



City of Lowell - Law Department

375 Merrimack Street, 3rd Floor • Lowell MA 01852-5909
Tel: 978.674.4050 • Fax: 978.453.1510 • www.lowellma.gov

Christine P. O'Connor
City Solicitor

Rachel M. Brown
1st Assistant City Solicitor

Gary D. Gordon
John Richard Hucksam, Jr.

Adam LaGrassa
Hannah Pappenheim

Elliott J. Veloso
James F. Wellock

Assistant City Solicitors

May 18, 2018

EMD

City Manager Eileen M. Donoghue
Mayor William Samaras
And
Members of the City Council

RE: Motion Response to Reinstate the Article 97 Restrictions on Parks and Open Space Land

Dear Manager Donoghue, Mayor Samaras and Members of the City Council:

I write in response to Councilor Milinazzo's request that the Manager take all necessary steps to reinstate the Article 97 restrictions on parks and open space land which had been removed during the Lowell High School/MSBA site selection process. Although the legislation does contain a provision that "if the land transferred...is not developed for school purposes within 5 years ...it shall revert to the board of parks...for park, open space or recreation purposes", the City is planning to formally request a repeal of the Article 97 legislation relative to the previous Cawley Stadium site.

However, Option 3 will also require Article 97 relief relative to air rights for the reconstruction and/or repair of two pedestrian walkway bridges that extend over Lucy Larcom Park and the Merrimack Canal. Accordingly, at such time as the new request for Article 97 relief is made of the Massachusetts Legislature, the City will also request the previous "Act Authorizing the City of Lowell to Transfer Park Land for the Construction of a High School" be repealed.

Very truly yours,

Christine P. O'Connor
City Solicitor