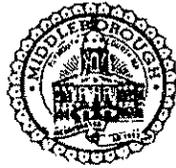


HEARINGS, MEETINGS, LICENSES

10-15-12



A hearing will be held in the Selectmen's Meeting Room at the Town Hall, 10 Nickerson Avenue, Middleborough, MA on Monday, October 15, 2012 at 7:25 PM, for the purpose of discussing the petition filed by the Middleborough Gas & Electric Department and Verizon to place a new pole - P5 ½ on Valley Road. This petition is necessary in order to provide service to a new house at 12 Valley Road. Anyone desiring to be heard on this matter should appear at the time and place designated.

Alfred P. Rullo, Jr.
Allin Frawley
Steven P. Spataro
Ben Quelle
Stephen J. McKinnon

BOARD OF SELECTMEN



Outside Plant Engineering
Verizon
385 Myles Standish Blvd
Taunton, MA 02780

September 6, 2012

Town of Middleboro
Attn: Board of Selectmen
Town Hall
10 Nickerson Avenue
Middleboro, MA 02346

Dear Selectmen,

Enclosed you will find petition # 2012B-11 from Verizon New England Inc. and Middleboro Gas and Electric Company proposing to place new facilities – P5 ½ Valley Road. Please present at your next Board meeting for usual course of action relative to granting.

This petition does require a hearing and notice to the abutters.

PLEASE NOTE ADDRESS AND PHONE NUMBER CHANGES. If you have any questions about this petition, please contact me.

Sincerely,

A handwritten signature in cursive script that reads "Daryl Crossman".

Verizon New England Inc.
Attn: Daryl Crossman - ROW
385 Myles Standish Blvd
Taunton, MA 02780

(508) 884-4991 - Office
(508) 823-2361 - Fax
daryl.crossman@verizon.com - Email

PETITION FOR JOINT OR IDENTICAL POLE LOCATIONS

September 6, 2012

To the Board of Selectmen

in MIDDLEBORO, Massachusetts

VERIZON NEW ENGLAND INC. and MIDDLEBORO GAS & ELECTRIC COMPANY request permission to locate poles, wires, cables and fixtures including the necessary anchors, guys and other such sustaining and protecting fixtures to be owned and used in common by your petitioners, along and across the following public way or ways:

One (1) New Pole

This petition proposes to place new - Pole 5 ½ on Valley Road.

This petition is necessary in order to provide service to a new house at 12 Valley Road.

Wherefore they pray that after due notice and hearing as provided by law, they be granted joint or identical locations for and permission to erect and maintain poles, wires and cables, together with anchors, guys and other such sustaining and protecting fixtures as they may find necessary, said poles to be erected substantially in accordance with the plan filed herewith marked-VZ N.E. Inc. No. **2012B-11** Dated **08/16/2012**.

Also for permission to lay and maintain underground laterals, cables and wires in the above or intersecting public ways for the purpose of making connections with such poles and buildings as each of said petitioners may desire for distributing purposes.

Your petitioners agree that space shall be reserved and maintained for the limited purpose of attaching one-way low voltage fire and police signaling wires owned by the municipality or governmental entity for public safety purposes only.

VERIZON NEW ENGLAND INC.

By David Crossman
Manager - Rights of Way

Dated this 6 day of SEPTEMBER, 2012.

MIDDLEBORO GAS & ELECTRIC COMPANY

By William Taylor
Supervisor of Project Engineering

Dated this 12th day of September, 2012.

VZ N.E. INC. No. 2012B-11 MUNICIPALITY MIDDLEBORO

DATED 08/16/12

NOT TO SCALE

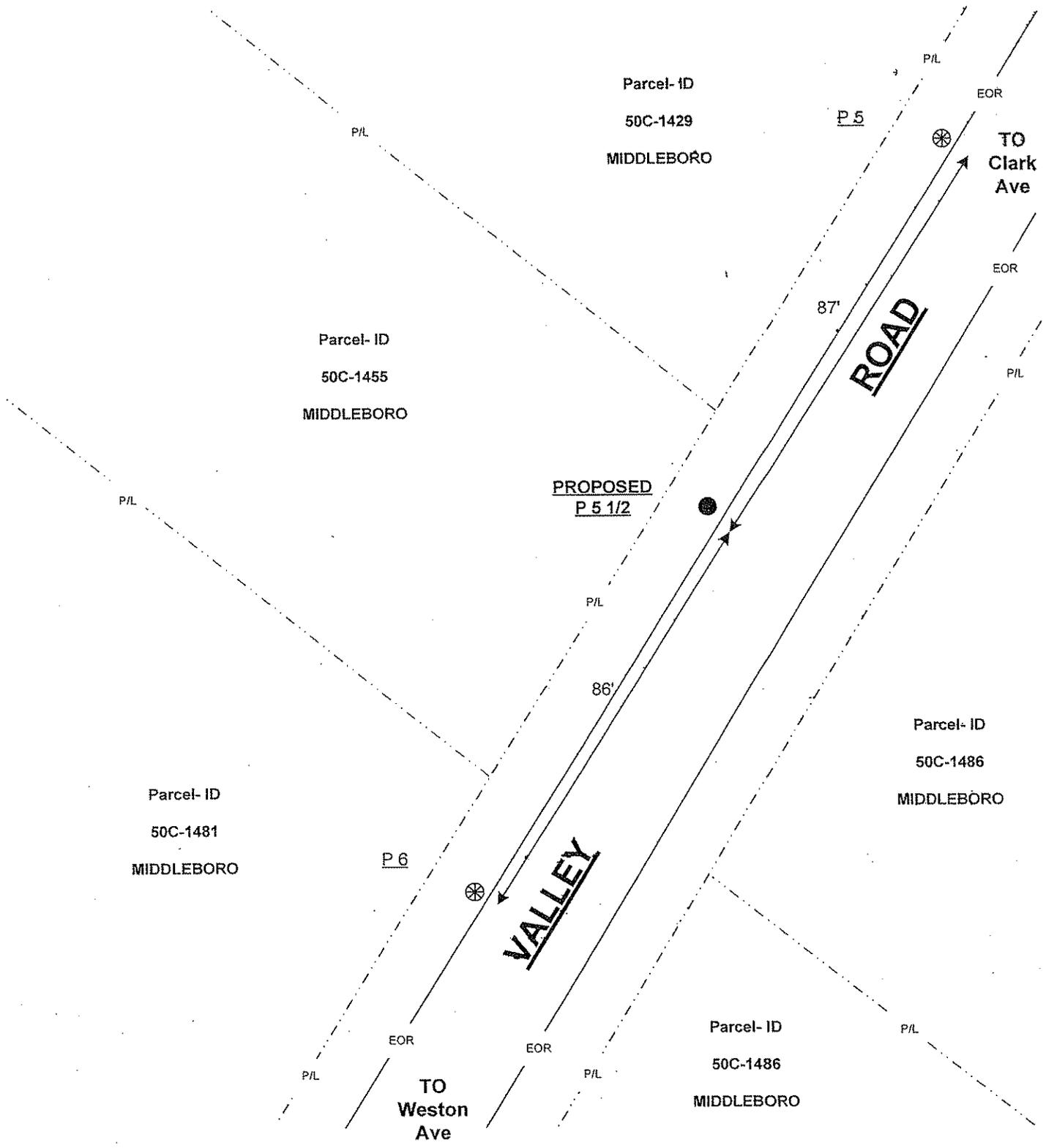
PLAN FOR PLACEMENT OF NEW POLE 5 1/2 VALLEY ROAD

LEGEND:

- - - - P/L - - - - PROPERTY LINE
- EOR — EDGE OF ROAD
- ⊗ EXISTING POLE
- PROPOSED POLE



TO ACCOMPANY PETITION OF
 VERIZON NEW ENGLAND INC. AND
 MIDDLEBORO GAS & ELECTRIC COMPANY



ABUTTERS LIST

Parcel - ID
50C - 1429
MIDDLEBORO
STODDARD, WAYNE & KAREN
16 Valley Road
Middleboro, MA 02346

Parcel - ID
50C - 1455
MIDDLEBORO
ANDERS III, MARTENSON
12 Valley Road
Middleboro, MA 02346

Parcel - ID
50C - 1481
MIDDLEBORO
PARSONS-SOULE, DEBORAH & GEORGE
10 Valley Road
Middleboro, MA 02346

Parcel - ID
50C - 1468
MIDDLEBORO
PICKERING, HARRY I
13 Valley Road
Middleboro, MA

Parcel - ID
50C - 1486
MIDDLEBORO
MCMAHON, NANCY R
11 Valley Road
Middleboro, MA



A hearing will be held in the Selectmen's Meeting Room at the Town Hall, 10 Nickerson Avenue, Middleborough, MA on Monday, October 15, 2012 at 7:30 PM, for the purpose of discussing an application filed by Silva Engineering Associates, P.C. on behalf of Robert and Susan Thomas for an Earth Removal Permit for property located at 182 Plympton Street, Assessors Map 026, Lot 5074, Middleborough, MA. The reason for this request is for the removal of excess sand from proposed site of new cranberry bog as shown on plan dated 8/20/12. Anyone desiring to be heard on this matter should appear at the time and place designated.

BOARD OF SELECTMEN

Alfred P. Rullo, Jr.

Allin Frawley

Steven P. Spataro

Ben Quelle

Stephen J. McKinnon

Publish: October 4, 2012



DESIGN ENGINEERS, INC.

ENGINEERS & ENVIRONMENTAL SCIENTISTS



October 12, 2012

Board of Selectmen
c/o Mr. Charles J. Christello, Town Manager
Town Hall Building
10 Nickerson Avenue
Middleborough, MA 02346

*Re: Initial Engineering Review
Earth Removal Application
182 Plympton Street
ADE Project #2518.20*

Dear Board Members:

Atlantic Design Engineers, LLC (ADE) has completed our initial engineering review of the site plans, drainage calculations and application materials for the above referenced project relative to a Special Permit request under the Earth Removal bylaw. The plans and calculations are dated 08/20/12 and are prepared by Silva Engineering Associates for Robert Thomas of Middleborough, MA.

We have the following comments:

1. The following items were checked off in the Appendix B Plan Checklist but could not be found in the information provided:
 - B.6 Treed buffer zone between edges of excavation and abutters - Not provided to the east abutter.
 - B.7 Buffer zone between property excavation and Town Streets - Appears to be open and not treed.
 - B.8 Distance of reservoir or excavations from property line of abutters - Only shown in a few areas.
 - B.12 Site of de-watering pond discharge or overflow - Not shown.
 - B.23 Fencing - Not shown.
2. The anticipated truck trips per day is not provided. It should be estimated for each phase of the project construction along with a timeline for each phase.
3. Are any improvements needed at the site entrance at Plympton Street to accommodate the size and volume of trucks entering/exiting the site?

P.O. Box 1051
Sandwich, MA 02563
(508) 888-9282 • FAX 888-5859
email: ade@atlanticcompanies.com
www.atlanticcompanies.com



4. Is there adequate sight distance at the Plympton Street entrance for trucks exiting/entering the site, particularly looking to the east? Provide an analysis to confirm.
5. De-watering plans, methodologies, details are needed as groundwater is likely to be encountered for the reservoir excavation and possibly for sections of the bog excavation also.
6. Calculations and the criteria for sizing the reservoir have not been provided.
7. The 25 foot no work zone along the wetland should be clearly labeled on the plans.
8. With an excavation of over 30 feet deep proposed for the reservoir, will blasting be required?
9. A 100 foot buffer to the property lines has not been provided to the north, east or west.
10. The excavation slope on the eastern side of the bog is immediately adjacent to the abutter driveway and property (It drops off over 10 feet near the abutting garages). Are any safety measures proposed?
11. The dust control note on the plan is not detailed enough to be effective or enforced. Please expand to include amounts, times, methods, etc.
12. The proposed operation times in the application do not coincide with the times listed in the Town's Typical Order of Condition.
13. The location of the tracking pad should be shown on the plans.
14. Temporary sedimentation basins should be shown for the different phases of construction.
15. The proposed slopes appear to vary throughout. Please label 3:1, 2:1, etc.
16. Slopes steeper than 3:1 should be stabilized with an erosion control blanket. Provide a detail.
17. Provide a detail for the sheet vinyl piling and clarify its purpose.
18. The grading (56 contour) near wetland flag 38WH appears to show grading within the 25 foot no work zone.
19. The grading (58 contour) near the reservoir appears to show grading within the 25 foot no work zone.
20. Provide a detail for the retaining wall proposed just south of the reservoir.



Board of Selectmen
c/o Mr. Charles J. Christello, Town Manager
Initial Engineering Review
Earth Removal Application - 182 Plympton Street
October 12, 2012 - Page 3

21. Provide a better detail of the rip-rap plunge pool at the level spreader outlet. (Rip-rap size, length, width, depth, elevations, etc.).
22. The haybale/silt fence detail is not provided on the plans.
23. TSS Calculations have not been provided in the Drainage Evaluation.
24. A Long-Term Pollution Prevention Plan could not be found even though it is checked off as being included in the Notice of Intent.
25. An Illicit Discharge Compliance Statement could not be found even though it is checked off as being included in the Notice of Intent.
26. The Tc path chosen for the Pre-Development Calculations is not the longest and should be revised as this may result in an inflation of predevelopment runoff rates.
27. The slope area east of the bog should be part of the Bog Subcatchment 4, not Developed Area Subcatchment 2. Also is there any area east of the project site that is upgradient and contributing to this subcatchment?
28. The CN calculations for the Pond Subcatchment Area 3 should reflect a CN value of 98 for the surface area of the water in the reservoir (assumed to be full when the storm occurs).
29. The modeling for the reservoir/pond is incorrect in that it assumes the pond is empty. It should be modeled as being full when the storm occurs and the outlet control structure should also be included in the analysis. (The design configuration of this outlet control structure could make modeling of it tricky). The outflow through the control structure should be combined with the flows from Subcatchment 2 when comparing to Pre-development flows/volumes.
30. The "Draft" SWPPP, when finalized, should be made a part of the permit conditions and should be provided to the Town. Copies of all inspection/correction reports should also be provided to the Town.

If you have any questions, please do not hesitate to call me at (508) 888-9282.

Sincerely,

ATLANTIC DESIGN ENGINEERS, INC.

Richard J. Tabaczynski, P.E.
Vice President

August 29, 2012

Town of Middleboro
Board of Selectmen
20 Centre Street
Middleboro, Massachusetts 02346

RE: Earth Removal Application
182 Plympton Street, Middleboro

Dear Board Members:

On behalf of Robert and Susan Thomas, I hereby request that the Board grant the Earth Removal permit needed to facilitate construction of a cranberry bog to the rear of his house located at 182 Plympton Street. The property is located on the northerly side of Plympton Street in a section of Middleboro that has many cranberry bogs and residential home sites with significant acreage.

The property is referred to as Assessor's Map 26 Lot 5074 and is 18.59 acres in size. Two thirds or 12.1 acres are useable uplands. The property which has 162 feet of frontage, fans outward toward the rear of the site with the majority of the contiguous uplands on the right or easterly portion of the site. The elevation of the property at Plympton Street is 60, rising to over elevation 70 before sloping downward at the rear of the property to elevation 54.

The front half of the property contains the house, pool and access drive that leads to the remaining land that is scarcely vegetated and is used to store equipment and vehicles. The rear portion of the property is mostly wooded most likely an agricultural field which has since revegetated. It is accessed from existing farm roads and paths which traverse the site.

The westerly portion of the property, 6.5 acres in area, is comprised of an intermittent stream and bordering vegetated wetlands. The soils on the site include a substantial deposit of sand and fine gravel in the front portion of the site with varied glacial fill areas primarily in the existing wooded area.

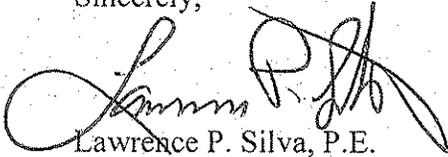
The proposed project will include a 5.7 acre bog and an adjacent man made pond to supply water to the bog. The site will involve regrading much of the site and removal of surplus sand to create the pond. Excavation of the sand to create the pond will include a need to move approximately 30,000 to 40,000 cubic yards to offsite locations. It is expected that the construction period will last about 2-3 years. The loading and trucking of materials will be from the site to Plympton Street, connecting to various receiving stations. The truck types will vary from small dump trucks to tractor-trailers and would use main roads such as Plympton Street and Route 44.

During the dry months, the material will be sprayed with water to keep dust to a minimum, and a 30-35 foot strip of crushed stone will be placed at the entrance to keep materials on the property. The roadway will also be swept as needed to remove any material that is not captured by the stone.

Sale of firewood and excess sand is critical to the economics of the project. It is therefore requested that the Board grant permission to remove sand from the site for the time required to complete construction of the bog. The hours of operation will be weekdays 8am-6pm, and Saturdays 8am-4pm. No transport of sand will be done on Sunday or major holidays. I have included with this letter and required application, filing fees, and site plan. The project has been approved by the Conservation Commission and an Order of Conditions has been issued.

I look forward to meeting with the Board to discuss this request and to provide additional information, as requested. Thank you for your consideration of this request.

Sincerely,



Lawrence P. Silva, P.E.
President

Cc: Robert Thomas
Atty John Ryder

TOWN OF MIDDLEBOROUGH
EARTH REMOVAL APPLICATION
and renewal form

1. General Information

Name of Applicant: Robert Thomas

Address of Applicant: 182 Plympton Street

Town or City: Middleboro

Owner of Property: Robert Thomas

Location of Property: 182 Plympton Street

Assessor's Parcel and Map Numbers Map 26 Parcel 5074

Map _____ Parcel _____

Map _____ Parcel _____

2. Permit Status

New Application or Renewal: New application

Request for an Extension of Time for existing permit. _____

Existing Permit Number: _____

Parcel(s) Acreage: 18.59 acres

Estimated Number of Cubic Yards to be Removed: 30,000

Requested Time Frame of Permit 3 years

Brief Project Description and Reasons for Request:

Removal of excess sand from proposed site of new cranberry bog.

3. Project Plan

Has a Project Plan being submitted with this Application? Yes.

An Application for an Earth Removal Permit will not be accepted by the Board of Selectmen for a public hearing, unless submitted with this application.

4. Planning Information

a. **Proposed Traffic Route** from site to unloading of materials.

Trucks will enter and exit subject site and will travel along Plympton Street to Route 44.

b. Has a plan and Notice of Applicability (NOA) or Intent (NOI) been submitted to the Town of Middleborough's Conservation Commission? Yes; NOI

c. Has Order of Conditions by Conservation Commission been issued: If so what is project number and date of conditions : SE220-1169-May 17, 2012

d. Provide a copy of the Order of Conditions so they may be attached to the permit.

e. Is there a Department of Environmental Protection – Water Management Act Registration or Permit for this property? No

Permit No. _____ Registration No. _____

f. Has a Farm Plan been completed? No Please provide a copy.

g. Expected Date of Project Completion: Spring 2016

5. Engineering General Information

Engineering Firm Name: Silva Engineering Associates, P.C.

Engineer's Contact/Name : Lawrence P. Silva

Street: 1615 Bedford Street

Town/City Bridgewater

Phone Number: 508-697-3100

7. Financial Obligations

Do you owe any property taxes, water, sewer or any other financial obligation to the Town of Middleborough that is not current?

_____ yes X no

8. Authorization of Applicant

a. Have you authorized the engineer to speak on your behalf regarding project questions that may come up prior to the public hearing?

