VOL. 137, NO. 24 FRIDAY, NOVEMBER 1, 2024 PRICE: \$1.25

BRIEFLY

Penultimate Cribbage

Joan Snow has been the leader since Week 3, with an overall match win score tied with two other players, Paul Clark and Jim Chabot. Joan is still in the lead, but only because her spread points are highest. Ioan has one more week to prove herself before she can take home the victory crown! That said, following Snow on Tuesday was Paul Clark, Jim Chabot, Tina Latassa, Harry Parsons, Heather MacDonald, Ben Conway, John Bubrouski, Billy Bell, Bob Torkildsen, Betsy Nickless, Everett Morss, Michela Hirnak, Hala Makowska, David Slade, Jim O'Neill, Jeanne Stanton, Chuck Nicol, Adigail Symes, and Tom Grady. Next week is the finale of the cribbage league fall season.

Last Call! Night of the Stars

The Spaulding Education Fund's 13th Annual Night of the Stars Talent Show will be held on Saturday, Nov. 2 at 4 pm in the ME Regional Middle High School Auditorium. This special event raises funds for The Spaulding Education Fund, an independent, non-profit organization providing support for programs that enhance the academic curriculum of our regional school district. New for this year, organizers are asking attendees to "dust off your top hat and shine up your shoes," inviting them to dress in fancy attire. Students of all ages, parents, teachers, and supporters are invited. Tickets available at the door.

So Much C.O.A.!

The Manchester Council on Aging is always busy with trips and November is no exception. Next week, at 2 p.m. on Wednesday, Nov. 6, the COA van is headed for an Asian food feast at Gourmet Gardens in Danvers for lunch. (There's time for Ocean State Job Lotsa.k.a., "JLo"-afterwards). The following Wednesday, the van will head out on one of its famed "Mystery Rides," (an undisclosed establishment somewhere on the North Shore; it could be ice cream, pastries, sandwiches or all of the above and only the van driver knows!). Finally, at 10:45 a.m. on Monday, Nov. 18 the COA heads to The Cabot in Beverly to see the movie, "Meet Me in St. Louis." SeniorCare is offering this film free of charge. (Thank you, SeniorCare.) For further info, call the COA at (978)526-7500.

Go Stuff Yourself

It's said that the Essex Lion's Club's wildly popular (and fun) Thanksgiving Turkey Trot 5K Road Race (with a 5K "Fun Walk") is the longest running "turkey trot" event in the United States. And with the race turning 46 years old this year, we don't doubt it. The Essex Lions have announced that this year's race is scheduled for 11 a.m. on Sunday Nov. 24 in front of Woodman's. A great way to burn a ton of calories ahead of Turkey Day!



A gorgeous Saturday greeted witches, ghosts, donosaurs and other cuties last weekend in Manchester's annual Wohhlin' Gohlin Halloween-themed parade. Participants marched from Town Hall to Masconomo Park, stopping to gather treats from Manchester Police, Library, and downtown shop owners. Here, pumpkin decorating was among the activities for youngsters. More photos, Page 5. (Photo Paul Clark)

Final MBTA Zoning Proposal Ready for November Town Meeting

By Erika Brown

The Manchester Planning Board held a public hearing Monday to finalize proposed "MBTA 3A zoning" language-a statemandated guideline to increase multi-family housing density in 177 towns near public rail transit. Manchester residents will consider this proposal at a Nov. 18 Special Town Meeting.

The hearing drew a packed audience, in person and online. Many attendees voiced concerns that the new zoning, including four new "overlay districts" carefully designed to meet state requirements while limiting new development, would alter Manchester's character.

The finalized proposal, developed by the MBTA Zoning Task Force, was crafted with consultant Emily Innis, who helped develop state compliance software for the MBTA zoning.

An Exercise in Math

The work has been a complex "exercise in math," said



MBTA Zoning consultant Emily Innis (center) and Manchester Town Counsel Jonathan Murray (right) at Monday's Planning Board hearing that finalized language for state mandated byright multifamily zoning for next month's STM. Town Planner Marc Resnick is on the left.

PB Chair Sara Creighton, stitching together four overlay districts with the precision of a jigsaw puzzle to deliver zoning that theoretically allows 559 "by right" housing units over 37 acres. Creighton said the districts were crafted from parcels that were the "least likely The districts were carefully created with "layers of control" that, when taken together, are designed to discourage large-scale developers from overbuilding on any given site.

to be developed," while avoiding Manchester's Historic District and most of the Commercial District. Combined, she said, they meet the requirements.

Manchester's proposed MBTA overlay districts mandate that 20% of new units be affordable housing (80% area median income), with an average density of 15.2 units per acre, meeting the state's 15-unit minimum. Most of the district area falls within a half-mile radius of the MBTA station, as required.

The four districts are: • Beach St. to Sea St.: cur-

- rently 49 units; the overlay would allow for 28 more, or a total of 77.
- Allen St. To Lincoln St.: currently 32 units; the overlay would allow for 55 more, or a total of 87.
- **Lower Pine Street, from** Newport Park to Powder House: currently 153 units; the overlay would allow for 169 more, or a total of 322. It's the largest of the districts, at 22 acres.
- Beaver Dam Road: the current "Cape Ann Storage" facility in the Limited Commercial District. It is 7.6 acres and is capped at 100 units or 14.4 units/

Stephanie Rogers said she was concerned that residential development in the Limited Commercial District would trigger overwhelming traffic on Beaver Dam Road, especially if Cell Signaling

...(Continued on page 7)

Pickleball Round Robin

That a great weekend for the first Parks annual and Recreation Pickleball Round Robin Tournament! Thanks to Geoff Sones for his expertise in organizing the tournament as well as his team of volunteers Jack Ryan and Peter & Lee Doyle. 36 pickle playing ladies got to experience a fun recreational tournament in a beautiful setting at the Sweenev Park Courts.

Participant gifts as well as winner prizes were donated by Joe Knowles and our partners Bruce and



Pickleball Round Robin Tournament was held on a beautiful Saturday at the new Sweeney Park courts. 36 participants enjoyed an afternoon of fun competition. Prizes and gifts were donated by Joe Knowles and Bruce and DeeDee Warren of the

DeeDee Warren at The Laughing Gull. Thank you to all involved and we hope to make this a yearly event allowing all pickleball players the opportunity to play in a competitive but not overly threatening environment. Everyone seemed to have a

great time in a very fun atmosphere!

Winners of the White Beach Division Sandra Caniff and Susan Harmeling, Singing Beach Division were Jan Ferm and Diane Flynn and Black Beach Division Kristin Francoeur and Amelia Irose.

We have a paper ballot for each vote that can be verified should the need arise. The voter list is maintained by the Town Clerk and any one can

State-wide offices are on the ballot as are six referendum questions, five statewide and one district-wide non-binding referendum related to health insurance. Voters are encouraged to review the red booklet from the Secretary of State's Office to understand the questions. You will not see any local offices on the ballot-Manchester's local elections are held

Weekly Weather Chart

Saturday 2 Nov	*	51°	40°
Sunday 3 Nov	*	56°	32°
Monday 4 Nov	111	51°	48°
Tuesday 5 Nov		58°	50°
Wednesday 6 Nov	*	58°	54°
Thursday 7 Nov	*	57°	52°
Friday 8 Nov	***	56°	48°

Weather data pulled Wednesday and is subject to change.

Gavel to Gavel This Week's Town Meetings

Manchester Town Hall is open to the public. Public hours are 9 a.m. - 4:45 p.m. Monday through Wednesday and 9 a.m. - 6:15 p.m. on Thursday. Essex Town Hall hours are Monday through Thursday 7:30 a.m. - 3:30 p.m.

Essex BOS Monday, November 4, 6 p.m.

MMES

Presidential Election Tuesday, November 5 7 a.m. -8 p.m.

Time to Vote! State & Elections, Then Nov. 18 STM

By Gregory T. Federspiel

wo big days are almost upon us, and they both need your engagement.

Election Day is Tuesday, November 5. This is the last day to vote in the national and state-wide elections. Polls at Memorial Elementary School are open from 7 a.m. until 8 p.m. Alternatively, mail-in ballots must be postmarked by November 5 and received by the Town Clerk by November 8 (November 15 for residents oversees.) Early voting at Town Hall ends Friday, November 1 with voting available from 9 to 11 a.m. The final certification of all votes is due to the state on November 20th. (Yes, there is a lag between unofficial tallies and certified results!)

Topping the ballot for this election is, of course, the presidential race. It has been a noisy election season but, in the end, voting comes down to just you in the election booth making your own decision. While it is easy to take this act for granted, it is a powerful and important right that others in other countries do not have. And again, despite the noise, the integrity of our voting system is quite strong. We have our own dedicated election workers staffing the polls. Our voting tabulators are secure and not connected to the internet.

verify their status.

in May of each year.

...(Continued on page 2)

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Obituaries

Following a long-standing tradition, The Cricket publishes obituaries as a service for our readers. If an obituary cannot be published in time for a service, we will post the notice to our website and Facebook page (facebook.com/TheManchesterCricket).

Pamela Anne Carroll



Pamela Anne Carroll, of Manchester-By-The-Sea, MA, and Lower Sugarloaf Key, FL, passed away peacefully on October 23, 2024, at the age of 76, after a courageous battle with COPD. She was a loving mother, grandmother and friend whose kindness, elegance, and zest for life touched all who knew her.

Pam, as she was affectionately known, was born on December 6, 1947, in Ipswich, MA, to Edwin Theodore Jones and Betty Davis Jones. She spent her early years in Ipswich and graduated from Ipswich High School before attending Bay State Junior College, where she served as President of her senior class. She went on to work for the President of Allied & Bacon in Boston, MA, where her intelligence, charm, and grace left a lasting impression.

In 1967, Pam married Myl-

es A. Carroll, and together they raised two children, Elisabeth (Lisa) Leslie Carroll and Brendon Myles Carroll. Pam and Myles shared a marriage of 53 years, filled with love and adventure, until Myles' passing in 2019. They enjoyed many cherished moments at the Jubilee Yacht Club, the Key West Yacht Club, and their homes in Manchester-By-The-Sea and Lower Sugarloaf Key. Pam's passion for gardening led her to membership in the Seaside Garden Club and the Kev West Garden Club, while her love for fitness found her working alongside her dear friend Carole Shanley in Manchester-by-the-Sea.

Pam's beauty and spirit were magnetic, lighting up every room she entered. Known for her infectious laugh, adventurous soul, and warmhearted nature, she had a kind word for everyone she met. Whether cruising on her boat or in her convertible. Pam's confidence and grace always turned heads. Her inner beauty, unwavering love, and dedication to her family and friends will be remembered as a legacy of warmth and light.

Pam leaves behind her daughter, Elisabeth (Lisa) Leslie Carroll Gitlin, and her husband, Jason, of Peabody, MA, as well as her son, Brendon Myles Carroll of Los Angeles, CA. She will be dearly missed by her grandchildren: Elana Gitlin, Jake Gitlin, Hunter Carroll, and Griffin Carroll.

In accordance with Pam's wishes, a private ceremony will be held, with a celebration of her life planned for a later date. Memorial donations in her name may be made to Sweet Paws Rescue at sweetpawsrescue.org.

Pam's memory will live on in the hearts of those who loved her

The Manchester Cricket

Founded in 1888. Published every Friday.

Erika M. Brown Publisher & Editorial Director

Paul Clark

Susan Zampell

Christy King

Susan Anthony Subscriptions & Office Mgr

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WHAT WAS



HAPPENING

90 YEARS AGO - 1934

On Tuesday, November 6th, the citizens of Manchester must vote again whether the sale of Alcoholic Beverages is to continue in this town. The citizens voted very decidedly in favor of it last spring at the annual meeting, but according to law it must again appear on the ballot at the state election.

During the past year the local Red Cross has sent out 10 Thanksgiving and 9 Christmas baskets to needy families in town, has financed the swimming instructions at Singing Beach and has done other charitable deeds whenever occasion demanded.

75 YEARS AGO - 1949

Topping all Halloween celebrations of the past was this year's affair which was held Monday night in Legion Hall, some 300 children being in the parade which marched to the hall with hundreds of older folks on hand to watch the parade and later take part in the festivities outlined for them.

A water main break on Pine Street Friday afternoon at 1:30 p.m. necessitated the sounding of 12-12 on the fire alarm, calling additional Water Department personnel to the scene. The break was in front of the Heath house.

60 YEARS AGO - 1964

Ground was broken this week on the property of The Cricket Press, Inc. for an addition to their existing building. The building will be 40 x 60 feet and will attach to the rear of the present building which is located on Summer Street. The new addition will face on Brook Street.

Mrs. Earle Thomas, chairman of the saving stamp program at the Memorial School, has announced that 144 pupils participated in the program last week.

