

How Swampscott Government Works

A Civic Orientation

Town of Swampscott, Massachusetts

Chapter 1: Who Does What — Town Staff, Boards, Committees, and Town Meeting

1.1 The Big Picture

Massachusetts gives communities a choice between several government forms, and the town vs. city distinction is the most fundamental.

Towns use a legislative body of residents — either an open Town Meeting (every registered voter can attend and vote) or a Representative Town Meeting like Swampscott's. The Select Board handles executive functions but shares power broadly: elected boards for schools and assessors operate independently, and Town Meeting holds the budget and by-law authority. Professional management (a Town Administrator) is optional, though most larger towns now have one. Swampscott's population (~15,000) is roughly the threshold where towns start feeling the strain of the Town Meeting model.

Cities replace Town Meeting with a City Council — a small elected body (typically 9–13 members) that acts as the legislature. A Mayor (elected) or City Manager (appointed) serves as the chief executive with significantly more consolidated authority. Lynn, Swampscott's neighbor, is a city — its Mayor has powers the Swampscott Select Board simply does not have.

The core tradeoffs:

- **Direct democracy vs. efficiency.** Town Meeting gives ordinary residents genuine legislative power; city councils make decisions faster with fewer people.
- **Fragmented vs. unified executive.** Towns have multiple independent elected boards; cities typically consolidate more authority in the Mayor or Manager.
- **Scale.** Massachusetts law requires communities over 12,000 to *allow* residents to petition for a city charter, but many (like Swampscott) choose to stay towns.

A community becomes a city only by adopting a city charter — it's a deliberate choice, not automatic at any population level. Several Massachusetts communities (Agawam, Methuen, Amesbury) have hybrid "city form of government" charters that keep the word "town" in their name, which causes perpetual confusion.

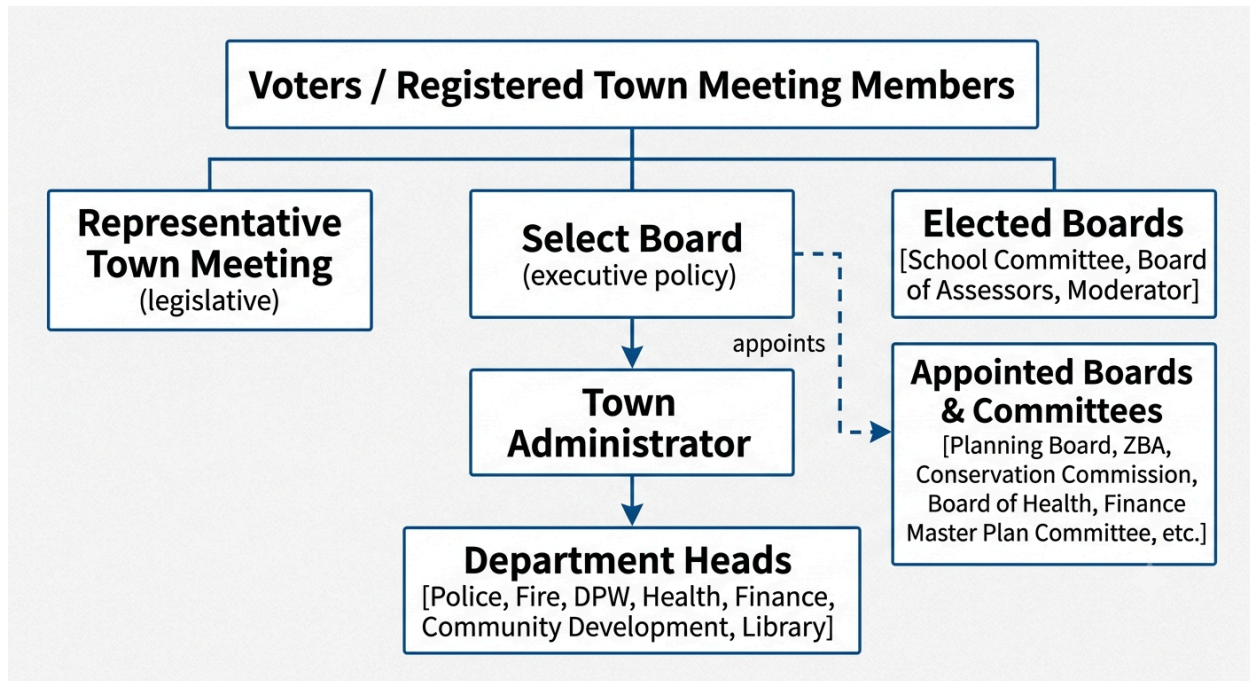
The Swampscott town government is comprised of three layers:

- The top layer is Town Meeting — the legislature. It passes the budget and changes by-laws. These are volunteers and because Swampscott has a Representative Town Meeting, they are elected.
- The middle layer is the Select Board and Town Administrator — the executive. They oversee daily operations and set policy direction. The Select Board is composed of elected volunteers while the Town Administrator is a paid employee.

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- The bottom layer is Town Staff — the professionals who actually run the fire station, maintain roads, process permits, and keep the books. These are all paid employees.

Boards and committees float throughout all three layers, depending on whether they have regulatory authority (like the Planning Board or Zoning Board of Appeals) or are purely advisory (like the Master Plan Committee or Renewable Energy Committee). All boards and committees are composed of either elected or appointed volunteers.



1.2 The Select Board

The Select Board is a five-member elected body that serves as the chief executive and policy-making authority of the town. Members are elected to three-year staggered terms, so not all five seats are up at once. While the Select Board regularly interacts and guides the Town Administrator, they are not involved with other town staff's day-to-day activities. The Select Board:

- Appoints/hires the Town Administrator, who manages day-to-day operations.
- Serves as the town's licensing board for alcohol, entertainment, and certain businesses.
- Sets the warrant (the agenda) for Town Meeting.
- Approves or recommends actions to Town Meeting on financial articles.
- Appoints members to many boards, commissions, and committees.

Further reading: [Select Board — Swampscott Town Website](#)

1.3 The Town Administrator

The Town Administrator is a professional manager hired by the Select Board. In Swampscott this role oversees all town departments — Police, Fire, Public Works, Library, Health, Community Development, and more. The Administrator prepares the annual budget proposal, supervises department heads, and handles the countless operational decisions that do not rise to the level of board or Town Meeting action.

This professional management structure is a relatively modern innovation. For most of Massachusetts history, towns relied on elected boards running individual departments. Swampscott's special act charter created the Town Administrator position to improve coordination and accountability.

The town administrator cannot change the charter or by-laws though. Additionally, there are numerous actions the town administrator *could* take, but may wait for the Select Board or Town Meeting to ask them to do if the action could be conceived as “political”. As an example, though the town administrator could have changed the town calendar to acknowledge Indigenous Peoples Day, they waited until Town Meeting voted on a proclamation that directed them to do so.

1.4 Town Departments

Behind every public service, there is a department staffed by town employees:

- Public Works — roads, sidewalks, storm drains, snow removal, water and sewer.
- Police and Fire — public safety.
- Health Department — inspections, public health emergencies, beach water testing.
- Community and Economic Development — planning, zoning, historic preservation, affordable housing.
- Finance — budgeting, accounting, tax collection, procurement.
- Library — public library services.
- Town Clerk – manages all public records and elections.

A full list of town departments can be found here: [Swampscott – Departments](#)

Department heads report to the Town Administrator. When a board or committee needs staff support (drafting a regulation, preparing data for a report), they typically work with the relevant department head.