 X yes _____ no

b. I have reviewed this Application Package and attached information and deem it to be correct.



Signature of Applicant

Robert Thomas

Printed Name of Applicant

Date 8-29-12

Phone Number: 508-509-2049



2012 00050624

Bk: 41466 Pg: 32 Page: 1 of 15
Recorded: 06/04/2012 03:45 PM
ATTEST: John R. Buckley, Jr. Register
Plymouth County Registry of Deeds

Max L
Lawrence P. Silva
Silva Engineering Associates, P.C.
1615 Bedford Street
Bedford, MA 02324



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

WPA Form 5 – Order of Conditions

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

SE220-1169

MassDEP File #

eDEP Transaction #

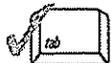
Middleborough

City/Town

A. General Information

Please note:
this form has
been modified
with added
space to
accommodate
the Registry
of Deeds
Requirements

Important:
When filling
out forms
on the
computer,
use only the
tab key to
move your
cursor - do
not use the
return key.



1. From: Middleborough
Conservation Commission

2. This issuance is for
(check one): a. Order of Conditions b. Amended Order of Conditions

3. To: Applicant:

Robert
a. First Name

Thomas
b. Last Name

c. Organization

182 Plympton Street

d. Mailing Address

Middleborough

e. City/Town

MA

f. State

02346

g. Zip Code

4. Property Owner (if different from applicant):

Same
a. First Name

b. Last Name

c. Organization

d. Mailing Address

e. City/Town

f. State

g. Zip Code

5. Project Location:

182 Plympton Street
a. Street Address

Middleborough
b. City/Town

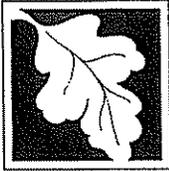
Map 26
c. Assessors Map/Plat Number

Lot 5074
d. Parcel/Lot Number

Latitude and Longitude, if known:

41d92m63s
d. Latitude

-70d83m75s
e. Longitude



Massachusetts Department of Environmental Protection
 Bureau of Resource Protection - Wetlands
WPA Form 5 – Order of Conditions
 Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:
 SE220-1169
 MassDEP File #
 eDEP Transaction #
 Middleborough
 City/Town

A. General Information (cont.)

6. Property recorded at the Registry of Deeds for (attach additional information if more than one parcel):
 Plymouth
 a. County Plymouth b. Certificate Number (if registered land) 220
 14525
 c. Book _____ d. Page _____
7. Dates: April 4, 2012 May 17, 2012 May 17, 2012
 a. Date Notice of Intent Filed b. Date Public Hearing Closed c. Date of Issuance
8. Final Approved Plans and Other Documents (attach additional plan or document references as needed):
"Proposed Cranberry Bog" 182 Plympton Street, Middleborough, Massachusetts
 a. Plan Title
Silva Engineering Associates, P.C. Lawrence P. Silva, P.E.
 b. Prepared By c. Signed and Stamped by
May 14, 2012 1" = 50'
 d. Final Revision Date e. Scale
Drainage Evaluation April 2, 2012
 f. Additional Plan or Document Title g. Date

B. Findings

1. Findings pursuant to the Massachusetts Wetlands Protection Act:

Following the review of the above-referenced Notice of Intent and based on the information provided in this application and presented at the public hearing, this Commission finds that the areas in which work is proposed is significant to the following interests of the Wetlands Protection Act (the Act). Check all that apply:

- a. Public Water Supply b. Land Containing Shellfish c. Prevention of Pollution
 d. Private Water Supply e. Fisheries f. Protection of Wildlife Habitat
 g. Groundwater Supply h. Storm Damage Prevention i. Flood Control

2. This Commission hereby finds the project, as proposed, is: (check one of the following boxes)

Approved subject to:

- a. the following conditions which are necessary in accordance with the performance standards set forth in the wetlands regulations. This Commission orders that all work shall be performed in accordance with the Notice of Intent referenced above, the following General Conditions, and any other special conditions attached to this Order. To the extent that the following conditions modify or differ from the plans, specifications, or other proposals submitted with the Notice of Intent, these conditions shall control.



Massachusetts Department of Environmental Protection
 Bureau of Resource Protection - Wetlands
WPA Form 5 – Order of Conditions
 Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:
 SE220-1169
 MassDEP File # _____
 eDEP Transaction # _____
 Middleborough
 City/Town

B. Findings (cont.)

Denied because:

- b. the proposed work cannot be conditioned to meet the performance standards set forth in the wetland regulations. Therefore, work on this project may not go forward unless and until a new Notice of Intent is submitted which provides measures which are adequate to protect the interests of the Act, and a final Order of Conditions is issued. **A description of the performance standards which the proposed work cannot meet is attached to this Order.**
- c. the information submitted by the applicant is not sufficient to describe the site, the work, or the effect of the work on the interests identified in the Wetlands Protection Act. Therefore, work on this project may not go forward unless and until a revised Notice of Intent is submitted which provides sufficient information and includes measures which are adequate to protect the Act's interests, and a final Order of Conditions is issued. **A description of the specific information which is lacking and why it is necessary is attached to this Order as per 310 CMR 10.05(6)(c).**
- 3. Buffer Zone Impacts: Shortest distance between limit of project disturbance and the wetland resource area specified in 310 CMR 10.02(1)(a) 25-feet
 a. linear feet

Inland Resource Area Impacts: Check all that apply below. (For Approvals Only)

Resource Area	Proposed Alteration	Permitted Alteration	Proposed Replacement	Permitted Replacement
4. <input type="checkbox"/> Bank	a. linear feet	b. linear feet	c. linear feet	d. linear feet
5. <input type="checkbox"/> Bordering Vegetated Wetland	a. square feet	b. square feet	c. square feet	d. square feet
6. <input type="checkbox"/> Land Under Waterbodies and Waterways	a. square feet e. c/y dredged	b. square feet f. c/y dredged	c. square feet	d. square feet
7. <input type="checkbox"/> Bordering Land Subject to Flooding	a. square feet	b. square feet	c. square feet	d. square feet
Cubic Feet Flood Storage	e. cubic feet	f. cubic feet	g. cubic feet	h. cubic feet
8. <input type="checkbox"/> Isolated Land Subject to Flooding	a. square feet	b. square feet		
Cubic Feet Flood Storage	c. cubic feet	d. cubic feet	e. cubic feet	f. cubic feet
9. <input checked="" type="checkbox"/> Riverfront Area	<u>21,509</u> a. total sq. feet	<u>21,509</u> b. total sq. feet		
Sq ft within 100 ft	<u>3,009</u> c. square feet	<u>3,009</u> d. square feet	e. square feet	f. square feet
Sq ft between 100-200 ft	<u>18,500</u> g. square feet	<u>18,500</u> h. square feet	i. square feet	j. square feet



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

WPA Form 5 – Order of Conditions

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

SE220-1169

MassDEP File #

eDEP Transaction #

Middleborough

City/Town

B. Findings (cont.)

Coastal Resource Area Impacts: Check all that apply below. (For Approvals Only)

	Proposed Alteration	Permitted Alteration	Proposed Replacement	Permitted Replacement
10. <input type="checkbox"/> Designated Port Areas	Indicate size under Land Under the Ocean, below			
11. <input type="checkbox"/> Land Under the Ocean	_____	_____		
	a. square feet	b. square feet		
	_____	_____		
	c. c/y dredged	d. c/y dredged		
12. <input type="checkbox"/> Barrier Beaches	Indicate size under Coastal Beaches and/or Coastal Dunes below			
13. <input type="checkbox"/> Coastal Beaches	_____	_____	_____ ^{cu yd}	_____ ^{cu yd}
	a. square feet	b. square feet	c. nourishment	d. nourishment
14. <input type="checkbox"/> Coastal Dunes	_____	_____	_____ ^{cu yd}	_____ ^{cu yd}
	a. square feet	b. square feet	c. nourishment	d. nourishment
15. <input type="checkbox"/> Coastal Banks	_____	_____		
	a. linear feet	b. linear feet		
16. <input type="checkbox"/> Rocky Intertidal Shores	_____	_____		
	a. square feet	b. square feet		
17. <input type="checkbox"/> Salt Marshes	_____	_____	_____	_____
	a. square feet	b. square feet	c. square feet	d. square feet
18. <input type="checkbox"/> Land Under Salt Ponds	_____	_____		
	a. square feet	b. square feet		
	_____	_____		
	c. c/y dredged	d. c/y dredged		
19. <input type="checkbox"/> Land Containing Shellfish	_____	_____	_____	_____
	a. square feet	b. square feet	c. square feet	d. square feet
20. <input type="checkbox"/> Fish Runs	Indicate size under Coastal Banks, Inland Bank, Land Under the Ocean, and/or inland Land Under Waterbodies and Waterways, above			
	_____	_____		
	a. c/y dredged	b. c/y dredged		
21. <input type="checkbox"/> Land Subject to Coastal Storm Flowage	_____	_____		
	a. square feet	b. square feet		



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

WPA Form 5 – Order of Conditions

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

SE220-1169

MassDEP File #

eDEP Transaction #

Middleborough

City/Town

B. Findings (cont.)

* #22. If the project is for the purpose of restoring or enhancing a wetland resource area in addition to the square footage that has been entered in Section B.5.c (BVW) or B.17.c (Salt Marsh) above, please enter the additional amount here.

22. Restoration/Enhancement *:

a. square feet of BVW

b. square feet of salt marsh

23. Stream Crossing(s):

a. number of new stream crossings

b. number of replacement stream crossings

C. General Conditions Under Massachusetts Wetlands Protection Act

The following conditions are only applicable to Approved projects.

1. Failure to comply with all conditions stated herein, and with all related statutes and other regulatory measures, shall be deemed cause to revoke or modify this Order.
2. The Order does not grant any property rights or any exclusive privileges; it does not authorize any injury to private property or invasion of private rights.
3. This Order does not relieve the permittee or any other person of the necessity of complying with all other applicable federal, state, or local statutes, ordinances, bylaws, or regulations.
4. The work authorized hereunder shall be completed within three years from the date of this Order unless either of the following apply:
 - a. the work is a maintenance dredging project as provided for in the Act; or
 - b. the time for completion has been extended to a specified date more than three years, but less than five years, from the date of issuance. If this Order is intended to be valid for more than three years, the extension date and the special circumstances warranting the extended time period are set forth as a special condition in this Order.
5. This Order may be extended by the issuing authority for one or more periods of up to three years each upon application to the issuing authority at least 30 days prior to the expiration date of the Order.
6. If this Order constitutes an Amended Order of Conditions, this Amended Order of Conditions does not extend the issuance date of the original Final Order of Conditions and the Order will expire on _____ unless extended in writing by the Department.
7. Any fill used in connection with this project shall be clean fill. Any fill shall contain no trash, refuse, rubbish, or debris, including but not limited to lumber, bricks, plaster, wire, lath, paper, cardboard, pipe, tires, ashes, refrigerators, motor vehicles, or parts of any of the foregoing.
8. This Order is not final until all administrative appeal periods from this Order have elapsed, or if such an appeal has been taken, until all proceedings before the Department have been completed.



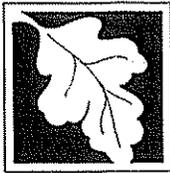
Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands
WPA Form 5 – Order of Conditions
Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:
SE220-1169
MassDEP File #
eDEP Transaction #
Middleborough
City/Town

C. General Conditions Under Massachusetts Wetlands Protection Act (cont.)

9. No work shall be undertaken until the Order has become final and then has been recorded in the Registry of Deeds or the Land Court for the district in which the land is located, within the chain of title of the affected property. In the case of recorded land, the Final Order shall also be noted in the Registry's Grantor Index under the name of the owner of the land upon which the proposed work is to be done. In the case of the registered land, the Final Order shall also be noted on the Land Court Certificate of Title of the owner of the land upon which the proposed work is done. The recording information shall be submitted to the Conservation Commission on the form at the end of this Order, which form must be stamped by the Registry of Deeds, prior to the commencement of work.
10. A sign shall be displayed at the site not less than two square feet or more than three square feet in size bearing the words,

"Massachusetts Department of Environmental Protection" [or, "MassDEP"]
"File Number SE220-1169 "
11. Where the Department of Environmental Protection is requested to issue a Superseding Order, the Conservation Commission shall be a party to all agency proceedings and hearings before MassDEP.
12. Upon completion of the work described herein, the applicant shall submit a Request for Certificate of Compliance (WPA Form 8A) to the Conservation Commission.
13. The work shall conform to the plans and special conditions referenced in this order.
14. Any change to the plans identified in Condition #13 above shall require the applicant to inquire of the Conservation Commission in writing whether the change is significant enough to require the filing of a new Notice of Intent.
15. The Agent or members of the Conservation Commission and the Department of Environmental Protection shall have the right to enter and inspect the area subject to this Order at reasonable hours to evaluate compliance with the conditions stated in this Order, and may require the submittal of any data deemed necessary by the Conservation Commission or Department for that evaluation.
16. This Order of Conditions shall apply to any successor in interest or successor in control of the property subject to this Order and to any contractor or other person performing work conditioned by this Order.
17. Prior to the start of work, and if the project involves work adjacent to a Bordering Vegetated Wetland, the boundary of the wetland in the vicinity of the proposed work area shall be marked by wooden stakes or flagging. Once in place, the wetland boundary markers shall be maintained until a Certificate of Compliance has been issued by the Conservation Commission.



Massachusetts Department of Environmental Protection
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C. General Conditions Under Massachusetts Wetlands Protection Act (cont.)

18. All sedimentation barriers shall be maintained in good repair until all disturbed areas have been fully stabilized with vegetation or other means. At no time shall sediments be deposited in a wetland or water body. During construction, the applicant or his/her designee shall inspect the erosion controls on a daily basis and shall remove accumulated sediments as needed. The applicant shall immediately control any erosion problems that occur at the site and shall also immediately notify the Conservation Commission, which reserves the right to require additional erosion and/or damage prevention controls it may deem necessary. Sedimentation barriers shall serve as the limit of work unless another limit of work line has been approved by this Order.

NOTICE OF STORMWATER CONTROL AND MAINTENANCE REQUIREMENTS

19. **The work associated with this Order (the "Project") is (1) is not (2) subject to the Massachusetts Stormwater Standards. If the work is subject to the Stormwater Standards, then the project is subject to the following conditions:**

- a) All work, including site preparation, land disturbance, construction and redevelopment, shall be implemented in accordance with the construction period pollution prevention and erosion and sedimentation control plan and, if applicable, the Stormwater Pollution Prevention Plan required by the National Pollution Discharge Elimination System Construction General Permit as required by Stormwater Condition 8. Construction period erosion, sedimentation and pollution control measures and best management practices (BMPs) shall remain in place until the site is fully stabilized.
- b) No stormwater runoff may be discharged to the post-construction stormwater BMPs unless and until a Registered Professional Engineer provides a Certification that:
- i. all construction period BMPs have been removed or will be removed by a date certain specified in the Certification. For any construction period BMPs intended to be converted to post construction operation for stormwater attenuation, recharge, and/or treatment, the conversion is allowed by the MassDEP Stormwater Handbook BMP specifications and that the BMP has been properly cleaned or prepared for post construction operation, including removal of all construction period sediment trapped in inlet and outlet control structures;
 - ii. as-built final construction BMP plans are included, signed and stamped by a Registered Professional Engineer, certifying the site is fully stabilized;
 - iii. any illicit discharges to the stormwater management system have been removed, as per the requirements of Stormwater Standard 10;
 - iv. all post-construction stormwater BMPs are installed in accordance with the plans (including all planting plans) approved by the issuing authority, and have been inspected to ensure that they are not damaged and that they are in proper working condition;
 - v. any vegetation associated with post-construction BMPs is suitably established to withstand erosion.



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

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C. General Conditions Under Massachusetts Wetlands Protection Act (cont.)

c) The landowner is responsible for BMP maintenance until the issuing authority is notified that another party has legally assumed responsibility for BMP maintenance. Prior to requesting a Certificate of Compliance, or Partial Certificate of Compliance, the responsible party (defined in General Condition 18(e)) shall execute and submit to the issuing authority an Operation and Maintenance Compliance Statement ("O&M Statement") for the Stormwater BMPs identifying the party responsible for implementing the stormwater BMP Operation and Maintenance Plan ("O&M Plan") and certifying the following: *i.*) the O&M Plan is complete and will be implemented upon receipt of the Certificate of Compliance, and *ii.*) the future responsible parties shall be notified in writing of their ongoing legal responsibility to operate and maintain the stormwater management BMPs and implement the Stormwater Pollution Prevention Plan.

d) Post-construction pollution prevention and source control shall be implemented in accordance with the long-term pollution prevention plan section of the approved Stormwater Report and, if applicable, the Stormwater Pollution Prevention Plan required by the National Pollution Discharge Elimination System Multi-Sector General Permit.

e) Unless and until another party accepts responsibility, the landowner, or owner of any drainage easement, assumes responsibility for maintaining each BMP. To overcome this presumption, the landowner of the property must submit to the issuing authority a legally binding agreement of record, acceptable to the issuing authority, evidencing that another entity has accepted responsibility for maintaining the BMP, and that the proposed responsible party shall be treated as a permittee for purposes of implementing the requirements of Conditions 18(f) through 18(k) with respect to that BMP. Any failure of the proposed responsible party to implement the requirements of Conditions 18(f) through 18(k) with respect to that BMP shall be a violation of the Order of Conditions or Certificate of Compliance. In the case of stormwater BMPs that are serving more than one lot, the legally binding agreement shall also identify the lots that will be serviced by the stormwater BMPs. A plan and easement deed that grants the responsible party access to perform the required operation and maintenance must be submitted along with the legally binding agreement.

f) The responsible party shall operate and maintain all stormwater BMPs in accordance with the design plans, the O&M Plan, and the requirements of the Massachusetts Stormwater Handbook.



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

WPA Form 5 – Order of Conditions

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

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C. General Conditions Under Massachusetts Wetlands Protection Act (cont.)

- g) The responsible party shall:
1. Maintain an operation and maintenance log for the last three (3) consecutive calendar years of inspections, repairs, maintenance and/or replacement of the stormwater management system or any part thereof, and disposal (for disposal the log shall indicate the type of material and the disposal location);
 2. Make the maintenance log available to MassDEP and the Conservation Commission ("Commission") upon request; and
 3. Allow members and agents of the MassDEP and the Commission to enter and inspect the site to evaluate and ensure that the responsible party is in compliance with the requirements for each BMP established in the O&M Plan approved by the issuing authority.
- h) All sediment or other contaminants removed from stormwater BMPs shall be disposed of in accordance with all applicable federal, state, and local laws and regulations.
- i) Illicit discharges to the stormwater management system as defined in 310 CMR 10.04 are prohibited.
- j) The stormwater management system approved in the Order of Conditions shall not be changed without the prior written approval of the issuing authority.
- k) Areas designated as qualifying pervious areas for the purpose of the Low Impact Site Design Credit (as defined in the MassDEP Stormwater Handbook, Volume 3, Chapter 1, Low Impact Development Site Design Credits) shall not be altered without the prior written approval of the issuing authority.
- l) Access for maintenance, repair, and/or replacement of BMPs shall not be withheld. Any fencing constructed around stormwater BMPs shall include access gates and shall be at least six inches above grade to allow for wildlife passage.