45 Years Ago - 1979

Do you dread the thought of raking all those leaves and picking up your yard for the winter months? Now you don't have to, watch a ballgame, visit some friends or iust have fun watching one of the eager kids of the Class of '83 rake and clean you yard for you. It will cost you \$3 an

hour per person. A most successful Open House was held at the Jr.-Sr. High School last Wednesday evening. After a brief welcome by Principal Dick Howland and P.T.A. President Diane McKie, parents had a chance to visit the class-

30 YEARS AGO - 1994

The kindergarten classes of Memorial School have begun their study of community helpers. To emphasize and in conjunction with Fire Prevention Week, each of the three classes visited the Manchester Fire Station.

As of this week, there are over 30 students signed up for the third annual Children's Book Week Sleepover.

15 YEARS AGO - 2009

The Manchester Community Center presents a shopping event that supports fair trade, renewable products, local charities and your community. Join us Saturday, December 12th from 10 a.m. -2 p.m. to buy the gifts you love from companies you can feel good about.

For the third week in a row, gasoline prices in Massachusetts are up, this week leaping 11 cents. AAA November 2 survey of prices in the Bay State finds regular unleaded averaging \$2.60

per gallon.

CLASSIFIEDS

First, the good news. For subscribers, classified ads are free (one listing / subscriber at a time, please ... and keep it to 25 words or so). For all others, submit your weekend sales, lost and found, for rent, help wanted, services, etc. to classifieds@ cricketpress.com or call us at 978-526-7171 and we'll take your payment over the phone. Cost: 65 cents/word the first week and 55 cents/word thereafter. Minimum charge \$12. Deadline for Classifieds Mondays, 5 p.m.

HELP WANTED

CAPTAIN, MYC-Manchester Yacht Club seeks a year-round Club Captain. The position manages and hires launch drivers, maintenance staff, and event staff to support launch service, racing, cruising, on-water and shore-based events. The position manages and maintains the clubhouse, docks and boats. A combination of management skills, exemplary seamanship, boat handling, customer service, and boat and on-shore maintenance are desired. Coast Guard launch driving license required. Salaried. Job descriptions at: manchesteryc.org Please submit a resume and cover letter to HR@manchesteryc.org.

<u>.....</u>.... 10/31 **FOR RENT**

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OVERLOOKING MBTS

HARBOR-Across from Masconomo Park, 1-bdrm apt. Large living/dining room, kitchen, bathroom, storage. Off street pkg. 3rd floor unit. \$1,725/mo. Available after 11/15, min oneyear lease. (508) 498-2365 TF

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MANCHESTER POLICE NOTES | NOV 1

SUNDAY, OCTOBER 20

12:56 a.m. Beach St., directed patrol, secured/checked. 1:14 a.m. Summer St., motor vehicle stop, verbal warning. 9:17 a.m. Route 128NB, animal complaint, notification made. 7:13 p.m. Route 128SB, agency assist, assisted as needed.

MONDAY, OCTOBER 21

7:44 a.m. Lincoln St., directed patrol, secured/checked. 12:35 p.m. Old Essex Rd., citizen assist, assisted as needed. 2:32 p.m. Beach St., motor vehicle stop, verbal warning. 9:38 p.m. Summer St., disabled motor vehicle,

...(Continued from page 1)

Then, come Monday No-

vember 18th, all voters are

encouraged to attend the

Town's Special Town Meet-

ing. Residents gather in

person (no virtual option is

allowed per state law) to de-

bate and vote on the articles

that have been put forth for

consideration. As a small

community Manchester op-

erates under the Open Town

Meeting form of governance

whereby all voters form

the legislative body that ap-

proves all expenditures, by-

laws and land transactions,

etc. While the elected Select

Board puts together the ar-

ticles that are presented (ex-

cept in the case of a citizen's

petition article) the residents

that come to Town Meeting

are the ones that decide the

The art of oratorical per-

suasion is alive and well at an

fate of each article.

spoken to.

TUESDAY, OCTOBER 22 7:16 a.m. Forest St., noise complaint, spoken to. 8:22 a.m. Pleasant St., disabled motor vehicle, assisted as needed. 2:01 p.m. School St., suspicious activity, secured/checked. 7:19 p.m. Pleasant St., traffic hazard, secured/checked.

WEDNESDAY, OCTOBER 23 6:48 a.m. Atwater Ave.. disturbance, spoken to. 2:53 p.m. Route 128NB, motor vehicle stop, citation issued. 5:59 p.m. Mill St., theft, spoken to. 8:12 p.m. Filias Circle, welfare check,

spoken to.

THURSDAY, OCTOBER 24 6:46 a.m. Atwater Ave., noise complaint, spoken to. 11:29 a.m. The Plains St., animal complaint, notification made. 2:31 p.m. Route 128NB, motor vehicle stop, arrest. 10:02 p.m. Route 128NB, motor vehicle stop, written warning.

FRIDAY, OCTOBER 25

7:21 a.m. Forest St., noise complaint, assisted as needed. 11:26 a.m. Pine St., motor vehicle stop, written warning. 12:26 p.m. Summer St., motor vehicle stop,

written warning. 1:56 p.m. Route 128NB, motor vehicle stop, arrest.

SATURDAY, OCTOBER 26 8:23 a.m. Pine St., motor vehicle stop, verbal warning. 9:30 a.m. White Beach, suspicious activity, spoken to. 12:40 p.m. Newport Park Rd., house lockout, assisted as needed. 6:20 p.m. Lincoln Ave., parking complaint, spoken to.

Monuments

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MEMORIALS

150 EASTERN AVENUE

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view can be shared. A message that is delivered based

tap, Article 4, which is proposing a new section to our zoning bylaws that aims to bring the Town into compliance with the MBTA "3A" law through new zoning that allows a more diverse housing stock, promises to garner the most attention and debate. Despite the lack of civil discourse that we see in our national politics, I remain confident in the ability of Manchester residents to engage in thoughtful review

substantial amount of infor-

mation about the proposed

zoning - and come prepared

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Open Town Meeting. Comments from your fellow residents just might change how you thought you were going to vote! This is the beauty and power of Town Meeting. Through civil and respectful

debate, different points of

on facts and in a manner that respects each voter as a reasonable and rational person has a much better chance of being heard. Reasonable neople may disagree on a particular issue or course of action, but we can do so in a way that allows us to be friendly neighbors at the end of the debate and honor the wishes of the majority.

Of the four articles on of the proposal that is on the table. Do your homework the Town's website has a

to listen, share your own perspectives and to vote. The way to move the Town forward is to assemble at Town Meetings and make important choices. As the saying goes, democracy is not a spectator sport - you need to engage. Vote!

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Courtesy Photo

The Day the Music Stopped

In September we had several phone calls and emails asking us what had happened to the music coming from the steeple of the First Parish Congregational Church. Two of our members, John Round and Marty Farmer, were sent to investigate and found it was a

fuse issue with our carillon. Thankfully the music quickly resumed at 12:15 p.m. and 6:15 p.m.daily, above the Town Green, as it had been playing for over 50 years. The current carillon was installed in 2004.

It replaced the original purchased in 1971 after it stopped working in the spring of 2003. The carillon voice is "English Bells," a single bell at a time playing the melody line, drawing from its library of over 165 songs. Thank you to everyone who alerted us that our carillon stopped playing and expressed such appreciation for this music!

LIBRARY

This week at the library is a busy one, two events at Crowell Chapel, Hearthside Book Group, Pajama Storytime and more.

November is Novel Writing Month

As the weather cools many return their attention to finishing or starting their novel, screenplay or chapbook of poems. Come to the library this November and enjoy a dedicated writing zone, with a jar of prompts to keep you inspired and snacks to fuel your word count goals.

Hearthside Book Group Tuesday, November 5 from

4-5 p.m. Join us to discuss "The Women" by Kristen Hannah

Crowell Chapel Concert Series Featuring: Hungrytown

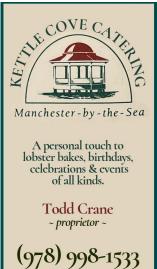
Tuesday, November 5 from 6-7 p.m. It's election day, so come enjoy a free concert before or after you vote. On the first Tuesday of every month, October-April, join us in the Crowell Chapel at 6 p.m. for music by the sea. This is an all-ages concert.

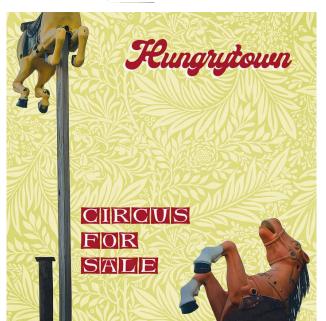
Gems from the Manchester Cricket Archive at Crowell Chapel

Thursday, November 7 from 5:30-6:30 p.m. Join Erika Brown and Paul Clark from the Manchester Cricket. For a local community newspaper like the Manchester Cricket or the Essex Echo, an archive is a magic treasure trove that connects us to our past. In 2018, Erika Brown took over as publisher and editor of the Manchester Cricket, and one of the first decisions she made was to digitize the 136-yearold newspaper's print archive and make it searchable and permanently available through the Manchester-bythe-Sea Public Library. The Friends of the Library and the Cricket split the cost. Erika and the Cricket's longtime assistant editor, Paul Clark, will share their favorites from the paper's archive and oh ves, we'll include one of Paul's favorite features, the local police notes. Registration is encouraged.

Diversity Matters Book Group

Tuesday, November 12 from 5:30-6:30 p.m. Novem-





Hungrytown Band

Courtesy Photo

ber's Diversity Matters book group's pick is a graphic novel "Worm: A Cuban American Odyssey" by Edel Rodriguiez.

Tai Chi: The Longevity Tree Tai Chi Location Changes

Every Wednesday from 9:45-10:45 a.m.

Manchester local Susan Halpern will continue her weekly Tai Chi class for ages 18 and older. The class will be moving locations as the weather changes and only those who have completed the Safety Release Registration Form on the library's website, will get weekly location emails.

Longevity Tree is part of the internal arts known in China as Qi gong. Qi gong means to cultivate energy with discipline. The Longevity Tree is a form that addresses the balance of mind, body and spirit, by combining movement, deep breathing, and alertness.

Digital Advice Appointments on Monday and Drop- In on Friday

Register for a dedicated session Mondays at 12 noon or 12:30 p.m. or drop in on most Fridays between 3-4 p.m. We have guidance for easy to moderate tech issues. Please bring your device, charger and any passwords associated with your device or project. This is a program to offer one on one instruc-

tion on how to better utilize your technology, we cannot do a tech project for you and certain issues will be outside of our digital expertise.

Mindfulness Meditation at the First Parish Church Meeting Room

Every Tuesday from 11 a.m.-12 noon. Beginners and experienced meditators are welcome. There will be guided meditation, some silence, and discussion. Please register if this is your first time coming to this program. We need either an email or a phone number in case we need to cancel or change

Shut Up and Write (Virtual)

Every Thursday from 10:30 a.m.-12:15 p.m. Join a community of writers and artists on Zoom who just want to write. Come any time. No need to share, no need to critique or be critiqued.

For Teens: Join the Teen Advisory Board (TAB)

High school students who join the group will be involved in adding items to the library's collection, promoting special events, planning the annual Haunted Library and more. You will get community service hours for school and pizza. Contact Tom Russo, the YA librarian.





SELECT BOARD UPDATE

Select Board Meeting: The Select Board will meet on Monday, November 4 at 6:30 p.m. Meeting details can be found on the Town website.

MBTA Zoning Public Forum: The MBTA Zoning Task Force will host a Public Forum on Thursday, November 7 at 7 p.m. at Town Hall and on Zoom. Residents are invited to attend to learn about MBTA Zoning and ask questions.

Hydrant Flushing: DPW Hydrant Flushing is underway and will occur Monday through Wednesday from 8-12 p.m. over several weeks until complete. If you experience cloudy water, run a cold tap until clear.

Property Tax Bills: Second quarter personal property tax bills are due on Friday, November 1. The Collector's Office will be open on November 1 from 9 a.m. to 3 p.m. to receive in-person payments. Please contact (978) 526-2030 with questions.

Leaf Collection: Black Earth will offer curbside leaf collection during the weeks of November 18 and December 2. Please place leaves in bags on your curb on your collection day.

Special Town Meeting: The Fall Special Town Meeting date will be held on Monday, November 18 at 6:30 p.m. at the Manchester Essex Regional High School. Residents will be asked to vote on MBTA Zoning along with other potential Town matters.

Child Care at Special Town Meeting: Free childcare will be provided at the Special Town Meeting by Parks and Recreation. Registration is required on the Parks and Recreation website.

Trash, recycling, and compost collection: Regular Schedule. Please place curbside by 7 a.m. on day of collection. Transfer Station is open on Wednesdays from 7:30 a.m. to 3 p.m. and Saturdays from 10 a.m. to 3 p.m.

