

**Middleborough Board of Selectmen
Meeting Minutes**

May 18, 2015

Chairman opened meeting at 7:03 PM by inviting those in attendance to join in the Pledge of Allegiance.

In attendance were: Selectmen A. Frawley, J. Knowlton, D. Stewart and S. McKinnon; Town Manager R. Nunes and Executive Assistant J. Shanley.

The meeting was broadcast live by MCCAM and recorded by MCCAM and Verizon.

UNANTICIPATED

Selectmen picked up 41 bags of trash and recyclables this weekend, while competing with the Lakeville Board of Selectmen. The next pickup will be on June 20th. The Board offered thanks and praise to Melissa & Shane Guimont for their hard work and dedication with Middleboro Mess Movers.

Melinda Maddigan addressed the Board to present the Little Free Library program. They will be cared for by stewards. She requested permission to place one on or near the Titicut Green and one at the park next door to the South Middleborough Fire station. The intention is to promote community and literacy. The program, material & structures are all donation based. Chairman recommended Ms. Maddigan organize through the Town Manager's office.

Paul Provencher addressed the Board to remind everyone of the Memorial Day activities scheduled for Veterans.

ANNOUNCEMENTS & RECOGNITIONS

Board and audience made announcements.

MINUTES

Upon motion by Selectman McKinnon and seconded by Selectman Stewart, Board voted unanimously to approve 3/23/15 regular meeting minutes.

Upon motion by Selectman McKinnon and seconded by Selectman Stewart, Board voted unanimously to approve 3/23/15 E.S. meeting minutes.

Upon motion by Selectman McKinnon and seconded by Selectman Stewart, Board voted unanimously to approve 4/13/15 regular meeting minutes.

WARRANTS

Motion made by Selectman McKinnon and seconded by Selectman Stewart to authorize the Chairman, or his designee to sign the 5/16/15. Motion made by Selectman McKinnon and seconded by Selectman Stewart to amend original motion to include signing for the week of 5/23/15. Board voted unanimously on the amendment. Board voted unanimously on the originally motion.

**Middleborough Board of Selectmen
Meeting Minutes**

May 18, 2015

NEW BUSINESS

Town Manager presented his Water & Sewer rate recommendations. Upon motion by Selectman McKinnon and seconded by Selectman Knowlton, Board voted unanimously to approve a 15% Wastewater increase and a 0% for water increase, as recommended by the Town Manager.

Upon motion by Selectman McKinnon and seconded by Selectman Stewart, Board voted to approve payment of SouthCoast Media Group invoice in the amount of \$2,235.20.

Upon motion by Selectman Stewart and seconded by Selectman McKinnon, Board voted unanimously to invite resident Ava L'heureus, for her heroic actions, and the Police Chief, to a future meeting.

Upon motion by Selectman Stewart and seconded by Selectman McKinnon, Board voted unanimously to assent to the proposed settlement re Town Agencies as beneficiaries of the W. Arnold MacKenzie Family Trust.

Upon motion by Selectman McKinnon and seconded by Selectman Stewart, Board voted unanimously to approve the following meeting schedule: 6/29, 7/13, 7/27, 8/10, 8/24, 9/14.

Upon motion by Selectman Stewart and seconded by Selectman McKinnon, Board voted unanimously to approve accepting "cash" bond from Robert M. Thomas for the RM Thomas Excavating Earth Removal permit at 182 Plympton Street approved in December of 2014.

Upon motion by Selectman Stewart and seconded by Selectman McKinnon, Board voted unanimously to sign WP Amendment #2, Water Pollution Control Facility project.

Upon motion by Selectman McKinnon and seconded by Selectman Stewart, Board voted unanimously to appoint DPW

Upon motion by Selectman McKinnon and seconded by Selectman Stewart, Board voted unanimously to nominate Richard Young to serve on the Old Colony Elderly Services Board of Directors.