Special Conditions (if you need more space for additional conditions, please attach a text document):

See Attached

Standard Conditions

DEP File #: SE220-1169

Applicant: Robert Thomas

1. A member of the Conservation Commission or its agent may enter and inspect the property and the activity that are the subjects of this Order of Conditions (OOC) at all reasonable times, with or without probable cause or prior notice, and until a Certificate of Compliance (COC) is issued, for the limited purpose of evaluating compliance with this OOC.
2. The term "applicant" as used in this OOC shall refer to the owner, any successor in interest or successor in control of the property referenced in the Notice of Intent, supporting documents and this OOC. The Commission shall be notified in writing within 30 days of all transfers of title of any portion of property that take place prior to the issuance of the COC.
3. This document shall be included by reference in all contracts, plans and specifications dealing with the activity that is the subject of this OOC, and that are created or modified after the issuance date of this OOC, along with a statement that this OOC shall supersede any conflicting contractual arrangements, plans or specifications.
4. The applicant shall provide a copy of this OOC to the person or persons supervising the activity that is the subject of this OOC, and will be responsible for ensuring that all persons performing the permitted activity are fully aware of the terms and conditions of this OOC.
5. If any change is made in the above-described plan(s) which may or will alter an area subject to protection under the Wetlands Protection Act, 310 CMR 10.00, the applicant shall inquire from this Commission or its agent, prior to implementing the change in the field, whether the change is significant enough to require the filing of a new Notice of Intent. Any errors in the plans or information submitted by the applicant shall be considered changes and the above procedures shall be followed.
6. It is the responsibility of the applicant to complete any review required by all agencies with jurisdiction over the activity that is the subject of this OOC, and to procure all required permits or approvals before any work commences. These reviews, permits and approvals may include but are not limited to the following:
 - a. Review by the U.S. Army Corps of Engineers for any Category 2 or Individual Permit activity, and procurement of any permits or approvals identified by the Corps;
 - b. Review by the Department of Environmental Protection (DEP) and procurement of any permits or approvals identified by DEP;

Standard Conditions

DEP File #: SE220-1169
Applicant: Robert Thomas

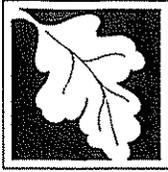
- c. Review by the Massachusetts Natural Heritage and Endangered Species Program for any projects within estimated and/or priority habitat and any permits or approvals identified by the Program;
 - d. Review by local planning boards, boards of health, zoning boards, and building inspectors, and procurement of any permits or approvals required by these boards or agencies.
7. All construction materials, earth stockpiles, landscaping materials, slurry pits, waste products, refuse, debris, stumps, slash, or excavate may only be stockpiled or collected in areas as shown and labeled on the approved plan(s), or if no such areas are shown must be placed or stored outside all resource areas and associated buffer zones (unless authorized to do so) under cover and surrounded by a double-staked row of hay bales to prevent contact with rain water.
8. No material of any kind may be buried, placed or dispersed in areas within the jurisdiction of the Commission by activities that are the subject of this OOC, except as are expressly permitted by this OOC or the plans approved herein.
9. There shall be no pumping of water from wetland resource areas.
10. All waste products, grubbed stumps, slash, construction materials, etc. shall be deposited at least 100 feet from wetland resource areas unless specified in this OOC.
11. No fuel, oil, or other pollutants shall be stored in any resource area or the buffer zone thereto, unless specified in this OOC or expressly authorized by the Commission or their agent.
12. Any material placed in wetland resource areas by the applicant without express authorization under this OOC shall be removed by the applicant upon demand by the Conservation Commission or its agent.
13. There shall be no underground storage of fuel or other hazardous substance in areas within the jurisdiction of the Conservation Commission.
14. Removal and storage of hazardous waste, if in an area subject to protection under the Wetlands Protection Act shall be as follows:
 - a. Removal and storage shall be conducted only when approved and directed by DEP, the U.S. Environmental Protection Agency (EPA) or other applicable state or federal agency under which remedial activities are

Standard Conditions

DEP File #: SE220-1169
Applicant: Robert Thomas

- b. directed and shall be conducted in the manner specified in the Notice of Intent and appropriate agency directives.
 - c. All hazardous materials, products and waste produced , stored or removed must be handled, treated and disposed of in accordance with local, state and federal law regulating such materials and must be located outside of the buffer zone to wetland resource areas, unless specifically authorized by the OOC and appropriate state and federal licensing and permitting agencies.
 - d. No hazardous waste shall be introduced or discharged into or toward wetland resource areas.
 - e. No hazardous waste shall be introduced or discharged into the sanitary or sewage systems in such a manner which will result in an impact to wetland resource areas unless approved by the Conservation Commission, board of health, DEP and/or EPA.
 - f. Identification of all types of hazardous materials used, produced or stored shall be submitted to the Conservation Commission in writing.
15. No trash dumpsters will be allowed within 100 feet of areas subject to protection under the Wetlands Protection Act unless authorized by the OOC.
16. This OOC shall pertain to the roadways, utilities within the roadway layout, and associated drainage facilities. Individual lot construction, including driveways, lot utilities, sewage and water, if under the Commission's jurisdiction, shall require individual Notices of Intent and/or Requests for Determination.
17. This OOC authorizes only the activity described on the approved plans(s) and approved documents referenced in this OOC. Any other or additional activity in areas within the jurisdiction of the Commission will require separate review and approval by the Commission or its agent.

Strict compliance with these Standard Conditions may be waived when in the judgment of the Conservation Commission such action is in the public interest and not inconsistent with the Wetlands Protection Act.



WPA Form 5 – Order of Conditions

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

SE220-1169

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D. Findings Under Municipal Wetlands Bylaw or Ordinance

- 1. Is a municipal wetlands bylaw or ordinance applicable? Yes No
- 2. The Conservation Commission hereby finds (check one that applies):

- a. that the proposed work cannot be conditioned to meet the standards set forth in a municipal ordinance or bylaw, specifically:

1. Municipal Ordinance or Bylaw

2. Citation

Therefore, work on this project may not go forward unless and until a revised Notice of Intent is submitted which provides measures which are adequate to meet these standards, and a final Order of Conditions is issued.

- b. that the following additional conditions are necessary to comply with a municipal ordinance or bylaw:

1. Municipal Ordinance or Bylaw

2. Citation

- 3. The Commission orders that all work shall be performed in accordance with the following conditions and with the Notice of Intent referenced above. To the extent that the following conditions modify or differ from the plans, specifications, or other proposals submitted with the Notice of Intent, the conditions shall control.

The special conditions relating to municipal ordinance or bylaw are as follows (if you need more space for additional conditions, attach a text document):



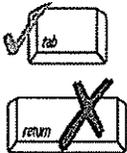
Massachusetts Department of Environmental Protection
 Bureau of Resource Protection - Wetlands
WPA Form 5 – Order of Conditions
 Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:
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E. Signatures

Important: When filling out forms on the computer, use only the tab key to move your cursor - do not use the return key.



This Order is valid for three years, unless otherwise specified as a special condition pursuant to General Conditions #4, from the date of issuance.

May 17, 2012
 1. Date of Issuance

Please indicate the number of members who will sign this form.
 This Order must be signed by a majority of the Conservation Commission.

FIVE
 2. Number of Signers

The Order must be mailed by certified mail (return receipt requested) or hand delivered to the applicant. A copy must be mailed, hand delivered or filed electronically at the same time with the appropriate MassDEP Regional Office.

Signatures:

[Signature]
[Signature]
[Signature]

[Signature]
[Signature]

by hand delivery on

by certified mail, return receipt requested, on

Date

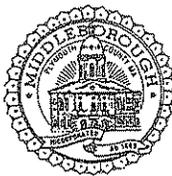
Date

F. Appeals

The applicant, the owner, any person aggrieved by this Order, any owner of land abutting the land subject to this Order, or any ten residents of the city or town in which such land is located, are hereby notified of their right to request the appropriate MassDEP Regional Office to issue a Superseding Order of Conditions. The request must be made by certified mail or hand delivery to the Department, with the appropriate filing fee and a completed Request of Departmental Action Fee Transmittal Form, as provided in 310 CMR 10.03(7) within ten business days from the date of issuance of this Order. A copy of the request shall at the same time be sent by certified mail or hand delivery to the Conservation Commission and to the applicant, if he/she is not the appellant.

Any appellants seeking to appeal the Department's Superseding Order associated with this appeal will be required to demonstrate prior participation in the review of this project. Previous participation in the permit proceeding means the submission of written information to the Conservation Commission prior to the close of the public hearing, requesting a Superseding Order, or providing written information to the Department prior to issuance of a Superseding Order.

The request shall state clearly and concisely the objections to the Order which is being appealed and how the Order does not contribute to the protection of the interests identified in the Massachusetts Wetlands Protection Act (M.G.L. c. 131, § 40), and is inconsistent with the wetlands regulations (310 CMR 10.00). To the extent that the Order is based on a municipal ordinance or bylaw, and not on the Massachusetts Wetlands Protection Act or regulations, the Department has no appellate jurisdiction.



Town of Middleborough

CONSERVATION COMMISSION

MEMORANDUM

TO: Board of Selectmen
R. Geoffroy, Planning Director
A. Bagas, DPW Superintendent

FROM: Patricia J. Cassady, Conservation Agent 

RE: Earth Removal Application – 182 Plympton Street (Map 26, Lot 5074)

DATE: September 27, 2012

This memorandum is in response to the earth removal permit that the above-mentioned applicant has submitted to the Board of Selectmen.

This proposal has an Order of Conditions with the Conservation Commission under DEP file # SE220-1169, which was issued May 17, 2012 for site clearing and grading to develop cranberry bogs to the rear of existing dwelling. This Order of Conditions is valid until May 17, 2017 (3 years under the DEP Regulations and then 2 additional years under the updated Permit Extension Act legislation). The Order of Conditions has been recorded at the Plymouth County Registry of Deeds under Book 41466, Page 32.

Prior to the start of any earth removal a site inspection is required by the Commission to confirm that erosion controls have been installed properly to prevent impact to the wetland resource areas.

If you have any further questions, don't hesitate to contact the Conservation Office at 508-946-2406.

Thank you

pjc



**Town of Middleborough
Massachusetts**

BOARD OF SELECTMEN

MEMORANDUM

TO: R. Geoffroy, Town Planner
P. Cassidy, Conservation Commission Agent
A. Bagas, DPW Superintendent

FROM: Jackie Shanley, Confidential Secretary to Board of Selectmen

DATE: September 20, 2012

SUBJECT: **Application for Earth Removal Permit, 182 Plympton Street**

Attached is a request filed by Silva Engineering Associates, P.C. on behalf of Robert & Susan Thomas, 182 Plympton Street, Assessors Map 26, Lot 5074 for an Earth Removal permit.

This request will be addressed at the Selectmen's meeting on Monday, **October 15, 2012 at 7:30 PM.**

All remarks or concerns regarding the request must be returned to the Selectmen's Office no later than **Wednesday, October 10, 2012 by 12 Noon.**

Even if you have no comments to make regarding the plan, please indicate so in writing.

Please contact the Selectmen's Office if you have any further questions.

Attachments

cc: Board of Selectmen
Town Manager



The Middleborough Board of Selectmen will hold a public hearing on Monday, August 20, 2012 at 7:45 PM in the Selectmen's Meeting Room at the Town Hall, 10 Nickerson Avenue, for the purpose of discussing an application filed by Leonard's Auto LLC, for a Class II Automobile Dealer's license for the premises located at 407B Wareham Street, Middleboro, MA (Assessors Map 080, L3649). Anyone desiring to be heard on this matter should appear at the time and place designated.

Alfred P. Rullo, Jr.
Allin Frawley
Steven P. Spataro
Ben Quelle
Stephen J. McKinnon
BOARD OF SELECTMEN

Publish: August 9, 2012

Payment will be forwarded to S. Coast Media, 25 Elm St., New Bedford, MA 02740. Advertiser #300074

continued to 9.10.12
continued to 10.15.12

August 20, 2012

Board of Selectmen:

There is nothing in the CORI background records to cause concern in approving Arthur Leonard, Jr. for a Class II Automobile Dealer's license.

Jackie Shanley, Secretary



Town of Middleborough
20 Centre Street, Second Floor
Middleborough, Massachusetts 02346

Robert J. Whalen
Building Commissioner
Tel. 508-946-2426
Fax 508-946-2305

August 14, 2012

Middleborough Board of Selectmen
Middleborough Town Offices
10 Nickerson Ave
Middleborough, MA 02346

RE: Class II License for property located at 407 Wareham Street, Assessors Map: 080 Lot: 3649.

Dear Honorable Board,

I have reviewed the layout plan submitted by Arthur Leonard for a Class II License for Leonard's Auto LLC. This property is located at 407 Wareham Street.

1. This property is located within the General Use Zoning District so the proposed use is allowed. The property is also located in Water Resource Protection District, Zone II. A used car lot would require a special permit under W.R.P.D regulations Section XII. F. 3.
2. The site plan shows that seven cars would be parked on the outside perimeter of the property. I have concerns with the pervious areas on the lot. The existing paving does not extend to the proposed parking area.
3. Middleborough Zoning requires a landscaped buffer zone 25 feet in depth along the street and 15 feet along the side or rear lot lines. The site plan provided does not show the required buffer area.

Respectfully submitted,

Robert J. Whalen
Building Commissioner
Zoning Enforcement Officer



Town of Middleborough

CONSERVATION COMMISSION

MEMORANDUM

TO: Board of Selectmen
Ruth Geoffroy, Planning Director
Jeanne Spalding, Health Officer
Robert Whalen, Building Commissioner

FROM: Patricia J. Cassady, Conservation Agent 

DATE: July 30, 2012

RE: Request for Class II Automobile Dealer's license – Leonard's Auto, LLC,
407B Wareham Street

After reviewing this application I found that there are no wetland resource areas close to enough to this property to require the applicant to file with the Conservation Commission. This was observed by viewing the Department of Environmental Protection Wetlands mapping.

You should be aware that the site appears to be within the Water Resource Protection District (W.R.P.D.) Zone II. Under the W.R.P.D. Zone II Regulations (F) (3) h. Special Permit Uses – "Automobile service and repair shops including those accessory to new and used car dealerships." This type of use requires a special permit.

If you have any questions regarding this, don't hesitate to contact the Conservation Department at 508-946-2406.

pjc



TOWN OF MIDDLEBOROUGH HEALTH DEPARTMENT

Jeanne Spalding, RS, CHO
Health Officer
Hours: 9am-5pm

PH: 508-946-2408
FX: 508-946-2321

MEMO

Memo To: Board of Selectmen

From: Jeanne C. Spalding, Health Officer

*Subject: Application for Class II License at 407 Wareham Street,
Leonard's Auto, LLC*

Date: August 6, 2012

A review of the information provided to the Health Department indicates the existing use is an office and vehicle inspection operation with a proposed expanded use to include an auto dealer operation.

A septic system was installed in early 1998. The above application would be considered an expansion of operations and would require a Title 5 inspection and evaluation to determine existing conditions and capacity for the proposed additional operations.

Under the W.R.P.D. Bylaw, it appears that the proposed use may be allowed subject to a special permit.

The following concerns should be addressed with the applicant if any work will be done on the vehicles on site.

- 1. Quantity and types of hazardous materials.*
- 2. Storage/containment of these materials.*
- 3. On site spill containment and cleanup products/procedures.*
- 4. Employee work area to have a cleanup station prior to rest room facilities to eliminate any products getting into the on site disposal system.*
- 5. Hazardous material generator registration and identity of waste hauler.*
- 6. All MSDS should be available on site.*
- 7. Also, will there be any washing down of the vehicles on site and if so, what is proposed for the waste water and cleaning agents/solvents.*
- 8. Floor drains should not be allowed.*
- 9. Parking of vehicles on pervious areas of the lot.*

Please contact this office if you have any questions.

*cc: Charles Cristello, Town Manager
Robert Whalen, Commissioner of Buildings*

Jul. 11. 2012 10:31AM

Town Manager Middleborough

CRANBERRY CAPITAL OF THE WORLD



Phone: 508-948-2406 Fax: 508-946-0058

Town of Middleborough Massachusetts Board of Selectman

APPLICATION FOR LICENSE (PLEASE TYPE OR PRINT CLEARLY)

DATE 7.10.12 NAME OF APPLICANT Arthur Leonard ADDRESS OF APPLICANT 69 Miller Street, Middleboro, MA ASSESSORS MAP & LOT 087 989 DAYTIME TELEPHONE

NAME OF BUSINESS Leonard's Auto, LLC OWNER OF PROPERTY TO BE LICENSED Kostas Geroukos ADDRESS OF PROPERTY TO BE LICENSED 403B Wareham Street, Middleboro, MA ASSESSORS MAP & LOT 080-3649

TYPE OF LICENSE REQUESTED (Check One)

- 2nd Hand WRPD Class I License Earth Removal Permit Class III License Liquor License Class II License [checked] Junk Dealer Entertainment Other

Anticipated Start Date for Business: July 15, 2012 Days & Hours of Operation: Mon-Fri 8am-5pm

Has the applicant previously held a similar license in the Town of Middleborough or elsewhere? If yes, explain: yes, class II automobile (internet) dealer's license #80

Signature Arthur Leonard

DATE OF HEARING: 7.23.12

APPROVED/DENIED

Do not write below line: To be Completed by Treasurer/Collector:

Please inform this department as to whether or not the above listed property owner/applicant/petitioner owes the Town of Middleborough any outstanding taxes and/or municipal charges that remain unpaid for more than one year.

Does Property Owner/Applicant/Petitioner owe Taxes/Municipal Charges? NO

Handwritten signature of the official

THE COMMONWEALTH OF MASSACHUSETTS

Town of Middleboro

APPLICATION FOR A LICENSE TO BUY, SELL, EXCHANGE
OR ASSEMBLE SECOND HAND MOTOR VEHICLES
OR PARTS THEREOF

I, the undersigned, duly authorized by the concern herein mentioned, hereby apply for a Second class license, to Buy, Sell, Exchange or Assemble second hand motor vehicles or parts thereof, in accordance with the provisions of Chapter 140 of the General Laws.

1. What is the name of the concern? Leonard's Auto, LLC

Business address of concern. No. 407B Wareham Street St.,
Middleboro City — Town.

2. Is the above concern an individual, co-partnership, an association or a corporation? Corporation

3. If an individual, state full name and residential address.

4. If a co-partnership, state full names and residential addresses of the persons composing it.

5. If an association or a corporation, state full names and residential addresses of the principal officers.

President Arthur Leonard Jr., 69 Miller Street, Middleboro, MA 02346

Secretary

Treasurer

6. Are you engaged principally in the business of buying, selling or exchanging motor vehicles? yes

If so, is your principal business the sale of new motor vehicles? no

Is your principal business the buying and selling of second hand motor vehicles? yes

Is your principal business that of a motor vehicle junk dealer? no

7. Give a complete description of all the premises to be used for the purpose of carrying on the business.

407B Wareham Street, Middleboro, MA

8. Are you a recognized agent of a motor vehicle manufacturer? NO (Yes or No)

If so, state name of manufacturer

9. Have you a signed contract as required by Section 58, Class 1? NO (Yes or No)

10. Have you ever applied for a license to deal in second hand motor vehicles or parts thereof? YES (Yes or No)

If so, in what city - town Middleboro

Did you receive a license? YES - internet only (Yes or No) For what year? 2012

11. Has any license issued to you in Massachusetts or any other state to deal in motor vehicles or parts thereof ever been suspended or revoked? NO (Yes or No)

Sign your name in full. [Signature] (Duly authorized to represent the concern herein mentioned)

Residence. 69 Miller Street, Middleboro MA 02346

IMPORTANT

EVERY QUESTION MUST BE ANSWERED WITH FULL INFORMATION, AND FALSE STATEMENTS HEREIN MAY RESULT IN THE REJECTION OF YOUR APPLICATION OR THE SUBSEQUENT REVOCATION OF YOUR LICENSE IF ISSUED.