Town departments can operate autonomously on day-to-day matters and spend within their budgets, but the broader goals and big ticket budget items either originate from boards and committees or need to be approved by them or Town Meeting. As an example, when the Rec Department wanted to purchase a new mobile screen for movies in the park, that had to be

approved by the Capitol Improvement Committee and then by Town Meeting in order to be happen.

1.5 Swampscott Schools

Why isn't the School listed as a town department? The separation is rooted in both history and state law, and reflects a deliberate policy choice that public education is too important to be under the direction of general municipal politics.

The legal foundation. Massachusetts General Laws Chapter 71 vests control of public schools in an elected School Committee, not in the Select Board or Town Administrator. This is a state mandate — every Massachusetts municipality must have a School Committee with independent authority over curriculum, staffing (including hiring and firing the Superintendent), and educational policy. The Town Administrator has no authority over the schools.

The budget dynamic. The School Committee proposes its own budget, which goes to Town Meeting for appropriation. Critically, the state sets a "Net School Spending" minimum for every district — the town is legally required to spend at least that much on schools regardless of other budget pressures. This floor protects school funding from being traded off against roads or police in tight budget years.

The historical reason. In 19th century Massachusetts, local control of schools was considered a civic cornerstone — too important to leave to politicians who might defund or manipulate education for patronage reasons. Elected School Committees predate most other forms of municipal government in the state. The structure was essentially baked into Massachusetts identity before modern municipal government existed.

The practical consequence. It means Swampscott effectively has two parallel governments sharing one tax base — the town and the schools — which must negotiate every budget season. The Finance Committee reviews both. Tensions between school spending needs and municipal needs are a permanent feature of Massachusetts town governance, not a bug or a failure of management.

The separation is genuinely unusual by national standards. Most U.S. states give city/town governments much more direct control over school budgets than Massachusetts does.

1.6 Elected Boards

The remaining boards are also elected directly by voters, giving them independent authority not subject to Select Board control. The independence of elected boards from the Select Board is intentional and meant in some capacity to serve as part of the checks and balances.

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- School Committee (5 members, 3-year staggered terms) — governs the public schools, hires the Superintendent, approves the school budget. Does not make curriculum decisions.
- Board of Assessors (3 members, 3-year staggered terms) — hires the assessor(s), sets property valuations which determine tax bills, approves abatements (assessment adjustments requested by homeowners).
- Town Moderator (1) — presides over Town Meeting, rules on procedures, appoints certain committee members.

The following elected boards have legal authority granted by state law or the town charter. Their decisions — approvals, denials, permits — carry the force of law and can be appealed to the courts:

- Planning Board (5 members, 5-year staggered terms) — reviews subdivisions, certain large developments, and updates the Zoning By-Law. Prepares and implements the Master Plan.
- Zoning Board of Appeals (ZBA)(8 members, 5-year staggered terms) — hears applications for variances (exceptions to zoning rules), special permits, and appeals of building inspector decisions. Also decides comprehensive permits under Chapter 40B (affordable housing law).
- Conservation Commission (7 members, 3-year staggered terms) — enforces the Massachusetts Wetlands Protection Act and local wetlands by-law. Any project near wetlands, streams, or the coast needs Commission approval.
- Board of Health (3 members, 3-year staggered terms) — sets public health regulations, issues food service permits, investigates nuisances and hazards, hires the public health director.
- Historic District Commission (5 members, 3-year staggered terms) — reviews exterior changes to buildings in Swampscott's designated historic districts.

Full list: [Boards & Committees Directory](#)

1.7 Advisory Committees

Advisory committees research issues and make recommendations to the Select Board, Town Meeting, or other bodies. They do not have the power to approve or deny permits, but their work significantly shapes decisions:

- Master Plan Advisory Committee — advises the Metropolitan Area Planning Commission (MAPC) on the creation of the town's 10-year Master Plan and may monitor the implementation of it.
- Open Space & Recreation Plan Committee — maintains the OSRP and pursues grants.

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- Affordable Housing Trust — manages affordable housing funds.
- Renewable Energy Committee — advises on sustainability policy.
- Finance Committee — reviews and recommends action on every article in the Town Meeting warrant, with particular focus on financial articles.
- Community Preservation Committee — manages Community Preservation Act funds, recommends projects to be put forth before Town Meeting. This committee is unique in that it is made up of members of 8 other committees.

Full list: [Boards & Committees Directory](#)

1.8 Representative Town Meeting

This is the legislative branch of Swampscott's government. Town Meeting members are elected from six precincts — 54 members per precinct, for 324 possible total members. However, it should be noted that there are often unfilled seats in precincts and not every member always shows up to Town Meeting. Terms are three years, staggered so roughly one-third of each precinct is up each year. Any registered voter can run.

Town Meeting meets at least once per year (the Annual Town Meeting, typically in spring in accordance with state law) and in Swampscott, we have recently voted to formalize a fall Town Meeting as well. A citizen's petition can call a Special Town Meeting with enough signatures.

Town Meeting's powers include:

- Passing the annual operating budget.
- Authorizing borrowing (debt exclusions) for capital projects.
- Amending the General By-Laws and Zoning By-Laws.
- Accepting or transferring town land.
- Passing home rule petitions to the state legislature.
- Passing proclamations (official, formal announcements) on various current topics usually to honor something or raise awareness.

The Moderator runs Town Meeting proceedings. Articles (agenda items) are debated and voted on individually. A simple majority passes most articles; a two-thirds supermajority is required for zoning changes and certain borrowing.

Articles can be modified (amended) during Town Meeting as long as members approve the amendments. As an example, recently there was an article banning gas-powered leaf blowers that went to Town Meeting. The original language presented held the homeowner accountable, but an amendment was passed to change the accountable entity to the landscaping company.

Archive: [Town Meeting Warrants and Presentations](#)

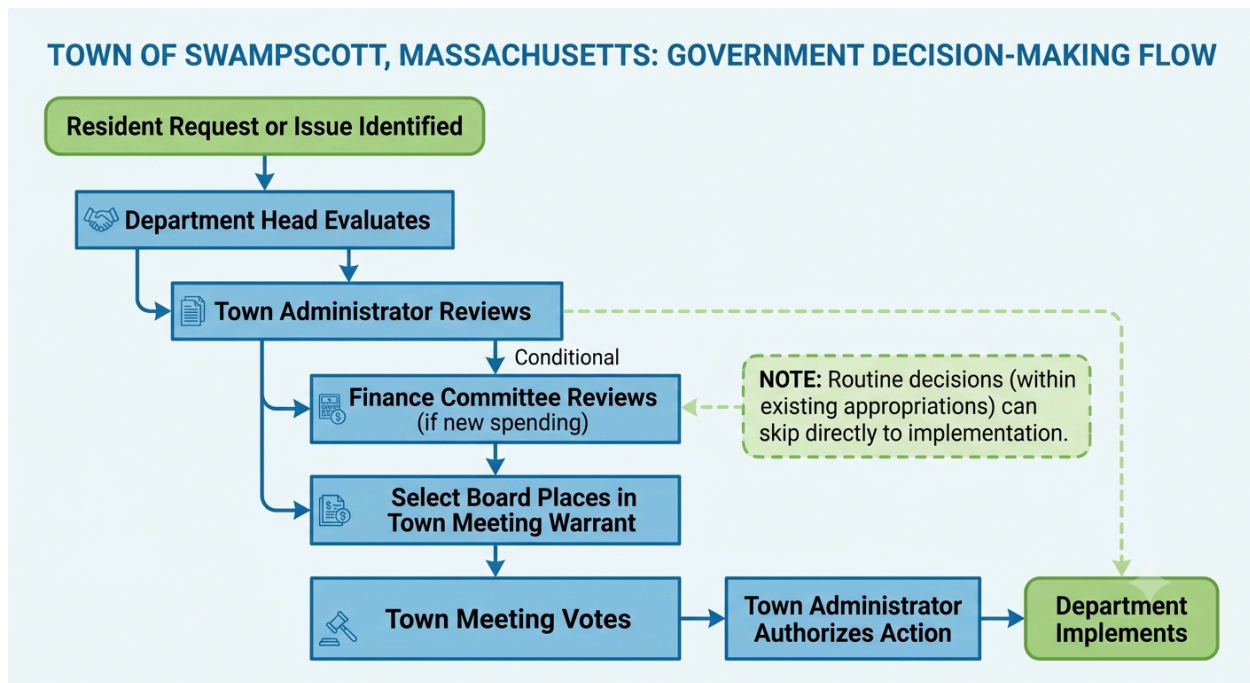
Voter guide with overview: [Town Meeting Guide \(PDF\)](#)