HEARINGS, MEETINGS, LICENSES

Chairman offered that the discussion re Selectmen serving on other Committees & Organizations, would take place at a future meeting, in the absence of Selectman Dalpe. He further offered that his intent for the discussion was to review what Committees/groups/agencies the members of the Board serve on as the Board's representative. Executive Assistant J. Shanley offered that the Board generally re-appoints/makes appointments annually and usually around the time of Town elections. It will be placed on the 6/1/15 meeting agenda.

**Middleborough Board of Selectmen
Meeting Minutes**

May 18, 2015

Chairman opened public hearing on application made by Outback Engineering, Inc. on behalf of Paul E. Turner Corporation at 7:50 PM by reading aloud the public hearing notice. Jason Youngquist of Outback Engineering presented the application on behalf of the applicant. Board asked questions. Discussion ensued. Chairman asked to hear any further comments/questions. Hearing none, Chairman declared hearing closed. Upon motion made by Selectman McKinnon and seconded by Selectman Stewart,

The Board found the proposed use:

- a. Is in harmony with the purpose and intent of the WRPD By-law and will promote the purposes of the Water Resource Protection Districts.
- b. Is appropriate to the natural topography, soils and other characteristics of the site to be developed.
- c. Will not, during construction or thereafter, have an adverse environmental impact on the aquifer, recharge areas, water resources of the Town.
- d. Will not adversely affect any existing or potential water supply.

The Board voted to grant a special permit to allow for a portion of the proposed driveway to be located within the 25' No Touch buffer to the bordering vegetated wetlands for a driveway for a proposed single family home as requested in the applicant's application under the Water Resource Protection District By-law pursuant to Section 8.2.7 WRPD Z4, based on the plans titled 'Subsurface Sewage Disposal System Design Lot 3 River Street, Assessor's Map 3, Lot 4946, Middleborough MA, prepared by Outback Engineering, Inc., dated April 30, 2014 with the following conditions:

1. The project involves construction of a new driveway for a proposed single family dwelling and a portion (354 SF) of the driveway falls within the 25 foot no disturb zone to the adjacent wetland. The width of the driveway and the amount of disturbance to the 25 foot no disturb zone has been minimized.
2. Per the 5/12/15 memo from the Conservation Commission agent, the project has received an Order of Conditions from the Conservation Commission but it has not been approved as a "limited project". Therefore, in our opinion, the project does not comply with Section 8.2.9.3.d.i. of the WRPD bylaw. However, we agree with the Conservation Commission agent that the location of the driveway in the 25-foot zone will have less impact to the wetlands than a driveway crossing the wetlands.
3. The following are provided for the Board's consideration in their review of the project:
 - a. The Board may want to consider requiring the driveway to be gravel to minimize the runoff to the adjacent wetland.
 - b. The Board may want to consider requiring some sort of permanent visual barrier (fence, vegetation, signs, etc.) at the limit of the 25 foot no disturb

**Middleborough Board of Selectmen
Meeting Minutes**

May 18, 2015

- zone to prevent further/future encroachment into it. The majority of the development is immediately adjacent to the no disturb zone.
- c. The Board may want to consider replication of the 354 SF of no build zone encroachment. Considering the openness of the lot, this could be in the form of appropriate plantings adjacent to the wetland in the area of where the encroachment occurs.

TOWN MANAGER'S REPORT

Town Manager presented his report as per the attached.

CORRESPONDENCE

#3 Selectman McKinnon noted that Eversource will be applying herbicides along power lines. Town Manager will have this posted to the Town's website.

#12 Selectman Stewart noted that the MA Office on Disability will hold a two-day Community Access Monitor Training Session on June 23, 2015.

#7 Selectman Knowlton noted correspondence received from the Mitchell Memorial Club acknowledging Capeway Rover's donation.

Upon motion by Selectman Stewart and seconded by Selectman McKinnon, Board voted unanimously to adjourn at 8:42 PM.