

HEARINGS, MEETINGS, LICENSES

10/24/16



Market Analysis & Business District Assessment

Downtown Middleborough

Prepared for :

Town of Middleborough
Office of Economic and Community
Development

FinePoint
Associates LLC

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Sponsored by: MA Dept. of Housing & Community
Development, MA Downtown Initiative Program

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Acknowledgements

This project was conducted by FinePoint Associates, Peg Barringer, Project Director, in collaboration with the Middleborough Downtown Working Group, comprised of Town Staff and community representatives. We also received information and input from several business owners, property owners, institution representatives and residents that graciously agreed to be interviewed and 126 employees that responded to our survey. Thank you to everyone that contributed time, information and insights to this project.

Thank you for the guidance and sponsorship of MA Dept. of Housing & Community Development, MA Downtown Initiative Program, Emmy Hahn, Coordinator.

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And, thank you to everyone that responded to the Downtown Employee Survey.

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Project Scope, Purpose and Study Area

Scope: To work collaboratively with a small working group and the Director of Economic and Community Development to conduct a market analysis and assessment of the real estate, business conditions and commercial mix in Downtown Middleborough.

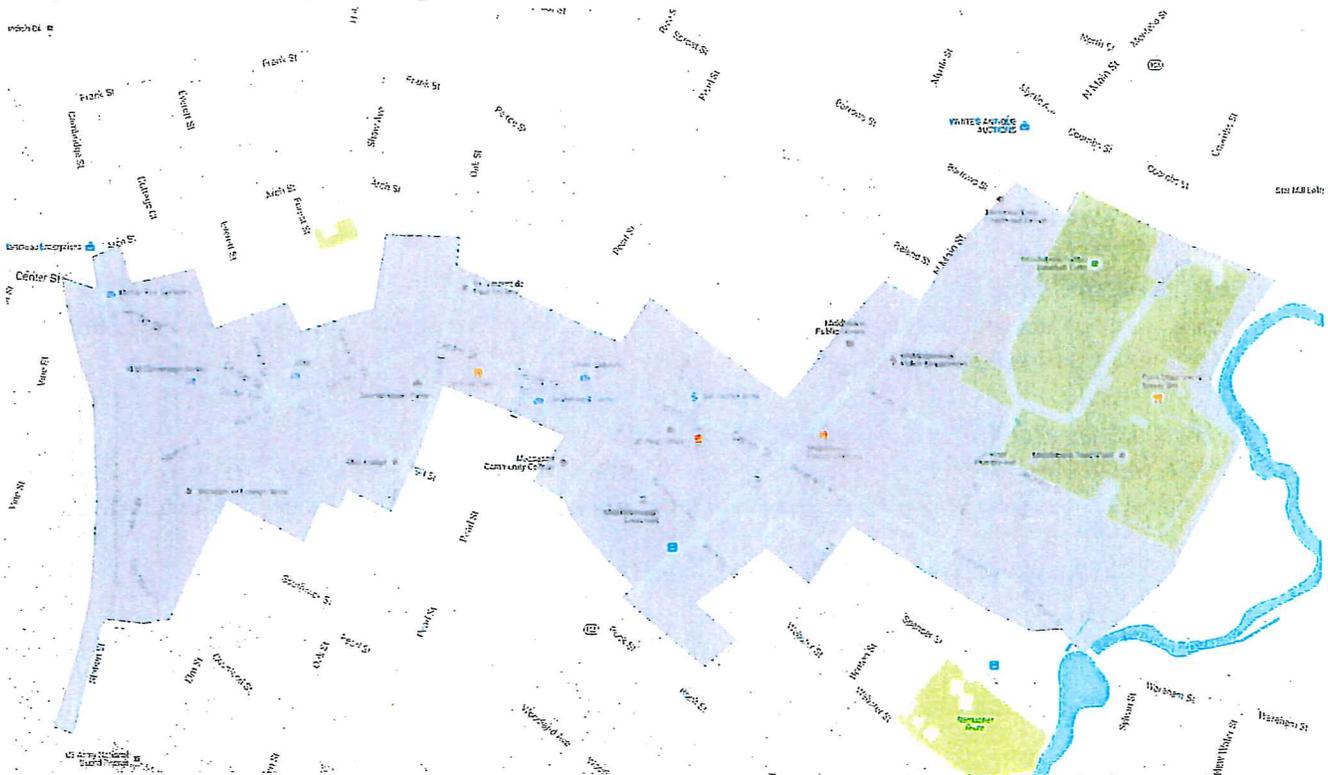
Purpose: To provide foundational research that will help to identify obstacles and assess opportunities that will inform possible future actions with regard to downtown vibrancy-maintaining strategies.

Study Area: Middleborough is located approximately 40 miles south of Boston surrounded by the towns of Taunton, Plymouth, Wareham, Carver, Lakeville, Halifax, Rochester and Plympton. (see Figure 1). The downtown business district study area extends between Cambridge Street/the rail line and the Nemasket River. Businesses are predominantly located along Center Street, Main Street, Wareham Street.

Figure 1. Regional Context



Figure 2. Downtown Study Area Map



Part I. Analysis of the Potential Market

A. Overview of Potential Market Segments

Businesses located in the Downtown Middleborough have the opportunity to serve several potential market segments:

- Residents of the Surrounding Area
- Resident Sub-segment – Oak Point 55+ Community
- Employees Working in and Nearby Downtown
- Massasoit Community College Students
- Visitors/Users/Attendees of Nearby Attractions and Events

Residents of the Surrounding Area

The major potential customer base for the Downtown is the adjacent residential population. The identified primary trade area (where most of the repeat business is expected to be derived) is a 3-mile radius containing approximately 22,600 residents. The secondary trade area is identified as the 6-mile radius, containing approximately 44,800 residents. The rationale for the trade area delineation and the demographic and consumer characteristics of the population in each trade area are described in detail later in this report.