Follow Us on Facebook, Instagram, and X @townofmbts and visit the Town website www.Manchester.ma.us to stay informed.

HANDOUTS FOR TOWN MEETING

Although the warrant for the November 18 special town meeting is short, we anticipate a high level of interest in proposed zoning amendments to comply with the state mandate that MBTA communities have at least one district permitting multifamily housing as of right. Because of this high interest, complexity of the issues and diverse opinions, residents may want to prepare written handouts for the meeting. Any handouts must be submitted to the town moderator awilson@spyrockhill.net and town clerk townclerk@manchester.ma.us no later than November 12, 2024. There will be a table for handouts in the lobby where voters check in. Handouts that are not submitted by that date will not be permitted on the table, nor may they be distributed during the meeting. With a high turnout expected, we will have seats for as many as 1,300 voters. Those preparing handouts should bear this in mind when making copies.

Alan Wilson, Town Moderator



Winner of Judge's Choice at the 39th Essex Clamfest was Woodman's (pictured) with the honors of People's Choice going to Castle Manor Inn. For the Clam Chowder Competition this past Saturday we could not have had this event without the delicious chowders from local eateries! For the first time, a team of high school students from Maple Street Bistro (Essex Tech) entered the competition. Also competing were 35 Beach, JT Farhnam's, The Farm Bar & Grille, The James Pub & Provisions, and Vita Bella Ristorante.

(Photo Paul Clark)

Tides & Sun Chart For The Week Ahead

DATE AM		HIGH			LOW				*		
		AM	FT	PM	FT	AM	FT	PM	FT	RISE	SET
1	Fri			12:03	9.7	6:00	1.2	6:31	0.5	7:16	5:36
2	Sat	12:34	8.8	12:33	9.9	6:38	1.3	7:12	0.4	7:17	5:35
3	Sun	1:09	8.7	12:05	9.9	6:16	1.4	6:53	0.3	6:18	4:34
4	Mon	12:44	8.5	12:39	10.0	6:56	1.5	7:35	0.4	6:20	4:33
5	Tue	1:21	8.4	1:18	9.9	7:38	1.6	8:18	0.5	6:21	4:32
6	Wed	2:03	8.3	2:01	9.8	8:23	1.8	9:05	0.6	6:22	4:30
7	Thu	2:48	8.2	2:50	9.7	9:11	1.9	9:54	0.8	6:23	4:29



Celebrating Twenty-Four Years The Hooper Fund

P.O. Box 544, Manchester, MA 01944 • www.hooperfund.org

We would like to thank those who have so generously contributed to the Fund this past year. The Hooper Fund provides grants to promote after school and summer educational and recreational programs for children in the Manchester and Essex communities. None of these programs would be possible without our support and your generous donations. Thank you all so much.

> The Directors of the Hooper Fund Abby Considine, Muffin Driscoll, Bob Fulford, Bob Garlitz, Sue Kent, Anne Kneisel, Tyler Kneisel, Adam Scott, Lynda Surdam

Thank You for Your Generous Contributions

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~All contributions are tax deductible, as The Hooper Fund is a tax exempt entity under Section 501(c)(3) of the Internal Revenue Code. Donations can be made online at www.hooperfund.org

ME Regional High School Model UN Club Meets the Real UN in New York



tudents from the Manchester Essex Regional High School Model UN Club traveled to New York City earlier this month to visit the international headquarters of the United Nations.

After an early departure and extensive security screening, the students took part in a one-hour guided tour of the United Nations headquarters. Students observed UN committees in session and sat in the giant Gen-

eral Assembly room, which was fitted with technology that provided real-time translation of the proceedings into six languages. The tour also included a display of gifts that countries had presented upon their induction into the United Nations.

Model UN Club members also were briefed by Vincenzo Pugliese, a UN official from the Dominican Republic. Mr. Pugliese explained how the UN operates around the

world, detailing some of the logistical hurdles of languages, time zones, budgets, and geography. He then walked students through the many different paths UN employees follow to pursue careers at the United Nations. The students had also prepared a number of questions for Mr. Pugliese.

"Our main goal for this trip was to introduce students who are passionate about global issues to the real Unit-



ed Nations," said Charlie Langendorf, the president and founder of MERSD's Model UN Club.

"We will be able to improve our Model UN simulations using our new knowledge about veto power, the workings of different UN committees, and budget considerations." The students also received a list of possible simulation topics for the Model UN Club to use at future meetings.

MERSD social

teacher Jennifer Michaud was one of two chaperones on the trip. "It is so important to get students out of the classroom to experience real-world, place-based learning. The United Nations is the most important institution in our continually globalized world, and developing an understanding of the intricacies of international diplomacy will help students become more empathetic global citizens. I was impressed that this was

a completely student-driven and organized trip, showing our students' passion for their learning." The trip was funded in part by a generous grant from Spaulding Education Fund, an independent, non-profit organization providing support for programs that enhance the academic curriculum of the Manchester Essex Regional School

It's the Manchester 2024 Wobblin' Goblin!







HOLY ESSEX CLAMFEST! Participants for the 39th Essex Clamfest line up to the marsh waiting for the bell to toll 12:00 to enter and sample clam chowder from eight vendors.



Judges table for the 39th Annual Essex Clamfest with Senator Bruce Tarr in the center.

(Photo Paul Clark)







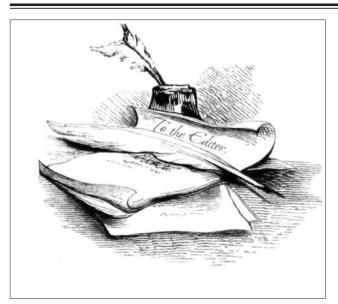












The Cricket publishes every letter it receives. Letters should be original, no more than 400-600 words and written in a general spirit of discourse, signed and include an email/ phone and a valid address in case we have questions. We may edit letters for clarity and accuracy. We do not accept multiple letters on a single issue by the same author. Longer pieces (up to 1,000 words) may be submitted for consideration as an Op-Ed Commentary. Please send submissions to letters@cricketpress.com.

Governor's Council is com-

posed of eight individuals

elected from their respec-

tive districts every two years.

The Council meets weekly to

record advice and consent

on warrants for the state

treasury, pardons and com-

mutations, and gubernatorial

appointments such as judges,

clerk-magistrates, public ad-

ministrators, members of the

Parole Board, Appellate Tax

Board, Industrial Accident

Board and Reviewing Board,

notaries, and justices of the

peace. Manchester is one

of 36 towns and cities in the

5th District of the Governor's

Council and Eunice Zeigler,

who lives in Methuen with

her husband and children,

would like to represent us.

Eunice Zeigler was elected

to the Methuen City Coun-

cil and served from 2018 to

2023, chairing the council

for a time. She has a BA in

Political Science and an MA

in Economic & Social Devel-

opment from the University

of Massachusetts-Lowell. She

has held roles with the City of

Haverhill, the Lowell Hous-

ing Authority, and the YWCA

Northeastern Massachusetts.

She now serves as vice presi-

dent of strategic planning &

administration at Emmaus in

Haverhill. The Manchester

Democratic Town Committee

has also endorsed Eunice Zei-

gler to be on the Governor's

In Praise of our Harbor

Bion Pike's letter of Friday 25

October 2024 to The Cricket

editor is a testament of this

gentleman's dedication, and

The fact he took the time

from his busy schedule, to

write this well written de-

fense of accusations made by

Susan Wadia-Ells in a prior

Cricket letter, is a manifesta-

tion of Bion's commitment to

his job as Harbor Master of

MBTS, a position he has held

devotion to his job.

for 13 years.

Please VOTE for Eunice

Council.

Zeigler.

Thank you,

Manchester

Master

Michele Kulick,

Vote for Eileen Duff and Eunice Zeigler

Dear fellow Manchester-Essex citizens: I would like to encourage you to consider voting for my friend, Eileen Duff, for Southern Essex Register of Deeds on November 5th. The Southern Essex Registry of Deeds records real estate transactions such as mortgages and deeds for 30 communities on the North Shore. Eileen Duff has been a real estate agent for 20 years in our area and used the Registry as a customer all those years. Eileen has a deep and practical understanding of the law and the courts and their relationship with the Registry. Duff has an MA in Management with a specialty in Organization Development and is the only candidate with management experience. She is better prepared to run the organization. Eileen told me that cyber fraud and AI fraud have become serious issues in other states and she expects it may impact our Registry in the near future. She has been taking MCLE Bar classes to become informed about these challenges and learn what can be done, and will work with the Secretary of State's office to find solutions. Her great energy shows she has the capacity to do this job, which is to look out for the interests of current and future property owners. For five terms, Eileen was our representative on the Governor's Council, from which she has resigned to run for Register. She has come to speak to the Manchester Democratic Town Committee in person and on zoom several times, and she's always been very responsive to questions and helpful. For these reasons, the Committee has endorsed Eileen Duff. We think Eileen Duff would be the best candidate to be the next Southern Essex Register of Deeds.

Please VOTE for Eileen Duff.

I would like to encourage you to cast your vote also for Eunice Zeigler, who is seeking to replace Eileen Duff on the Massachusetts Governor's Council. The

From what I have been told, prior to Bion's appointment, the administration of the MBTS harbor was fraught with many problems, to which I am sure many of the old-time boaters can attest. Bion's vision for the MBTS harbor is in full display with the Tuck's Point docks, the expansion of the Reed Park docks, and his leadership in applying for grants for the rebuilding of the Tucks Point Rotunda, and the further expansion of the Reed Park docks. I am also confident he will prevail in building a proper Harbor Master office near the

waterfront, further improving our boating community.

Peter G Eschauzier Manchester

The Most Vulnerable ...

In 2021, Chapter 40A Section 3A (a zoning mandate that applies to 177 towns and cities across Massachusetts with some form of MBTA service in their community) was signed into law. Multiple towns and cities have challenged and voted down this mandate, which is currently pending in the Supreme Judicial Court.

Residents of Manchesterby-the-Sea will be voting on November 18th at a Special Town Meeting on whether or not to adopt this zoning. Due to the size and scope of this zoning mandate, a Task Force was formed of resident volunteers and town board members to zone areas deemed suitable in size and use per the state's guidelines.

There is a basic overview of Section 3A of the zoning act as follows:

An MBTA Community shall have a zoning ordinance or by-law that provides for at least one district of reasonable size in which multifamily housing is permitted as of right; provided, however, that such multi-family housing shall be without age restrictions and shall be suitable for families with children. For the purpose of this section, a district of reasonable size shall: (i) have a minimum gross density of 15 units per acre, subject to any further limitations imposed by section 40 of chapter 131 and title 5 of the state environmental code established pursuant to section 13 of chapter 21A and (ii) be located not more than 0.5 miles from a computer rail station, ferry terminal or bus station if applicable. (Mass. Gen Law,

This is the law, not an interpretation of the law.

Part I, Title VII, Ch. 3A)

This mandate has not considered the differences in size, infrastructure, capacity, environmental impacts, community needs, limitations, challenges, and basic regard for local zoning.

Manchester-by-the-Sea is a beautiful small coastal town. Once overdeveloped it can-

not be reversed. Once voted on and if passed, this zoning will be permanent for MBTS in the FOUR districts identified by the MBTA Task Force.

How does the 3A law affect the most vulnerable in our towns:

ELDERS— as stated above in the law, there can NOT be an age restriction; this is NOT a zoning mandate for elderly housing, the law states it is for multi-family units suitable for families with children.

FAMILIES- this is marketrate housing. There is NO requirement for affordability written into the law. You can request an affordability component, but it cannot be "financially detrimental" to the developer. MBTS has requested affordable housing to be included at a maximum of 20%, with no guarantee it will be built, and a caveat that the AFFORDABILITY be based upon an individual meeting the AREA MEDIAN INCOME OF 80% requirement. (that percentage does not help people who need truly affordable housing)

STABILITY— is created through planned efforts, based on factual data that a town can support the overall impacts and growth, economically, and environmentally, and that it serves the needs of a community.

- Does this law provide truly affordable housing? Housing for seniors is desperately needed across Massachusetts, not just in the 177 communities with contracts with the MBTA.
- In addition, overlooking individual community needs, towns and cities that do not vote in favor of this mandate are being threatened to lose grant money (our tax dollars) and face legal action by the state if we do not vote yes on this mandate.
- Should towns be punished for wanting to keep zoning local and specific to the needs of the community?
- There are many unknown consequences of voting on and adopting a law with little to no fact-based studies or data to make an informed decision.
- The permanent zoning changes are clear and will change the character of Manchester-by-the-Sea.
- Preserving the character of our small coastal town was part of the mission statement of the MBTS task force. Three out of the four zoned districts include 45foot buildings with 10-foot additional height allotments for structures, mechanical systems, storage, etc., with a finished potential height of 55 feet.