NOTE: If the applicant has not held a license in the year prior to this application, he must file a duplicate of the application with the registrar. (See Sec. 59)



A hearing will be held by the Board of Selectmen on Monday, June 4, 2012 at 7:30 PM in the Selectmen's Meeting Room at the Town Hall, located at 10 Nickerson Avenue, Middleborough, MA for the purpose of discussing application made by the John F. Glass, Jr., VFW Post 2188 for an Alteration of Premises and Change of Corporate Name All Alcoholic Beverages Club liquor license, property located at 12 Station Street, Middleboro, MA Assessors Map 50N, Lot 5974, Middleborough, MA. Anyone desiring to be heard on this matter should appear at the time and place designated.

Alfred P. Rullo, Jr.
Allin Frawley
Steven P. Spataro
Ben Quelle
Stephen J. McKinnon

Publish: May 17, 2012

Payment forthcoming

Continued to 9.10.12
" " 10.15.12

**GUIDELINES FOR EXTENSION OF PREMISES
TO PATIO AND OUTDOOR AREAS**

1. Alcoholic beverages cannot be served outside a licensed establishment unless and until an application to extend the licensed premises has been approved.
2. An application to extend the premises must describe the area in detail: for example, dimensions, number of tables and chairs, occupancy figures for inside area and outside area, bars, if any.
3. It is essential that the licensee have control of the area in order to preclude service to underage persons, to intoxicated persons, and other violations. The premises must be enclosed by a fence, rope or other means to prevent patrons or members of the public from wandering in and out.
4. The outdoor area must be contiguous to the licensed premises and the licensee should have a view of the outside premises from inside. Egress from the inside to the outside must be clearly established. This will assure safe, uninterrupted service of alcoholic beverages.
5. The outdoor area must have adequate exits in case of emergency.
6. The licensing authorities should consider the type of neighborhood and the potential for noise in the environs.
7. Preferred are outdoor areas where alcohol is served to patrons who are seated at tables and where food is also available.

Jacqueline Shanley

From: Decas, Murray & Decas <decasmurraydecas@yahoo.com>
Sent: Thursday, October 11, 2012 3:14 PM
To: Jacqueline Shanley
Subject: VFW field

October 11, 2012

Jackie Shanley, Secretary to Middleboro Board of Selectmen (*via email*)

RE: VFW field – zoning district

Dear Jackie:

You asked me to advise whether the area in which the VFW proposes to sell/serve/consume alcoholic beverages is in the Business District part of the property under the Zoning By-laws.

The ZBA in August 2012 approved the extension of a nonconforming use to the VFW field (the “field”). I understand and assume that the field includes everything on the VFW property between Station Street and the easterly line of the VFW property from the southerly side of the driveway located on the southerly side of the main building. I understand that the proposed alcoholic beverage use will be carried on at the field. I do not know what part(s) of the field will be the site of the proposed alcoholic beverage use.

My review of the zoning map and other Town maps indicates that the field is in three (3) zoning districts: Business, General Use and Residence. I do not have precise locations for zoning district boundaries in relation to the field. Generally, however, it appears that the Business and General Use parts of the field are located along Station Street and include much of the outfield area of the former Little League baseball facility at the field. The Residence part of the field appears to include the infield area of the Little League facility and probably part of the outfield area.

Very truly yours,

Daniel F. Murray
Town Counsel
DFM/s
12-103-1

cc: Charles J. Cristello, Town Manager (*via email*)
Robert J. Whalen, Building Commissioner (*via email*)

APPROVED

COPY

TOWN OF MIDDLEBOROUGH
ZONING BOARD OF APPEALS

AUG 23 2012

ZONING BOARD
OF APPEALS



NOTICE OF HEARING

The Middleborough Zoning Board of Appeals will hold a public hearing on Thursday, August 23, 2012, at 7:30 P.M., in the Selectmen's Room, Middleborough Town Hall, 10 Nickerson Avenue, Middleborough, to hear the petition of Eric Goodnow for the VFW relative to his request to allow for functions such as fundraisers, community, religious, military, and public service events in the field of the VFW. The subject property is located at 12 Station Street, Middleborough Assessor's Map 50N, lot 5974. Anyone desiring to be heard on this matter should appear at the time and place designated.

Zoning Board of Appeals
Bruce G. Atwood
Dr. Edward Braun
Dorothy Pulsifer
Norman Diegoli
Joseph Freitas
August 9 & 16, 2012

The Board set the 23rd day of August, 2012 at 7:30 o'clock P.M. as the time, and the Town Hall, 10 Nickerson Avenue, Middleborough, Massachusetts, as the place of the public hearing upon said petition/appeal.

The following notice was published in the Middleboro Gazette in the issues of 08/09/12 & 08/16/12 and a copy of said notice was set by mail to each of the interested parties and the owner of all property affected thereby, as they appear upon the most recent tax list:

ρ A hearing of said petition/appeal was held at the time and place specified.

There were five (5) members of the Board present, they being:

Chairman Atwood, Dr. Edward Braun, Norman Diegoli, Liz Elgosin, and Eric Priestly

ρ There were four (4) members of the Board present

It was explained to the appellant that he had the right to ask for a continuance until five (5) Members of the board could meet at everyone's convenience, or he could proceed with the four (4) members present, which would require a unanimous vote in his favor for the request to be granted. The appellant decided to continue/postpone his petition until the next meeting.

Members present:

Chairman Atwood read into the record the legal advertisement and declared the hearing open at 8:28 P.M. Chairman Atwood, Dr. Edward Braun, Norman Diegoli, Liz Elgosin, Eric Priestly and Darrin DeGrazia were present.

Eric Goodnow informed the board that he is representing the VFW. They would like to expand the use of the field and make it a community field.

Chairman Atwood asked if it is correct that they would like to hold fundraisers, community, religious, military, and public service events in the field of the VFW. Eric Goodnow said yes. Chairman Atwood asked what his thoughts are for the times of operation. Eric Goodnow said they are basically summer events and it would be sunset, or before sunset because they need to clean up.

Dr. Edward Braun asked him to give him an idea of an event they would hold. Eric Goodnow said it would be the same as what they hold in the hall. They do fundraisers for service men to help with the families. Dr. Edward Braun asked how many functions he would anticipate in a calendar year. Eric Goodnow said possibly two dozen.

Eric Priestly read into the record a letter dated August 15, 2012, from Robert Whalen, Building Commissioner and a letter dated August 2, 2012, from Jeanne Spalding, Health Officer.

Eric Priestly said if he recalls correctly there seems to be a pretty good natural screening located there. Robert Whalen said it was suggested at the Selectmen's meeting in install slats in the chain link fence at the end of Southwick Street. Eric Goodnow has no objections to that.

Eric Priestly asked if he has any problems with the hours of operation being stipulated from dawn to dusk. Eric Goodnow has no objections to that.

Chairman Atwood asked if anyone would like to be heard on this matter. Bruce Writer said he is in charge of the Middleboro Veterans Honor Guard and hopes the board will agree with this request, they do a lot of fundraisers to help the military families.

Eric Goodnow asked if this will change the zoning over to Business. Chairman Atwood said no, it doesn't change the zoning in the area. Discussion ensued regarding this business being located in three different districts, and his liquor license request with the Selectmen.

Eric Goodnow asked if they could get grandfathered in. The building and what they have been doing in the building is the same since 1947. They built the building prior to zoning and now the zoning is in their property. Eric Goodnow said the law states if commercial properties in general use and business districts may be entirely utilized provided that the commercial use was in existence at the time of adoption of the original zoning bylaw. Norman Diegoli and Dr. Edward Braun said it would seem that they are grandfathered in. Chairman Atwood said when the board approves this he would think that would override any issues of grandfathering.

Hearing no further comments Chairman Atwood called for a motion.

Upon a motion made by Dr. Edward Braun and seconded by Norman Diegoli, the board

VOTED: to approve the petition of Eric Goodnow for the VFW relative to his request to allow for functions such as fundraisers, community, religious, military, and public service events in the field of the VFW. The subject property is located at 12 Station Street, Middleborough Assessor's Map 50N, lot 5974. This is approved with the following stipulations:

- 1. No event shall start before dawn and all events shall end before dusk.**
- 2. Screening shall be provided on the residential portion of the former little league baseball field.**

Chairman Atwood, Dr. Edward Braun, Norman Diegoli, Eric Priestly and Liz Elgosin were in favor. (5-0)

Eric Priestly thanked Mr. Goodnow for his service to our Country, his sacrifice and his continued service to our community. It is much appreciated.

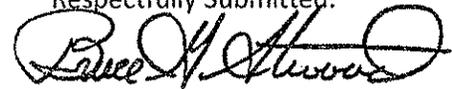
Upon a motion made by Norman Diegoli and seconded by Eric Priestly, the board

VOTED: to adopt the following findings:

- 1. The proposed site is appropriate for the use.**
- 2. Public water and sewerage facilities are available which will adequately service the site.**
- 3. The use involved will not be detrimental to the established or future character of the neighborhood and Town and is subject to appropriate conditions and safeguards.**
- 4. There will be no nuisance or serious hazard to vehicles or pedestrians.**
- 5. Adequate and appropriate facilities have been provided to insure the proper operation of the use and structure.**

Chairman Atwood, Dr. Edward Braun, Norman Diegoli, Eric Priestly and Liz Elgosin were in favor. (5-0)

Respectfully Submitted:



Bruce G. Atwood, Chairman
Zoning Board of Appeals

MIDDLEBOROUGH, MASSACHUSETTS ZONING MAP



SCALE: 1" = 2000'

- | UNDERLYING ZONING | OVERLAY ZONING DISTRICTS |
|--|---|
| <ul style="list-style-type: none"> Business Commercial Development General Use General Use A General Use X Industrial Residence A Residence B Residence R (Rural) | <ul style="list-style-type: none"> WRPD Z1 Water Resource Protection Districts WRPD Z3 WRPD Z4 Development Opportunities District Adult Entertainment District |

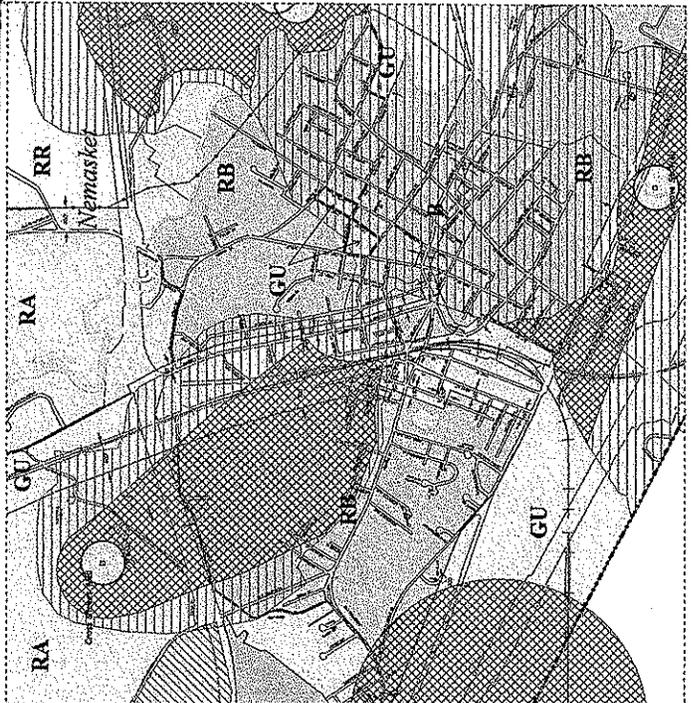
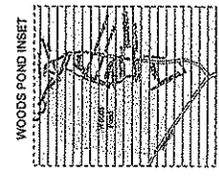
Powerlines ---+---+---+ RailRoad Tracks -+---+---+

Zoning Notes

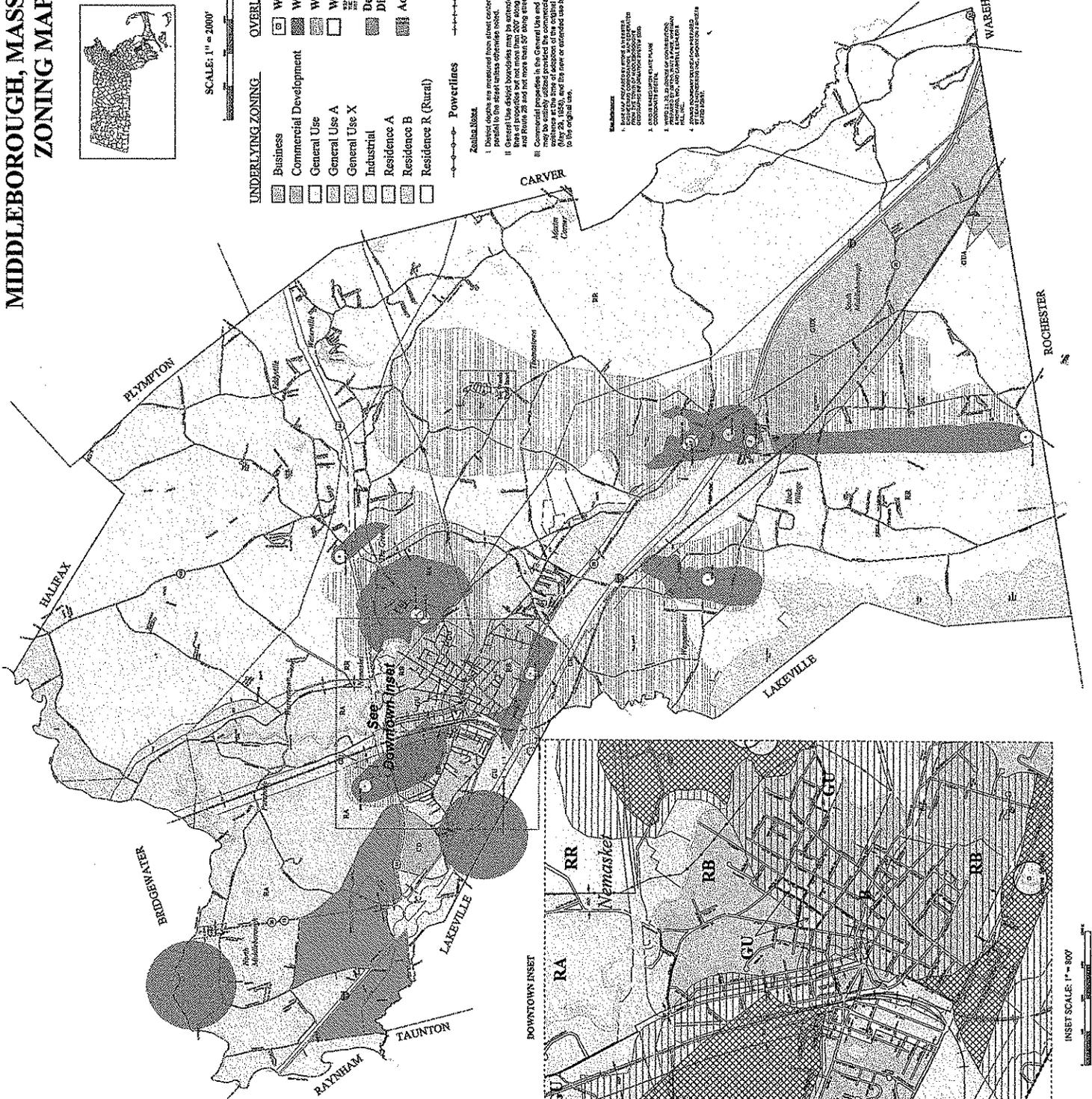
- I. All lots are measured from other corner lines and no special use is shown unless otherwise noted.
- II. General Use district boundaries may be extended to the next lot line and points up and not more than 50' along the railroad.
- III. Commercial properties in the General Use and Business districts are subject to the provisions of the existing Zoning By-Law (Chapter 23A, §85), and the new or extended use is strictly related to the original use.

REVISIONS

Approved by Select Board February 1978
 Approved by Select Board December 1979
 Approved by Select Board February 1981
 Approved by Select Board February 1982
 Approved by Select Board February 1983
 Approved by Select Board February 1984
 Approved by Select Board February 1985
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 Approved by Select Board February 2015
 Approved by Select Board February 2016
 Approved by Select Board February 2017
 Approved by Select Board February 2018
 Approved by Select Board February 2019
 Approved by Select Board February 2020
 Approved by Select Board February 2021
 Approved by Select Board February 2022
 Approved by Select Board February 2023
 Approved by Select Board February 2024



INSET SCALE: 1" = 800'

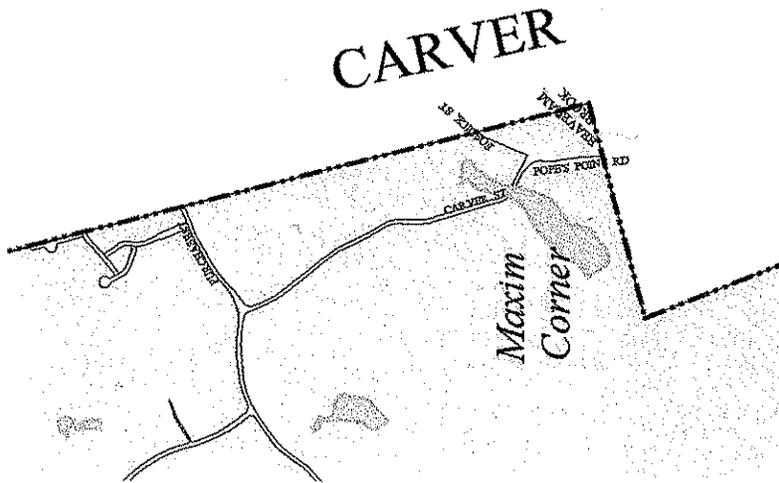


Edward J. Kelly
 Town Engineer

1/27
2002

Zoning Notes

- I District depths are measured from street center lines and run parallel to the street unless otherwise noted.
- II General Use district boundaries may be extended to the rear lot lines of properties but not more than 200' along the railroad and Route 28 and not more than 50' along streets.
- III Commercial properties in the General Use and Business districts may be entirely utilized provided the commercial use was in existence at the time of adoption of the original Zoning By-Law (May 29, 1958), and the new or extended use is directly related to the original use.



CRANBERRY CAPITAL
OF THE WORLD



Phone: 508-946-2405
Fax: 508-946-0058

Town of Middleborough

Massachusetts

Board of Selectmen

MEMORANDUM

TO: Building Commissioner
Health Officer
Conservation Commission
Planning Board

FROM: Board of Selectmen's office

DATE: 4/11/12

RE: **Alteration of Premises & Change of Corporate Name**
VFW Post 2188, 12 Station Street, M. 50N, L5974

Please be advised that the above referenced matter is scheduled before the Board of Selectmen on 6-4-12 at 7:30 PM.

The applicant is applying for an alteration of premises (sketch attached) as well as a change of the corporate name.

Please provide this office with any concerns, objections, and/or requirements in granting this license.

Thank you.