Resident Sub-Segment – Oak Point Residents

The residents of Oak Point represent a sub-segment of the surrounding resident market with a concentration of newer residents. This master-planned community within Middleborough, dedicated to people 55 and over, contains over 900 offers newly built custom manufactured homes in a 1,000 acre wooded setting.

Employees of Area Businesses

In addition to the residential customer base, there are over 500 employees who work in the 146 establishments within close proximity to the business district. This segment represents an opportunity for meal and snack purchases as well as other convenience goods and services purchased before and after work. A few large employers located nearby include: High Point Treatment Center (over 200 employees), the Town (approximately 75 employees including Town departments and Library) and Massasoit Community College (approximately 50 employees).

Massasoit Community College Students

A satellite location of Massasoit Community College is located right in the Downtown. The college has approximately 500 students with a growing enrollment.

Visitors/Users/Attendees of Nearby Attractions and Events

People are drawn to events and attractions that bring them into or within very close proximity to downtown. This creates potential opportunities for downtown restaurants, retailers and service providers. Market segments include:

- Visitors to Burt Wood Performing Arts School and Alley Theater
- Visitors and Users of the Downtown Athletic Fields
- Visitors to the Historic/Cultural Sites (Middleborough Historical Museum, Robbins Museum of Archaeology)

These market segments will be described in more detail in the following sections of this report.

B. Resident Market Segment

1. Trade Area Delineation

Defining the trade area is the first step in determining market potential for a commercial district. Once the trade area is defined, we can quantify the amount of potential customers that live within the area as well as examine their characteristics and purchasing habits to provide a picture of the potential market.

The term retail trade area refers to the geographic area from which a retail entity generates its sales. The primary trade area for a commercial center, such as a downtown, business district or shopping plaza is the area from which most of the steady, repeat business is derived (typically, where 65-80% of the total sales are generated). A combination of factors determines the size and boundaries of the primary trade area: travel time and distance for shoppers, travel patterns, location of competing commercial centers, physical barriers that might effect access, socio economic characteristics, and the size and scope of the commercial center itself. (Generally, the larger the variety, breadth and uniqueness of the merchandise offerings, the greater distance customers are willing to travel, and therefore, the larger the trade area will be.)

The competing commercial facilities surrounding Downtown Middleborough are identified on the following page (see Figure 3). (Note that this map is intended to be illustrative of key competitors; not all commercial facilities are shown.) The competition becomes greater beyond a 4-mile radius from the center of Downtown.

Figure 4 shows computer-generated drive times. The 4-mile radius is roughly equivalent to an 8-10 minute drive time.

After discussing consumers patterns with local business owners and residents and reviewing the location of existing commercial facilities, travel times and circulation routes, it was determined that the likely potential **Primary Trade Area** for the Business District is a 4-mile radius (see Figure 5).

There may also be potential to attract some customers from a **Secondary Trade Area**, the area included in a 6-mile radius from the District (see Figure 5). This secondary trade area was identified because it represents a relatively reasonable travel time to acquire goods and services. However, it is expected that capture rate would be significantly less than in the primary trade area and would depend on the uniqueness and quality of the merchandise or services being offered.

The demographic and consumer characteristics of the population in these trade areas are described throughout the following section.

Sources: The Nielsen Company, U.S. Census, InfoUSA, American Community Survey, Primary Data Collection, FinePoint Associates

Figure 3.
Location of Surrounding Commercial Facilities

-  **Regional Malls** (apparel, home goods, restaurants, etc.)
 - Kingston Collection
 - Silver City Galleria
-  **Lifestyle Centers** (restaurants, entertainment, apparel, home goods, specialty chains, in open-air, town center-like setting, etc.)
 - Colony Place
 - Wareham Crossing
-  **Performing Arts Theatres/Companies**
 - Applause Academy
 - Burt Wood School of Performing Arts/Alley Theatre/Nemasket River Productions
 - BSU Theater
 - Kreative Kidz Theatre
 - Rogue Theatre Company/Roseland Ballroom
 - Spire Center for Performing Arts
-  **Downtown/Village Center Business Districts**
 - Taunton Downtown
 - Downtown Bridgewater
 - Downtown Plymouth
 - Downtown Middleborough
 - Downtown Taunton
- Other Commercial**
 -  Small Shopping Plazas (few stores, typically Marshalls, T.J. Maxx)
 -  Walmart, Walmart Supercenter
 -  Major Supermarkets
-  4-Mile Radius

* Note: This listing and map is intended to be illustrative not exhaustive. All commercial facilities are not shown.

