormwater Management Standards as well as the requirements outlined in this section.
1. Low-Impact Development. Low-Impact Design (LID) practices shall be implemented in all projects to the maximum extent feasible. Applicants shall address each of the following LID principles in the project narrative:
- Preservation of natural areas;
 - Tree Protection;
 - Vegetation and landscaping;
 - Riparian buffer protection;
 - Limit land disturbance during construction;
 - Limit new impervious surfaces;
 - Promote the use of vegetative (green infrastructure) stormwater controls;
 - Disconnect flow paths;
 - Promote infiltration;
 - Capture and reuse stormwater.

Applicants not incorporating low-impact development practices into their plans must indicate why LID is not feasible at the site.

2. The design of treatment and infiltration practices shall follow the guidance in Volume 2 of the Massachusetts Stormwater Handbook, as amended, or other federally or State approved BMP design guidance.
3. Stormwater management systems for major land disturbances on new development sites shall be designed to meet an average annual pollutant removal equivalent to 90% of the average annual load of Total Suspended Solids (TSS) related to the total post-construction impervious area on the site AND 60% of the average annual load of Total Phosphorus (TP) related to the total postconstruction impervious surface area on the site².
- a. Average annual pollutant removal requirements are achieved through one of the following methods;
- installing BMPs that meet the pollutant removal percentages based on calculations developed consistent with EPA Region 1's BMP Accounting and Tracking Tool (2016)³ or other BMP performance evaluation tool provided by EPA Region 1, where available. If EPA Region 1 tools do not address the planned or installed BMP performance, then any federally or State-approved BMP design guidance or performance standards (e.g., the MA Stormwater Management Handbook)⁴ may be used to calculate BMP performance; or
 - retaining the volume of runoff equivalent to, or greater than, one (1.0) inch multiplied by the total post-construction impervious surface area on the new development site; or
 - meeting a combination of retention and treatment that achieves the above standards
4. Stormwater management systems for major land disturbances on redevelopment sites shall be designed to meet an average annual pollutant removal equivalent to 80% of the average annual post-construction load of Total Suspended Solids (TSS) related to the total post-construction impervious area on the site AND 50% of the average annual load of Total Phosphorus (TP) related to the total post-construction impervious surface area on the site⁵.
- a. Average annual pollutant removal requirements are achieved through one of the following methods:
- Installing BMPs that meet to pollutant removal percentages based on calculations developed consistent with EPA Region 1's BMP Accounting and Tracking Tool (2016)⁶ or other BMP performance evaluation tool provided by EPA Region 1, where available. If EPA Region 1 tools do not address the planned or installed BMP performance, then any federally or State-approved BMP design guidance or performance standards (e.g., the MA Stormwater Management Handbook)⁷ may be used to calculate BMP performance; or

² Pollutant removal is calculated based on average annual loading and not on the basis of any individual storm event.

³ <https://www.epa.gov/tmdl/opti-tool-epa-region-1s-stormwater-management-optimization-tool>

⁴ <https://www.mass.gov/guides/massachusetts-stormwater-handbook-and-stormwater-standards>

⁵ Pollutant removal is calculated based on average annual loading and not on the basis of any individual storm event.

⁶ <https://www.epa.gov/tmdl/opti-tool-epa-region-1s-stormwater-management-optimization-tool>

⁷ <https://www.mass.gov/guides/massachusetts-stormwater-handbook-and-stormwater-standards>

- retaining the volume of runoff equivalent to, or greater than, one (1.0) inch multiplied by the total post-construction impervious surface area on the new development site; or meeting a combination of retention and treatment that achieves the above standards.
5. All Stormwater Management Best Management Practices employed on new development and redevelopment sites within a watershed of a water body with a phosphorus impairment shall be shown to be optimized for phosphorus removal by the standards set forth by the Massachusetts Stormwater Management Handbook or the approved TMDL, if it exists, whichever is more strict.
 6. Redevelopment activities that are exclusively limited to maintenance and improvement of existing roadways, (including widening less than a single lane, adding shoulders, correcting substandard intersections, improving existing drainage systems, and repaving projects) shall improve existing conditions where feasible and are exempt from Section 19.120.B.4. Roadway widening or improvements that increase the amount of impervious area on the redevelopment site by greater than or equal to a single lane width shall meet the requirements of Section 19.120.B.4 fully.

