

bankruptcy in an effort to survive in some form. The Borders Express in Swampscott was not on the list of stores to be closed.

The management of the Peabody

Meanwhile, she said, the 33 employees in Peabody, mostly part-timers, are to be told that the store is closing. She made no mention of any severance. A "going-out-of-business sale" is planned

Some of those customers, however, seemed to confirm widely held opinions as to why Borders is closing,

Please see **BORDERS**, Page 4

Buzz at state association meeting



KEN YUSZKUS/Staff photos

and Salem Mayor Kim Driscoll chat after the Massachusetts Mayors' Association

mayor to senator?

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I'm a big Kim Driscoll fan. She's a really inspired leader and a great friend. I'm interested to see what she decides."

Patrick stopped short of an endorsement, however, noting that the 2012 contest could be cluttered with a variety of Democratic city leaders.

"There are other senatorial

candidates in that room who are really good friends of mine, and one of them is (Newton Mayor) Setti Warren," said Patrick, who himself has ruled out a 2012 run. "So it'll be an interesting race. I think Democrats are going to field some really strong candidates."

Please see **DRISCOLL**, Page 8

Urge mayors to stick together

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Boston Mayor
Thomas
Morino talks

2/17/11

St. Joe's project to begin this year

Affordable-housing plan gets \$6M from the state

By TOM DALTON
STAFF WRITER

SALEM — Construction is expected to start in late summer or early fall on the St. Joseph Church redevelopment, a \$20 million affordable-housing project delayed for years by a senior center squabble and a string of lawsuits.

"We are so excited," said Lisa Alberghini, executive director of the Planning Office for Urban Affairs, the development wing of the Archdiocese of Boston, which bought this vacant 2-acre site in 2005.

"This is the last funding we need to make this project feasible," Alberghini said yesterday after the Patrick Administration announced nearly \$6 million in state subsidies and federal low-income housing tax credits.

News of the funding also was cheered by Mayor Kim Driscoll, who came into office five years ago as this project was getting off the ground. The redevelopment, she said, will complement planned improvements on Lafayette Street and to a small park across the street.

Please see **SALEM**, Page 4

Commission lifts order vs. entrepreneur

SALEM: St. Joseph's housing project gets \$6 million

■ *Continued from Page 1*

"This is a block we are really excited about breathing some life into, and this will be a big piece of that," she said.

The details have changed considerably since the St. Joseph project was first unveiled. Driscoll's proposal to incorporate a senior center was dropped after it met strong opposition, and plans to include market-rate condos for first-time homebuyers, along with affordable apartments, were shelved after legal delays and the collapse of the real estate market.

Now, the developer will erect

a four-story building at the corner of Dow and Lafayette streets that will have 51 apartments with retail space on the first floor for small shops or offices. The plan to put a pharmacy here has been dropped.

The apartments, which will be subsidized, will include a mix of one-bedroom, two-bedroom and three-bedroom residences with monthly rents ranging from \$815 to \$1,200. Eligible families can make up to \$57,500.

The old St. Joseph School and rectory are being preserved and could be developed as market-rate condominiums, possibly for first-time homebuyers,

Alberghini said. She said they have been approached by private developers and are still considering developing the properties themselves.

"We think (condos) would be a good outcome for part of the site, but we have no firm plans," she said.

Before construction starts, the 60-year-old church will be demolished along with the convent. The Massachusetts Historical Commission begins a review next month to determine the impact of the loss of the church building and steps the developer must take to offset it. Although there is some local opposition

to razing the church, Driscoll doesn't believe it will pose a roadblock.

"I don't think it will preclude the start of construction," she said.

There were thanks on all sides yesterday for this project moving forward after so many hurdles and delays. Alberghini credited Patrick and Driscoll for staying the course and said her agency was set up just for this kind of challenging affordable housing project.

"We're a social justice development ministry," she said. "If it were easy, they wouldn't need us to do it."

DONOVAN: Commission retracts its enforcement order

■ *Continued from Page 1*

another step."

After a discussion that became heated at times, the four commissioners at last night's meeting — Richard Luongo, Nancy Baker, Virginia Cookson and Bob Cronin — agreed to retract the enforcement order as long as they can inspect the access road after the spring thaw and get documentation from FEMA on its construction. Donovan also agreed to notify the commission of any work he does in the future.

Donovan brought Brad Mitchell, director of government relations for the Massachusetts Farm Bureau, to last night's meeting to argue his case.

Properties that meet certain qualifications as working farms

have an agricultural exemption under the Department of Environmental Protection, Mitchell said. Landowners do not have to seek permission for work that is "normal maintenance and improvement" to their property, as long as it relates to the farming operation, he said.

"This may not make sense to you, but that's what the law is," Mitchell told the commission.

"To me, this gives a person carte blanche to fill in wetlands," Cronin said.

Donovan, who raises cows and grows hay on his acreage, said the access road is needed for hay wagons to make their way from where the hay is grown to the barn. The town considers the property a farm every year for tax purposes, Donovan said.

Mitchell maintained it was "inappropriate" for the commission to issue the enforcement order without first researching whether Donovan qualified for an agricultural exemption.

"Mr. Donovan, in absence of

this enforcement order, would be happy to work with you," Mitchell said.

Luongo, however, said he wasn't concerned with what the road is used for, but the materials Donovan used on it — a bituminous, oil-based product.

"We don't even allow the town to do that" in wetlands, Luongo said.

Later, Luongo added, "Professor Donovan knew what he was doing when he filled in that driveway. He knew it was wetlands."

Cookson and James Hankin, commission coordinator, noted the commission has never determined, one way or the other, whether Donovan's property has an agricultural exemption in their past dealings with him.

"I feel the Conservation Commission acted wisely on something that could have been a violation," Cookson said.

The commission was initially alerted to Donovan's work on the access road this fall by a resident.

Hankin sent an enforcement order by certified mail telling Donovan to stop the work. The letter was refused three times, so it was hand-delivered by a Hamilton police officer on Sept. 21. The officer found no one home at Donovan's house, so he gave it to one of Donovan's employees working in a barn.

Donovan attended a Sept. 29 commission meeting and said he objected to the way the enforcement order was delivered, and preferred to be contacted by telephone or e-mail.

Without being able to reach Donovan, commissioners on a site visit viewed the access road from off his property and could see an asphalt material had been used.

Without access to Donovan's property, the commission has no way of knowing whether the access road is used for farming purposes, Baker said last night.

Selectmen Chairwoman Jennifer Scuteri sat between Donovan and Mitchell and acted as a mediator between Donovan and the commission several times, smoothing tempers and moving the discussion forward.

Donovan, who has been embroiled in a lengthy legal battle with his children over the family fortune, has a history of raising eyebrows.

He was convicted in 2007 of staging his own shooting to frame his son. He later tried to buy his way out of doing 200 hours of community service by offering a

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