Additionally, three aboveground parking garages (three levels are part of our "small town, preservationbased" zoning. How is this in keeping or preserving the character of our town?

- No maximum capacity or number of occupants per
- How do we calculate our infrastructure needs? How much water will we need and the septic capacity we will need? The impact on public safety, parking, and the environment, and the cost to educate an unknown number of students? Having fact-based data is a basic necessity when voting on a permanent zoning mandate.

This law does not provide language that supports a predictable outcome for the town. There is no determined number of units that will be built, it is a projection without a factual basis.

As hard as the Task Force has worked, they have not provided critical data to support adopting such impactful, permanent zoning changes.

At a recent MBTA Zoning sub-committee Task Force meeting, a committee member stated, "We are trying to sell this to the public." Multiple public forums, meetings, and private venues have been held to help "sell" this to the public.

Zoning should not be sold to the public; it should be planned, fact-based, and in the best interest of the town and its future. The 3A zoning mandate asks residents to vote based on fear, and not facts.

Sarah Pierce Manchester

A Call From the "Green Sign Brigade"

A letter to the editor:

The green "YES on MBTA Zoning" signs in town are an effort by a grassroots, crowd-funded group of residents from MBTS. The QR code on the sign directs people to public documents that provide information for residents about the zoning We believe the changes. best source of information on MBTA Zoning is the town itself, the public documents released on the Town of Manchester website, and town of-

ficials and citizens who have been working on this issue for over a year. We are in favor of MBTA Zoning Laws because they can:

- Maintain the character of the town by creating restrictions and keeping zoning changes within local control: Address the problem of
- low housing stock and high housing prices gradually over time:
- Allow the town to maintain access to state grant money vital for town projects and budgets;
- Prevent lawsuits that would drain town resources.

Signed by the following Manchester-by-the-Sea residents, friends, and neighbors:

Caroline and Nick Armington David and Michelle Baer Lindsay Banks Stephen and Isabella Bates Nate and Sally Berkowitz Jeffrey Bodmer-Turner Miriam and Davis Bradford Anita Brewer-Siljeholm **Courtney Calvert** Steve Carhart Lise Carrigg Kathleen Chrzanowski Sarah Davis Ali Becker Dolan Harry Dolan Martha Farmer Alba K. Figueroa Miranda Gaudet E. Greenwood Jane Hardy Olga Hayes Bruce and Beth Heisey Kathryn Howe Sophia Johansson Scott and April Johnson **Emily Kaufman** Amy Kingman Jill Kooyoomjian Diane M. Lindquist Maile Madigan Sofi Madison Axel Magnuson Lisa Manganiello Jeffrey R. McAvoy Miriam McAvoy Emily McCavanagh Iane Metrano Rachel Molinari Jody Morse Andy and Melanie Oldeman Alicia Palmer Lindsay Ratushny Kathy and Bob Ryan Samantha Silag Allison and Jason Smith Pamela B. Spencer Jim Starkey Shoshy Starr Ian and Peggy Strachan Sarah and Matt Stone Kathrvn Taylor Ally Lukas Turner Sylvia Vriesendorp Caroline Weld Gretchen Wood Adam Zaiger

I'm Supporting MBTA/3A Proposed **Zoning at STM**

Have you been perplexed by the yellow yard signs scattered around Town that say "Save MBTS"? They want us to vote "No" on the proposed MBTA zoning bylaw at the Special Town Meeting on November 18.

What they don't tell us is exactly what it is that we are to be saved from. Are we to be saved from families with children? Seniors hoping to downsize? Grant money from the State to help build our town infrastructure? Housing options other than over-priced single-family homes?

What is so scary about this that we need to be "saved"? If we want to be scared, consider being sued by the Massachusetts Attorney General and having our taxes go up to pay the legal bills and make up for the loss of State grants.

Is their hope that by voting "No" the Governor and legislature will quietly give up on their goal to provide much needed housing to bolster the State's economy? They passed the bill unanimously. Has anyone seen evidence of an effort to repeal or even modify the law?

Not even Milton has challenged its validity. Milton adopted a plan which was subsequently overturned by a citizen petition. They got sued for being out of com-

pliance-but the case is not about the legality of the law. Regardless of how the Court rules, the basic Law will still be in effect and Manchester will still have to comply.

The Town has put together a plan to comply with the Law and that will provide controls to limit development and encourage thoughtful design. Let's get this done at Town Meeting on November 18 and move on to more important issues.

Axel Magnuson Manchester

Support Local Restaurants, Vote no on **Question 5**

As Massachusetts voters head to the polls on November 5th, a key ballot question asks whether the tipped minimum wage should be eliminated, gradually raising pay for tipped employees to match the state minimum wage. This proposal might sound beneficial at first glance, but for the locally owned restaurants, bars, and small businesses that are at the heart of our community, it could cause real harm-not just for owners but for the very employees it aims to help.

Through extensive outreach across our five communities, the Greater Cape Ann Chamber of Commerce found overwhelming opposition to this proposal from both small business owners and the employees who rely on tips. For this reason, the Greater Cape Ann Chamber of Commerce opposes this initiative and urges voters to vote "No" on Question 5.

Currently, Massachusetts requires that tipped workers earn at least \$15 per hour when combining their \$6.75 base pay with tips. If a worker doesn't hit that minimum, the employer must make up the difference. This setup gives employees a safety net while also letting them earn more based on service quality and customer rapport. Many servers and bartenders take home far above minimum wage, this flexibility allow them to maximize their earnings. Eliminating the tipped minimum wage, however, risks turning this model on its head.

Small businesses already face thin profit margins. This wage hike could force them to raise prices or add service fees, likely causing customer traffic to drop and reducing tips, which would harm employees financially. In the long term, these businesses may have no choice but to cut hours, reduce staff, or close altogether, impacting livelihoods across our communities.

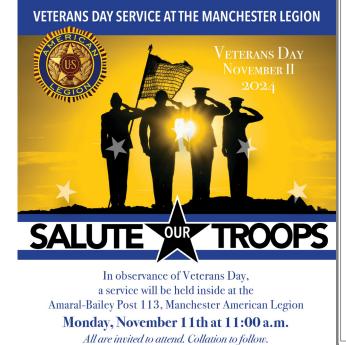
This proposal could further cut into tipped workers' income through tip poolinga practice where tips are distributed among all staff. This could spread tips more widely and would likely dilute the overall income of servers and other tipped workers who rely on direct customer tipping. For servers and bartenders who rely on tips as a significant part of their earnings, this change could further reduce their income.

The current system supports both employers and employees, allowing workers who excel at customer service to earn more and small businesses to remain viable. Instead of eliminating the tipped wage, enforcing protections for tipped employees can ensure fair pay while keeping the local economy strong.

The Greater Cape Ann Chamber of Commerce stands with our restaurants, bars, and service staff in opposing Question 5. Voting "No" will help keep local businesses open, jobs intact, and ensure that workers who thrive on tips continue to have the opportunity to suc-

Steve Buckley

President, Greater Cape Ann Chamber of Commerce



ScottEnergy Community Bulletin Board



- Allan Kirker, Commander

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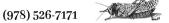
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OpEd

The Manchester Cricket occasionally runs OpEds on topics that benefit from a deeper dive. Written by readers, they are designed to advocate a point of view rather than simply sharing a personal opinion (as a Letter to the Editor might do). This week, two readers have taken up a big topic facing Manchester voters on November 18: the MBTA / 3A Zoning Requirement. Should we approve a state mandated "by-right" multi-family zoning to expand housing stocks in the state, particularly in 177 communities in the Commonwealth serviced by public rail transit? Rob Beatty argues for a "Yes" vote on this zoning. Christina Deliseo says there's reason to pump the brakes.

Why I Will Vote Against the MBTA Zoning on Nov. 18

By Christina Delisio

I urge every able-bodied resident of Manchester to attend the Special Town Meeting on November 18th and vote NO to MBTA Zoning.

I offer three simple reasons for is this:

- Local control over zoning;
 Increased density without an understanding of capacity.
- 3. It does not address the perceived housing crisis.

This unfunded state mandate impacting 177 municipalities connected to public rail transit in our Commonwealth was passed by the State Legislature and signed by the Governor in the middle of the night as part of an Economic Development Bond Bill aimed to stimulate economic growth and development across Massachusetts. We all need to remember this fact when we consider what this law really is. It is forced zoning to stimulate economic growth! The original law had affordability language, but that was removed, presumably because that would inhibit economic growth. This unfunded mandate requires Manchester to relax zoning so developers and RE-ITs ("real estate investment trust") that are typically deep

At a minimum, the residents of Manchester should take pause and wait until the SJC rules and the Planning Board has the proper time and resources it needs to complete an independent Financial Impact Analysis and the residents have adequate time to digest and review the final documents.

pocketed national or global corporations) can densify Manchester with more market rate housing. There is no affordable requirement in the

Manchester does not need more market rate housing such as Elm Street. Those pushing Manchester's proposed MBTA Zoning say it includes affordable housing for 20% of units, but just look at the MBTA Task Force's plan. Small lots were chosen to discourage large development by using modeling software from the state.

The model Manchester pursued is based on a 6,000-s.f. lot (a single family can be razed or converted to a three family.) The problem is, under this scenario, no affordable units are required. This type of development will in fact put us further behind on the SHI. Another fact: different housing does not mean affordable housing.

The original law is three paragraphs. Our elected officials voted on three paragraphs. They did not vote on the guidelines. Everyone should understand how our elected officials stand on the guidelines and hold them accountable to their position. Additionally, the guidelines did not follow the proper statutory notice and hearing requirements.

This was a point that the Massachusetts State Judicial Court (SJC) made during oral arguments in its lawsuit against the Town of Milton after Milton voted to opt out of participating in the MBTA Zoning requirement.

Why would we not wait and hear the decision before voting at Town Meeting? Once we accept the forced zoning, we will not be able to reverse it. Once zoning changes are made at the town level, they need to be approved by the State. Assuming that we get

that far and vote on a reversal; the State would never approve the reversal. The district is now under state control and any change must be approved by the ELHOC and the Attorney General, the same woman who is suing Milton. Remember we are being asked to vote, if we vote yes, we are doing so at our own risk, and accept what is written now and what could be written in the future. Because of the lack of clarity and detail in the original law, there have already been several changes to the guidelines. I want to know the decision of the SJC before I vote on constantly changing guidelines that is ultimately

Manchester zoning One hundred seventy-seven communities should not be required to build housing for all. The communities on the MBTA are already some of the densest in the country. Why not share the burden with the entire State? We also need to acknowledge that no family can live in Manchester without multiple automobiles. Each Manchester residence averages two cars. Automobiles are not going away. The MBTA is a red herring for

economic development.

Many of us moved from denser areas. If I wanted to live in a denser area I would have stayed there. Two ques-

tions that continually arose for me as a previous member of the Planning Board for nine years. One, what is the capacity of Manchester? And, two, what types and what percentages of housing types make a healthy community? How many singlefamily homes, townhouses, condos, or apartments? Manchester already has a significant percentage of rentals. Nothing in this law promotes homeownership. It is about creating apartments and income streams for developers.

Perhaps instead of urbanizing communities, the State should address short term rentals, which have repeatedly been cited to adding fuel to the "housing crisis." A brief review of available units on Cape Ann will indicate that there are units available today. The Halyard at Gloucester Crossing has 12 units available as I write this. Therefore, in my opinion Cape Ann does not have a housing crisis. If you increase density to reduce cost, you are also reducing the value of my home. I cannot support this and is another reason I will be voting NO.

I moved to Manchester after falling in love with the small town after visiting many 4th of July parades. Children riding bicycles in packs and no traffic lights are contribut-

ing factors to my love of our small town. That is already changing with the probability that Cell Signaling Technologies (CST) will secure approval of a large corporate campus in the Limited Commercial District (LCD), and the prospect of the 137-unit 40B residential development by Strategic Land Ventures, also in the LCD. Manchester and Cape Ann can only take so much development until the quality of life as we know it changes forever.

We have already seen significant changes that have impacted our well-being including the toxic levels of PFAS in our drinking water, parking shortages and significant traffic increases. What is the capacity of Manchester? At a minimum, the residents of Manchester should take pause and wait until the SJC rules and the Planning Board has the proper time and resources it needs to complete an independent Financial Impact Analysis and the residents have adequate time to digest and review the final

I urge a pause until the SJC rules or vote NO to the government overreach of power.

Christina Deliseo is a former member of the Manchester Planning Board and an administrator of a Facebook community group opposing the 3A MBTA Zoning mandate.

To Comply or Not to Comply. That Is the Question.

By Rob Beatty

"Just say no!" has become the rallying cry of speakers at Town Meeting and letter writers to *The Cricket* as they voice opposition to the proposed changes to the Town's Zoning Bylaws required in order to comply with General Law Chapter 40A, the MBTA Communities Act.