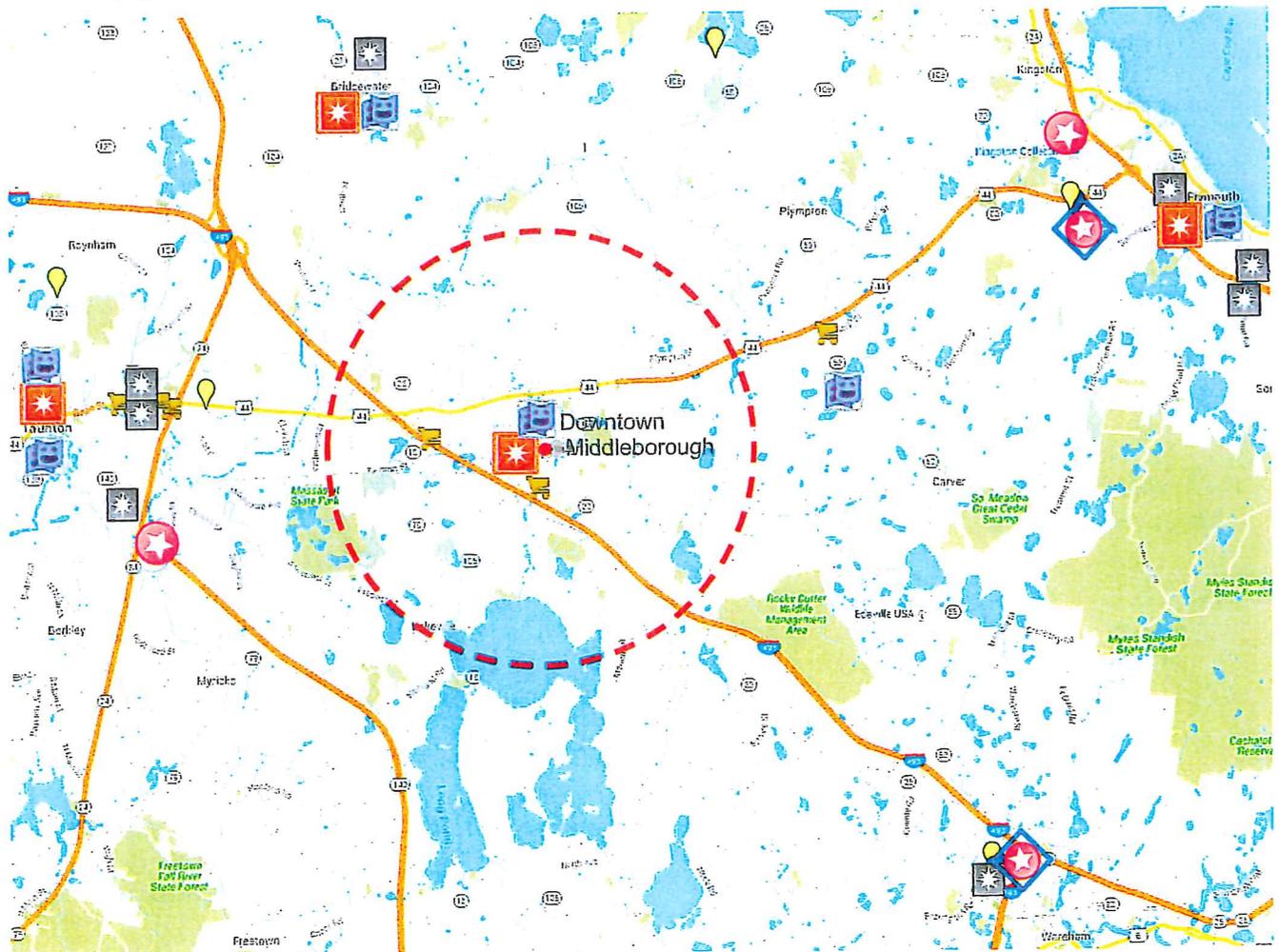


Figure 4.
Drive Time (computer-generated)