1.9 How a Typical Decision Gets Made

Here is a simplified example tracing how a new park bench ends up in Swampscott:

- A resident emails Public Works requesting a bench at Fisherman's Beach.
- The Public Works Director evaluates cost and feasibility, reports to the Town Administrator.
- The Town Administrator includes a modest capital item in the budget proposal.
- The Capital Improvement Committee reviews the proposal and recommends approval.
- The Select Board places the item in the Annual Town Meeting warrant.
- Town Meeting votes to appropriate funds.
- The Town Administrator authorizes Public Works to procure and install the bench.

Most decisions are far more routine than this and never reach Town Meeting — the Town Administrator and department heads handle them within existing appropriations. But any new spending, any change to by-laws, or any acquisition of land requires Town Meeting action.



1.10 Review Questions — Chapter 1

1. What is the difference between the Select Board and the Town Administrator in Swampscott's government?
2. Which Swampscott boards are elected directly by voters rather than appointed?

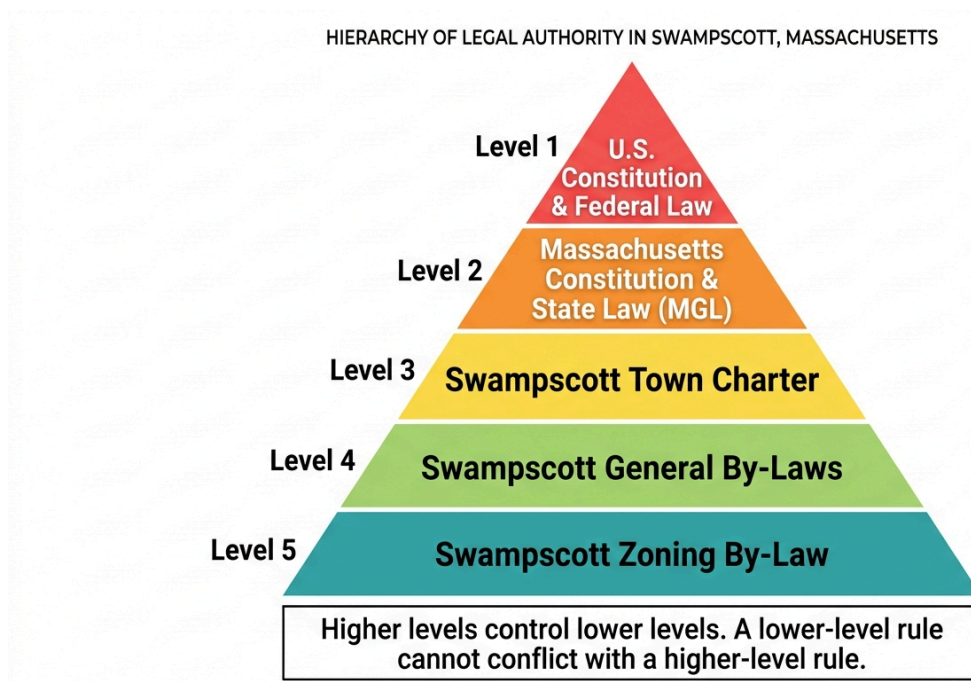
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3. What are the three most important things that Town Meeting can do that no other body can do alone?
4. If a resident believes a building permit was wrongly issued by the Building Inspector, which board would they appeal to?
5. How many Town Meeting members are elected from each precinct in Swampscott, and for how many years?

Chapter 2: The Rulebook — Charter, General By-Laws, and Zoning By-Laws

2.1 Why Legal Documents Matter

Every decision a board or committee makes must be grounded in legal authority. The three foundational documents of Swampscott's legal framework form a hierarchy: the Charter sits at the top, the General By-Laws fill in the details of governance, and the Zoning By-Laws govern how land can be used. Understanding which document controls which situation is essential to understanding why boards act the way they do.



2.2 The Town Charter

The Town Charter is Swampscott's constitution. It was adopted by voters under Article 89 of the Massachusetts Constitution (the "Home Rule Amendment"), which gives every Massachusetts city and town the right to adopt its own charter without special legislative approval.

The Charter establishes:

- The form of government (Representative Town Meeting with a Select Board and Town Administrator).
- How officials are elected or appointed, and for how long.
- The powers and duties of each branch and office.
- Procedures for budgeting and financial management.

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- How the Charter itself can be amended.

The Charter preamble opens with: "We, the people of the Town of Swampscott, not unmindful of the practical necessity of delegating to a duly constituted Legislature the power to act on behalf of all the inhabitants of the Commonwealth... do hereby adopt and establish this Charter." This language reflects a core Massachusetts value: local communities should govern themselves as directly as possible.

The Charter is a higher authority than any by-law or Select Board vote. If a by-law conflicts with the Charter, the Charter wins. If the Charter conflicts with state law, state law wins.

Read the Charter: [Town Charter & By-Laws page](#)

2.3 The General By-Laws

Where the Charter sets up the structure of government, the General By-Laws fill it in with specific rules. By-laws cover a wide range of subjects:

- Conduct of Town Meeting (quorum requirements, voting procedures, how articles are submitted).
- Rules for boards and committees (meeting notices, public hearings, conflicts of interest).
- Public nuisance and property maintenance standards.
- Regulation of animals, noise, burning, and other quality-of-life matters.
- Financial procedures (how money is transferred between accounts, procurement thresholds).

By-laws are passed by Town Meeting and can be amended by Town Meeting. Any resident can submit a citizen's petition to add an article to the Town Meeting warrant proposing a new or amended by-law. The Select Board reviews all warrant articles and recommends action, but it cannot unilaterally change a by-law — only Town Meeting can do that.

Massachusetts General Laws (the state statutes) also apply to every town. When a by-law is silent on a subject, state law fills the gap. Towns cannot pass by-laws that conflict with state law and occasionally have to update their by-laws to be compliance with changing state law.

2.4 The Zoning By-Law

The Zoning By-Law is arguably the most consequential document for day-to-day decisions, because it controls what can be built where. Swampscott's zoning by-law was authorized by the state's Zoning Act (Massachusetts General Laws Chapter 40A) and is adopted and amended by Town Meeting.