A recent writer asks: "Where are all those MBTS folks who put up pink 'Stop SLV!' signs?" I'll tell you where we have been, where we are, and where we will be. We have been, are, and will continue to be working very hard to win the ongoing legal battle against Strategic Land Ventures ("SLV"), rather than trying to fight a legally unwinnable battle against the State of Massachusetts.

"Towns can't vote not to comply with state laws."

And we know something that the letter writer doesn't know - that the case recently argued before the Massachusetts Supreme Judicial Court ("SJC"), Attorney General vs. the Town of Milton, SJC-13580, does not concern the validity of the MBTA Communities Act. None of the parties to that case is arguing that the MBTA Communities Act is unconstitutional or otherwise invalid.

The case involves a some-

the "loss of grant eligibility" penalty included in the MBTA Communities Act is the only remedy the State may impose on non-compliant towns, or whether the State, acting through the Attorney General ("AG"), may sue noncompliant towns to obtain judicial enforcement of the town's obligation to comply. The Town of Milton argues that "loss of grant eligibility" is the only penalty the State can impose and that the AG lacks authority to sue Milton for enforcement. The State

disagrees.

During oral argument, Justice Scott Kafker asked the lawyers: "Towns can't vote not to comply with state laws, right? So, if you have the authority in the AG's office ... then the question is, are the remedies exclusive? That's really the only issue we have."

The SJC might not uphold the AG's authority to sue for compliance, but it seems highly unlikely the SCJ would rule that the AG lacks the authority to take other enforcement actions against non-compliant towns. Either way, there is no doubt that the MBTA Communities Act is valid and that, "Towns can't vote not to comply with state laws."

This means there is no "upside" in delaying the vote on the Town's plan for complying with the MBTA Com-

Towns can't vote not to comply with state laws ... This means there is no "upside" in delaying the vote on the Town's plan for complying with the MBTA Communities Act. There are only downsides, like lost grant money, higher property taxes, and expensive attorney's fees to fight an unwinnable hattle.

munities Act. There are only downsides, like lost grant money, higher property taxes, and expensive attorney's fees to fight an unwinnable battle. But the biggest downside is that a failure to comply with the MBTA Communities Act would provide further aid and support to SLV. It would allow SLV to argue, as it has already, that Manchester is a town full of NIMBYs who are opposed to any new construction of multi-family dwellings. Such an argument has found a receptive audience at the Housing Appeals Committee ("HAC"). The appellate process will go forward as Manchester seeks to reverse the HAC's adverse ruling in favor of SLV. It would help immensely if the opponents to the Town's proposed zoning amendments would stop providing unwitting aid and support to SLV.

There's no such thing as "municipal sovereignty."

that the MBTA Communities Act is a "blow to municipal sovereignty," "the Commonwealth's usurp[ation] of local rule of our town's zoning," and "a ground-shifting movement by the state to dictate how our town should be highly densified." The common theme seems to be that the residents of Manchester have some "sovereignty" or inalienable right to reject the public policy dictates of the Commonwealth as promulgated in the MBTA Communi-

ties Act.

Nothing could be further from the truth. There is no such thing as "municipal sovereignty." Under the Massachusetts Constitution and General Laws, each Massachusetts town is a creation of and, therefore, is subject to the Massachusetts General Court. The Commonwealth is the source of the rights and powers a local government may exercise. Therefore, the State cannot "usurp" town powers. The State giveth; the State taketh away.

This is no recent "power grab." In 1868, state supreme courts began adopting the "Dillon Rule" to describe and govern the relationship between a state and its various towns. That rule states that a town "possesses and can exercise the following powers and no others: First, those

granted in the express words [by the state]; second, those necessarily implied or necessarily incident to the powers expressly granted; third, those absolutely essential to the declared objects and purposes of the corporation - not simply convenient, but indispensable; and fourth, any fair doubt, as to the existence of a power, resolved by the courts against the corporation."

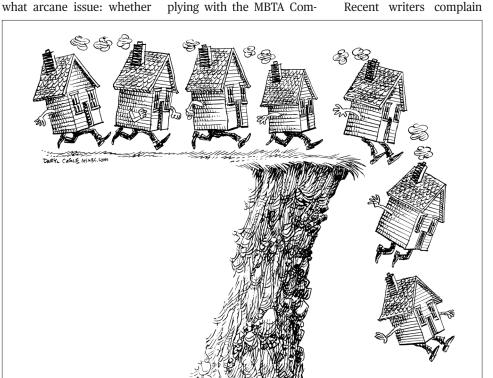
In 1907, the United States Supreme Court adopted the Dillon Rule stating that "Municipal corporations are political subdivisions of the state, created as convenient agencies for exercising such of the governmental powers of the State as may be entrusted to them. ... The state, therefore, at its pleasure, may modify or withdraw all such powers, may take without compensation such [public] property, hold it itself, or vest it in other agencies, expand or contract the territorial area, unite the whole or a part of it with another municipality, repeal the charter and destroy the corporation. ... In all these respects the state is supreme." This is sometimes called a "preemption doctrine."

Finally, the Massachusetts legislature has the exclusive constitutional right and authority to legislate for towns on specific matters, including zoning. Thus, the preemption doctrine restricts local self-rule and perpetuates the involvement of the state in municipal affairs.

So those who think that trying to fight the State over the MBTA Communities Act is a winnable proposition (when it isn't), please consider the message that your years of strident opposition sent to the HAC.

Manchester will appeal the HAC's decision to the Superior Court, where Manchester will have a real opportunity to defeat SLV's 40B proposal at Shingle Hill. Think carefully. Choose your battles strategically. Act wisely. Don't try to win the unwinnable battle with the State and thereby jeopardize Manchester's chances of defeating SLV in court.

Rob Beatty is a retired attorney and resident of Manchester. He has written several OpEd pieces for The Cricket in the areas of municipal finance.





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Henry Stevens was the Hornets' top runner at the CA League Cross Country Championships.

(Courtesy Photo)

Top-Five Finish for ME Boys XC in CAL

Jason Brisbois

In October, coach Steve Whittey used the term "underrated" to describe the Manchester Essex boys' cross country during the 2024 regular season. Although the Hornets finished with a 1-4 record, two of those losses were by just one point, a razor-thin margin separating victory and defeat. When given a second chance during the Cape Ann League Cross Country Championships at Wrentham Developmental Center on Oct. 26, the Hornets proved that their coach was telling the truth with that comment.

"The boys' team placed fifth with 134 points," says "They finished ahead of Amesbury, Ipswich and Lynnfield which all beat us in the regular season."

Henry Stevens was the Hornets' top runner, finishing 12th overall with a personal record (PR) of 17:07), a fitting performance for the senior, who also earned All-League recognition. Freshman Gus Hall finished 21st, junior Lyall Cunningham was 22nd, freshman Isaiah Nicastro finished 32nd and sophomore Matt Ala finished 47th.

"Every boy except one ran a PR," says Whittey.

The girls' team, unfortunately, couldn't repeat the success they found during a 3-2 regular season in 2024, finishing in eighth place. However, there were a number of individual performances that were worthy of recognition.

Senior Whitney Turner led the Hornet girls with a season-best time of 22:03 during the CAL Championships, finishing 21st overall. Junior River Silva earned a PR and finished 22nd, Senior Sabine Cooper finished 28th, freshman Kalin Bennett finished 47th and earned PR and senior Hayden Remington finished in 54th with a seasonbest performance.

Up next for the Hornet cross country teams is the MIAA State Divisional Meet in Fort Devens on Nov. 9. If successful there, then the next step will be the State Championship at Fort Devens on Nov. 16.

"With most runners peaking, we hope to continue to improve as we head to the Div. 2 meet at Devens on Nov. 9," explains Whittey. "The divisional meet has three waves with each team able to run up to seven runners. We are running in wave C. From there, the top seven teams from each wave move on to the Meet of Champions on November 16. Also, the next two fastest teams from all three waves earn wildcard spots to move on. The top 10 runners not on a qualifying team get to run as individu-

ME Football Looks to Bounce Back Against Amesbury

Jason Brisbois

The effort was there, even if the results didn't show up on the scoreboard.

The Manchester Essex football team did everything they could to keep themselves in this game but ended up losing to Lynnfield by a 28-6 score on Oct. 25.

"I thought we played pretty well in this one despite the final touchdown tally not going our way," explains Manchester Essex football coach Joe Grimes. "All the credit goes to Lynnfield for having a great game plan and executing their plays. They were able to get their passing game going in key downs and we had a hard time getting off the field.

He adds: "That being said, we played them very tough and I didn't see anyone throwing in the towel which is always a good thing for our football culture - whether or not the wind is at our backs we're going to give it everything we've got on every play and I'm happy with how our guys approached this game even in a losing effort."

The Pioneers scored one touchdown in each quarter, while a Zach Hurd touchdown run in the fourth quarter counted as the Hornets' only points in the contest.

The Hornet defense, however, did everything it could to keep Manchester Essex competitive in this one.

"Carson Croft had arguably his best game on defense on Friday night," says Grimes of the wide receiver/defensive back. "He's one of only three seniors on the team and his whole defensive unit was challenged this week against a formidable passing attack. Lynnfield was able to extract some success in the passing game, but the defensive backs did a great job keeping the lid on for most of the night."

Also of note were the contributions of linemen Walker Valeo, Caiden Brennock and Cian Brennock.

"Walker Valeo and Caiden Brennock also did a great job in the pass rush and in the run game," explains Grimes. "Senior Captain Cian Brennock made his return to the playing field after missing a couple games from injury and he immediately jumped back into being a menace on the O- and D-lines."

The final regular season game - with the exception of the traditional Thanksgiving Day game, which occurs after the conclusion of the playoffs - is a road contest against Amesbury on Nov. 1 (6:30 p.m.).

"Amesbury is a really



Hornet football seniors pictured from left to right: Jarrett Croft, Cian Brennock, Gabe Magee, Satchel Rubin and Carson Croft.

strong football team and we're going to need to bring our A-game if we expect to slow them down or move them around on offense," says Grimes. "Amesbury is kind of an outlier in the CAL

with the offense that they run. They've been leaning into their power run attack since I was in high school, which is to say a very long

He adds: "So it'll be verv

different to go from highflying Lynnfield to groundand-pound Amesbury in one week, but it'll still come down to a couple simple things on Friday - blocking well, tackling well, covering well and

taking care of the football. If we can be successful in those four specific areas, we'll have a chance to win the game and build some momentum going into the playoffs."



Davis.



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(Photo Paul Clark)

right in the center of the picture: Isabelle Donnellan, Fiona Flynn,

Brigid Carovillano, Aisling Twombly, Summer Demeo and Hanna

Cheerleading On Sunday, October 27, the

Hornets Cheer team traveled to Shepherd Hill Reg. High School to compete in the HILLoween Cheer Invitational. We are proud to report the team finished in second place! Next up, the Cheer team will compete at the Austin Prep Invitational on Sunday, November 3.

Field hockey seniors pose with their families at Hyland Field. Left to

On Senior Night these Hornet seniors honored their parents for their athletic and scholarly support over the years. Standing left to right are: Megan Hurd, Liv Kent, Libby Lawler, Coach Grifoni, Charlotte Crocker, Ella Arntsen, Caroline Willwerth, Tori Moulton, and guarding the goal, Madi Cook.

WATER REPAIR SIDING PORCHES



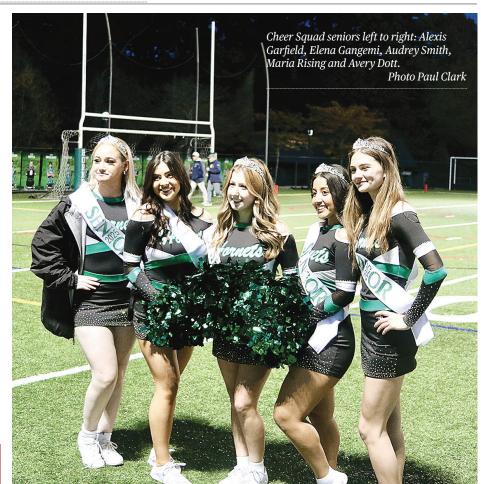
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Pictured left to right Addie, Molly, Aria, Bridget and Lilly.

Essex Elementary Coin Challenge

Elementary ≺ School students re-**⊿** cently participated in a heartwarming coin challenge to raise funds for hurricane relief and recovery efforts. Through their generosity and determination, they collected an impressive

\$1,957.60. The overall class winner for the Coin Challenge was Mrs. Demetri's 5th grade class, raising a total of \$516.61! They earned a welldeserved extra recess this past Thursday.

Every coin brought in by the students will make a meaningful difference, helping communities impacted by the hurricane build and recover. This effort showcases the power of compassion and teamwork, even at a young age! All donations will be made to Red Cross.