19.130 Operation and Maintenance Plans

- A. A post construction Operation and Maintenance plan (O&M Plan) is required prior to final release of the project. The maintenance plan shall be designed to ensure compliance with the administered Land Disturbance Permit, this Bylaw and that the Massachusetts Surface Water Quality Standards, 314, CMR 4.00 are met in all seasons and throughout the life of the system. The Board Commission shall make the final decision of what maintenance option is appropriate in a given situation. The Board Commission will consider natural features, proximity of site to water bodies and wetlands, extent of impervious surfaces, size of the site, the types of stormwater management structures, and potential need for ongoing maintenance activities when making this decision. Once approved, The Operation and Maintenance Plan shall remain on file with the Town Engineer and shall be an ongoing requirement. The Planning Board Conservation Commission may adopt regulations for specific submittal requirements.
- B. Stormwater Management Easement(s).
 1. Stormwater management easements shall be provided by the property owner(s) as necessary for:
 - a. access for facility inspections and maintenance,
 - b. preservation of stormwater runoff conveyance, infiltration, and detention areas and facilities, including flood routes for the 100year storm event.
 - c. direct maintenance access by heavy equipment to structures requiring regular cleanout.
 2. The purpose of each easement shall be specified in the maintenance agreement signed by the property owner.
 3. Stormwater management easements are required for all areas used for offsite stormwater control, unless a waiver is granted by The Board Commission.
 4. Easements shall be recorded with the Middlesex North County Registry of Deeds prior to issuance of a Certificate of Completion by the Board Commission.
- C. Use of Storage of Road Salt
 1. Salt usage shall be minimized whenever feasible. Salt alternatives shall be used where deemed necessary by the Town.
 2. Operation and Maintenance Plans for commercial or industrial projects must include a provision to prevent the exposure of any salt stockpiles stored on the property to precipitation and/or stormwater runoff.
- D. Changes to Operation and Maintenance Plan
 1. The owner(s) of the stormwater management system must notify the Board Commission and Town Engineer of changes in ownership or assignment of financial responsibility.
 2. The maintenance schedule in the Maintenance Agreement may be amended to achieve the purposes of this bylaw by mutual agreement of the Board Commission, the Town Engineer and the Responsible Parties. Amendments must be in writing and signed by all Responsible Parties. Responsible Parties shall include owner(s), persons with financial responsibility, and persons with operational responsibility.

E. Maintenance Responsibility

The responsibility party named in the Operation and Maintenance Plan shall maintain in good condition and promptly repair and restore all structural and nonstructural stormwater BMPs and all necessary access routes and appurtenances (grade surfaces, walls, drains, dams and structures, vegetation, erosion and sedimentation controls, and other protective devices). Such repairs or restoration and maintenance shall be in accordance with the approved stormwater management design plan, the stormwater maintenance agreement and the stormwater maintenance plan.

F. Maintenance Inspection by ~~Planning Board~~ Conservation Commission, its agent, or Town Engineer

The ~~Planning Board~~ Conservation Commission or its Representatives shall conduct periodic inspections for all stormwater practices for which a Stormwater Certificate of Completion has been issued in accordance with section 19.050. All inspections shall document any maintenance and repair needs and any discrepancies from the stormwater maintenance agreement and stormwater maintenance plan.

G. Record of Maintenance Activities

The responsible party shall make records of the installation and of all maintenance and repairs, and shall retain the records for at least five (5) years. These records shall be submitted to the Town Engineer on an annual basis.

19.140 Severability.

If any provision, paragraph, sentence, or clause of this Bylaw shall be held invalid for any reason, all other provisions shall continue in full force and effect. (STM, October, 2007/STM October 2011; ATM 6/22/2020)

Town Manager

Executive Summary: The proposed amendments to the Town Code concerning stormwater management and erosion control will transfer permitting authority for this section from the Planning Board to the Conservation Commission to be more consistent with the administration of Massachusetts Department of Environmental Protection (Mass DEP) regulations.

ARTICLE 14

To See if the Town will vote to authorize the Select Board to accept an Easement from Paradise Place Condominium Trust located on the premises at 2131 Main Street ("Premises"). The Easement is shown on a plan entitled "Easement Plan by Civil Design Consultants, Inc, dated February 21, 2025" and designated as "Proposed Sidewalk Easement" on said Plan of land, or take any action relative thereto. The Plan can be viewed at the Town Clerk's office, Town Hall, 1009 Main Street, Tewksbury, MA 01876. The Premises are shown on the Town of Tewksbury Assessor's Tax Map 96 as Lot 53.

Petitioner Name: David Plunkett

Executive Summary: The purpose of this Article is to allow the Select Board to accept a sidewalk easement located at 2131 Main Street, Tewksbury, MA

ARTICLE 15

To See if the Town will vote to authorize the Select Board to accept an Easement from Nikki Castucci and Alexander Oteri and abandon the current easement located on the premises at 19 Bemis Circle ("Premises"). The Easement is shown on a plan entitled "Easement Plan", 19 Bemis Circle, Tewksbury, MA 01876, by Civil Design Consultants, Inc., dated July 28, 2025, and designated as "Easement Area" (14.5' to 20' Wide) on said Plan of land, or take any action relative thereto. The Plan can be viewed at the Town Clerk's office, Town Hall, 1009 Main Street, Tewksbury, MA 01876. The Premises are shown on the Town of Tewksbury Assessor's Tax Map 108 as Lot 21.

Petitioner Name: Nikki Castucci and Alexander Oteri

Executive Summary: The purpose of this Article is to allow the Select Board to abandon the current 8' wide easement and to accept a relocated drainage easement 14.5 feet to 20 feet in width located at 19 Bemis Circle, Tewksbury, MA. The relocated easement will allow the Petitioner to build an addition to their home.

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