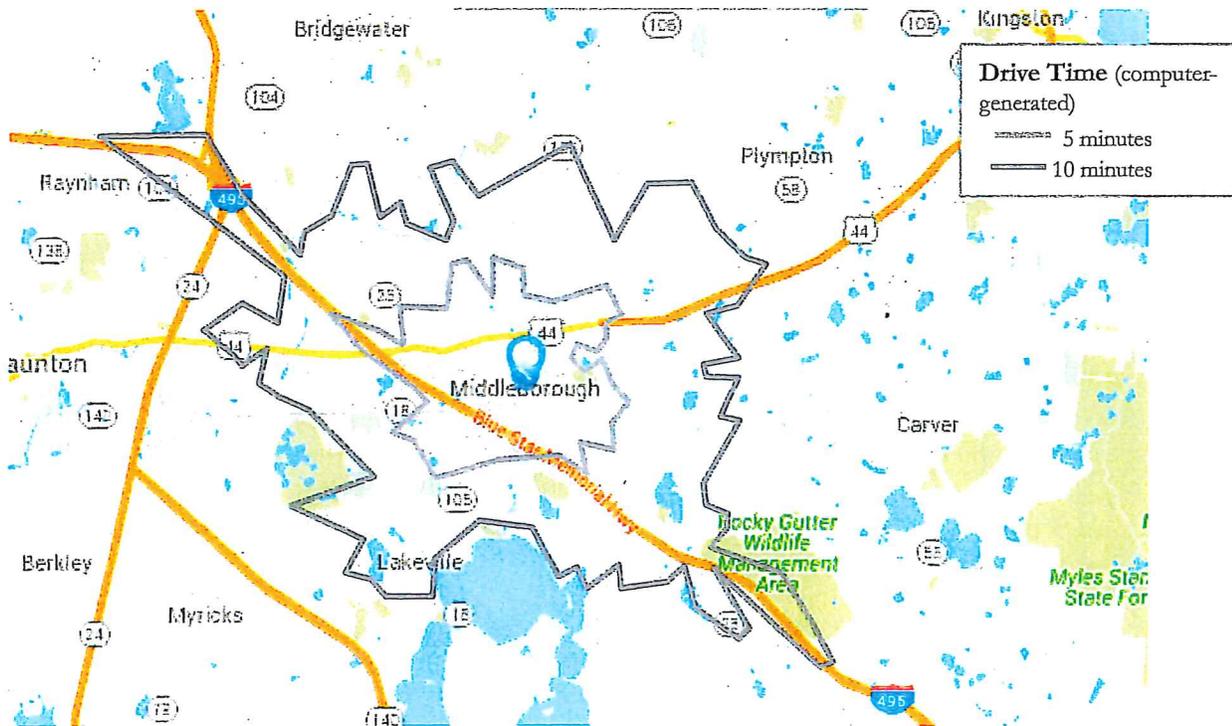
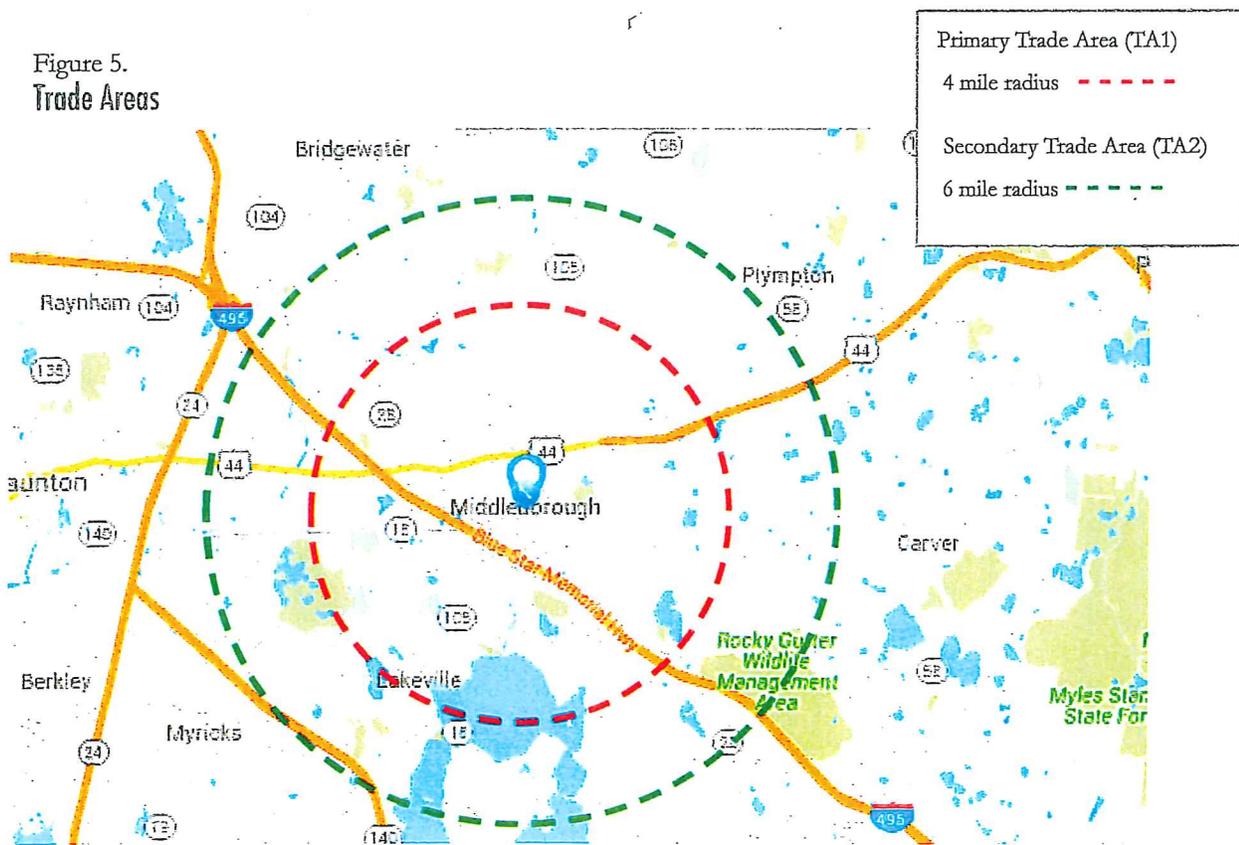


Figure 5.
Trade Areas



B. Resident Market Segment (cont'd)

2. Trade Area Consumer Characteristics

Primary Trade Area (TA1)

There are approximately 22,601 people living within the primary trade area. The population is predominantly White with average or above average income. Educational attainment rate is similar to the United States but lower than Massachusetts. The estimated median household income for 2015 is \$71,541, which is 5% higher than the statewide median. There is a significant upper income segment – 31% of the households earn over \$100,000 per year. The population is predominantly white (95%), with a small portion comprised of Asians (1%), Black/African Americans (1%) and other races. Only 2% of the population is Hispanic compared to 11% in the State. The most significant cultural concentrations are Irish (21%) Italian (15%), English (11%) and Portuguese (6%) and compared concentration in the United States of 7%, 4%, 5% and <1% respectively. Approximately 35% of the population over the age of 25 has at least an Associates Degree or higher (compared to 47% in Massachusetts and 37% in the United States).

Compared to Massachusetts overall, the primary trade area population, on average, is older, more likely to be married, have children under 18 in the household, own their home and have a car. The median age is 43.3, about 9% higher than in Massachusetts and 14% higher than in the US. 19% of the population is 65 years of age or older compared to 15% in the state and the U.S. The population is comprised predominantly of family households (71%), meaning more than one person in the household related by blood or marriage, with an average percentage of single parent households. 34% of the households contain children under 18 compared to 31% statewide and 33% in the U.S.

About 22% of the households contain only one person, compared to 29% statewide. Homeownership is significantly higher – 76% of the occupied homes are owner-occupied compared to 62% statewide. The vast majority of the market is mobile with access to a private vehicle for acquiring goods and services. Only a very small portion of households (4%) do not own a vehicle and therefore represent a market segment dependent on public transportation or walking to acquire goods and services. In fact, two-thirds of the households have 2 cars or more.

