**Revised Fact Sheet**

Brooke Charter School/Olmsted Green Community Field

550 Morton Street, Mattapan, MA 02131

Appeal of the Order of Conditions (DEP File No. 006-1931)

May 2025

**Proposed Project:**

The proposed project includes the construction of a new community athletic field, walkway, bathroom building, seating, storage area, driveway, associated utilities, and stormwater management systems located at 550 Morton Street in Mattapan, MA. On April 4, 2023, the Boston Conservation Commission (the “Commission”) issued an Order of Conditions (“OOC”) under the Wetlands Protection Act, M.G.L. Ch. 131, s 40 (the “Act”), approving this proposed project. Through issuance of that OOC, it was the Commission’s opinion that the proposed project could be conditioned to meet the Act and the Wetlands Regulations set out at 310 CMR 10.00 (the “Regulations”).

On May 3, 2023, MassDEP received a Request for a Superseding Order of Conditions (the “Request”) from a ten (10) Resident Group that seeks MassDEP review of the project and issuance of a Superseding Order of Conditions (“SOC”) denying the project.

On July 10, 2024, MassDEP issued a SOC approving the project. The ten (10) Resident Group then appealed that decision to MassDEP’s Office of Appeals and Dispute Resolution (“OADR”).

MassDEP is currently conducting additional review of the permit application (commonly known as the Notice of Intent), the OOC (DEP File #006-1931) that the Commission issued, and the Request for the issuance of a SOC as it pertains to work proposed within Bordering Land Subject to Flooding (“BLSF”) previously not discussed in MassDEP’s SOC. MassDEP requested “OADR” to place the Adjudicatory Hearing proceedings on hold to allow MassDEP the opportunity to address this work and its compliance with performance standards under 310 CMR 10.57(4) of the Regulations. The OADR Presiding Officer granted the request and remanded (the “Remand Order”) the matter to MassDEP’s Northeast Regional Office (the “Office”) to review whether the proposed project complies with the Regulations pertaining to the BLSF. After this review is complete, MassDEP will issue an SOC, revised to reflect any impact(s) on the BLSF and compliance with the Regulatory performance standards for the activities proposed in BLSF, to either approve with conditions or deny the proposed project.

**Environmental Justice (EJ) Populations:**

The Executive Office of Energy and Environmental Affairs (“EEA”) EJ Policy went into effect on September 3, 2020, and was updated on June 24, 2021. The proposed project property is identified by MassDEP as part of an EJ population based on minority population and income criteria. Within the local EJ population, the following languages are spoken in addition to English: Spanish and Haitian Creole.

The attached map shows the location of the facility and the nearby EJ Block Groups.

**Public Participation and Comment:**

As part of an ongoing OADR proceeding, the Presiding Officer issued a Remand Order, returning the matter to the “Office for a further SOC review, specifically for the purpose of the Office considering the BLSF newly identified on the FEMA map relative to its issuance of a determination in accordance with the Act and the Regulations.” Therefore, MassDEP is currently conducting that additional review of the permit application from the Brooke Charter School for work proposed within BLSF.

The February 15, 2023 BLSF Study, the Remand Order, and links to the Act and Regulations are currently available for public review via the EEA ePLACE Public Access Portal at: <https://www.mass.gov/lists/brooke-charter-school> on the main EEA ePLACE Portal page, click on the **orange** “Search and/or Comment” button, then on the name of the applicant/facility on the resulting page.

If you would like to provide any comments or concerns regarding the information and plans presented in the February 15, 2023 BLSF Study, please do so in writing by email to the MassDEP staff person listed below by no later than 5:00PM EST on June 2, 2025. The Subject Line for all emailed comments shall include the following: **Brooke Charter School DEP File #006-1931**.

After MassDEP completes its review, including any comments received, the agency will issue a decision, which is subject to M.G.L. c.131 s. 40 and the regulations set out at 310 CMR 1.00 and 310 CMR 10.00 and which is the subject of the stayed OADR adjudicatory process.

This information will also be posted in the ePLACE Public Access Portal. If you would like to be notified of the proposed decision and the public comment period, please contact Jill Provencal at [jill.provencal@mass.gov](mailto:jill.provencal@mass.gov).

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Facility Contact: Mark Loring: mloring@ebrooke.org

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