Attachments

cc: Board of Selectmen
Town Manager



Town of Middleborough
20 Centre Street, Second Floor
Middleborough, Massachusetts 02346

Robert J. Whalen
Building Commissioner
Tel. 508-946-2426
Fax 508-946-2305

May 30, 2012

Middleborough Board of Selectmen
Middleborough Town Offices
10 Nickerson Ave
Middleborough, MA 02346

RE: Alteration of premises for the VFW Post 2188 of 12 Station Street, Map: 50N Lot:
5974

Honorable Board,

I have reviewed the application submitted by Eric Goodnow for an alteration of premises for the property located at 12 Station Street. The Middleborough Board of Selectman has the authority to amend the liquor license; however the field is located in a residential zoning district. The change to allow the field to be used as a hospitality area would have to be approved by the Zoning Board of Appeals.

Respectfully submitted,

Robert J. Whalen
Building Commissioner
Zoning Enforcement Officer

Jacqueline Shanley

From: Catherine Hassett
Sent: Wednesday, May 16, 2012 10:25 AM
To: Jacqueline Shanley
Subject: VFW Post 2188

Hi Jackie,

The Middleborough Health Department does not have any concerns, objections, and/or requirements regarding an alteration of premises or a change of the corporate name for the VFW Post 2188 located at 12 Station Street, Middleborough, MA. M.50N, L.5974.

Thank you,

Catherine Hassett

**Town of Middleborough
Massachusetts**

BOARD OF SELECTMEN

**APPLICATION FOR LICENSE
(PLEASE TYPE OR PRINT CLEARLY)**

DATE 2/13/2012
NAME OF APPLICANT Middleboro Overseas Veterans Inc
ADDRESS OF APPLICANT 12 Station St Middleboro MA 02346
ASSESSORS MAP & LOT 562 5974
DAYTIME TELEPHONE 508-967-6702 508-947-0804 ERIC Goodnow

NAME OF BUSINESS Middleboro Overseas Veterans Inc
OWNER OF PROPERTY TO BE LICENSED Middleboro Overseas Veterans Inc
ADDRESS OF PROPERTY (TO BE LICENSED) 12 Station St
ASSESSORS MAP & LOT _____

TYPE OF LICENSE REQUESTED (Check One)

2nd Hand Furniture _____ 2nd Hand Clothing _____
Class I License _____ Class II License _____
Class III License _____ Liquor License X
Common Victualer _____ Automatic Amusement _____
Entertainment _____ Other _____
*1. Change of name.
2. Add outdoor seating.
(alteration of premises)*

Anticipated Start Date for Business 05/01/2012
Hours requested: inside building same. Outside 11am to 8pm or sunset.

Has the Applicant previously held a similar license in the Town of Middleborough or elsewhere?
If yes, explain:
Yes, We have a license for John F. Glass Post 2188. Name on license is being changed to Middleboro Overseas Veterans Inc.

Signature [Handwritten Signature]

DATE OF HEARING 10-4-12

APPROVED/DENIED

Do not write below line: To be Completed by Treasurer/Collector:

Please inform this department, as well as the Board of Selectmen, as to whether or not the above listed property owner/applicant/petitioner owes the Town of Middleborough any outstanding taxes and/or municipal charges that remain unpaid for more than one year.

Does Property Owner/Applicant/Petitioner owe Taxes/Municipal Charges? NO

Judy M. MacDonals *[Signature]*



Existing Building

HP Parking

Build new ENTRANCE

ENTRANCE

ENTRANCE Proposed

EXISTING BUILD

Proposed Tables

4 FT Retaining wall

Field is Surrounded by 4 FT Fence

4 FT ENTRANCE

The Commonwealth of Massachusetts
 Alcoholic Beverages Control Commission
 239 Causeway Street
 Boston, MA 02114
www.mass.gov/abcc

**RETAIL ALCOHOLIC BEVERAGES LICENSE APPLICATION
 MONETARY TRANSMITTAL FORM**

APPLICATION SHOULD BE COMPLETED ON-LINE, PRINTED, SIGNED, AND SUBMITTED TO THE
 LOCAL LICENSING AUTHORITY.

REVENUE CODE: RETA

CHECK PAYABLE TO ABCC OR COMMONWEALTH OF MA: \$200.00

(CHECK MUST DENOTE THE NAME OF THE LICENSEE CORPORATION, LLC, PARTNERSHIP, OR INDIVIDUAL)

CHECK NUMBER 664

IF USED EPAY, CONFIRMATION NUMBER:

A.B.C.C. LICENSE NUMBER (IF AN EXISTING LICENSEE, CAN BE OBTAINED FROM THE CITY):

070000009

LICENSEE NAME: Middleboro Overseas Veterans Inc.

ADDRESS: 12 Station St.

CITY/TOWN: Middleboro

STATE MA

ZIP CODE

02346

TRANSACTION TYPE (Please check all relevant transactions):

- | | | | |
|---|---|---|---|
| <input type="checkbox"/> New License | <input type="checkbox"/> New Officer/Director | <input type="checkbox"/> Pledge of License | <input checked="" type="checkbox"/> Change Corporate Name |
| <input type="checkbox"/> Transfer of License | <input type="checkbox"/> Change of Location | <input type="checkbox"/> Pledge of Stock | <input type="checkbox"/> Seasonal to Annual |
| <input type="checkbox"/> Change of Manager | <input checked="" type="checkbox"/> Alteration of Licensed Premises | <input type="checkbox"/> Transfer of Stock | <input type="checkbox"/> Change of License Type |
| <input type="checkbox"/> Cordials/Liqueurs Permit | <input type="checkbox"/> New Stockholder | <input type="checkbox"/> Issuance of Stock | <input type="checkbox"/> Other |
| <input type="checkbox"/> 6-Day to 7-Day License | <input type="checkbox"/> Management/Operating Agreement | <input type="checkbox"/> Wine & Malt to All Alcohol | |

THE LOCAL LICENSING AUTHORITY MUST MAIL THIS TRANSMITTAL
 FORM ALONG WITH THE CHECK, COMPLETED APPLICATION, AND
 SUPPORTING DOCUMENTS TO:

**ALCOHOLIC BEVERAGES CONTROL COMMISSION
 P. O. BOX 3396
 BOSTON, MA 02241-3396**

The Commonwealth of Massachusetts
Alcoholic Beverages Control Commission
239 Causeway Street
Boston, MA 02114
www.mass.gov/abcc

PETITION FOR CHANGE OF LICENSE

070000009

ABCC License Number

Middleboro

City/Town

The licensee John F. Glass Jr. VFW Post 2188 respectfully petitions the Licensing Authorities to approve the following transactions:

- | | |
|--|--|
| <input type="checkbox"/> Change of Manager | <input checked="" type="checkbox"/> Alteration of Premises |
| <input type="checkbox"/> Pledge of License/Stock | <input type="checkbox"/> Cordial & Liqueurs |
| <input checked="" type="checkbox"/> Change of Corporate Name/DBA | <input type="checkbox"/> Change of Location |
| <input type="checkbox"/> Change of License Type (\$12 ONLY, e.g. "club" to "restaurant") | |

Change of Manager

Last-Approved Manager:

Requested New Manager:

Pledge of License /Stock

Loan Principal Amount: \$

Interest Rate:

Payment Term:

Lender:

Change of Corporate Name/DBA

Last-Approved Corporate Name/DBA:

John F. Glass Jr. VFW Post 2188

Requested New Corporate Name/DBA:

Middleboro Overseas Veterans Inc.

Change of License Type

Last-Approved License Type:

Requested New License Type:

Alteration of Premises: (must fill out financial information form)

Description of Alteration:

Amend Liquor License to include field adjacent to building for picnic tables as a hospitality area.

Change of Location: (must fill out financial information form)

Last-Approved Location:

Requested New Location:

Signature of Licensee

John F. Glass Jr.

(If a Corporation/LLC, by its authorized representative)

Date Signed

02/13/2012



Map-Lot-Unit : 50N / 5974 / 1
 Location: 12 STATION ST
 Owner Name: MIDDLEBORO OVERSEAS VETERANS, INC
 Account Number: 50N-5974

Parcel Value

Item	Appraised Value	Assessed Value
Buildings	489,300	489,300
Xtra Bldg Features	12,800	12,800
Outbuildings	18,900	18,900
Land	334,800	334,800
Total:	855,800	855,800

Owner of Record

MIDDLEBORO OVERSEAS VETERANS, INC
 12 STATION ST
 MIDDLEBORO, MA 02346

Ownership History

Owner Name	Book/Page	Sale Date	Sale Price
MIDDLEBORO OVERSEAS VETERANS, INC	6099/ 157	5/14/1985	0

Land Use

Land Use Code	Land Use Description
9000	US GOVT

Land Line Valuation

Size	Zone	Appraised Value	Assessed Value
3.23 AC	B	334,800	334,800

Construction Detail

Building # 1	MODEL Commercial	Grade Average
STYLE Clubs/Lodges	Occupancy 1	Exterior Wall 1 Vinyl Siding
Stories: 1	Roof Cover Asph/F Gls/Cmp	Interior Wall 1 Drywall/Sheet
Roof Structure Gable/Hip	Interior Floor 2 Inlaid Sht Gds	Heating Fuel Gas
Interior Floor 1 Carpet	AC Type Central	Bldg Use US GOVT
Heating Type Forced Air-Duc	Total Baths 2	1st Floor Use: 9000
Total Bedrms 00	Frame Type WOOD FRAME	Baths/Plumbing AVERAGE
Heat/AC HEAT/AC SPLIT	Rooms/Prtns AVERAGE	Wall Height 10
Ceiling/Wall SUS-CEIL & WL		
% Conn Wall 0		

Building Valuation

Living Area: 9,882 square feet	Replacement Cost: 815,551	Year Built: 1952
Depreciation: 40%	Building Value: 489,300	

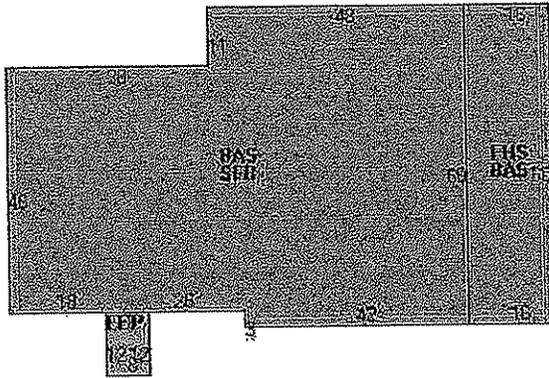
Extra Features

Code	Description	Units	Appraised Value
SPR2	WET/CONCEALED	8870 S.F.	12800

Outbuildings

Code	Description	Units	Appraised Value
PAV1	PAVING-ASPHALT	14400 S.F.	15800
SHD1	SHED FRAME	160 S.F.	900
SHD1	SHED FRAME	160 S.F.	900
SHD1	SHED FRAME	192 S.F.	1300

Building Sketch



Subarea Summary

Code	Description	Gross Area	Living Area
BAS	First Floor	5570	5570
FEP	Porch, Enclosed	96	0
FHS	Half Story, Finished	960	624
SFB	Base, Semi-Finished	4610	3688

John F. Glass Jr. VFW Post 2188
12 Station St., Middleboro Ma 02346
508-967-6702

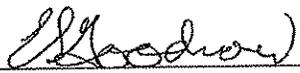
Certificate of Corporate Name Change on liquor license and Amend liquor license

I Eric Goodnow clerk of the John F. Glass Jr. VFW Post 2188 having the principal office at 12 Station St. Middleboro, MA 02346.

I certify that all officers and trustees in attendance have voted to change the corporation name on our liquor license to Middleboro Overseas Veterans Inc. having the principal office at 12 Station St. Middleboro, MA 02346

Vote taken 7 in favor 0 Opposed 0 abstain

Signed Under the Penalties of Perjury, this 25 day of January 2012


_____ Clerk

I Eric Goodnow clerk of the John F. Glass Jr. VFW Post 2188 having the principal office at 12 Station St. Middleboro, MA 02346.

I certify that all officers and directors in attendance have voted to amend our liquor license to include the field adjacent to the building at 12 Station St. Middleboro, MA 02346 for the purpose of expanding our hospitality area.

Vote taken 7 in favor 0 Opposed 0 abstain

Signed Under the Penalties of Perjury, this 25 day of January 2012


_____ Clerk

Financial Information:

Costs Associated with License

1. Real Property:	\$	<input type="text"/>
2. Business Purchase:	\$	<input type="text"/>
3. Renovations/Construction:	\$	<input type="text" value="1,000"/>
4. Start up/Operating Capital:	\$	<input type="text"/>
5. Inventory:	\$	<input type="text"/>
6. Goodwill:	\$	<input type="text"/>
7. Furniture:	\$	<input type="text" value="400"/>
8. TOTAL COST:	\$	<input type="text" value="1,400"/>
9. TOTAL CASH:	\$	<input type="text" value="1,400"/>
10. TOTAL FINANCED:	\$	<input type="text" value="0"/>

The amounts in items 9 and 10 must total the amount reflected in item 8. **IMPORTANT:** Submit any and all records, documents and affidavits including loan agreements that explain the sources of money for this transaction.

The Commonwealth of Massachusetts

04 20 50445

William Francis Galvin
Secretary of the Commonwealth
One Ashburton Place, Boston, Massachusetts 02108-1512

CERTIFICATE OF CHANGE OF DIRECTORS OR OFFICERS OF NON-PROFIT CORPORATIONS (General Laws, Chapter 180, Section 6D)

I, Eric Goodnow, *Clerk

of Middleboro Overseas Veterans Inc.
(Exact name of corporation)

having a principal office at 30 Station St. Middleboro Ma 02346
(Street address of corporation in Massachusetts)

certify that pursuant to General Laws, Chapter 180, Section 6D, a change in the directors and/or the president, treasurer and/or clerk of said corporation has been made and that the name, residential address, and expiration of term of each director and the president, treasurer and clerk are as follows:

	NAME	RESIDENTIAL ADDRESS	EXPIRATION OF TERM OF OFFICE
President:	Richard Washburn Jr.	18 Lyn Ln Middleboro MA 02346	UNTIL NEXT ELECTION
Treasurer:	William Blight	1 Carpenter St Middleboro MA 02346	UNTIL NEXT ELECTION
Clerk:	Eric Goodnow	153 Summer St Middleboro MA 02346	UNTIL NEXT ELECTION
Director 3yrs:	Paul Provencher	17 Barrows St Middleboro MA 02346	UNTIL NEXT ELECTION
Director 3yrs:	Wayne Packard	301 Crystal Way Middleboro MA 02346	UNTIL NEXT ELECTION
Director 2yrs:	Paul Demers	8 Clarendon St Taunton MA 02780	UNTIL NEXT ELECTION
Director 2yrs:	David McNeil	42 Pickens St Lakeville MA 02347	UNTIL NEXT ELECTION
Director 1yr:	William Holmes	12 Station St Middleboro MA 02346	UNTIL NEXT ELECTION
Director 1yr:	Einos Polvinen	12 Station St. Middleboro MA 02346	UNTIL NEXT ELECTION

SECRETARY OF THE COMMONWEALTH
2011 AUG 22 AM 11:47
J. J. ...

SIGNED UNDER THE PENALTIES OF PERJURY, this 14th day of August, 20 11

[Signature], *Clerk

*Delete the inapplicable words.
**Please provide the name and residential address of the assistant clerk if he/she is executing this certificate of change.

BY-LAWS

MIDDLEBORO OVERSEAS VETERANS, INC.

ARTICLE I

Name and Location

The name of the corporation shall be "Middleboro Overseas Veterans, Inc."

The location of the corporation shall be in the Commonwealth of Massachusetts, at 30 Station Street, Middleboro, Mass. 02346.

ARTICLE II

Seal

The corporate seal shall be circular in form and have inscribed thereon the name of the Corporation, year of incorporation, and the word "Massachusetts".

ARTICLE III

Purposes

The purpose of this corporation shall be fraternal, patriotic, historical and educational; to assist worthy comrades; to aid in perpetuating the memory and history of our wartime dead; to assist their widows and orphans; to attempt to maintain true allegiance to the government of the United States of America; and to help to foster true patriotism. To have perpetual succession, with power to sue and be sued in courts of law and equity; personally, wholly own, use and dispose of such real estate, personal property, money, contract rights and privileges as shall be deemed necessary and incidental for its corporate purposes; and these purposes shall or shall not include the right to apply for a license to sell alcoholic beverages.

ARTICLE IV

Capital Stock & Membership

The Corporation is organized as a non-stock, non-profit organization in the Commonwealth of Massachusetts.

Qualified members of the Corporation shall be entitled to only one vote.

Additional incorporators may be proposed to the Board of Directors, who will investigate and verify their eligibility as overseas war-time veterans. The name of the proposed new incorporators will be presented to the membership at the next Annual or Special Meeting for consideration.

Any incorporator missing two successive Annual Meetings without a valid written excuse will be proposed for deletion from the roll of incorporators.

ARTICLE V

Powers

This incorporated organization of overseas wartime veterans shall at all times remain under the jurisdiction of and be governed by its By-Laws and the laws and regulations of the Commonwealth of Massachusetts.

ARTICLE VI

Dissolution

In the event of the dissolution of this Corporation, the title to all of the assets and property, real and personal, shall pass to such non-profit organization, group or corporation that will benefit the citizens of the greater Middleboro area. At no time shall the assets of the Corporation be distributed among the individual members thereof.

ARTICLE VII

Meetings of the Corporate Members

Section 1. Place of Meeting

Meetings of Members of the Corporation shall be held at the principal office of the Corporation in the Commonwealth of Massachusetts or elsewhere at any place within the Commonwealth designated in the notice of the meeting.

Section 2. Quorum

Twenty-five percent of the members of the Corporation entitled to vote, present in person, shall constitute a quorum for the transaction of any business at a Corporation meeting, unless a larger number shall be required by law, and in that case, the number so required, shall constitute a quorum.

If a quorum is not present at any meeting, a majority of those and entitled to vote, may adjourn such meeting, without notice other than announcement at the meeting, until members requisite to constitute a quorum shall be present. At such adjourned meeting any business may be transacted which might have been transacted at the original meeting as notified.

Section 3. Date of Annual Meeting

The Annual Meeting of the Members of the Corporation shall be held on the second Wednesday of April in each year. In the event that such Annual Meeting is omitted by oversight or otherwise on the required day, a subsequent meeting may be held in lieu thereof, and any business transacted or election held shall be valid as if transacted at the Annual Meeting. Such meeting shall be called as provided for Special Meetings.

Section 4. Special Meetings

Special meetings of the members of the Corporation may be called by the President or by a majority of the Board of Directors, and shall also be called by the Clerk, upon the written application of 10% of the members entitled to vote, stating the time, place and purpose of the meeting.

A written or printed notice of the Annual Meeting or of any Special Meeting, stating the time, place and in the case of a Special Meeting, the purpose thereof, shall be given by the Clerk of the Corporation at least seven days before such meeting, to each member of record by leaving such notice at his residence, place of business or by mailing, postage prepaid, and addressed at the member's address as it appears in the records of the Corporation.

Section 6. Order of Business

The order of business at the Annual Meeting and, as far as practical, at all other meetings of the members, shall be as follows:

1. Calling Roll of Officers
2. Proof of due notice of meeting.
3. Reading and disposal of minutes.
4. Reports of Officers and Committees.
5. Election of Officers.
6. Unfinished business.
7. New business.
8. Adjournment.

Section 7. Vote of Members

All matters requiring action by Members must be by the affirmative vote of at least a majority of those Members present at a duly constituted meeting. There shall be no proxy votes.

Section 8. Rules of Order

For rules of order, etc. not covered by these by-laws, Demeter's Manual of Parliamentary Law and Procedure shall be the authority and prevail.