Projected Growth - The population and the number of households in the Primary Trade Area has been growing at a substantially higher rate than Massachusetts overall. Between 2000 and 2010, population grew by 15% and the number of households grew by 20%, compared to statewide rates of 3% and 4%. According to projections obtained from Nielsen, between 2010 and 2020, the population is expected to grow annually by approximately .91% and the number of households by 1.0%, while the statewide projections are .67% and .74%. These projections are based on data from the American Community Survey (conducted more frequently than the decennial census), data from the United States Post Office, new construction data, and the Nielsen Master Address File.

Secondary Trade Area (TA2)

There are approximately 44,761 people living within the secondary trade area. The characteristics of this population are fairly similar to the primary trade area, however median household of \$78,597 is about 10% higher.

A summary analysis of primary and secondary trade area consumer characteristics, expenditures and sales leakage is presented in the following sections of this report.

Sources: The Nielsen Company, U.S. Census, InfoUSA, American Community Survey, Social Explorer

B. Resident Market Segment(cont'd)

3. Market Demand and Sales Leakage

Market Demand - Trade Area Resident Expenditures

Given the demographic, lifestyle and other consumer characteristics of the trade area population (presented in the previous section), their total annual expenditures for a variety of retail goods and services can be estimated.

Table 1 represents the annual retail market demand by category.

Note: These expenditures are currently being made by residents at a variety of locations both inside and outside of the identified trade areas.

Table 1.
Resident Annual Expenditures

	TA1	TA2
Furniture & Home Furnishings Stores-442	\$8,211,036	\$16,022,583
Furniture Stores-4421	\$4,349,534	\$8,504,618
Home Furnishing Stores-4422	\$3,861,502	\$7,517,965
Electronics & Appliances Stores-443	\$7,395,629	\$14,348,371
Building Material, Garden Equipment Stores -444	\$44,482,758	\$86,740,886
Building Material & Supply Dealers-4441	\$38,184,169	\$74,400,732
Lawn/Garden Equipment/Supplies Stores-4442	\$6,298,590	\$12,340,154
Food & Beverage Stores-445	\$53,576,669	\$101,229,145
Grocery Stores-4451	\$34,939,719	\$66,075,392
Specialty Food Stores-4452	\$4,306,150	\$8,156,934
Beer, Wine & Liquor Stores-4453	\$14,330,800	\$26,996,819
Health & Personal Care Stores-446	\$22,311,639	\$41,960,549
Pharmacies & Drug Stores-44611	\$17,758,918	\$33,314,860
Cosmetics, Beauty Supplies, Perfume Stores-44612	\$1,538,727	\$2,882,999
Optical Goods Stores-44613	\$1,032,313	\$2,043,850
Other Health & Personal Care Stores-44619	\$1,981,681	\$3,718,840
Clothing & Clothing Accessories Stores-448	\$19,188,533	\$37,858,210
Clothing Stores-4481	\$10,021,328	\$19,781,848
Shoe Stores-4482	\$1,432,896	\$2,813,260
Jewelry, Luggage, Leather Goods Stores-4483	\$7,734,309	\$15,263,102
Sporting Goods, Hobby, Book, Music Stores-451	\$7,191,194	\$14,129,626
Sporting Goods, Hobby, Musical Instrument Stores-4511	\$6,229,749	\$12,232,607
Book, Periodical & Music Stores-4512	\$961,445	\$1,897,020
General Merchandise Stores-452	\$47,757,421	\$91,794,998
Department Stores, Excluding Leased Departments-4521	\$20,014,298	\$38,874,691
Other General Merchandise Stores-4529	\$27,743,123	\$52,920,308
Miscellaneous Store Retailers-453	\$11,415,680	\$21,821,673
Florists-4531	\$435,228	\$845,773
Office Supplies, Stationery, Gift Stores-4532	\$5,287,302	\$10,205,203
Used Merchandise Stores-4533	\$817,445	\$1,611,766
Other Miscellaneous Store Retailers-4539	\$4,875,705	\$9,158,932
Eating & Drinking Places-722 (not including special foodservice)	\$44,949,710	\$85,514,169
Full-Service Restaurants-7221	\$20,308,655	\$38,660,245
Limited-Service Eating Places-7222	\$17,893,081	\$34,021,300
Drinking Places -Alcoholic Beverages-7224	\$1,824,918	\$3,466,742
	\$261,557,213	\$502,054,329

Sources: The Nielsen Company, U.S. Census, InfoUSA, American Community Survey, Social Explorer

B. Resident Market Segment (cont'd)

Sales Leakage Analysis - General

A sales leakage analysis estimates the amount and type of annual purchases that residents are currently making outside of the trade area. If the analysis shows significant leakage within certain retail categories, it might point to possible opportunities for new or existing businesses within those categories.

- More than 22,000 residents live within the 4-mile primary trade area (TA1) and they spend over \$262 million per year at stores and restaurants. Currently, more than \$94 million (36%) is being spent outside of the primary trade area. There is sales leakage in most categories, the most significant sales leakage is in the following categories: **Specialty Food Stores, Liquor, Sporting Goods/Hobby, Gifts/Novelty, Other Misc. Stores (pets/supplies, art, other) and Electronics.** For the purposes of this analysis, "most significant" is defined as the categories in which a 60% market capture in the trade area would be sufficient to support at least one new business. There is no sales leakage in the categories of Drug Stores, Clothing, Limited Service Restaurants, Furniture, Jewelry and Florists. *Note: In categories showing little or no leakage, it does not necessarily mean that there is no opportunity, however, success would depend heavily on the ability to attract expenditures from non-resident market segments and/or overtake trade from existing competition within the trade area by offering more desirable products or services.*
- Close to 45,000 residents live within the 6-mile trade area (TA2); these residents spend over \$502 million per year at retail stores and restaurants. Currently, more than \$150 million (30%) is being spent outside of the trade area. A smaller potential market capture would be expected within this secondary trade area, however, depending on the uniqueness of the offering, there may be some opportunity for capturing expenditures especially for specialty retail or services.