Key concepts in zoning:

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- Districts — the town is divided into zones (residential single-family, residential multi-family, commercial, industrial, special purpose). Each zone permits certain uses "by right", other uses only by special permit, and often forbids certain uses as well. As an example, the majority of Swampscott's land is zoned as residential single-family only, meaning nothing can be built on land in these zones except for single-family homes.
- Dimensional Standards — each zone has minimum lot size, frontage, setbacks (how far a building must be from the property line), and height limits.
- Special Permits — uses that are allowed but require Planning Board or ZBA review and conditions. A restaurant might be allowed in a commercial zone by special permit, meaning the board reviews the specific proposal before approving.
- Variances — exceptions to the dimensional standards, granted by the ZBA only when strict application of the standard would cause "undue hardship." Variances are intentionally difficult to obtain.
- Non-Conforming Uses and Structures — buildings and uses that predate current zoning and do not comply with it. They are "grandfathered" but face restrictions on expansion.

Because Swampscott is a densely built, largely residential community with a significant coastline, zoning decisions often involve balancing development rights and economic needs with environmental protection, climate vulnerabilities, neighborhood character, and state environmental laws.

The Zoning By-Law also interacts with Chapter 40B, the state's affordable housing law. If less than 10% of a town's housing stock is deed-restricted as affordable (Swampscott is well below this), developers can file "comprehensive permits" that override most local zoning restrictions. This is a significant tool and a significant pressure on towns like Swampscott (see Chapter 4).

Because zoning plays such a significant impact on the physical and economic characteristics of a town, the state has set the threshold for Town Meeting votes on zoning by-law changes to be $\frac{2}{3}$. The idea was to create stability in the physical and economic environment that was relatively impervious to changing political opinions from year-to-year. More recently though, the state has been creating exceptions to this; lowering the threshold to $\frac{1}{2}$ because of the difficulties many towns have faced in zoning changes to allow for more housing and more diverse types of housing to be built.

Read it: [Zoning By-Law \(via Town Charter & By-Laws page\)](#)

See it: [Swampscott's Zoning Map](#)

State enabling law: [Massachusetts Zoning Act \(Chapter 40A\)](#)

2.5 How By-Laws Are Changed

Changing a by-law requires a Town Meeting vote. The process:

- An article is submitted by the Select Board, a board, or by citizen petition (10 registered voters for most articles).
- The article is placed in the warrant and advertised to the public.
- At Town Meeting, the article is debated and voted on. A simple majority passes general by-law changes; a two-thirds vote is required for zoning changes.
- Zoning changes also require a public hearing before the Planning Board before Town Meeting votes.
- After passage, the Attorney General's office reviews by-law amendments for consistency with state law (they are presumed valid if not challenged within 90 days).

Most articles originate from a combination of town staff with the relevant boards or committees for the topic. Therefore, what is being changed, why, and how the changes are being proposed are often deliberated in open public meetings well before they reach Town Meeting.

This process means that significant changes to how the town works require genuine public deliberation. It also means that reforms can be slow — if you think a rule should change, you are looking at a multi-month process at minimum. Historically in Swampscott, articles developed by various boards and committees have a much higher rate of being passed by Town Meeting than citizen petitions.

Massachusetts Open Meeting Law: [Open Meeting Law Guide](#)

2.6 Review Questions — Chapter 2

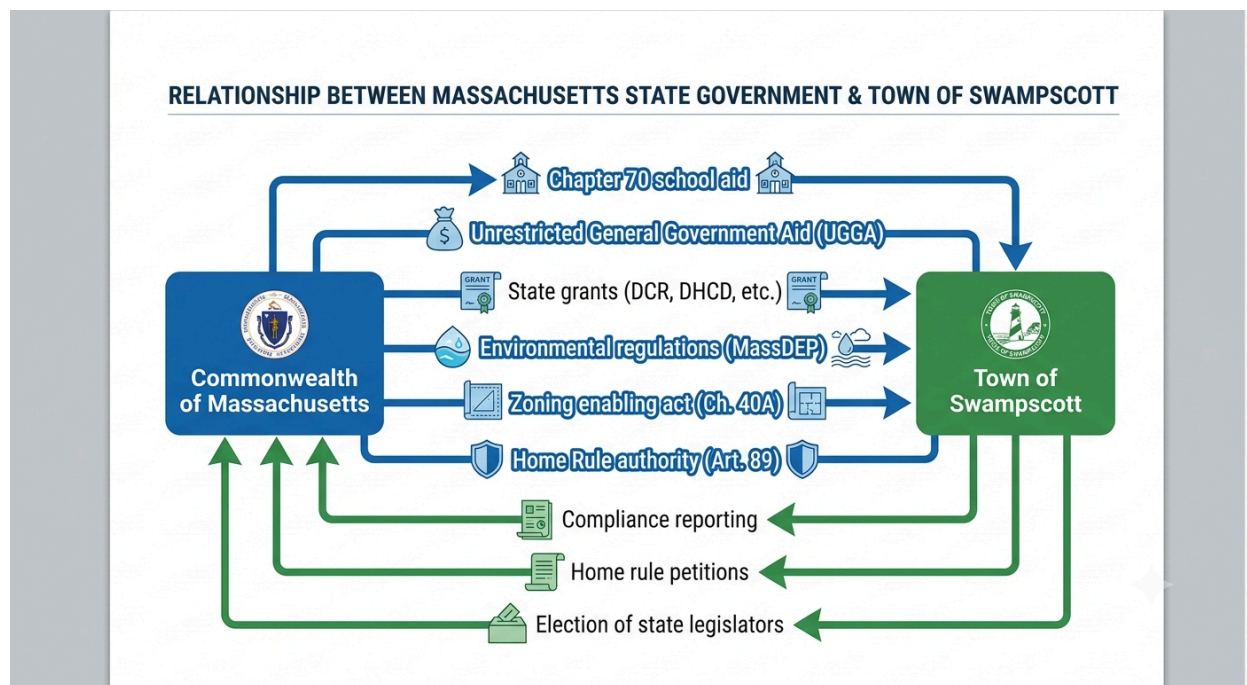
6. Which document sits at the top of Swampscott's legal hierarchy — the General By-Laws, the Town Charter, or state law?
7. What is a variance, and why is it intentionally difficult to obtain from the Zoning Board of Appeals?
8. A resident wants to propose a new by-law rule about noise from leaf blowers. How would they get that into Town Meeting?
9. What vote threshold is required to change the Zoning By-Law at Town Meeting, and why is it higher than for other by-laws?
10. What is Chapter 40B, and how does it limit Swampscott's local zoning authority?

Chapter 3: Swampscott and the Commonwealth

3.1 The State-Local Relationship

Massachusetts towns are "creatures of the state." Unlike the federal government's relationship with states (where states retain powers not given to the federal government), cities and towns in Massachusetts have only the powers the state legislature grants them — plus the additional home rule powers their charters establish. This matters practically: Swampscott cannot tax income, set its own minimum wage, or establish its own environmental standards that conflict with state law. State government sets the floor (and often the ceiling) on what local governments can do.

That said, Massachusetts has a strong tradition of municipal self-governance. The Home Rule Amendment (Article 89 of the Massachusetts Constitution) gives towns broad authority to act on local matters without waiting for state approval, as long as they do not conflict with state law. The tension between home rule and state oversight runs through many of the issues that come up as agenda items for town boards and committees.



3.2 Key State Agencies That Affect Swampscott

- Massachusetts Department of Environmental Protection (MassDEP) — enforces environmental laws, issues permits for projects near water, oversees hazardous waste cleanup, and can compel municipalities to fix pollution problems. Swampscott has been under a consent decree with the EPA and MassDEP related to sewer leaks polluting King's Beach.