ARTICLE VIII

Officers

Section 1. Titles

The governing body shall consist of a Board of six (6) Directors, a President, a Treasurer and a Clerk. The Board of Directors may appoint a Vice President, Assistant Treasurer and such other officers as may deem advisable.

Section 2. Qualifications

The President, Treasurer and Clerk shall be Directors. The Clerk shall be a resident of the Commonwealth of Massachusetts.

Section 3. Election

The President, Treasurer and Clerk shall be elected annually by the Corporation.

At the first Annual Meeting of the Corporation there shall be elected to the Board six Directors, terms to be stated on the ballot; two for one .

continue to serve and hold office until their successors have been elected and qualified. Vacancies shall be filled by the Board of Directors until the next Annual Meeting in cases where the officers are elected by the corporate members

The Directors shall have the authority to create and fill additional offices such as Assistant Treasurer and shall have the right to hire and fire agents and employees of the Corporation and to define their duties.

The Corporate Members may at any Annual or Special Meeting, by a two-thirds vote of the Members present, declare vacant the office of any officer or Director who shall absent himself, without valid cause, for two consecutive Director's meetings, provided that at least seven (7) days notice shall have been given to such officer or Director of the proposed action in writing.

Also, the Corporate Members may at any Annual or Special Meeting, by a two-thirds vote of the Members present, declare vacant the office of any officer for any or all of the following: conviction of a misdemeanor involving moral turpitude, or any crime amounting to a felony, conduct unbecoming a gentleman, member, or officer of this Corporation; or conduct prejudicial to good order and discipline, or actions to bring discredit upon the organization.

ARTICLE IX

Directors

Section 1. Chairman of the Board of Directors

The Chairman of the Board of Directors shall be the President of the Corporation. He shall preside at meeting of the Board and shall have such other duties as may be assigned by the Board.

Section 2. Quorum

A majority of the Board of Directors shall constitute a quorum for the transaction of business of the Board.

Section 3. Place of Meetings, etc.

The Directors may establish the place of holding their meetings and the manner of calling and notifying. The Directors may provide for regular meetings of the Board to be held at a definite time and place, and may provide that no notice of said regular meeting be given to Board Members other than a notice of establishment of such regular meetings.

Section 4. Special Meeting

Special meetings of the Board may be held when called by the President or by any two Directors.

Section 5. Powers of Directors.

The Board of Directors shall have control over and management of the business and property of the Corporation and they are hereby vested in such management with all the powers which the Corporation itself possesses, except such as are conferred by these By-Laws of this Commonwealth; except those powers that may be reserved by the Members.

... shall have the power to fill any vacancy which may occur among the Directors, except President, Treasurer and Clerk, until the next meeting of the Corporation.

The Board shall not, without prior voted approval of the Members at a meeting, enter into any contract when the amount involved is greater than \$1000.00.

ARTICLE X

President

The President shall be the chief executive officer of the Corporation. He shall preside at all meetings of the Corporation and the Board of Directors. He shall have the power to call meetings of the Corporation and the Board whenever he determines such are required. He shall, subject to the Corporation and the Board, manage the affairs of the Corporation and shall perform such duties as required by law and usually vested in the office of President. He shall make an annual report to the members on the affairs of the Corporation.

ARTICLE XI

Vice President

The Vice President shall have such powers and duties as may be assigned by the Board. In the absence or disability of the President, the Vice President shall preside at meetings and shall perform the duties and have the powers of the President.

ARTICLE XII

Clerk

The Clerk of the Corporation, also known as Secretary, shall at all times be a resident of Massachusetts. He shall record votes and minutes of all Corporation and Board meetings in books kept for that purpose. He shall attend all meetings of the Corporation and Directors and act as Clerk thereof, and shall be sworn to faithful performance of duties of the office. He shall give notice of all meetings of the Corporation, in accordance with the By-Laws, and shall perform such duties as may be required by the By-Laws or the Board of Directors. In his absence, a Clerk pro tempore may be chosen, who shall be duly sworn.

ARTICLE XIII

Treasurer

The Treasurer shall give sufficient bond for the faithful performance of his duties. He shall have custody of all monies, securities and evidence of indebtedness of the Corporation. He shall keep proper accounts of all receipts and disbursements, shall receive all monies payable to the Corporation and shall disburse the same in accordance with the instructions or order of the Board of Directors. All books, accounts and records shall be subject to an audit and inspection and control in accordance with the By-Laws and requirements of the Board of Directors. The books of account shall be the property of the Corporation and he shall at reasonable times exhibit his books and accounts to any officer or Director of the Corporation.

The Directors may appoint an Assistant Treasurer to assist the Treasurer whenever necessary, and he shall perform such duties as may be designated by the Directors and the Treasurer.

ARTICLE XIV

Fiscal Year

The fiscal year of the Corporation shall be from the first day of January to and including the last day of December in each year.

ARTICLE XV

Amendments

These By-Laws may be amended or repealed, except so far as they embody requirements of the law, at any Annual or Special Meeting of the Corporation, notice of which meeting being given in writing that an amendment of the By-Laws would be acted upon, and stating the proposed amendment in the notice, and an affirmative vote of two-thirds (2/3) of the members present and voting upon each amendment, alteration or repeal.

May 15, 2012

Selectmen,

The VFW has an application -- public hearing scheduled before the Board on 6/4 for two things:

- Change of Corporate Name
- Alteration of Premises

Abutter notifications were sent out by the VFW as part of this application process re "Alteration of Premises". The VFW is asking to serve/consume alcoholic beverages outdoors. I spoke with an abutter today who offers the following concerns:

Dan Silvia
19 Southwick Street

He has owned & lived at this address for seven years. He lives at and rents apartments at this address. He has young children. There are 37 kids on this street on the side where the ball field is located who will witness outdoor drinking. They are already dealing with loud music, swearing, rowdiness & finding beer bottles constantly thrown over his side of fence. He said that based on a Town map that someone at Town Hall gave him, the VFW is preparing an outdoor area that actually falls on residential property. He offered that even though the VFW owns it, it's still residential property. He said that even if they were to offer to put up a fence as a buffer, the fence would have to be approximately as tall as a telephone pole because their bedroom windows are about that high. He suggested that this just wouldn't work. He is also concerned that no one is going to want to rent from him if the problems that they are already experiencing with the current liquor license are now extended to the outdoors with a license to serve and drink outside.

He added that since the VFW added on (basement area) approximately six years ago, they open the basement door and the music from loud bands forces him to run his air conditioners nightly in the summer to drown the noise, even if temperatures do not call for it. This is an added major expense for him.

Jackie

Jacqueline Shanley

From: Linda Eatherton
Sent: Friday, October 12, 2012 3:03 PM
To: Jacqueline Shanley
Cc: Andrea Priest
Subject: COA Board Renewals

Good Afternoon Jackie,

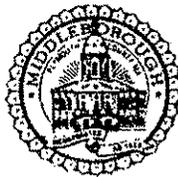
I wanted to give you a heads up that four of our members are up for renewal and wish to continue as board members. I will be sending the requests to you as soon as I get them. Thanks, Linda
Have a great weekend!

Linda M. Eatherton

Assistant to the Director
Middleborough Council on Aging
558 Plymouth Street
Middleborough, MA 02346
Phone: (508) 946-2490
Fax: (508) 946-2489

**GUIDELINES FOR EXTENSION OF PREMISES
TO PATIO AND OUTDOOR AREAS**

1. Alcoholic beverages cannot be served outside a licensed establishment unless and until an application to extend the licensed premises has been approved.
 2. An application to extend the premises must describe the area in detail: for example, dimensions, number of tables and chairs, occupancy figures for inside area and outside area, bars, if any.
 3. It is essential that the licensee have control of the area in order to preclude service to underage persons, to intoxicated persons, and other violations. The premises must be enclosed by a fence, rope or other means to prevent patrons or members of the public from wandering in and out.
 4. The outdoor area must be contiguous to the licensed premises and the licensee should have a view of the outside premises from inside. Egress from the inside to the outside must be clearly established. This will assure safe, uninterrupted service of alcoholic beverages.
 5. The outdoor area must have adequate exits in case of emergency.
 6. The licensing authorities should consider the type of neighborhood and the potential for noise in the environs.
 7. Preferred are outdoor areas where alcohol is served to patrons who are seated at tables and where food is also available.
-

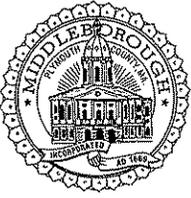


A hearing will be held in the Selectmen's Meeting Room in the Town Hall, 10 Nickerson Avenue, Middleborough, MA, on Monday, October 15, 2012 at 8:30 PM, on the allocation of the fiscal year 2013 tax levy among the various classes of property in the Town of Middleborough. This hearing will give interested citizens an opportunity to comment on local property tax policy as it will be applied during fiscal year 2013.

Alfred P. Rullo, Jr.
Allin Frawley
Steven P. Spataro
Ben Quelle
Stephen J. McKinnon
BOARD OF SELECTMEN

Publish: October 4, 2012
and October 11, 2012

Please bill the Town of Middleborough c/o Board of Selectmen, 10 Nickerson Ave.



Assessor's Office

10 Nickerson Avenue
Middleborough, Massachusetts 02346

Telephone (508) 946-2410
Fax (508) 946-4430

Board of Selectmen
10 Nickerson Avenue
Middleboro, MA 02346

October 10, 2012

Honorable Members,

The Middleborough Board of Assessors held a regular meeting on October 3, 2012 at which they discussed the current tax shift and whether or not it should change for fiscal 2013 tax billing.

They talked about the current financial climate and felt that although the economy seems to be showing some improvement, it would not be reasonable to increase the burden on either residential or commercial taxpayers by changing the shift.

At the conclusion of their discussion, they voted unanimously to recommend leaving the shift at 5% and to revisit the issue next year.

If you have any questions, please contact me and I will be happy to assist you.

Sincerely,

A handwritten signature in cursive script that reads "Barbara Erickson".

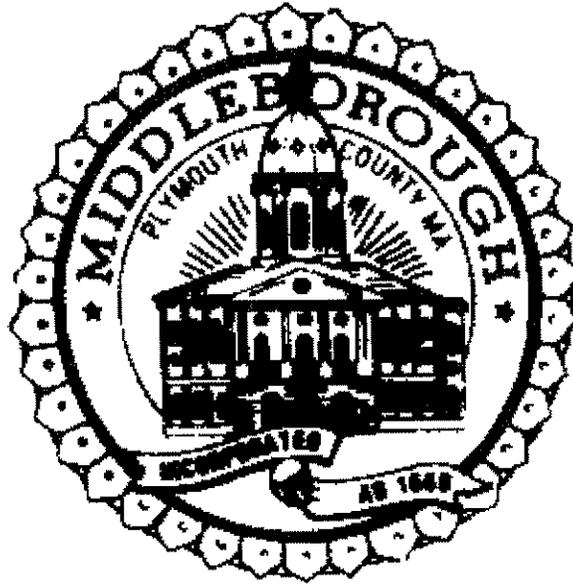
Barbara Erickson, M.A.A.
Assessor/Appraiser for the
Middleborough Board of Assessors

Cc: Board of Assessors
Charles Cristello

BE/j

**FISCAL YEAR
2013**

TOWN OF MIDDLEBOROUGH



TAX CLASSIFICATION HEARING

October 15, 2012

***PREPARED BY
BOARD OF ASSESSORS***

**FISCAL 2013 TAX CLASSIFICATION
EXPLANATION OF BOOKLET**

This booklet is designed to provide information to the Board of Selectmen and the taxpayers of this community so a decision can be made in regard to the issue of allocating the local property tax levy between Residential, Commercial, Industrial and Personal Property.

Please refer to the top of page 1. This is the Levy Limit for Fiscal 2013 which is based on last year's plus 2 ½% plus the new growth. The rest of the page is a chart which shows tax rates in 1 ¼% increments for both Fiscal 2012 and Fiscal 2013. The current shift of 5% is highlighted.

The top of page 2 shows the average value for the property classes within the town for the current and previous year along with the % of change. The next section shows the total number of parcels by class for both years.

Page 3 shows the actual Fiscal 2012 and proposed Fiscal 2013 taxes at the 5% shift for both Commercial/Industrial and Residential in value increments of \$50,000.

Page 4 shows a history of the shifts since the town first started classification in Fiscal 1984. It also explains a revaluation update and an interim year adjustment and identifies the years in which they occurred.

Page 5 shows the history of New Growth and the total new growth in dollars for the current year and the past several years for the four classes of property.

Page 6 contains a listing of substantial commercial and industrial building activity for the current year and several past years.

Page 7, Section A shows the new growth figures by class for this year and last year. Section B shows the Levy Limit for both years.

Page 8 shows the history of values within the town by class.

Page 9 gives examples of the value and tax differences for various styles of residential houses.

The number of communities with a split tax rate is shown on page 10.

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Average Value (Current & Prior Year)	2
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Number of Communities with Split Tax Rate	10

FISCAL 2013 CLASSIFICATION

FY2012 Levy Limit	\$ 31,692,835
Amended NG	\$ -
Prop 2 1/2	\$ 792,321
New Growth	\$ 350,426
FY2013 Levy Limit	\$ 32,835,582
DEBT EXCLUSION	\$ 341,708
	<u>\$ 33,177,290</u>

TAX RATES IN 1 1/4% INCREASE

SHIFT	2012 TAX RATES		2013 TAX RATES	
	RESIDENTIAL	COMMERCIAL	RESIDENTIAL	COMMERCIAL
0.00%	13.91	13.91	15.09	15.09
1.25%	13.87	14.09	15.04	15.28
2.50%	13.83	14.26	14.99	15.47
3.75%	13.79	14.44	14.94	15.65
5.00%	13.75	14.61	14.89	15.84
6.25%	13.70	14.78	14.84	16.03
7.50%	13.66	14.96	14.80	16.22
8.75%	13.62	15.13	14.75	16.41
10.00%	13.58	15.31	14.70	16.60
11.25%	13.53	15.48	14.65	16.79
12.50%	13.49	15.65	14.60	16.97
13.75%	13.45	15.83	14.55	17.16
15.00%	13.41	16.00	14.50	17.35
16.25%	13.37	16.17	14.45	17.54
17.50%	13.32	16.35	14.41	17.73
18.75%	13.28	16.52	14.36	17.92
20.00%	13.24	16.70	14.31	18.11
21.25%	13.20	16.87	14.26	18.29
22.50%	13.15	17.04	14.21	18.48
23.75%	13.11	17.22	14.16	18.67
25.00%	13.07	17.39	14.11	18.86
26.25%	13.03	17.57	14.06	19.05
27.50%	12.99	17.74	14.01	19.24
28.75%	12.94	17.91	13.97	19.43
30.00%	12.90	18.09	13.92	19.61
31.25%	12.86	18.26	13.87	19.80
32.50%	12.82	18.44	13.82	19.99
33.75%	12.78	18.61	13.77	20.18
35.00%	12.73	18.78	13.72	20.37
36.25%	12.69	18.96	13.67	20.56
37.50%	12.65	19.13	13.62	20.75
38.75%	12.61	19.31	13.58	20.94
40.00%	12.56	19.48	13.53	21.12
41.25%	12.52	19.65	13.48	21.31
42.50%	12.48	19.83	13.43	21.50
43.75%	12.44	20.00	13.38	21.69
45.00%	12.40	20.17	13.33	21.88
46.25%	12.35	20.35	13.28	22.07
47.50%	12.31	20.52	13.23	22.26
48.75%	12.27	20.70	13.18	22.44
50.00%	12.23	20.87	13.14	22.63

FISCAL 2013 CLASSIFICATION

	FISCAL 2012	FISCAL 2013	PERCENTAGE	FY 2012 Ave Tax Bill @ 5% Shift	FY 2013 Ave Tax Bill @ 5% Shift	Tax Difference
	<u>AVERAGE</u>	<u>AVERAGE</u>	<u>CHANGE</u>			
<u>RESIDENTIAL</u>						
1 Family Dwelling	\$270,700	\$258,200	-4.84%	\$3,719.42	\$3,844.60	\$125.18
Condominiums	\$191,400	\$188,300	-1.65%	\$2,629.84	\$2,803.79	\$173.95
2 Family Dwellings	\$229,200	\$210,100	-9.09%	\$3,149.21	\$3,128.39	(\$20.82)
3 Family Dwellings	\$207,100	\$215,700	3.99%	\$2,845.55	\$3,211.77	\$366.22
Apartments 4 Unit & Up	\$507,500	\$499,400	-1.62%	\$6,973.05	\$7,436.07	\$463.02
<u>COMMERCIAL</u>						
Parcels w/bldgs	\$978,600	\$987,800	0.93%	\$14,297.35	\$15,646.75	\$1,349.41
Vacant Land and Parking Lots	\$134,500	\$130,300	-3.22%	\$1,965.05	\$2,063.95	\$98.91
All Parcels	\$1,060,200	\$1,012,900	-4.67%	\$15,489.52	\$16,044.34	\$554.81
<u>INDUSTRIAL</u>						
<u>PERSONAL PROPERTY</u>						
This average includes both businesses & second homes Excludes Utilitites	\$34,500	\$36,400	5.22%	\$504.05	\$576.58	\$72.53
<hr/>						
	<u>FISCAL 2012</u>				<u>FISCAL 2013</u>	
TOTAL # OF RESIDENTIAL PARCELS	7,844				7,921	
TOTAL # OF MIXED USE PARCELS	176				276	
TOTAL # OF COMMERCIAL PARCELS	499				474	
TOTAL # OF CHAPTER LAND PARCELS (Forestry, Farmland, Recreational)	413				441	
TOTAL # OF INDUSTRIAL PARCELS	59				62	

FISCAL 2013 TAX CLASSIFICATION

VALUE	RESIDENTIAL FISCAL 2012 TAXES @ 5.00% SHIFT	RESIDENTIAL FISCAL 2013 TAXES @ 5.00% SHIFT	COMMERCIAL FISCAL 2012 TAXES @ 5.00% SHIFT	COMMERCIAL FISCAL 2013 TAXES @ 5.00% SHIFT
	\$ 13.74	\$ 14.89	\$ 14.61	\$ 15.84
150,000	\$ 2,061.00	\$ 2,233.50	\$ 2,191.50	\$ 2,376.00
200,000	\$ 2,748.00	\$ 2,978.00	\$ 2,922.00	\$ 3,168.00
250,000	\$ 3,435.00	\$ 3,722.50	\$ 3,652.50	\$ 3,960.00
300,000	\$ 4,122.00	\$ 4,467.00	\$ 4,383.00	\$ 4,752.00
350,000	\$ 4,809.00	\$ 5,211.50	\$ 5,113.50	\$ 5,544.00
400,000	\$ 5,496.00	\$ 5,956.00	\$ 5,844.00	\$ 6,336.00
450,000	\$ 6,183.00	\$ 6,700.50	\$ 6,574.50	\$ 7,128.00
500,000	\$ 6,870.00	\$ 7,445.00	\$ 7,305.00	\$ 7,920.00