Table 2. Sales Leakage in Selected Categories (millions)

	TA1	TA2
Other General Merchandise Stores-4529	\$25.65	\$43.68
Department Stores Ex Leased Depts-4521	\$20.01	\$18.25
Supermarkets, Groc. (Ex Conv)-44511	\$13.28	\$12.66
Beer, Wine and Liquor Stores-4453	\$9.88	\$19.13
Electronics and Appliance Stores-443	\$5.49	\$10.70
Sporting Goods, Hobby Stores-4511	\$5.21	\$9.83
Specialty Food Stores-4452	\$4.26	\$5.03
Hardware Stores-44413	\$2.68	\$4.46
Home Furnishing Stores-4422	\$2.65	\$1.79
Office Supplies and Stationery -45321	\$2.58	\$3.72
Full-Service Restaurants-7221	\$2.49	\$10.19
Other Miscellaneous Store Retailers-4539	\$2.39	\$5.82
Gift, Novelty and Souvenir Stores-45322	\$1.97	\$4.03
Drinking Places- Alcoholic Beverages-7224	\$1.82	\$0.81
Cosmetics, Beauty Supplies-44612	\$1.40	\$2.50
Shoe Stores-4482	\$1.06	\$2.10
Book, Periodical and Music Stores-4512	\$0.96	\$1.84
Convenience Stores-44512	\$0.81	\$1.21
Optical Goods Stores-44613	\$0.51	\$1.35
Used Merchandise Stores-4533	\$0.43	\$1.14
Paint and Wallpaper Stores-44412	\$0.40	\$0.78
Other Health/Personal Care Stores-44619	\$0.01	-\$1.32
Florists-4531	\$0.00	\$0.23
Jewelry Stores-44831	-\$1.97	\$2.35
Furniture Stores-4421	-\$2.21	-\$0.87
Limited-Service Eating Places-7222	-\$3.63	-\$1.90
Clothing Stores-4481	-\$6.41	-\$3.27
Pharmacies and Drug Stores-44611	-\$26.91	-\$35.15

The presence of sales leakage indicates a retail gap and a geographic advantage for new businesses within TA1 (as residents are currently traveling significant distances to acquire goods and services). However, some caveats should be noted as follows. 1) The potential for new businesses in downtown to capture this sales leakage would be dependent on their ability to offer comparable quality goods, services and shopping environment to change existing consumer patterns. 2) Some businesses (e.g., shoes/clothing/accessories) do well when they are clustered with related businesses that offer comparative and/or crossover options for consumers; therefore if there is no existing similar or related establishments already in the district to build on, there might be less potential to recruit these types of businesses. 3) Although, there may be leakage in certain categories, there might not be adequate footprint or infrastructure (e.g., parking) to support the type of store in the business district. This might include stores such as department stores, large electronic stores or supermarkets.

Sources: The Nielsen Company, U.S. Census, InfoUSA, American Community Survey, Social Explorer

B. Resident Market Segment (cont'd)

Sales Leakage Analysis – Eating and Drinking Places

- Restaurants are typical recruitment targets for downtown business districts and therefore worthy of special attention. Residents within 4 miles of downtown spend over \$40 million per year at eating and drinking places while residents living within 6 miles spend over \$76 million.
- The sales leakage estimates for full service restaurants, limited service restaurants and bars are provided in the Table 3. Category definitions are provided below. (However, it should be noted that the distinctions between categories are not always consistently applied.)
- There is at least \$2.6 million of unmet demand for Full Service Restaurants in the 4-mile trade area and \$10.2 million in the 6-mile trade area. As noted, there is no leakage in the Limited Service Category.

*Note: The projected expenditures used to analyze sales leakage do not account for potential demand from non-resident market segments such as employees or visitors and therefore underestimate the unmet demand, especially in categories such as restaurants.

Table 3.
Eating & Drinking Places
Sales Leakage Analysis

	Annual Resident Expenditures		Sales Leakage	
	TA1	TA2	TA1	TA2
Total Eating & Drinking Places	\$40,026,654	\$76,148,288		
Full-Service Restaurants	\$20,308,655	\$38,660,245	\$2,485,141	\$10,188,702
Limited-Service Eating Places	\$17,893,081	\$34,021,300	-\$3,627,905	-\$1,897,619
Drinking Places	\$1,824,918	\$3,466,742	\$1,824,918	\$810,380

Definitions

Full Service Restaurant: This industry group comprises establishments primarily engaged in providing food services to patrons who order and are served while seated (i.e., waiter/waitress service) and pay after eating. Establishments that provide these types of food services to patrons with any combination of other services, such as takeout services, are classified in this industry.

Limited Service Restaurants: This industry group comprises establishments primarily engaged in providing food services where patrons generally order or select items and pay before eating. Most establishments do not have waiter/waitress service, but some provide limited service, such as cooking to order (i.e., per special request), bringing food to seated customers, or providing off-site delivery.

Drinking Places: This industry group comprises establishments primarily engaged in preparing and serving alcoholic beverages for immediate consumption.

A summary of trade area demographic characteristics and consumer patterns follows..