The coin challenge idea

was presented by a very enthusiastic group of 5th grade students from the EES Student Leadership Council. Several of these girls have family or know someone who was affected by the hur-

ESSEX SENIOR LIVING | Nov 1

The Essex Council on Aging (COA) offers a variety of events and trips for seniors. For further information or to sign up for an event, please call the Essex COA Office at 978-768-7932 or visit the Senior Center at 17 Pickering Street.

Recurring Events Groove (Video), Mondays, 9:30 a.m.: Get your dancing shoes on and join this fun, energetic dance class!

Video, no instructor. \$5 do-

nation suggested.

Arts & Crafts: Tuesdays, 1-3 p.m.: Are you artsy? Do you love to paint, knit, crochet, or sew? Do you like creating different projects? Join us with your own project or help with making items for the Friends Boutique.

Balance in Motion, Tuesdays, and Fridays, 10 a.m.: \$5 Donation requested.

Fitness Fun with Gil: **Wednesdays, 10 a.m.:** Start your day then with Gil and focus on strength, stamina, and stretching... energize yourself and leave feeling good! \$5 Donation suggested.

Technology Assistance, Wednesdays 1-3 p.m.: Do you have questions about computer, tablet, phone, or other technologi-

cal challenges? Our Tech ge-

nius can help!

Ga.m.es with Gil at the Senior Center: Wednesdays 1-3 p.m.: ALL AGES WEL-COME, come play BOARD ga.m.es or Scrabble, Boggle, Backgammon, Cribbage, join us or bring a friend and

Walking Club: Pass Required* Mondays, Wednesdays & Fridays, 9:30-11:30 a.m.: Passes available for the Gordon College Bennett Center indoor walking

come play ANYTIME!

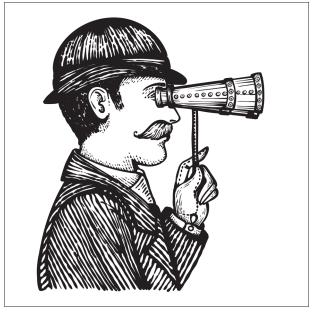
track! *Contact Hamilton-Wenham Recreation at 978-468-2178 to register. Transportation is available from CATA (978-283-7916).

Grab and Go Meals, Mondays & Thursdays, 12 noon (must be picked up by **12:30 p.m.):** Monday meals provided by Open Door, Thursday meals provided by Senior Care. Please register two business days in advance - 978-768-7932.

Monthly Events

In addition to our recurring weekly and monthly events, we host numerous exciting events every month, all of which are highlighted in our monthly newsletter and calendar, as well as on the Essex COA Webpage.

ESSEX POLICE NOTES



SUNDAY, OCTOBER 20

10:24 a.m. Eastern Ave., disabled motor vehicle, notification made. 1:26 p.m. Martin St., directed patrol, secured/ checked. 5:14 p.m. John Wise Ave., directed patrol, secured/ checked. 7:01 p.m. Southern Ave., selective enforcement,

MONDAY, OCTOBER 21

6:49 a.m. Centennial Grove Rd., directed patrol, secured/ checked. 10:59 a.m. John Wise Ave., fraud/scam, report to follow. 5:57 p.m. Main St., welfare check, spoken to. 8:13 p.m. Spring St., directed patrol, no action taken.

TUESDAY, OCTOBER 22

6:05 a.m. Conomo Point Rd., directed patrol, secured/ checked. 10:28 a.m. Centennial Grove Rd., directed patrol, secured/checked. 1:33 p.m. John Wise Ave., citizen assist, spoken to. 11:11 p.m. Main St., directed patrol, secured/ checked.

WEDNESDAY, OCTOBER 23

7:01 a.m. Centennial Grove Rd., directed patrol, secured/ checked. 11:08 a.m. Apple St., theft, spoken to. 2:32 p.m. Western Ave., erratic operator, report to follow. 6:27 p.m. Centennial Grove Rd., welfare check, arrest.

THURSDAY, OCTOBER 24

7:29 a.m. Martin St., directed patrol, secured/checked. 10:58 a.m. Story St., community policing, assisted as needed. 1:29 p.m. Western Ave., selective enforcement, no action taken. 4:59 p.m. Harry Homans Drive, animal complaint,

FRIDAY, OCTOBER 25

8:55 a.m. Choate St., male with chest pain/cardiac problem, transported to hospital. 12:27 p.m. Story St., directed patrol, secured/checked. 6:16 p.m. Martin St., directed patrol, secured/checked. 9:30 p.m. School St., motor vehicle crash, arrest.

SATURDAY, OCTOBER 26

9:16 a.m. Story St., directed patrol, secured/checked. 11:34 a.m. Main St., directed patrol, secured/checked. 2:22 p.m. Centennial Grove Rd., directed patrol, secured/ checked. 3:17 p.m. Chebacco Terrace, directed patrol, secured/checked.

Essex Locals | November 1

115 Years Ago - 1909

Willard A. Burnham a short time ago attended a visitation of grand officers at the Masonic lodge of Braintree of which his cousin George Burnham is Master.

90 Years Ago - 1934

Thomas Ramsdell was tendered a surprise party Thursday evening of last week by a group of his friends on the eve of his departure for Norfolk, VA, having enlisted in the United States Navy.

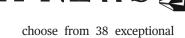


Teens had a spooktacular time making Messy Glue Ghosts at the library.

(Courtesy Photo)

LIBRARY NEWS





management. No appoint-

Monday, November 11 the Library will be closed for Veteran's Day.

Birds of Prey & Native American Artifacts

Saturday, November 2 at 10 a.m. Join Wingmasters in the third floor auditorium for live birds. No registration necessary.

New Museum Pass

Check out a pass for access to Historic New England properties. You and a guest can

museums and landscapes to visit at no cost.

Community Book Group Monday, November 18 at 10 a.m. Come by for a discussion of "The Heiress" by Rachel

Hawkins. **Regional Social Worker**

Wednesdays, 9 a.m. -12 noon in the first-floor meeting room. Free, private, and confidential, learn about resources, gain strategies and skill to assist in stress reduction and

ment necessary.

STEAM & Stories

Mondays at 9 a.m. for ages 2-6 years with their adult, join Ms. Christine to listen to stories, then explore science, technology, engineering, art and math.

Leaf Zetangle Mosaics for Teens

Friday, November 22 at 3:30 p.m. for Grades 6-12. Enjoy an afternoon of art, cider and muffins.

LEGAL



1399 Office of the ZONING BOARD OF APPEALS

Town of Manchester-by-the-Sea

Town Hall, 10 Central Street,

Manchester-by-the-Sea, MA 01944-

NOTICE OF PUBLIC HEARING

The Zoning Board of Appeals of the Town of Manchester-by-the-Sea will hold a Public Hearing on proposed addition will cross into Wednesday, November 20, 2024, at 7:00 p.m. Location:

This is a Hybrid meeting. ZBA Board will meet in Town Hall. Applicants, Presenters, and Public are welcome to join the Board in Application of 19 SPR Nominee Room 5 or on Zoom.

New Applications

extend an existing non-conforming Town Clerk on October 15, 2024. side setback to allow for the conveyance of land at 329 Summer Street, Assessor's Map 6, Lot No.

8 in District D filed with the Town the Zoning By-Law to connect Clerk on October 15, 2024.

Application of John and Leslie Gurley, 12 Boardman Avenue. for a Variance under Sections 5.3 and 12.3.3 of the Zoning By-Law to construct additions to enlarge the main suite and kitchen spaces due to the shape of the lot. The the required setback by 1.6' at 12 Boardman Avenue, Assessor's Map 24, Lot No. 23 at 12 Boardman Avenue in District E filed with the under Sections 2.0, 7.2, 4.2 and 12.5 Town Clerk on October 15, 2024.

Trust (Meridith Pasquesi), 19 Smith's Point Road, for a Special Permit under Sections 2.0, 4.2, and Application of 329 Summer Street, 12.5 of the Zoning By-Law to build LLC (Edward P. Scott), for a Special a swimming pool on the existing Permit under Sections 7.2, 5.3, and residential lot. Prior to demoli-12.5 of the Zoning By-Law for the tion, a swimming pool was on the conveyance of a portion of lot 1 to property, the swimming pool will Applicant's parcel at 329 Summer be situated at the rear of the house Street. The Application is a request at 19 Smith's Point Road, Assessor's for a Special Permit to expand or Map 20, Lot No. 16 filed with the

Application of Lynn Marshall, 7 Highwood Road, for a Variance under Sections 5.3 and 12.3.3 of

the existing garage and existing house by a covered walkway that would make them a single structure to the main structure setbacks; requestion relief from the side setback requirement of 20" at 7 Highwood Road, Assessor's Map 29, Lot No. 32 filed with the Town Clerk on October 15, 2024.

Application of Christopher and Christine Comparato, Trustees, 9 Proctor Street, for a Special Permit to allow razing and reconstruction of a non-conforming single-family dwelling on a nonconforming lot and to allow for construction of a permanent in-ground swimming pool at 9 Proctor Street, Assessor's Map 16, Lot No. 42 filed with the Town Clerk on October 15, 2024.

> Sarah Mellish, Chair, Zoning Board of Appeals

Posted to MNPA website: http://masspublicnotices.org.

November 1, 2024 MC November 8, 2024 MC



Share This

The Cricket publishes every letter it receives. Why? Because real letters letters that express considered thought and insights that contribute to our community's discourse — are a gift to everyone. Not a post on social media. Not a press release blasted out in some campaign. But a letter, your letter, about an issue or an experience that you think others here might be interested in reading. Have one of those? Send it to letters@cricketpress.com.

> - ANY QUESTIONS? -978 526 7171





Puzzle

THEME: FAMOUS BUILDINGS

- **ACROSS** 1. Performer's time to shine
- 5. Selfie, e.g.
- 8. One of five Ws
- 11. Très ____, or very stylish 12. Mandolin's cousin
- 13. Knitter's unit
- 15. Aren't, colloquially 16. Mimicked
- 17. *Like House with Oval Office
- 18. *The Hunchback's home (2) words)
- 20. Listening devices
- 21. Flirtatious stares
- 22. Salt, in Spanish
- 23. * State Building
- 26. TV shows, e.g. 30. Will Ferrell's "Funny or "
- 31. Steve McQueen's "The Great" (1963)
- 34. Toss a coin
- & Young financial services company
- 37. Kimono tie
- 38. Sweating room
- 39. Short skirt
- 40. Batter (2 words) 42. Lake, in French
- 43. Anise seed (1 word) 45. * of Versailles or Buckingham
- _ of war
- 48. Sinbad the Sailor's home 50. Not good
- 52. *St. Basil's in Moscow or St.
- Paul's in London 56. *The Parthenon in Athens is
- made of this
- 57. Capital of Norway
- 58. Aeneas' lover
- 59. More slippery 60. Animal protein
- 61. Independent chieftain
- 62. High degree
- 63. TV program interruptions
- 64. Retired, abbr.

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- **DOWN** 1. CAT or PET, e.g.
- 2. *Key Tower, tallest building in this Buckeye state
- 3. Laundry room fire hazard 4. Type of local tax
- 5. Pupa, pl.
- 6. Things
- 7. Give up a state
- 8. Dam-like structure
- 9. Not misses
- 10. Football's extra point
- 12. Soup scoopers
- 13. Make a solemn promise
- 14. *Burj ___, tallest building in the
- 19. Wading bird
- 22. "Monkey ____, monkey do"
- 23. Bodily swelling
- 24. Rice wine
- 25. 1/100th of Finnish markka
- 26. Rotisserie skewer
- 27. Spurious wing

Sudoku



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Fill in the blank squares in the grid, making sure that every row, column and 3-by-3 box includes all digits 1 through 9.

Solutions on Page 11

- 28. Cancer-treating machine, acr.
- 29. * Needle, Seattle
- 32. For boys and girls
- 33. Lawyers' org.
- 36. * Chapel, Vatican City
- 38. Flat replacement 40. "___, borrow or steal"
- 41. Eventual outcome
- 44. Leonhard ____, Swiss mathematician (1707-1783)
- 46. Portable stairs
- 48. Headquartered
- 49. Road-tripping guide 50. Carve in stone
- 51. Emptiness
- 52. Vegetative state
- 53. Ice crystals
- 54. Passage in a coal mine 55. Voldemort's title
- 56. Small amount of drink

Religious Notes

First Universalist Church of Essex

59 Main St, Essex, MA

Sunday services 10 a.m. & Coffee hour after service

Visit our website for more events & info: https://www.uuessex.org/

Cornerstone Church

We gather for worship each Sunday

at 10 a.m. and welcome you to join us for a time of studying the scriptures and praising the Lord. Other ministry updates and details can be found on our website, www. CornerstoneNorthShore.org. If you have any special needs or concerns, please let us know! We're here to serve!