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- Department of Conservation and Recreation (DCR) — owns and manages state-owned beaches, parkways, and forests. King's Beach is DCR-owned land, which is why state agency cooperation is essential to any cleanup effort there.
- Department of Housing and Community Development (DHCD) — oversees affordable housing programs, certifies Housing Production Plans, and administers Chapter 40B.
- Department of Elementary and Secondary Education (DESE) — oversees public schools, distributes Chapter 70 school aid, and sets curriculum and testing standards.
- Massachusetts Department of Transportation (MassDOT) — controls state roads and bridges, coordinates with MBTA for transit services.
- Metropolitan Area Planning Council (MAPC) — the regional planning agency for the 101-community Metro Boston area, including Swampscott. MAPC provides technical planning assistance, data analysis, and grant-writing support.

MAPC: [MAPC community profile for Swampscott](#)

3.3 Case Study: Cleaning Up King's Beach

King's Beach, which straddles the Lynn-Swampscott town line, is one of the most polluted beaches in Massachusetts. Understanding why it has stayed polluted for so long — and what it takes to fix it — is a perfect illustration of how state, local, and federal governments must coordinate on hard problems.

The Problem

About 100 years ago, Stacey's Brook — a stream running through East Lynn and into the ocean at the Lynn-Swampscott border — was converted into a combined underground culvert carrying both stormwater runoff and sewage toward the beach. Over decades, the two towns built sewer infrastructure around this shared system.

Swampscott's contribution to the problem involves cracked and broken century-old clay sewer pipes. Groundwater seeps into these pipes, carrying untreated sewage into the stormwater system that flows directly to the beach — bypassing the treatment plant entirely. Lynn has a different but related problem: a combined sewer overflow (CSO) system that, during heavy rain, dumps a mix of stormwater and untreated sewage into Stacey's Brook because the treatment plant cannot handle the volume.

The result: King's Beach has been ranked the most polluted beach in Greater Boston, sometimes failing nearly half of its daily water quality tests. Bacteria levels have been measured at 800 times safe levels.

Why It Has Been Hard to Fix

- Two towns, two infrastructure systems, two budgets, different problems to solve.
- The beach itself is DCR (state) land — another layer of jurisdiction.

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- The fix is expensive. Lining Swampscott's pipes partially helps but has not solved the problem. A permanent ultraviolet (UV) treatment system that may provide some mitigation until the sources of pollution have been fixed for the Stacey's Brook outfall is estimated to cost \$25 million.
- Federal EPA funding was available through the Inflation Reduction Act's Community Change Grants program, but that program was abruptly discontinued in early 2025, leaving applications in limbo.
- A consent decree signed in 2015 between Swampscott, MassDEP, and the federal EPA required Swampscott to fix the sewer leaks, imposed a \$65,000 civil penalty, and created an ongoing compliance obligation.

Progress and Current Status (as of 2025)

In summer 2025, Lynn and Swampscott jointly launched an \$800,000 UV pilot program — a temporary system that pumps Stacey's Brook stormwater through an ultraviolet light tank to kill bacteria before it reaches the ocean. The results were promising: water treated through the UV system consistently tested at or below safe levels. The two towns shared the cost, with their respective state legislative delegations (including State Senator Brendan Crighton, Representative Jenny Armini, and Congressman Seth Moulton) helping advocate for state and federal support.

A permanent solution is still pending. Engineers from consulting firm Kleinfelder are analyzing the pilot data, and follow-up planning for a 2026 program is underway.

Lessons for Civic Volunteers

- Multi-jurisdictional problems require relationships across town lines, and state and federal advocacy.
- Consent decrees are binding legal agreements — ignoring them is not an option, even when the fix is expensive.
- Environmental justice is real: King's Beach primarily serves working-class residents of Lynn, who have fewer alternative beach options. Their loss of access is not just inconvenient — it is inequitable.
- Federal program instability (like the cancellation of EPA grants) can derail local plans and force towns back to square one on funding.

Read more: [Commonwealth Beacon: King's Beach cleanup story](#)

Federal Clean Water Act: [EPA Clean Water Act information](#)

3.4 State Money: How Swampscott Gets Funded

State government is an impactful source of revenue (10-20%) for Swampscott, supplementing what the town raises locally through property taxes (limited by Proposition 2½) and local receipts (fees, permits, excise taxes). The two biggest streams of state aid are:

Unrestricted General Government Aid (UGGA)

This is unrestricted money distributed to every Massachusetts municipality based on population and other factors. Swampscott can spend it on any municipal purpose. UGGA amounts are set in the annual state budget and can go up or down depending on state finances.

Chapter 70 School Aid

Chapter 70 is the state's primary K-12 education funding formula. It is designed to ensure that every school district, regardless of local wealth, can afford to fund an "adequate" education. The formula calculates a "foundation budget" — what it should cost to educate every student in a district — then calculates how much the town can afford to contribute based on local property values and income. The state pays the difference.

Because Swampscott is a relatively affluent community (median household income around \$128,000), its Required Local Contribution is high, and its Chapter 70 aid per pupil is lower than in lower-income communities. This is by design — the formula directs the most state support to the communities with the least ability to fund their schools locally. There are no restrictions on how much per pupil a school district can spend which is why you will find that most towns and cities often budget well above the established foundation budget.

The Student Opportunity Act of 2019 significantly updated the Chapter 70 formula to better account for the real costs of educating low-income students, English learners, and students with disabilities.

Chapter 70 data: [Chapter 70 district profiles \(DESE\)](#)

Proposition 2½

This 1980 state law (Massachusetts General Laws Chapter 59) which was championed by a Marblehead resident, caps a town's annual property tax levy at 2.5% of the total assessed value of all taxable property, and limits year-over-year increases to 2.5% plus growth from new construction. It is one of the most important constraints on Swampscott's budget.

Towns can exceed the cap through voter-approved overrides (permanent increases to the base levy) or exclusions (temporary increases for specific debt payments). Swampscott voters have considered and sometimes passed such overrides; the history of those votes reflects the community's evolving sense of what it is willing to spend on public services.

The interaction between Proposition 2½, Chapter 70 aid, UGGA, and other revenue sources explains why Swampscott's budget can feel constrained even in years of strong local economic growth.

Prop 2½ guide: [Massachusetts DLS: Proposition 2½ overview](#)

Like many Boston-area suburban towns, most of the local revenue (>80%) for Swampscott comes from residential taxes and not from local businesses. This is due to how much land is allowed to be used for homes and what is allowed to be used for businesses (see zoning by-laws). Therefore, residents can feel tax increases more so than municipalities that have more of a business tax base.

3.5 The State Legislature and Swampscott's Delegation

Swampscott is currently represented in the Massachusetts Legislature by:

- State Senator Brendan P. Crighton (D) — 3rd Essex District, covering Lynn, Lynnfield, Marblehead, Nahant, Saugus, and Swampscott.
- State Representative Jennifer Armini (D) — 8th Essex District, representing Swampscott along with parts of Lynn and Marblehead.

State legislators are crucial allies when Swampscott needs state action — whether securing bond bill funding for King's Beach cleanup, seeking a home rule petition for a specific local need, or advocating for favorable treatment in the state budget. The relationship between town officials and the legislative delegation is an important one to understand and cultivate.