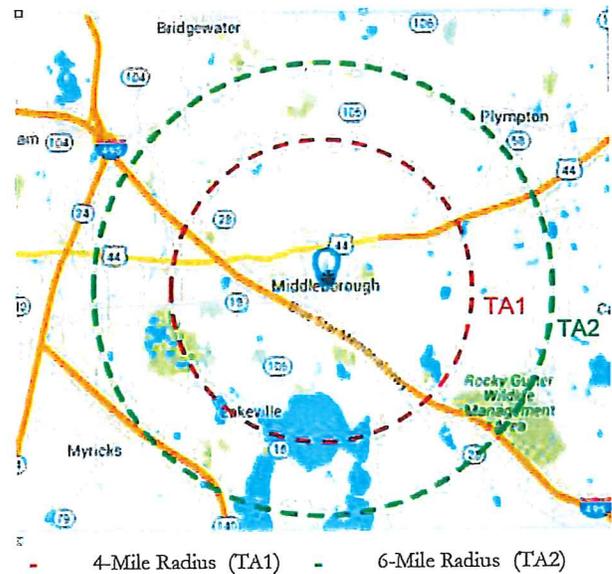
Sources: The Nielsen Company, U.S. Census, InfoUSA, American Community Survey, Social Explorer

B. Resident Market Segment (cont'd)

Figure 6:
Summary of Trade Area Demographics, Expenditures & Sales Leakage

Residents living in the surrounding area represent the major market opportunity for the business district. After discussing consumers patterns with local business owners and residents, and reviewing the location of existing commercial facilities and circulation routes, it was determined that a 4-mile radius and 6-mile radius represent the market areas most accessible for businesses located in downtown Middleborough.

The following presents an analysis of the market population living within two trade areas:
 Primary Market Area - Trade Area 1 (TA1): 4-Mile Radius
 Secondary Market Area -Trade Area 2 (TA2): 6-Mile Radius



Retail & Restaurant Opportunity

GROWING MARKET

Trade Area 1 (TA1) = 4 Mile Radius

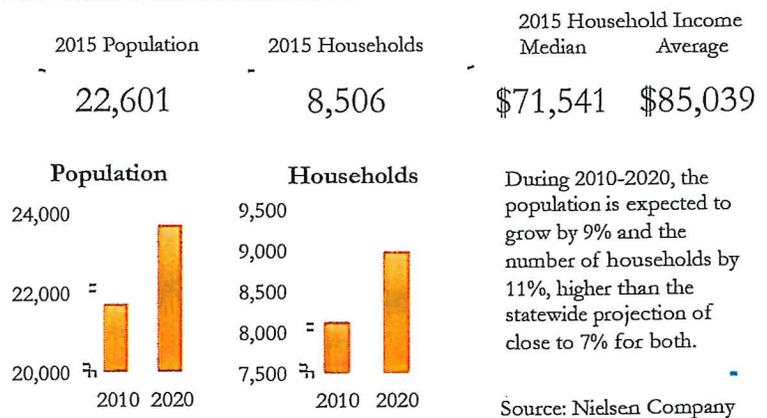


Residents spend
262 million
 per year at stores & restaurants*

Opportunity:
 Over **\$94 Million** being spent outside TA1



\$35 Million spent at non-store retailers



Trade Area 2 (TA2) = 6 Mile Radius

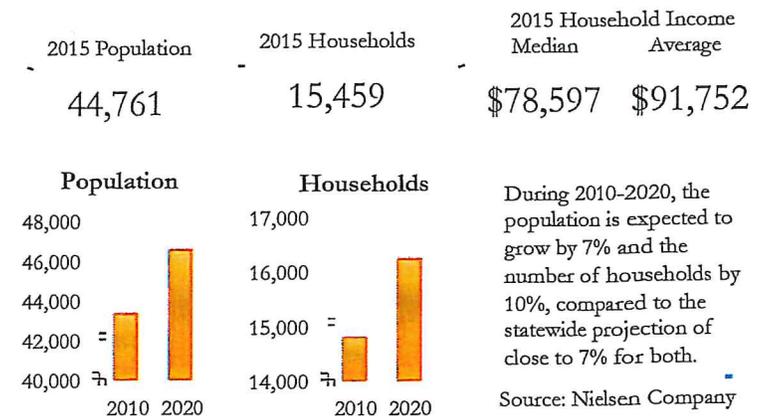


Residents spend
502 million
 per year at stores & restaurants*

Opportunity:
 Over **\$150 Million** being spent outside TA2



\$68 Million spent at non-store retailers



* Excludes motor vehicle and gas station purchases. ** All data is 2015 estimates unless noted.

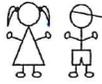
Middleborough Downtown Business District

Market Analysis (cont'd)

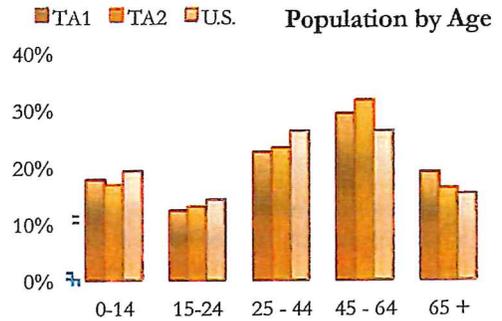
Figure 6 (cont'd):
Summary of Demographics, Expenditures & Sales Leakage

Residents

Median age is **43.3** in TA1 and **42.9** in TA2 compared to 39.7 statewide and 37.9 in U.S.



34% of households in TA1 and **36%** in TA2 contain children compared to 31% statewide and 33% U.S.