Visitation Parish - Mass Sched-

The Visitation Parish Mass Sched-

Sacred Heart Church - Saturday Vigil Mass - Virtual Mass - on our YouTube as well as www.mecatholic.org

Sunday Mass-8:30 a.m. St. John the Baptist Church - Sat-

urday Vigil Mass-5 p.m.

Sunday Mass-10 a.m. Please go to our website: www. mecatholic.org for Sacramental Information as well as Parish Registration if you are new to town or looking to join a Catholic Church.

The Assumption of the Virgin Mary Greek Orthodox Church 8 Lafayette Road,

Ipswich Mass.

Church services, with Father Christopher Kolentsas, are held each Sunday.

Sunday's Divine Liturgy, with Father Christopher, starts at 9:30 a.m. followed by a weekly sermon. All are welcome to attend.

First Parish Church

First Parish Church Manchester-bythe-Sea - a lovely place to start your week, join us for a moving message, beautiful music and community in the center of town -

Nov. 3 Daylight Savings Time ends! All Saints, Communion and Family Worship, 10 a.m. led by Rev. Katherine Schofield and Dr. Herman Weiss with the First Parish Choir

...(Continued on page 11)



CHURCHILL PROPERTIES

266 Cabot St, Unit 7, Beverly | 169 Bay Rd, Hamilton | 49 Union St, Manchester 230 North St, Unit 2, Danvers | 127 Eastern Ave, Gloucester | 1 Merrimac St, Suite 6, Newburyport



ROCKPORT Nestled along the picturesque coast, this seaside Queen Ann victorian antique offers a rare opportunity to restore a piece of history.

\$3,300,000 | Jane Meterparel | 781-237-3341



WEST NEWBURY Wind up the private drive to a handsome Colonial, set on a knoll, surrounded by 1.5 acres of wooded privacy.

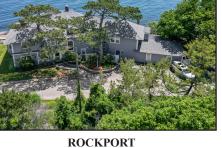
\$1,075,000 | Karen Bernier | 978-807-5580



Oceanfront! Overlooking Twin Lights, this 9

bedroom, 9 bath property offers all the room you

will need for extended family, friends or guests.





Discover timeless elegance in this stunning

Colonial home. The separate guest house is

ideal for extended family or rental income.



BYFIELD

Beautiful 3 bed Cape featuring an open floor plan, attractive architectural features, hardwood floors and a cozy fireplaced living room. \$920,000 | Robin Moore | 508-954-8689



GEORGETOWN

Discover this delightful four-bedroom Colonial nestled in a highly desirable Georgetown neighborhood, where homes are rarely available. \$925,000 | Tara Farley | 603-247-7800



Enjoy the abundance of natural light pouring

in from all around in this open concept

Colonial near Gloucester's back shore.

\$1,890,000 | Bruce Figurido | 978-869-3151

Want to Know the Value of YOUR Home?

Finding out has never been easier!

Go to ChurchillProp.com and use the

Churchill Instant Price Valuation Tool.

This tool will instantly give you the value range and

Waterfront- New Construction- 4 bedroom 3.5

bath luxury home. Designed with the captivating

views and entertaining in mind.

GLOUCESTER

Located only 5 minutes from 128. Ocean views

of rocky coastline. Close to Bass Rocks Golf/

Tennis, Good Harbor Beach & Eastern Point YC.

\$2,300,000 | Karen Bernier | 978-807-5580





BEVERLY Beverly Cove- Antique charm meets modern convenience in this adorable Beverly Cove colonial home. Walking distance to downtown. \$790,000 | Robin Martyn | 978-815-4497



Rarely available pristine, second floor condo at Harborwatch Condominiums. Saltwater breezes while sitting on your private balcony. \$474,900 | Tracey Hutchinson | 978-473-9720





Churchill Properties is pleased to welcome Nazlie Luzha

to our **Beverly** office. If you are considering renting, buying or selling a home, contact Nazlie today at 978-871-8640 or Nazlie@ChurchillProp.com









separate, smaller struc-

tures. That's expensive,

and it allows for design that

better conforms to the hous-

ing profile of downtown.

Also, any project in the

MBTA overlay districts are

subject to site plan review,

including abutter notice

and oversight by the town's

building inspector with appropriate penalties for those

who violate the guidelines.

This issue came up when

one Pine Street resident who

was very worried that two

contiguous parcels that abut

her home qualified for devel-

opment into a "24-unit build-

ing." (That's absolutely not

ing guidelines also call for

the creation of a Design Re-

view Committee comprised

of two design professionals

(like architects or a contrac-

tor) and one Planning Board

member who will be respon-

sible for taking a first pass

at any proposed building

design before it goes to the

In the end, it's Manches-

ter's existing comprehensive

zoning bylaw that offered the

biggest clarity on what will

happen if these new over-

lay districts are passed next

month. Marc Resnick and

Manchester Town Counsel

Jonathan Murray said all un-

derlying zoning-including

districts, regulations, review

and board approval process-

Planning Board.

the case," said Creighton.) Manchester's MBTA zon-

...(Continued from page 1)

Technologies secures its permit next month to build a ployees. Creighton said the specific parcel comprising the spot MBTA zoning in the an existing industrial busi-

fully created with "layers of control" that, when taken together, are designed to discourage large-scale developers from overbuilding on a site. In three of the districts, the number of allowed multifamily units is capped to four or five units per parcel.

Further, if a homeowner or small developer wanted to pursue a project in the overlay district, they'd be met with many deterrents to "go big." There's the limit on how many units per structure. More than three units requires a second structure under Manchester's MBTA guidelines, and that's expen-

There are few parcels in

PET OF THE WEEK: **OZZIE**

zzie is a one-and-ahalf-year-old German shepherd that only thrives on human companionship. Ozzie is in need of a dog-experienced home where he can be the ONLY pet and where there are no children under 12. He carries his hips at a greater angle than usual; this might just be his natural build, but we can't guarantee he won't develop hip dysplasia or another orthopedic issue in the future. Since hip xrays for dysplasia are done after 2 years of age, Ozzie isn't eligible for evaluation yet. Ozzie is now part of the extended stay club and his adoption fee has been reduced so that hopefully he can find a home sooner! Visit www.capeannanimalaid.org for more information about Ozzie and all the other animals waiting for homes at the Christopher Cutler Rich Animal Shelter, 4 Paws Lane in Gloucester.

es, penalties-are in force, even if a project falls within the MBTA district. Further, special protection districts like the Water Resources Protection District would also remain in force.

"You have to comply with the zoning requirements of the underlying district," said

Sandy Rogers asked if private condominium agreements could be dislodged or overturned by the new zoning. No, she was told. The underlying rules governing usage and permits, including private condominium associations, would stand.

The Consequences of "No"

There are real consequences to towns that vote down the MBTA Zoning, including both the ineligibility to apply for state grants and facing legal action from the Mass. Attorney General for noncompliance. In fact, the state has sued the town of Milton, which voted down MBTA Zoning earlier this year and that case was heard earlier this month by the Massachusetts Supreme Judicial Court.

But this case isn't about whether Milton has autonomy, can assert "home rule," or can claim protection from state regulations. Instead, it's simply about whether the state may enforce its

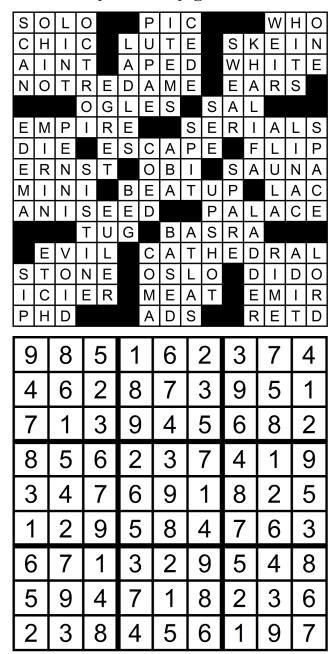
mandate by using two separate weapons-the pulling of grants and legal jeopardy.

Many of the 177 municipalities have already complied with the mandate, rationalizing that by "doing it our way, we avoid doing it the state's way." Some have even welcomed a mandate to increase housing stocks that are smaller in size (apartments) and therefore naturally more affordable.

Others say grants aren't a big motivator and are willing to risk legal action from the state.

Manchester, however, is a grant dependent town that uses state funding to keep taxes down. In the last 10 years, Manchester has received \$8.265 million in state grants. Many are small, under \$30,000 for things like open space planning and a "yield study" of Gravelly Pond. Others funded large infrastructure projects like harbor dredging (\$705,000), reconstruction of Morss Pier (\$327,000), or extending water and sewer infrastructure to Mill Street and the LCD (\$3.5 million). Bigger grantfunded projects are on the horizon, including \$2 million for harbor dredging and \$2.5 million for the reconstruction of the Tuck's Point Rotunda. And this is all before the community tackles PFAS mitigation, which will require grants as well.

Solution to puzzles on page 10



...(Continued from page 10)

Monday Friends of the COA Senior Drop in 10 a.m. - 12

Tuesday Online Bible Study, Via Zoom 4 p.m., join in with computer, smart device or dial in on a phone from wherever you are - email office. fpchurch@gmail.com or call 978-526-7661 for the link.

Wednesday Choir Rehearsal 7:30 p.m. New voices welcome

St. John's Church Worship:

Every Sunday we hold services at 8 a.m. and 10 a.m. Child care is available during the 10 a.m. service.

Holy Eucharist at 8 a.m. and 10 a.m.

Quaker Meeting

Quakers of the North Shore worship every Sunday from 10-11 a.m. at the Glen Urquhart School: 74 Hart Street, Beverly Farms, Mass. It is an unprogrammed Quaker Meeting. There is no Pastor (or leader) save the spirit of God in and among us. Our wor-

biotech campus for 500 em-LCD was targeted because it's ness that is highly unlikely to be developed. That's why it was selected, she said.

Layers of Control

The districts were care-

sive.

the three downtown districts that are large or open, and that's also by design. The few that are must be split into smaller lots that comply with Manchester existing zoning bylaw and developed into

LEGAL NOTICE

COMMONWEALTH OF MASSACHUSETTS TOWN OF MANCHESTER-BY-THE-SEA

SPECIAL TOWN MEETING WARRANT

Essex, ss.

To any of the Constables of the Town of Manchester-by-the-Sea:

Greetings: In the name of the Commonwealth of Massachusetts you are hereby required to notify and warn the inhabitants of the Town of Manchester-by-the-Sea qualified to f. Comply with state and federal vote in elections, to meet at the

Middle-High School Gymnasium (with overflow seating in the g. Establish the Auditorium) at 36 Lincoln Street, in Manchester-by-the-Sea, on Monday, the 18th day of November, two thousand and twenty-four AD, at six thirty (6:30pm) in the evening, for the purpose, to wit:

vote to authorize the Select Board to acquire, by purchase, gift, and/ or eminent domain and on such terms and conditions as the Select Board deems appropriate, a permanent conservation restriction on three parcels, one being an approximately 30-acre portion of the property located on Colburn Road and identified by the Assessors as Parcel 36-0-3 and the others being two abutting parcels, Parcel 36-0-56 and Parcel 34-0-3, together comprising 6.25 acres, which conservation restriction shall be co-held and administered by the Conservation Commission under the provisions of GL c. 40, §8C, and, further, to appropriate the sum of \$250,000 from the Community Preservation LAND-DISTURBING ACTIVITY: a. The procedures for a Stormwater Fund for the foregoing purposes; Any activity that causes a change

Per petition of the Select Board The Finance Committee recommends approval

The Select Board recommends approval

ARTICLE 2: To see if the Town will vote to amend the Town's General Bylaw by replacing the entirety of Article XXIII Stormwater Management with a new Article XXIII Stormwater Management as follows or take any other action relative thereto:

ARTICLE XXIII: STORMWATER MANAGEMENT

SECTION 1 PURPOSE AND INTENT

The purpose and intent of this bylaw are to: a. Protect water resources:

b. Require practices that mitigate soil erosion and sedimentation and control the volume and rate of stormwater runoff resulting from land disturbance activities;

c. Promote infiltration and the permitted by law, and any officer, recharge of groundwater;

and stormwater runoff control practices are incorporated into the site planning and design promaintained;

e. Encourage the use of Low-Impact Development practices such as reducing impervious cover and the preservation of green space and other natural areas, to the maximum extent SECTION 3 AUTHORITY practicable;

statutes and regulations relating to stormwater discharges:

Town Manchester-by-the-Sea as the legal authority to ensure compliance with the provisions of this toring, and enforcement.

ARTICLE 1: To see if the Town will SECTION 2 DEFINITIONS ADMINISTRATIVE LAND

DISTURBANCE Authority that land disturbance activity does not require a Stormwater Management Permit.