MA Legislature: [Find your MA state representative](#)

3.6 Review Questions — Chapter 3

11. What is a consent decree, and what happened to Swampscott in 2015 related to King's Beach?
12. Which state agency owns part of King's Beach, and why does that matter for who needs to approve a cleanup?
13. What does Proposition 2½ limit, and how can a town legally exceed that limit?
14. Why does an affluent town like Swampscott receive less Chapter 70 school aid per pupil than a lower-income community than less affluent towns?
15. Name two ways that Swampscott's state legislative delegation can help the town solve a problem like the King's Beach pollution.

Chapter 4: Planning for the Future — Master Plan, Open Space, and Housing

4.1 Why Planning Matters

Local government makes hundreds of decisions every year — issuing permits, allocating budget dollars, acquiring land, writing new by-laws. Without a shared vision for where the community wants to go, these decisions can work at cross-purposes. One board might approve dense housing near the train station while another is fighting to preserve open space nearby, without either knowing what the other is doing. Planning documents are how a community builds that shared vision and coordinates around it.

Swampscott has three major planning documents, each focused on a different aspect of the town's future. Reading even the executive summaries of each one will give you a richer picture of the community's priorities than almost anything else you can do.

4.2 The Master Plan

The Master Plan is Swampscott's comprehensive long-range (10 year) plan. The current draft plan (pending Select Board approval in 2026), Swampscott 2035: The Master Plan, was developed with significant community input and covers a ten-year horizon. It addresses land use, transportation, economic development, housing, open space, historic preservation, and community facilities.

The plan establishes a vision statement for the community — a description of what Swampscott should look and feel like when the plan is fully implemented. It then sets goals and specific action items for each topic area, assigns responsibility to specific town bodies, and tracks progress over time.

Key themes in Swampscott 2035 include:

- **Climate Resilience and Sustainability.** The plan highlights risks from sea level rise, flooding, and more frequent severe storms, and calls for investments in infrastructure such as seawalls, stormwater systems, and other protective measures. Climate is woven throughout the document rather than siloed in one chapter.
- **Housing Affordability and Economic Equity.** The draft addresses the 38% of households struggling with housing costs and pushes for more diverse housing options, including adaptive reuse over new construction.
- **Transportation, Connectivity, and Pedestrian Safety.** Recommended strategies include expanding pedestrian and bicycle accessibility and advancing projects such as the long-awaited Swampscott Rail Trail improvement to create safer and more connected routes around town.

- **Community Character, Open Space, and Recreation.** Survey participants highlighted a strong community desire to increase open spaces and accessibility town-wide, and a tension between maintaining town character while focusing on growth.
- **Collaborative and Effective Town Management.** Labeled "Collaborative" by the committee, this theme focuses on effective town management and the generation of more economic opportunities, with a goal of creating a prosperous and unified community for the future.

The Master Plan is not self-executing, nor binding — it has no legal force on its own. It guides decisions, but Town Meeting must still pass by-laws and appropriate funds to implement specific actions. Currently there is no Master Plan Committee in charge of monitoring the progress of the plan so the monitoring generally falls to town staff, various boards and committees, or concerned citizens, but creating that monitoring committee was a recommendation given in the 2035 plan.

Read the plan: [Swampscott 2035: The Master Plan](#)

Plan tracking tool: [planSWAMPSCOTT — all town plans in one place](#)

4.3 The Open Space and Recreation Plan (OSRP)

Swampscott is small, dense, and nearly entirely built out. Its open space — beaches, parks, conservation land, walking trails — is precious and limited. The Open Space and Recreation Plan (OSRP) documents what the town has, assesses what is missing or underserved, and sets a seven-year action plan for protecting and improving natural and recreational resources.

The current OSRP covers 2021 through 2028. It was the first comprehensive update since the original 1983 plan. Key findings include:

- Very little undeveloped land remains; future open space gains will come from acquiring at-risk parcels or improving existing sites.
- View corridors to the ocean are being eroded by new development.
- Recreation facilities are aging and in need of investment.
- Equity gaps exist in access to recreational facilities across different parts of town.

The OSRP has practical financial importance: an approved OSRP, certified by the state Department of Conservation Services, makes Swampscott eligible for state and federal grants (including Land and Water Conservation Fund grants) to acquire land and improve parks. Without an approved plan, the town cannot compete for this funding.

The Open Space & Recreation Plan Committee is responsible for maintaining the plan and pursuing its action items.

Read the plan: [Open Space & Recreation Plan 2021-2028](#)

Committee page: [Open Space & Recreation Plan Committee](#)

State guidance: [Massachusetts OSRP requirements \(Mass.gov\)](#)

4.4 The Housing Production Plan (HPP)

Massachusetts General Laws Chapter 40B sets a goal that at least 10% of every community's housing stock should be deed-restricted/subsidized as affordable to households earning at or below 80% of area median income. Swampscott, like most suburban communities in Massachusetts, has historically fallen below this threshold.

When a town is below 10%, a developer can file a "comprehensive permit" under Chapter 40B with the Zoning Board of Appeals, bypassing most local zoning requirements. This is a powerful tool for building affordable housing but can feel threatening to a community that values local control over development.

The Housing Production Plan (HPP) is a community's proactive strategy: it demonstrates that the town has a credible plan to produce affordable housing on its own terms, without waiting for Chapter 40B comprehensive permits. A state-certified HPP gives the ZBA a legal basis to temporarily deny comprehensive permit applications while the plan is being implemented. The plan also details the current state of housing in town, not only including the physical makeup of housing units, but other statistics like the percent of residents who are cost-burdened (households spending more than 30% of their income on housing), and impact local housing supply is having on its affordability as well.

Swampscott's HPP was developed by MAPC and the latest draft was developed in 2022. Key strategies identified include:

- Expanding subsidized rental housing. The plan notes that the Swampscott Housing Authority applicant waitlist has over 8,000 people on it.
- Closing the homeownership affordability by increasing the availability of more affordable housing types.
- Housing specifically for seniors and people with disabilities.
- Preserving and improving the existing housing stock since half of Swampscott's housing stock was built prior to World War II and 79% before 1980.

Housing production is one of the most contested areas of local planning in Massachusetts. Proposals that would add density or affordable units often face organized neighborhood opposition. At the same time, the state has increasingly pressured communities to allow more housing — including through the MBTA Communities Act (Section 3A of Chapter 40A), which requires communities served by the MBTA to allow multi-family housing by right in certain areas near transit.

Read the plan: [Swampscott Housing Production Plan \(PDF\)](#)

MBTA Communities Act: [MBTA Communities Act information](#)

4.5 How the Plans Work Together

The three plans are interrelated. The Master Plan sets the big picture vision — including housing goals and open space priorities. The OSRP provides the detailed analysis and action plan for open space and recreation. The HPP provides the detailed housing production strategy. When all three are current and consistent with each other, they form a coherent framework that individual boards and committees can use to guide decisions.

When a developer proposes a new apartment complex near the train station, the Planning Board will review the proposal against the Zoning By-Law and the Master Plan. The Conservation Commission will review any wetland impacts against the OSRP. The ZBA may review affordable housing components against the HPP. Each document does its part. Plans can also be pointed to in the face of limited, but loud opposition to certain projects because it is often that residents are more motivated to show up to a public meeting in opposition to something rather than to show support.



4.6 Review Questions — Chapter 4

16. What is the purpose of the Open Space and Recreation Plan, and why is state certification of that plan financially important?
17. What is the 10% threshold under Chapter 40B, and what happens if a town falls below it?
18. Why does the Master Plan have no direct legal force, even though it guides important decisions?
19. What is the MBTA Communities Act, and what does it require of Swampscott?