HISTORY OF SHIFTS

FISCAL*1984	Residential	30.00%	\$ 19.13	FISCAL *2004	Residential	8.75%	\$ 11.67
	Commercial		\$ 23.43		Commercial		\$ 12.90
FISCAL 1985	Residential	40.00%	\$ 19.32	FISCAL **2005	Residential	10.00%	\$ 10.85
	Commercial		\$ 24.81		Commercial		\$ 12.14
FISCAL 1986	Residential	25.00%	\$ 19.36	FISCAL**2006	Residential	7.50%	\$ 9.83
	Commercial		\$ 26.52		Commercial		\$ 10.69
FISCAL*1987	Residential	40.00%	\$ 11.18	FISCAL *2007	Residential	5.00%	\$ 9.28
	Commercial		\$ 18.06		Commercial		\$ 9.83
FISCAL 1988	Residential	35.00%	\$ 11.81	FISCAL **2008	Residential	5.00%	\$ 10.10
	Commercial		\$ 18.17		Commercial		\$ 10.70
FISCAL 1989	Residential	40.00%	\$ 11.93	FISCAL **2009	Residential	5.00%	\$ 10.93
	Commercial		\$ 19.38		Commercial		\$ 11.59
FISCAL *1990	Residential	30.00%	\$ 8.37	FISCAL *2010	Residential	5.00%	\$ 11.83
	Commercial		\$ 11.97		Commercial		\$ 12.55
FISCAL 1991	Residential	30.00%	\$ 9.44	FISCAL **2011	Residential	5.00%	\$ 13.05
	Commercial		\$ 13.72		Commercial		\$ 13.86
FISCAL *1992	Residential	27.50%	\$ 11.28	FISCAL **2012	Residential	5.00%	\$ 13.74
	Commercial		\$ 15.67		Commercial		\$ 14.61
FISCAL 1993	Residential	22.50%	\$ 12.05				
	Commercial		\$ 15.80				
FISCAL 1994	Residential	20.00%	\$ 12.62				
	Commercial		\$ 16.04				
FISCAL *1995	Residential	20.00%	\$ 14.39				
	Commercial		\$ 18.19				
FISCAL 1996	Residential	17.50%	\$ 14.97				
	Commercial		\$ 18.42				
FISCAL 1997	Residential	15.00%	\$ 15.57				
	Commercial		\$ 18.64				
FISCAL *1998	Residential	12.50%	\$ 16.67				
	Commercial		\$ 19.43				
FISCAL1999	Residential	10.00%	\$ 17.46				
	Commercial		\$ 19.74				
FISCAL 2000	Residential	10.00%	\$ 17.02				
	Commercial		\$ 19.23				
FISCAL *2001	Residential	10.00%	\$ 14.98				
	Commercial		\$ 16.89				
FISCAL 2002	Residential	10.00%	\$ 14.76				
	Commercial		\$ 16.61				
FISCAL 2003	Residential	8.75%	\$ 15.29				
	Commercial		\$ 16.99				

***Revaluation Update**

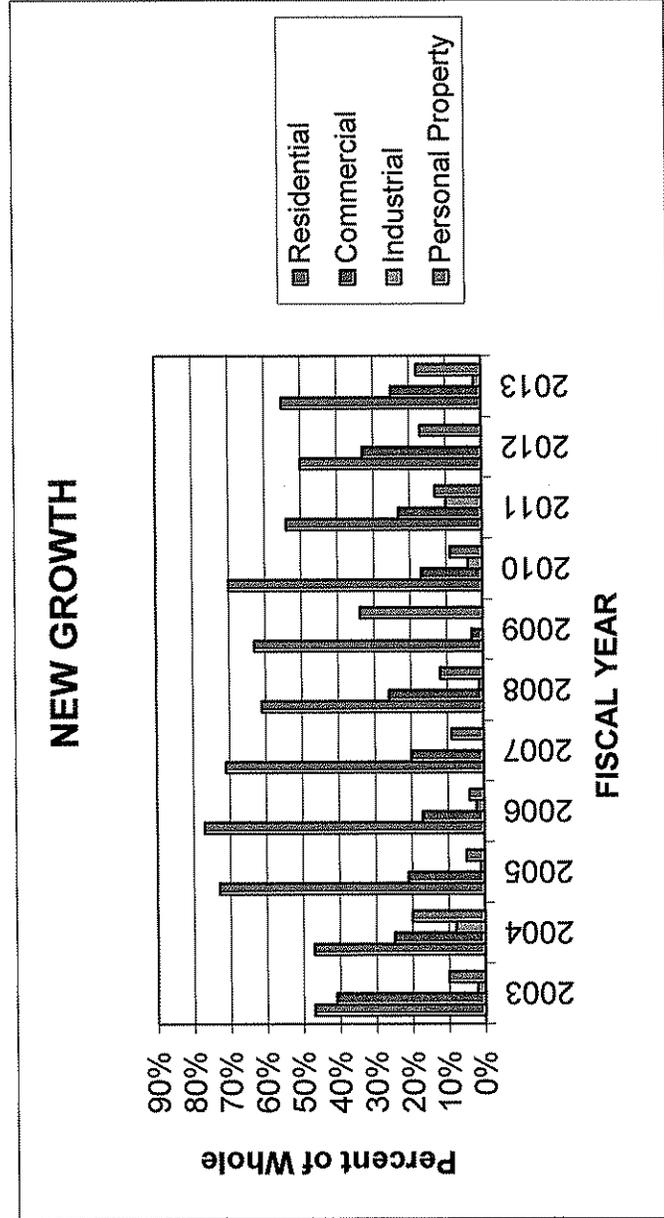
A "revaluation update" revalues ALL property within the town. The DOR certifies the values prior to setting a tax rate.

****Interim Year Adj**

An "interim year adjustment" is an adjustment in values between certification years. Values are only adjusted when the market indicates substantial changes within a particular class.

FISCAL 2013 CLASSIFICATION

FISCAL YEAR	NEW GROWTH	Residential	Commercial	Industrial	Personal Property
2003	\$918,903	47%	41%	2%	10%
2004	\$643,228	47%	25%	8%	20%
2005	\$757,146	73%	21%	1%	5%
2006	\$482,652	77%	17%	2%	4%
2007	\$861,643	71%	20%	0%	9%
2008	\$629,415	61%	26%	1%	12%
2009	\$801,148	63%	3%	0%	34%
2010	\$658,199	70%	17%	4%	9%
2011	\$488,992	54%	23%	10%	13%
2012	\$383,461	50%	33%	0%	17%
2013	\$350,426	55%	25%	2%	18%



FISCAL 2013 CLASSIFICATION

FISCAL YEAR	SUBSTANTIAL COMMERCIAL / INDUSTRIAL BUILDING ACTIVITY
2004	Shepherds Path Day Care (East Grove Street) Addition Bay State Piping Inc (Wareham Street) Industrial Expoxy Blending Facility (Pine Street) Kahian, Steve Wood Palace (Mill Street) D. R. Peck (East Grove Street) Riverside (East Grove Street) Renovations Mutual Oil (High Street) Renovations Triumph Bike Parts (Abbey Lane) Verizon Underground Vault (Plympton Street)
2005	Cirelli Distribution Center (Commerce Blvd) Oak Point Associates (Oak Point Dr) Clubhouse, Fitness Ctr Ocean Spray Cranberry Co. (Bridge St) Interior Renovations Plymouth Savings Bank (Campanelli Dr) Addition Rockland Trust Co (South Main St) Renovation/Addition Faietti Building (South Main St) Affordable Housing Units
2006	Christmas Tree Shop (Leona Drive) Phase III Addition (30% Complete) Holiday Inn Express (Harding Street) (30% Complete) Crossroads RV Center (3 Chalet Rd)
2007	Christmas Tree Shop (Leona Drive) Phase III Addition (100% Complete) Holiday Inn Express (Harding Street) (100% Complete) Added inground pool Storage Building France Street, Vine Street, Maple Road Office/Garage Building 155 East Grove Street Oak Point 3rd Club House (50% Complete) Office Building 4 Abbey Ln
2008	Berkshire-Middleboro LLC (Fedex Ground) Oak Point 3rd Club House (100% Complete) Sager Electronics Addition Hannaford (remodel) Memorial Early Childhood Center (Old Junior High School)
2009	Wareham Street New Steel Bldg - Bay State Construction Wareham Street New Steel Bldg - New England Bldg & Desroche Electric
2010	Old Colony Y, Inc- Addition (10% Complete) 61 East Grove Street Cowan Drive Realty LLC -Malden International Designs Inc (5% Complete) 19 Cowen Dr Christmas Tree Shops Inc- Addition 64 Leona Drive CD, LLP New Steel Bldg -Costello Dismantling 705 Wareham Street
2011	Old Colony Y, Inc- Addition (100% Complete) 61 East Grove Street Cowan Drive Realty LLC -Malden International Designs Inc (100% Complete) 19 Cowen Dr Campanelli Middleborough V LLC Bimbo Bakeries Distribution (5% Complete) 45 Leona Dr Giacomo LLC Shooters Restaurant & Sports Bar (Renovations) 360 Wareham St Campanelli Middleborough IV LLC IDEX Health & Science (100% Complete) 16 Leona Dr
2012	Compass Medical 8 Commerce Blvd (Foundation Only) Campanelli Middleborough V LLC Bimbo Bakeries Distribution (completed bldg) 45 Leona Dr
2013	Compass Medical 8 Commerce Blvd Champion Exposition Expired TIF Agreement Office Building @16 Commerce Blvd

FISCAL 2013 CLASSIFICATION

Section A

FISCAL 2012 NEW GROWTH

	Value	New Growth	% of Total Value
*Class 1 (Res)	14,429,700	\$ 188,308	50% *Class 1 (Res)
*Class 3 (Comm)	9,307,183	\$ 127,034	33% *Class 3 (Comm)
*Class 4 (Ind)	0	\$ -	0% *Class 4 (Ind)
*Class 5 (P.P.)	4,773,060	\$ 66,155	17% *Class 5 (P.P.)
	\$ 28,509,943	\$ 381,497	100%

FISCAL 2013 NEW GROWTH

	Value	New Growth	% of Total Value
	13,899,749	\$ 190,983	55%
	5,901,130	\$ 86,216	25%
	575,100	\$ 8,402	2%
	4,437,050	\$ 64,825	18%
	\$ 24,813,029	\$ 350,426	100%

Section B

FY2011 Levy Limit	\$ 30,538,874
Amended NG	\$ 8,773
Prop 2 1/2	\$ 763,691
New Growth	\$ 381,497
FY2012 Levy Limit	\$ 31,692,835
DEBT EXCLUSION	\$ 263,257
	\$ 31,956,092

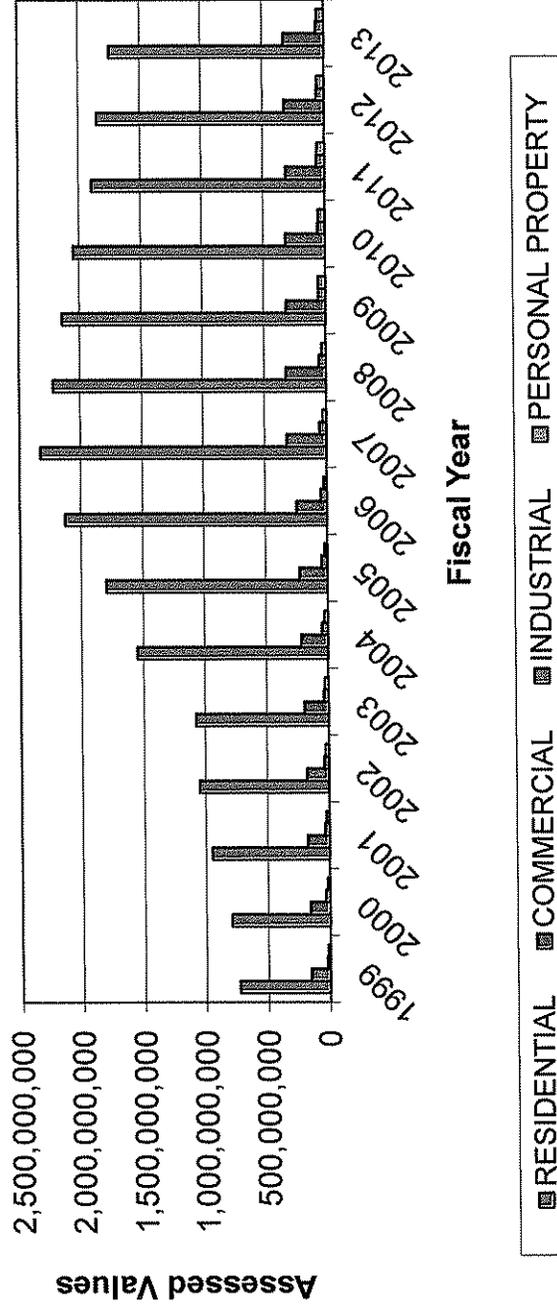
FY2012 Levy Limit	\$ 31,692,835
Amended NG	\$ -
Prop 2 1/2	\$ 792,321
New Growth	\$ 350,426
FY2013 Levy Limit	\$ 32,835,582
DEBT EXCLUSION	\$ 341,708
	\$ 33,177,290

- *Class 1 (Res) = Residential
- *Class 3 (Comm) = Commercial
- *Class 4 (Ind) = Industrial
- *Class 5 (P.P.) = Personal Property

FISCAL 2013 CLASSIFICATION

FISCAL YEAR	RESIDENTIAL	COMMERCIAL	INDUSTRIAL	PERSONAL PROPERTY
1999	730,840,200	154,876,849	24,134,600	16,444,547
2000	793,358,000	157,713,139	32,955,520	17,574,322
2001	947,621,099	174,947,701	35,616,030	22,924,263
2002	1,048,166,981	176,729,506	36,110,584	25,268,617
2003	1,074,256,244	192,740,471	37,249,649	28,716,142
2004	1,549,405,274	214,275,417	47,706,648	26,148,754
2005	1,795,949,213	225,506,200	46,762,047	23,189,931
2006	2,128,116,098	246,313,443	48,184,909	23,768,176
2007	2,327,539,460	321,975,413	56,111,123	27,623,840
2008	2,221,001,922	323,490,748	55,906,020	34,186,910
2009	2,141,888,417	317,863,474	56,126,225	57,358,340
2010	2,046,850,213	321,309,366	58,978,100	53,967,780
2011	1,895,973,311	316,488,836	63,028,195	59,860,820
2012	1,848,672,005	326,079,453	63,888,807	58,232,590
2013	1,746,770,784	330,531,911	63,106,666	58,447,700

HISTORY OF VALUES



FISCAL 2013 TAX CLASSIFICATION

EXAMPLE OF CHANGES BY STYLE						
	TAX RATE	\$13.74	\$14.89	VALUE	%	
		FY 2012	FY 2013	DIFFERENCE	DIFFERENCE	
WILLOWTREE LN						
COLONIAL	VALUE	372,100	359,400	-12,700	-0.04	
	TAX	5,112.65	5,351.47	238.81	0.04	
PLYMOUTH ST		FY 2012	FY 2013	DIFFERENCE	DIFFERENCE	
RANCH	VALUE	380,400	348,900	-31,500	-0.09	
	TAX	5,226.70	5,195.12	-31.57	-0.01	
EVERETT ST		FY 2012	FY 2013	DIFFERENCE	DIFFERENCE	
MODERN CONTEMP	VALUE	239,600	198,700	-40,900	-0.21	
	TAX	3,292.10	2,958.64	-333.46	-0.11	
RIVER ST		FY 2012	FY 2013	DIFFERENCE	DIFFERENCE	
RAISED RANCH	VALUE	318,200	314,600	-3,600	-0.01	
	TAX	4,372.07	4,684.39	312.33	0.07	
THOMAS ST		FY 2012	FY 2013	DIFFERENCE	DIFFERENCE	
CAPE	VALUE	215,400	204,300	-11,100	-0.05	
	TAX	2,959.60	3,042.03	82.43	0.03	
SCHOOL ST		FY 2012	FY 2013	DIFFERENCE	DIFFERENCE	
CONVENTIONAL	VALUE	225,500	199,200	-26,300	-0.13	
	TAX	3,098.37	2,966.09	-132.28	-0.04	
PLYMOUTH ST		FY 2012	FY 2013	DIFFERENCE	DIFFERENCE	
ANTIQUE	VALUE	657,400	661,600	4,200	0.01	
	TAX	9,032.68	9,851.22	818.55	0.08	

**s Department of Revenue
1 of Local Services
abank/Local Aid Section**

unities With Split Tax Rates

Fiscal Year	Number of Communities
1992	103
1993	105
1994	104
1995	104
1996	103
1997	102
1998	102
1999	101
2000	100
2001	101
2002	100
2003	99
2004	104
2005	107
2006	108
2007	108
2008	108
2009	107
2010	106
2011	107
2012	108

MEMORANDUM

To Board of Selectmen
Middleborough, MA 02346

From: Paul J. Provencher
Veterans' Services Officer

Subject: Permission for selected activities on and around Veterans' Day 2012

Date: October 4, 2012

The theme for Veterans' Day 2012 will be to officially welcome home the Middleborough based Army National Guard unit, Dog Company, 1st Battalion, 182nd Infantry Regiment from their yearlong deployment to Afghanistan. The unit will take a very active role in the events of this Veterans' Day.

The Middleboro Veterans' Council requests your permission for the following 4 items:

1. A parade permit for the Middleboro Veterans' Council to hold their annual Veterans' Day Parade on Sunday the 11th of November 2012. It will step off from the Middleboro Town Hall parking lot at 2:00pm sharp. The change from our traditional 10:00am parade this year will allow the Sunday morning churches services being held at the 5 churches that the parade passes by to be held uninterrupted by our events. Parade participants will be asked to begin forming up at 1:30pm so that Bob Lessard, our parade coordinator and his assistants, can put together the order of march. Upon the completion of the parade at or about 3:00pm we will be holding the Veterans' Day Services in the Middleborough Veterans' Memorial Park.

I would like to invite all the Selectmen and the town manager to participate in any or all of the Veterans' Day events. If any of you are interested in making a short speech at the ceremony please let me know as soon as possible so we can schedule it into the program. I would think that a proclamation from the BOS welcoming home the unit might be in order.

The parade route for this year is as follows:

Leaving the Middleboro Town Hall parking lot by taking a right on to Union St.

Turning right on to Nickerson Ave.

Crossing South Main St. on to Webster St.

Left on to Clifford St.

Left on to Wareham St. up Centre St. to Everett Square

Left on to High St.

Left on to Pearl St.

Right on to Centre St.

Right on to South Main St.

Right on to the walkway into the Middleborough Veterans' Memorial Park

2. The Middleborough Veterans' Council would like to request the use of the Selectmen's room in the Middleborough Town Hall on Veterans' Day to have military memorabilia displayed before, during, and after our Veterans' Day activities. We would like to set up the room late in the day on Friday the 9th of November 2012. We are hopeful that there will not be any meetings scheduled in that room on Friday evening.

3 The Middleborough Veterans' Council would like to reserve the Middleborough Town Hall auditorium on Veterans' Day as a backup location for Veterans' Day events in case of rain. Paul Provencher will be the POC for the council to get the key, open, and secure the building.

4. Simeon L. Nickerson Post 64 of the American Legion would like to request a poppy permit so they can hold their annual poppy drive running from Wednesday November 7th 2012 through Sunday November 11th 2012.