APPLICANT: Any person, individual, partnership, association, firm, company, corporation, trust, authority, agency, department, or political subdivision, of the Commonwealth or the Federal government to the extent permitted by law requesting a Stormwater Management Permit and/or Administrative Land Disturbance Review for proposed land-distur- SECTION 5 PERMITS AND bance activity.

or take any other action relative in the position or location of soil, sand, rock, gravel, or similar earth material, including tree cutting, grubbing, clearing, grading or excavation.

> MUNICIPAL SEPARATE STORM SEWER SYSTEM (MS4) or MUNICIPAL STORM DRAIN 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 man-made or altered drainage channel, reservoir, and other drainage structure that together comprise the storm drainage system owned or operated by Manchester-by-the-Sea.

PERMIT AUTHORITY: Department of Public Works. 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

employee, or agent of such person.

d. Ensure that soil erosion and STORMWATER MANAGEMENT sedimentation control measures PERMIT ("SMP" and/or "Permit"): A permit issued by the Permit Authority, after review of an applicess, and are implemented and cation, plans, calculations, and supporting documents, which shows that the proposed project is designed to protect the environment of the Town from the deleterious effects of uncontrolled and untreated stormwater runoff.

a. 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 §22.34

bylaw through inspection, moni- b. Nothing in this bylaw is intended to replace the requirements of any other bylaw that has been made or may be adopted by the Town of Manchester-by-the-Sea.

APPROVAL: SECTION 4 APPLICABILITY

A determination by the Permit a. This bylaw shall apply to all activities that result in land disturbance exceeding the threshold established in the regulations promulgated hereunder.

b. Administrative Land Disturbance Review is required for projects that result in the amount of land disturbance described in the regulations promulgated hereunder.

lations promulgated hereunder shall identify certain exempt

PROCEDURES

land disturbance activities.

Management Permit and/or Administrative Land Disturbance Review application shall be described in detail in the regulations promulgated hereunder. b. Waivers.

The Permit Authority may waive strict compliance with any requirement of this bylaw or the regulations adopted hereunder, where:

Such action is allowed by federal, state, and local statutes and/or regulations:

It is in the public interest; and

It is not inconsistent with the purpose and intent of this bylaw. Any Applicant may sub-

mit a written request to be granted such a waiver. Such a request an explanation or documentation supporting the waiver request and does not further the pur- **PERMIT** pose or objectives of this A Stormwater Management Permit full force and effect.

bylaw shall be reviewable in the as shown. Superior Court in an action filed within 60 days of the final action taken by the Permit Authority, in accordance with M.G.L. c. 249,

SECTION 6 FINAL REPORT

Upon completion of the work, the Applicant shall submit a report (including certified as-built construction plans) from a Registered Professional Engineer (P.E.), certifying that all erosion and sediment control devices, and approved changes and modifications, have been completed in accordance with the conditions of the approved permit. Any discrepancies should be noted in the cover letter.

SECTION 7 CERTIFICATE OF COMPLETION

The Permit Authority will issue a letter certifying completion upon receipt and approval of the Final Report and/or upon otherwise determining that all work allowed by the permit has been satisfactorily completed in conformance with the permit and this bylaw.

Exempt Activities - the regu- SECTION 8 EMPLOYMENT OF OUTSIDE CONSULTANTS

The Permit Authority may employ outside consultants, at the Applicant's expense to assist in its permit decision, including but not limited to plan review, drainage, and stormwater analysis; to determine conformance with this bylaw and other requirements; and for construction inspection.

SECTION 9 PERFORMANCE **GUARANTEE**

a. The Permit Authority may before the start of land disturbance activity, a surety bond, the Permit Authority to ensure Authority may release part of the bond as each phase is completed in compliance with the Certificate of Completion.

shall be accompanied by b. The regulations promulgated hereunder shall establish reasonable criteria for assessing the If any provision, paragraph, sen-Performance Guarantee.

application of the bylaw STORMWATER MANAGEMENT be held invalid for any reason, all

is granted for a period of three c. Appeals. A decision of the Permit years from the date of its approval Authority shall be final. Further and shall lapse if substantial use or relief of a decision by the Permit construction has not commenced Authority made under this by such date, except for good cause

SECTION 11 ENFORCEMENT a. Land disturbance activities in

excess of the thresholds established in the regulations promulgated hereunder conducted without a Stormwater Management Disturbance Approval shall constitute a violation of this bylaw. The Permit Authority, or an authorized agent of the Permit Authority, shall enforce this bylaw, regulations, orders, violation notices, and enforcement orders, and may pursue all civil and criminal remedies for such violations.

b. Non-Criminal Disposition. As an alternative to criminal pros-The penalty for the 1st violation shall be \$100.00. The pentute a separate offense.

SECTION 12 REGULATIONS

and may periodically amend regulations, rules and/or written guidance relating to the terms, conditions, definitions, enforcement, fees, procedures, and administrarequire the Applicant to post, tion of this Bylaw by majority vote of the Town of Manchester-by-the-Sea Select Board after conducting irrevocable letter of credit, cash, a duly noticed public hearing to or other acceptable security as receive comments pursuant to the performance guarantee, to be in Town's public notice requirements. an amount deemed sufficient by Failure of the Permit Authority to issue such rules, or regulations, that the work will be completed or a legal declaration of their invain accordance with the permit. If lidity by a court, shall not act to the project is phased, the Permit suspend or invalidate the effect of this Bylaw.

Stormwater Management Regulations (Regulations), rules, permit but the bond may not be or guidance shall identify requirefully released until the Permit ments for stormwater permits or doings thereon, to the Town Clerk Authority has received the Final approvals required by this Bylaw three (3) days before the day of this Report as required by Section and be consistent with or more meeting. 6 of this bylaw and issued a stringent than the relevant requirements of the most recent MS4 General Permit.

SECTION 13 SEVERABILITY

demonstrating that strict SECTION 10 DURATION OF tence, or clause of this bylaw shall other provisions shall continue in

> Per petition of the Select Board The Finance Committee takes no position on the article. The Select Board recommends approval

ARTICLE 3: To see if the Town will vote to raise and appropriate or transfer from available funds \$9,886 for the purpose of paying expenses incurred in the previous Fiscal Year for consulting services Permit or Administrative Land related to the defense of the ZBA's denial of the proposed 40B project off Upper School Street or take any other action relative thereto.

Per petition of the Select Board The Finance Committee recommends approval The Select Board recommends

approval

ARTICLE 4: To see if the Town will vote to amend the Town of Manchester-by-the-Sea Zoning ecution or civil action, the Town By-Laws by inserting a new Section may elect to utilize the non- 9.4, to create a new Community criminal disposition procedure Housing Overlay District, and to set forth in M.G.L. c. 40, §21D amend Section 2.0 ("Definitions") and General Bylaw Article 1, by inserting the new definitions Section 4, in which case the as presented; and further, to see Permit Authority or its agent if the Town will vote to amend shall be the enforcing person. the Zoning Map of Manchester-bythe-Sea to accept and incorporate the Community Housing Overlay alty for the 2nd violation shall District Maps, dated October 28, be \$200.00. The penalty for the 2024 as part of the Zoning Map 3rd and subsequent violations of Manchester-by-the-Sea or take shall be \$300.00. Each day or any other action relative thereto. part thereof that such violation The full text of the proposed new occurs or continues shall consti- Section 9.4, proposed definitions and overlay maps are on file in the Office of the Town Clerk and the Library and are available on the The Permit Authority shall adopt, MBTA Zoning page on the Town's

> Per petition of the Select Board and Planning Board The Finance Committee rec-

> ommends approval The Select Board recommends approval

And you are directed to serve this warrant by posting attested copies thereof, one at the Town Hall Building, one at the Police Station, one at the Fire House, one at the Memorial School, and one at the Post Office, fourteen (14) days, at least, before the time of holding said meeting.

Hereof fail not to make due return of this warrant, with your

Given under our hands at Manchester-by-the-Sea, aforesaid, this 29th day of October 2024.

Manchester-by-the-Sea Select



The North Shore's Premier Real Estate Agency



\$7,500,000 | Gretchen Berg

Amazing ocean and marsh views from stunning 3-bedroom contemporary. Updated kitchen, vaulted ceilings in living-dining room, 4th floor office with private deck. 2-car garage. Moments to beach.



\$1,385,000 | Fabyan & Filias Team

Simplified living at its finest. Captivating 10-room, 5-bedroom, 3.5-bath home with gourmet kitchen, open floor plan, and landscaped outdoor living. Meticulously maintained. Enjoy all MBTS offers.



\$1,100,000 | Jo Baker

Fabulous 4-bedroom, 3-full bath Colonial on a cul-de-sac abutting town land. Versatile kitchen, cathedral ceiling family room, sun porch, 2-car garage with attached shed and a private yard.



\$2,150,000 | Alle Cutler & Ed Dick

Develop 17+ acre parcel, zoned limited industrial, with over 975 ft of frontage on Route 1. Previous plans approved by town, land has been cleared and some drainage areas have been excavated.



\$1,195,000 | Judy Colarusso

Beautiful 3-unit Victorian for rental income/extended family. Separate entrances, decks, heat, electric, hot water lines, updated kitchens, and newer baths. Large unfinished attic. 2 driveways.



\$725,000 | Margo Maloney

Located right downtown, this 19th century property has 2 bedrooms, 1 bath, beautiful yard to enjoy the outdoor space and off-street parking. Make it your own or an income producing rental property.



\$1,995,000 | Ann Olivo & Rick Marshall

Impressive 4-bedroom, 4.5-bath custom Colonial on 1.9 acres across from Patton Park. Grand fireplaced family room, eat-in chef's kitchen, private stairs to main suite. Central air, 3-car garage.



\$1,075,000 | Stephanie Moio

Peeks of Salem Harbor from wonderful 4-5 bedroom Cape in Naugus Head area. Eat-in kitchen, wood stove in living room, hardwood/Brazilian cherry floors, 2 decks, small pond and beach rights.



\$499,000 | Kristina Vamvouklis

Hawthorne Greene. Beautiful move-in ready 3-bedroom. 1.5-bath end unit features 4 floors of living space finished basement, mini splits, private deck, and deeded parking! Near Routes 1 & 95.

1 BEACH STREET • MANCHESTER-BY-THE-SEA, MA 01944 | 978.526.8555 | JBARRETTREALTY.COM









Find us on **f**:JBarrettRealtyNorthShore

COLDWELL BANKER MANCHESTER-BY-THE-SEA





35 Central St Manchester | \$1,995,000

Historic 4 bedroom 2.5 bath home in coveted downtown location with harbor views. Detached studio | beautiful landscaping, outdoor shower & patio

Brian Rothe | Realtor 978-968-6272



39 Story St Essex | \$1,149,000

Lovely c1780 Colonial on landscaped acre. 4BD/2.5BA, beautifully updated. Great room, eatin kitchen, in-ground pool.

Scott Smith | Realtor | 617-750-2793



120 Pine St Manchester | \$989,000

This well cared for home offers a beautifully landscaped, level, potential lot in a highly desirable location. Redecorate or renovate!

Betsy Bullock | Realtor | 978-985-6575



1 & 5 Proctor St Manchester | \$20,600,000

Rare opportunity to own over 7 acres of waterfront property in Manchester. Two private residences, two docks and stunning views!

Krista Julian | Realtor | 617-312-5413



9 Masconomo ST Manchester | \$2,100,000

Exceptional location between Singing Beach and Downtown Manchester, this unique property boasts soaring ceilings and large windows overlooking the private backyard. Shown by appointment only.

Joan McDonald | Realtor | 978-979-3190

READY FOR CHANGE?



JOY RODGERS 508-783-4644

Trust Joy to help make your dreams come true. Experience, knowledge, and dedication matter in the process of marketing a home and purchasing a new

"The secret of getting ahead is getting started."

~ Mark Twain Let's get started together!

G COLDWELL BANKER REALTY



Manchester | \$582,000

It's a 2 bed 1 bath condo on the second floor in a very well maintained building. Windover converted this 3 family to condos several years ago. It is a short walk to everything! Pets are allowed with restrictions...

Joan McDonald | Realtor | 978-979-3190

The property information herein is derived from various sources that may include, but not be limited to, countyrecords and the Multiple Listing Service, and it may include approximations. Although the information is believed to be accurate, it is not warranted and you should not rely upon it without personal verification. Affiliated real estate agents are independent contractor sales associates, not employees. ©2024 Coldwell Banker. All Rights Reserved. Coldwell Banker and the Coldwell Banker logo are trademarks of Coldwell Banker Real Estate LLC. The Coldwell Banker® System is comprised of company owned offices which are owned by a subsidiary of Anywhere Advisors LLC and franchised offices which are independently owned and operated. The Coldwell Banker System fully supports the principles of the Fair Housing Act and the Equal Opportunity Act.