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20. Name one specific action item from any of the three planning documents that you think is particularly important for Swampscott's future, and explain why.

Chapter 5: Diversity, Equity, and Inclusion in Local Government

5.1 Why DEI Matters in Civic Life

Local government works best when the people it serves have a genuine voice in decisions and just as importantly, their lived experience is considered in policy decisions. If some residents are systematically excluded from participation — because of language barriers, economic constraints, historic distrust of government, or simply because they were never invited — those decisions will be less informed and less fair.

DEI in government is not just about who works for the town. It is about who participates in Town Meeting, who applies to serve on boards and committees, whose concerns are heard in public hearings, and whose neighborhoods get attention from public investment. It is also about the substance of decisions: does Swampscott's zoning promote or impede housing access across income levels? Does the town's environmental enforcement reach all neighborhoods equally? Is the language detailing the latest town changes even in a language they can understand?

5.2 Who Lives in Swampscott

The 2020 Census counted 15,111 residents. The racial and ethnic composition was:

- White (non-Hispanic): approximately 85.8%
- Hispanic or Latino: approximately 6.6%
- Multiracial: approximately 3.0%
- Asian: approximately 2.2%
- Black or African American: approximately 1.7%
- American Indian / Alaska Native / Other: approximately 0.8%

Swampscott is significantly less racially diverse than Massachusetts as a whole (which is approximately 67.6% White non-Hispanic). The town is also more economically affluent than many of its neighbors: the median household income is approximately \$128,000-\$134,000, compared to the state median of roughly \$89,000.

The town's foreign-born population is about 20%, and a growing share of residents speak a language other than English at home, primarily Spanish, Portuguese, and Russian. These residents may face barriers to civic participation if meetings, notices, and documents are available only in English.

Town data: [Swampscott Census demographics \(Town website\)](#)

Census data: [U.S. Census QuickFacts: Swampscott](#)

5.3 Who Participates in Town Governance

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Swampscott has not published a systematic demographic profile of its elected officials and appointed board members, but a few observations are worth making:

- Town Meeting is open to all 324 elected members. Historically, Town Meeting participation in Massachusetts communities skews toward homeowners, older residents, and people with the time flexibility to attend weeknight meetings.
- Boards and committees are predominantly composed of volunteers with the time and comfort level to navigate public processes — which often correlates with higher education and income levels.
- Public hearings, while legally required, are typically held on weeknight evenings in English, which can exclude residents who work evening shifts, have young children, or are not comfortable in English-language settings.

This is not unique to Swampscott — it is a systemic challenge for most New England towns. But it is worth naming directly: if a growing portion of Swampscott residents are Hispanic, it is worth asking how many Hispanic residents are serving on boards, attending Town Meeting, or appearing at public hearings.

5.4 What Equity Looks Like in Specific Issues

Equity is not just about who is in the room. It shows up in the substance of decisions:

Housing

When a town's zoning allows primarily single-family homes on large lots, it makes housing more expensive and harder to access for lower-income residents and renters. Decisions about allowing accessory dwelling units, multifamily housing, or affordable units near transit are equity decisions, not just land-use decisions.

Environmental Justice

The King's Beach pollution story is also an environmental justice story. Congressman Moulton said explicitly: "We know that low-income communities and communities of color are often the ones most impacted by environmental issues." King's Beach is the primary beach for Lynn, a majority-minority city of over 100,000. Swampscott's failure to fix its sewer infrastructure has contributed to the beach's pollution, and working-class families in Lynn have borne the health and quality-of-life consequences.

Massachusetts has an Environmental Justice Policy that directs state agencies to prioritize resources and enforcement in communities disproportionately burdened by pollution. In Swampscott, there are two EJ communities: one due to English isolation, and the other, right next to it, due to both English isolation and low-income status. The Environmental Justice population map shows where those communities are in Vinnin Square. Looking at the map though, you may notice that all of the border that is shared between Swampscott, and Lynn as well as Salem show EJ communities just on the other side of the Swampscott line.

Read it: [Massachusetts Environmental Justice Policy](#)

Public Process and Accessibility

The Open Meeting Law requires that all board and committee meetings be open to the public. But open-by-law is not the same as accessible-in-practice. Best practices for more inclusive public processes include:

- Offering remote meeting participation and providing the recordings of those meetings (post-COVID, many boards now have hybrid meetings, but only the Select Board, Planning Board, School Committee, and Zoning Board regularly live stream their meetings and make the recordings available afterwards).
- Publishing agendas, minutes, and documents in plain language.
- Providing translation services for major hearings when significant numbers of non-English speakers are affected.
- Scheduling some community engagement at times other than weeknight evenings (weekends, early evenings).
- Actively outreaching to underrepresented communities rather than waiting for them to show up.

5.5 Swampscott's DEI Efforts

In recent years, Swampscott has taken some steps toward more inclusive governance:

- The Select Board has discussed DEI goals and the importance of diversifying town boards and committees.
- The Boards & Committees Information Center online tool makes vacancies visible and searchable, lowering the barrier to learn about serving.
- The town's housing and planning documents acknowledge the need for housing accessible to a range of income levels.
- The town is currently executing on the Municipal Vulnerability Preparedness (MVP) 2.0 program which is tasked with outreach to underserved communities.

There is more work to do. A systematic analysis of the demographic composition of Swampscott's boards and committees compared to the town's overall demographics has not been publicly published. Some advocates have called for more proactive outreach to younger residents, renters, and residents of color. The Community Life Center Feasibility Advisory Task Force, which solicits broad community input on a proposed community center, represents one effort to hear from diverse voices.

See open seats: [Boards & Committees Information Center](#)

Read it: [MVP 2.0](#)

5.6 What You Can Do

As someone who is learning about town governance or participating in it there are a few things to keep in mind:

- Notice who is in the room. When a committee holds a public hearing, who is attending? Who is not? Are there people in the community who would be affected by the committee's work but are not present?
- Advocate for accessible processes. If a committee has discretion over when and how meetings are held, consider accessibility. Could minutes be clearer? Could public comment periods be easier to use?
- Be curious about equity implications. For nearly every decision a town committee makes — from a zoning text amendment to a park improvement — there are equity dimensions worth thinking about. Who benefits? Who might be burdened? Who was consulted?
- Encourage others to get involved. If you know residents who are not engaged in town governance and might have a perspective worth hearing, invite them in.

National resources: [National Civic League: inclusive governance resources](#)

5.7 Review Questions — Chapter 5

21. Swampscott is approximately 85.8% White non-Hispanic. How does that compare to Massachusetts as a whole, and why might that matter for local government representation?
22. Name two structural factors that might make it harder for lower-income or non-English-speaking residents to participate in Town Meeting or public hearings.
23. Explain the environmental justice dimension of the King's Beach pollution problem.
24. What is one concrete step a town board or committee could take to make its public hearing process more accessible to a broader range of residents?
25. A new apartment complex is proposed near the MBTA train station that would include some affordable units but be taller than neighboring buildings. What equity considerations would a thorough review of this proposal include?

Appendix A: Answer Key

The following answers correspond to the review questions at the end of each chapter. They are intended as summaries; your own committee work will add texture and nuance.

Chapter 1 Answers

Chapter 1, Q1: What is the difference between the Select Board and the Town Administrator?

Answer: The Select Board is an elected five-member body that sets policy, approves the Town Meeting warrant, and appoints the Town Administrator. The Town Administrator is a professional manager hired by the Select Board to run day-to-day operations and oversee all town departments.