Jacqueline Shanley

From: Jane Kudcey <JaneKudcey@verizon.net>
Sent: Tuesday, October 09, 2012 5:48 PM
To: Jacqueline Shanley
Subject: BOS meeting
Attachments: Middleborough 2013 CDS Strategy Draft.doc

Hi Jackie,

Would you please put me on the agenda for the Oct. 15th BOS Meeting. I will be discussing the 2013 Mass. Dept. of Housing and Community Development's FY2013 Block Grant Application. The Town of Middleborough will be applying along with the Town of Fairhaven (Lead Community) for this grant. As part of the application, the DHCD asks that we include a Community Development Strategy document to be used as a basis for the activities applied for and to ensure that the Community had opportunity to provide input to this Strategy and application. I am attaching a draft of the Community Development Strategy. I am asking that the Board review this CDS and provide any input into areas of need or projects that would like to see addressed. I will also like to announce that I will be holding a public hearing for further input on October 22 from 6 – 7 p.m.

Let me know if you want me to make copies of the CDS. I'll be away from the office in the a.m. but can drop them off mid-day.

Thanks,

Jane Kudcey
Program/Accounting Manager
Middleborough Office of Economic and Community Development
20 Centre St., 3rd Floor
Middleborough, MA 02346
Ph (508) 946-2402
Fax (508) 946-2413
jane kudcey@verizon.net

Town of Middleborough
Office of Economic & Community Development
20 Centre Street
Middleborough, MA 02346

Community Development Strategy
December 2009 – Updated October 2012

I. Introduction

The Town of Middleborough's Community Development Strategy (CDS) summarizes priorities and recommendations from the key planning documents listed below which are the basis for the CDS. Input is sought informally and formally through public involvement processes from Board of Selectmen, staff, community organizations, beneficiaries, and the public. The results of these discussions are then incorporated into the CDS. The planning tools and continual public dialogue help to assure that this plan addresses the priority needs of the Town.

In addition to being consistent with the community's vision, the Community Development Strategy is also consistent with these Commonwealth Sustainable Development Principles: *Concentrate Development and Mixed Uses, Expand Housing Opportunities, and Increase Job and Business Opportunities*. These are discussed further in Section III.

II. Planning Processes/Documents

The Middleborough planning documents that serve as a strong base for shaping our strategy include:

- Housing Production Plan (2011)
- Open Space and Recreation Plan (2012)
- Community Development Plan (2005)
- Housing Strategy (FY2005)
- Affordable Housing Plan (FY2005)
- Master Plan, written in 1969 (updated in 2001)
- Downtown Streetscape Master Plan (1998)
- Historic Preservation Plan (1987)

Middleborough's Community Development Plan, the Housing Production Plan, the Affordable Housing Plan, the Master Plan, and the Community Development Strategy are the most inter-related of the planning documents and most current. The Master Plan, the most extensive document, addresses circulation and transportation issues, natural, historic and recreational resources, land use, and housing. The Community Development Plan and the Affordable Housing Plan both have an economic development and housing/affordable housing focus. These documents support and strengthen each other and are intended to facilitate addressing the needs of the community over the next five years. The following outlines planning activities in key areas.

1. Housing

The Town of Middleborough recognizes the need to ensure that housing for the elderly and families and individuals of all income levels is available in its community. This is communicated in the Town's 2005 Affordable Housing Plan and June 2011 Housing Production Plan. In that plan it also states that 39% of Middleborough households cannot afford the typical market rate rent of \$1,000 per month (2005 data). Middleborough has always been a community with a wide range of housing stock, including low to moderate income rental property and single family homes. Smart growth is the preferred approach to

increasing the supply of deed restricted affordable rental units and homeownership in established neighborhoods with existing town sewer and water systems. Strategies for achieving these goals include:

- Rehabilitating and preserving housing stock affordable to low and moderate income persons and create new units by pursuing substantial rehabilitation and adaptive reuse of existing buildings. The Office of Economic & Community Development has addressed these priorities by utilizing CDBG funds for the Town's local Housing Rehabilitation Assistance Program (75 households served) and CDBG Housing Development Support Program (HDSP) funds for the creation of affordable rental units in the central downtown business district (25 units created). The downtown district remains a focus area for adaptive reuse of older buildings for affordable housing with two historic buildings, a mill and factory, currently in development phases which will result in approximately 48 affordable units. The Town also has collaborated with the Middleborough Housing Authority for the 2008 ARRA grant to make the Nemasket Senior Apartment Complex's Community Room handicapped accessible.
- Expanding and strengthening the local economy in order to preserve and expand housing affordability, by retaining and attracting new companies to the community through our Tax Increment Financing (TIF) Program, which results in an increased base of employment for local residents and an insulation to low income homeowners from high taxes. Several companies have pursued these tax credits to include Christmas Tree Shops and Ocean Spray Cranberries, two thriving companies generating local jobs.
- Continuing to identify areas of Town where the improvement of the Town's roads and infrastructure and availability of Town services (water, sewer, gas, parks and playgrounds, schools and library) support the development of higher density subsidized housing for the elderly, families, and individuals. This includes mixed use of deteriorating commercial buildings and construction on vacant lots. To achieve this goal the OECD works with Planning staff, the Middleborough Housing Authority, Middleborough at Home (a housing advocacy committee), private developers, and an affordable housing non-profit, the Neighborhood Corporation.

2. Economic Development & Downtown Revitalization

The Town of Middleborough created a Downtown Streetscape Master Plan in June 1998 to address its declining downtown central business district and to stimulate economic development. The following strategies are being used to revitalize the district:

- Pursuing infrastructure grant, specifically the newly consolidated state MassWorks grant. The Town had applied for the 2012 Mass Works grant to design improvements in the Everett Square area, the Oak Street intersection and parking area near the vacant St. Luke's Hospital, soon to be redeveloped by High Point Treatment Center, and ADA accessibility improvements to the crosswalks and traffic signal. These improvements would focus on a deteriorating area of the downtown CDBG target area and can have an impact on increased affordable multi-family units and commercial revitalization.
- Determining approach and private, local, and CDBG funding sources for public infrastructure, amenities and parking facility improvements that will encourage pedestrian traffic and be accessibility for the elderly and/or handicapped.
- Encouraging and attracting investment into downtown commercial and mixed use properties by utilizing private funds, tax incentives and credits, and resources such as CDBG and program income for commercial façade improvements, streetscape improvements and creation of affordable rental housing in under-utilized buildings.

- Redevelopment of commercial mixed-use properties and vacant sites, such as the Union Street School, the Washburn Mill, the former St. Luke's Hospital (now in progress) and the Peirce Street shoe factory by utilizing private investment, tax incentives, and funding resources such as CDBG and EDF, and other state grant sources.
- Working with the local business community and the Chamber of Commerce to create a coalition of local businesses and groups such as Middleborough on the Move, Friends of Middleborough the Business and Industrial group, the downtown business association to better address issues that may be a deterrent to businesses, such as vandalism and crime and vacant or deteriorating buildings and to better coordinate efforts to for outreach and advertising to improve the downtown business environment. The OECD has applied for MDI funding for consulting services on improving downtown retail businesses.
- Developing a marketing plan to recruit business to downtown and other commercial locations
- Building on core businesses and nurturing arts, entertainment and educational key areas.
- Creating tourism opportunities and communicating through promotional materials by collaborating on special events such as the reinvigorated Christmas Celebration in the downtown, Farmers Markets and the reintroduction of Krazy Days, a downtown sidewalk sale and community event.

3. Infrastructure & Community Facilities

The Town of Middleborough currently suffers from deteriorated roads and an antiquated sewer/water infrastructure servicing the downtown central business district and abutting older residential neighborhoods. In addition to this, several of the Town's public facilities (recreation and parks building, DPW building, police station) are 75+ years old and require replacement or substantial capital investment to bring them up to local code standards. Current strategies being taken to address these needs include:

- The Middleborough Department of Public Works has identified and prioritized streets in the downtown area that are in need of repairs. Rock Street, abutting South Main Street was completely rebuilt in August.
- The Middleborough Water Department completed a project of cleaning and lining some of the 1800s pipes in this district. This department has asked the OECD to submit an infrastructure improvement activity in a future grant round.
- The Town's capital committee updated the Capital Improvement Plan annually for Town Meetings and this next round includes relevant improvements within the CDBG target area.
- Regular department head meetings conducted by the Town Manager have improved communications and procedures among the Town's public work departments and municipal utilities, inspectional services, and planning and community development departments. This helps to ensure that infrastructure improvements are implemented in a coordinated and effective manner, better utilizing current staffing resources.
- Identifying and improving infrastructure and public facilities (municipal buildings and recreational facilities) by utilizing local funds, applying for Mass Works infrastructure funds, CDBG grants, and public safety grants.

4. Public Social Services

The Office of Economic & Community Development (OECD) routinely interfaces with several social service providers in the Middleborough area as an offshoot of its work with affordable housing. The OECD also communicates with Middleborough Council on Aging and Board of Health and non-profit agencies interested in improving the quality of life of several underserved groups. Social service needs of residents of Town are met through several local non-profits, religious groups and through regional agencies. South Shore Community Action Council (SSCAC) is a regional provider in following area: Food Resources, Early Education and Care, Fuel Assistance, Transportation Services, and other Emergency Assistance. Currently a OECD staff serves on a new non-profit group called the Middleborough Area Assistance Coalition (MAAC), comprised of representative agencies from the greater Middleborough area acting as a collaborating agency and advocacy group to provide a systematic approach through existing agencies to helping those in emergency situations and referral service and to identify gaps in services and identify sources of funding to address these needs. The OECD also participates in the Middleborough Youth Advocates where local agency leaders in fields of education, religious organizations, the police, and business meet to create ways to curb underage drinking and drugs in the Town and address other youth related concerns. Middleborough at Home, a housing advocacy Town Committee, composed of the Middleborough Housing Authority Director, the Veterans Outreach Coordinator and members representing the business and the disabled community work together to create affordable housing solutions. The OECD has routinely received requests for social service support and in response developed a Resource Guide of Services that has been distributed to other departments in Town. The OECD refers clients to the South Shore Community Action Council for fuel assistance and likewise collaborates with them on HEARTWAP improvements.

III. Compatible with Commonwealth Sustainable Development Principles

The strategy supports smart growth, with specific focus on Middleborough Center, and is consistent with these three Massachusetts Sustainable Development Principles:

Concentrate Development and Mix Uses The Town has supported the revitalization of the Town center through rehabilitation of existing commercial and residential structures as evident in improvements made through CDBG funding activities such as the Housing Development Support Program (CDBG), a Sign and Façade program, and infrastructure improvements. Currently the OECD is working with a private property owner to apply for Economic Development funds to renovate a historically significant mixed used property on South Main Street. Other public investments (i.e., Chapter 90 funds for sidewalks) and private investments (i.e., building renovations, beautification projects) have also contributed to downtown enhancement and viability. With the dense residential housing close to commercial pedestrian friendly neighborhoods walkable communities are created with a mix of commercial, cultural, educational, and recreational activities and open spaces (i.e., Kramer Park pocket park, Pratt Farm).

Expand Housing Opportunities: The Town is fostering the repair of older homes and multi-family units that reflect the character of the Town. Middleborough Center is comprised of the densely populated downtown and surrounding neighborhoods. The target area is representative of approximately 5% of the overall geographic area of Middleborough (total area is 72 square miles). All properties within the target area are within a maximum of 1 to 3 mile distance to rail transportation (Middleborough-Lakeville stop). The downtown is served also by regional bus transportation (GATRA), transporting residents to medical appointments, food shopping, and to other retail shops in Town. Affordable units (25) monitored by OECD, senior housing, and other housing considered through this Program, residents with the greatest needs are able to get loans and/or grants to make improvements to allow them to stay in their homes and to promote the

upkeep of neighborhoods. Over 75 residential housing units of LMI residents have benefitted from the CDBG Housing Rehabilitation Assistance Program since 2002.

Increase Job and Business Opportunities: The Town has promoted the rehabilitation and reuse of downtown buildings. CDBG funds used to support affordable housing on second floors of 4 downtown buildings also promoted the rehabilitation of 1st floor commercial buildings and helped to preserve historic properties. The Mass Works infrastructure grant application was submitted in September for infrastructure improvements abutting a vacant old hospital in town center was intended to promote rehab of this facility for commercial space and thereby creating jobs. Properties are within a maximum of 1 to 3 mile distance to existing rail transportation (Middleborough-Lakeville stop). With remediation of commercial and industrial properties, opportunities arise for business start-ups for local entrepreneurs to meet the needs of the residents housed in the densely populated area. The OECD works with the companies that have received TIF financing to ensure that Middleborough residents have opportunities to apply for job postings. The OECD also collaborates with Middleborough on the Move for job fairs and shares information with the MOM NSP program.

DRAFT

IV. Public Involvement

Town staff, boards, elected officials, and the public provide input into community priorities, strategies, and CDBG projects on an ongoing basis.

The Town's Office of Economic & Community Development periodically schedules public forums to allow local residents to provide comments on the Community Development Strategy, review CDBG projects underway, and prioritize activities for addressing their most important needs. Attention was also given to current community development initiatives that are consistent with the Commonwealth's Sustainable Development Principles and how these impact the community's development areas - affordable housing, downtown revitalization, economic development, public infrastructure and community facilities, and public social services. The OECD is proactive in communicating with the Middleborough citizens and civic groups. A list of recent meeting/forums with a focus on the CDS follows.

Date	Meeting/Venue	Time	Location
Wednesday, Sept 12, 2012	Disabilities Commission Review of current projects	7:00 p.m.	Middleborough Town Hall Conference Room
Wednesday, Oct. 3, 2012	Middleborough on the Move (MOM) Review of current projects and applications and CDS Input	5:00 – 6:00 p.m.	Massasoit Community College Middleborough Campus
Tuesday, Oct 9, 2012	Middleborough Housing Authority Nemasket Senior Apartments Tenant Meeting. Review of OECD projects, CDS input	1:00 – 2:00 p.m.	Nemasket Senior Apartment Community Center
Friday, Oct 12, 2012	Middleborough Business Coalition CDS Input	8:00 – 9:00 a.m.	Middleborough Town Offices Third Floor
Monday, Oct 15, 2012	Middleborough Area Assistance Coalition (MAAC) Overview of CDBG Grant Program and CDS Input.	3:00 – 5:00 p.m.	LifeHouse Church, Middleborough, MA
Monday, Oct 15, 2012	Middleborough Board of Selectmen Meeting. Announcement of Grant Application, request of CDS input	7:00 p.m.	Middleborough Town Hall Selectmen's Room,
	Middleborough Historical Commission CDS Input, project review	7:30-8:30p.m.	Middleborough Town Hall Middleborough, MA
Wednesday, Oct 17, 2012	Middleborough Council on Aging	11:00-1:00 p.m.	Middleborough Senior Center
	Middleborough Veterans		
Monday, Oct 22, 2012	CDS Public Hearing, review of OECD projects CDS Input	6:00 – 7:00p.m.	Middleborough Town Hall Selectmen's Room,
Thursday, Oct 25, 2012	Town of Middleborough Department Heads Meeting	10:00 – 11:00 am	Middleborough Town Offices Third Floor
Monday, November 5, 2012	Final CDS Public Hearing	6:00-7:00p.m.	Middleborough Town Hall Selectmen's Room,
Monday, Nov 5, 2012	Middleborough Board of Selectmen Meeting. Announcement of final CDS Strategy, Proposed Projects	7:00 p.m.	Middleborough Town Hall Selectmen's Room,
Monday, November 5, 2012	Final CDS Public Hearing	6:00-7:00p.m.	Middleborough Town Hall Selectmen's Room,

V. Priority Projects

Through the public participation process the below were identified as high priority projects: (others: collaborate with Housing authority to complete weatherization project in senior M. Housing;

Project	Targeted Completion Date	Funding Source
Housing		
Create 18 affordable housing units at the Star Mill Residences, a mixed use in vacant mill building in town center currently under renovation.	Spring 2013	Private Development, Local Action Unit
Improve housing conditions and support home repairs.	Ongoing	CDBG
Create 24 Affordable Housing Units, with elevator access at former BayState Speciality	Fall 2012	Neighborhood Corp
Adopt inclusionary housing requirements for housing developments over 6 units.	June 15, 2013	Planning Dept. Fund
Work with Housing Authority to make infrastructure and energy efficiency improvements to MHA units		Middleborough Housing Authority
Modify Town's multifamily zoning including increase in density and inclusionary provision for affordable housing.	Oct 31, 2012	Planning Dept. Fund
Increase senior housing to include assisted living.	Oct. 31, 2012	Private Development
Economic Development & Downtown Revitalization		
Infrastructure improvements for Everett Square and downtown.	July 2012	Mass Works Funds
Work with local businesses to improve business environment through reduction of crime and vandalism. Pave way for Sign and Façade improvements with a Slum & Blight Survey	July 2014	CDBG, private investment, MYA, School Dept., Police
Support the rehabilitation of the Former St. Luke's Hospital in downtown.	July 2014	Private Corp., Mass Works grant
Work with staff/boards of local museums, theatres, cultural institutions, historic districts, natural resource groups, community groups, service clubs to develop a tourism promotion plan and marketing materials and obtain tourism grant funding/consultant services.	July 2012	In-House
Expand town center beautification efforts.	Ongoing	Peirce Trust, Business Donations, Citizen aid
Maintain the Town's rural character by providing the opportunity to combine natural resources with economic development such as recreation, eco-tourism, and agribusiness.	Ongoing	Mass Recreation Grant, Collaboration with Nature Conservancy & Mass. Fish and Wildlife and Other Non-Profits.
Infrastructure & Community Facilities		
Continue water main, drainage, parking lot, sidewalk infrastructure improvements in town center.	Ongoing	CDBG, Chap 90, MassWorks
Make upgrades to the community's primary recreational facility to include pool infrastructure, pavement, and safety improvements.	Ongoing	MA Recreation grant, CDBG, Private Foundation
Pursue energy efficiency and cost savings in municipal buildings.	Ongoing	In-House Green Energy Committee, Town Funds
Land Use & Planning		
Pursue Growth District designation to access infrastructure funds to facilitate economic development and regional roadway construction to alleviate congestion at the Rotary and I-495.	Ongoing	In-House
Continue to upgrade Zoning By-laws including their full recodification and addition of a sign by-law and site plan review by-law.	Ongoing	Recodification Committee
Upgrade Subdivision Rules/Regulations including addition of LID standards.	August 2012	In-House
Conservation		
Promote implementation of a range of strategies to protect working agricultural lands, included but not limited to Thompson Street Agricultural Heritage Corridor.	Ongoing	In-House
Continue to work with preservation partners to preserve open space/historic resources.	Ongoing	Open Space Grants, Partnering with Conservation Agencies, CPA Future Funds
Public Social Services		
Support/facilitate better coordinated public social services (regional and local) that address homelessness/foreclosure prevention and senior services (i.e., emergency assistance, food pantry/food bank coordination, financial literacy).	Ongoing	CDBG, MAAC
Assess youth service/program needs for delinquency/criminal activity/drug and alcohol prevention and enhance services to address need.	Ongoing	Federal/grant programs, CDBG, MYA, Parks Dept, Middleborough School Committe

VI. Target Area

The target area is Middleborough Center, the entire 5423 census tract and census tracts 5422-3 and 5422-4. The target area is bounded by the north by Route 44. The West boundary is Wood Street, until it intersects with Sachem Street until it intersects with Wareham Street, Wareham Street until it meets with Cherry Street and then Cherry St. until it meets Rt. 28, then Rt. 28 until it meets the Nemasket River, South and East by the Lakeville Town line. The 2010 Target North included only the 5423 census tract, which was bounded on the east by the Nemasket River. The Target Area is increased to assist a large number of applicants outside the area needing home repairs. This area was also selected based on need, census tract income data, housing density, condition of houses, complimentary to other projects in area, community input, unemployment data, and % of youth.

DATA