Chapter 1, Q2: Which boards are elected directly by voters?

Answer: The Select Board, School Committee, Board of Assessors, and Town Moderator are all elected directly by voters.

Chapter 1, Q3: What are the three most important powers of Town Meeting?

Answer: Passing the annual budget, amending by-laws (including zoning), and authorizing borrowing for capital projects. No other body can do these things.

Chapter 1, Q4: If a building permit was wrongly issued, which board would a resident appeal to?

Answer: The Zoning Board of Appeals (ZBA) hears appeals from Building Inspector decisions.

Chapter 1, Q5: How many Town Meeting members per precinct, and for how long?

Answer: 54 members are elected from each of Swampscott's 6 precincts (324 total), for 3-year staggered terms.

Chapter 2 Answers

Chapter 2, Q1: Which document is at the top of Swampscott's legal hierarchy?

Answer: State law sits above everything. Below that, the Town Charter is the highest local authority, above both the General By-Laws and Zoning By-Laws.

Chapter 2, Q2: What is a variance, and why is it hard to get?

Answer: A variance is an exception to the dimensional standards in the Zoning By-Law (e.g., a smaller setback than required). It is intentionally difficult to obtain: the ZBA can only grant one if strict application of the standard would cause "undue hardship" specific to that parcel — not just inconvenience. Otherwise, anyone unhappy with zoning would seek a variance.

Chapter 2, Q3: How would a resident get a leaf-blower noise rule into Town Meeting?

Answer: They could gather 10 signatures on a citizen's petition and submit an article for the Town Meeting warrant, or work with the Board of Health or Select Board to sponsor the article.

Chapter 2, Q4: Why does zoning require a two-thirds vote?

Answer: Zoning changes affect property rights significantly and can be controversial. The two-thirds supermajority requirement ensures broad community support before such changes are made, providing stability to property owners and neighborhoods.

Chapter 2, Q5: What is Chapter 40B and how does it limit zoning authority?

Answer: Chapter 40B is the state affordable housing law. If less than 10% of a town's housing is deed-restricted affordable, developers can file comprehensive permits that override most local zoning. Towns can defend against this by having a certified Housing Production Plan showing a credible path to 10%.

Chapter 3 Answers

Chapter 3, Q1: What is a consent decree, and what happened to Swampscott in 2015?

Answer: A consent decree is a binding legal agreement with a government agency (here, the EPA and MassDEP) to fix a violation and pay penalties. In 2015, Swampscott signed a consent decree requiring it to address sewer leaks contributing to King's Beach pollution and pay a \$65,000 civil penalty for Clean Water Act violations.

Chapter 3, Q2: Which agency owns King's Beach and why does that matter?

Answer: The Department of Conservation and Recreation (DCR) owns the Lynn side of King's Beach. Any cleanup involving the beach itself — not just the sewer pipes — requires DCR's cooperation and approval, adding another layer of coordination to an already multi-jurisdictional problem.

Chapter 3, Q3: What does Proposition 2½ limit, and how can a town exceed it?

Answer: Prop 2½ caps the annual property tax levy at 2.5% of assessed value and limits year-over-year growth to 2.5% plus new construction. Towns can exceed it through voter-approved overrides (permanent) or debt exclusions (temporary, for specific projects).

Chapter 3, Q4: Why does an affluent town like Swampscott get less Chapter 70 aid per pupil than less affluent towns?

Answer: Chapter 70 calculates how much each town can afford to contribute based on local property values and income. Wealthier towns have a higher Required Local Contribution, so the state fills a smaller gap. This is intentional — the formula directs aid to communities with less local fiscal capacity.

Chapter 3, Q5: Name two ways the state legislative delegation can help with King's Beach.

Answer: They can advocate for line-item funding in the state budget for cleanup infrastructure; they can sponsor bond bills dedicating state borrowing to beach remediation; they can press state agencies (DCR, MassDEP) to prioritize the issue; or they can advocate for restoration of federal EPA grant programs.

Chapter 4 Answers

Chapter 4, Q1: What is the OSRP and why is state certification financially important?

Answer: The Open Space and Recreation Plan documents the town's natural and recreational resources and sets action priorities. State certification by the Department of Conservation Services makes Swampscott eligible for Land and Water Conservation Fund grants and other state grant programs — significant funding for park improvements and land acquisition that is unavailable without an approved plan.

Chapter 4, Q2: What is the 10% threshold under Chapter 40B?

Answer: If fewer than 10% of a community's housing units are deed-restricted affordable (to households earning at or below 80% of area median income), developers can file comprehensive permits under Chapter 40B that bypass most local zoning. This gives towns strong incentive to proactively build subsidized housing.

Chapter 4, Q3: Why does the Master Plan have no direct legal force?

Answer: The Master Plan is a policy document, not a law. It guides boards and committees, but to implement its goals — changing zoning, appropriating money, acquiring land — the town must still take legal actions through Town Meeting or other authorized bodies. Plans inform decisions; they do not make them.

Chapter 4, Q4: What is the MBTA Communities Act and what does it require?

Answer: The MBTA Communities Act (Section 3A of Chapter 40A) requires communities served by the MBTA to have at least one zoning district that allows multi-family housing by right at a minimum density, located within a half-mile of a transit station. Non-compliance risks loss of certain state grants. Swampscott, served by the commuter rail, is subject to this requirement.

Chapter 4, Q5: Name an important action item from one of the three plans.

Answer: Open-ended; accept any specific action item the student can name and justify — for example, transit-oriented development near the MBTA station from the Master Plan, acquiring a specific at-risk parcel from the OSRP, or adding accessory dwelling unit zoning from the HPP.

Chapter 5 Answers

Chapter 5, Q1: How does Swampscott's racial composition compare to Massachusetts, and why does it matter?

Answer: Swampscott is about 85.8% White non-Hispanic, compared to Massachusetts at about 67.6%. This means Swampscott's governance bodies — if they reflect only the majority — may not hear the perspectives of all residents, including the 14% who are not White. Diverse representation leads to more informed decisions and greater legitimacy.

Chapter 5, Q2: Name two structural factors limiting participation by lower-income or non-English-speaking residents.

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Answer: Any two of: evening-only meeting times that conflict with service-sector work schedules; English-only documents and proceedings; meetings requiring in-person attendance; complexity of the public comment process; lack of outreach to communities not already engaged.

Chapter 5, Q3: Explain the environmental justice dimension of King's Beach.

Answer: King's Beach is primarily used by residents of Lynn, a majority-minority, lower-income city. Their access to clean water and safe recreation has been denied for decades by infrastructure failures in both Lynn and Swampscott. Environmental justice holds that communities of color and low-income communities should not bear disproportionate environmental burdens — which is exactly what has happened at King's Beach.

Chapter 5, Q4: Name one concrete step to make a public hearing more accessible.

Answer: Any of: hold a hybrid in-person/remote meeting; publish agenda in plain language and in Spanish; schedule comment periods at weekend community events; provide a written comment option online; hold a listening session in a neighborhood rather than Town Hall.

Chapter 5, Q5: What equity considerations would a thorough review of a new transit-adjacent apartment complex include?

Answer: Who will be able to afford units (income mix)? Does the affordable share meet Chapter 40B or HPP goals? Will current lower-income renters in the area be displaced (gentrification risk)? Are building design and amenities accessible to people with disabilities? Has the developer outreached to community organizations representing renters and lower-income residents?