CULTURAL MIX

Race & Ethnicity	TA1	TA2	MA
White Alone	95%	94%	79%
Black/African American	1%	3%	7%
Asian	1%	1%	6%
Other/More than 1 Race	3%	3%	8%
Latino/Hispanic	2%	3%	11%

Cultural Concentration/Ancestry	TA1	TA2	US
Irish	21%	20%	7%
Italian	15%	13%	4%
English	11%	10%	5%
Portuguese	6%	7%	1%

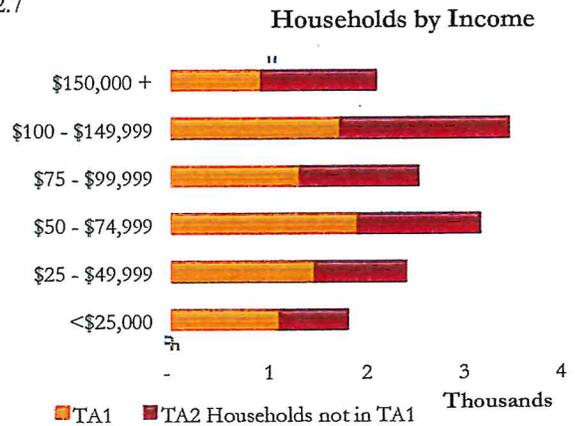
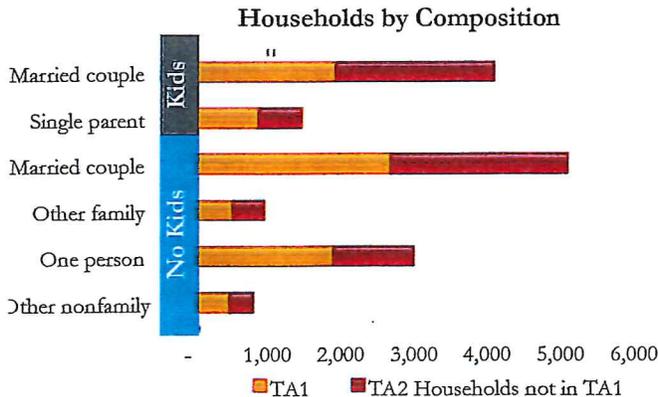
6% of TA1 and 7% of TA2 residents speak a language besides English at home
 Asian/Pacific Island Language: 1%, Indo/European Language: 4%, Spanish: 1 - 2%, Other: <1%

Lifestyle

2.6 Persons per Household in TA1 and 2.7 in TA2 compared to 2.5 statewide

76% Homeowners in TA1, **82%** in TA2, 62% in MA

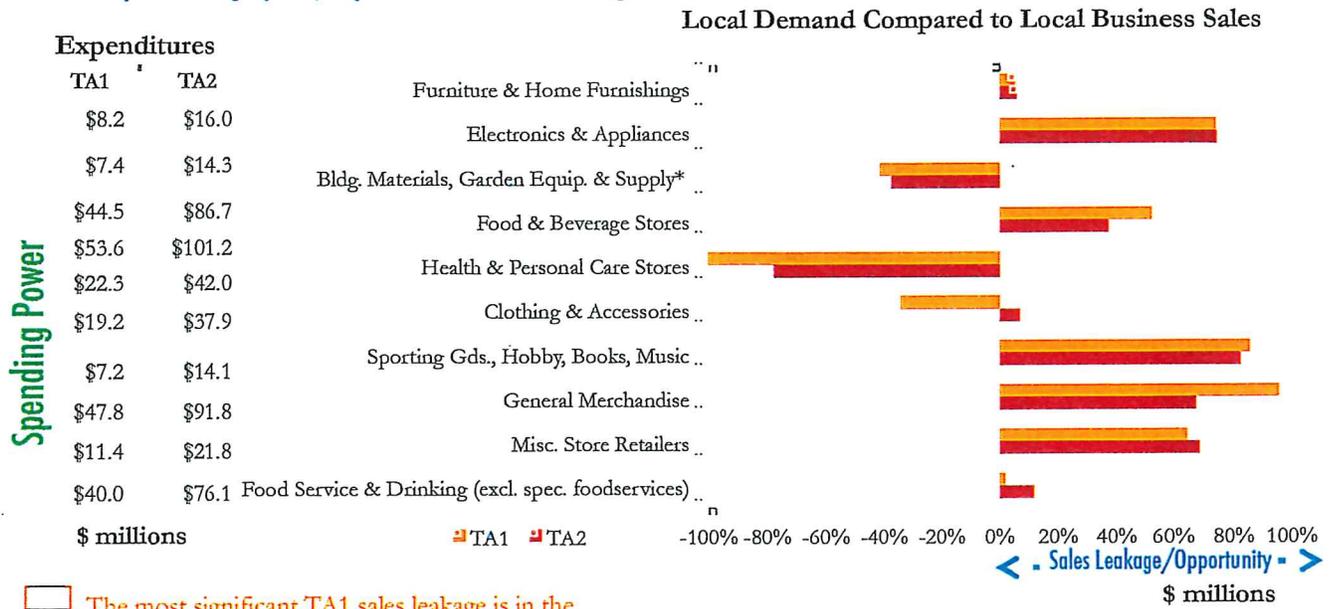
Foot Traffic **4%** car-free households in TA1 and **3%** in TA2 -- these residents are likely to shop close to home



3,988 households in TA1 have income > \$75,000; Median household income is \$71,541 and \$78,597 in TA1 & TA2; \$67,928 statewide, \$53,706 in U.S.

35% of TA1 and 38% of TA2 residents have Associates Degree or higher; 47% statewide, 37% in the U.S.

Figure 6 (cont'd):
Summary of Demographics, Expenditures & Sales Leakage



Expenditures

TA1	TA2
\$8.2	\$16.0
\$7.4	\$14.3
\$44.5	\$86.7
\$53.6	\$101.2
\$22.3	\$42.0
\$19.2	\$37.9
\$7.2	\$14.1
\$47.8	\$91.8
\$11.4	\$21.8
\$40.0	\$76.1

\$ millions

The most significant TA1 sales leakage is in the following categories: Specialty Food Stores, Beer/Wine/Liquor, Sporting Goods/Hobby, Gifts/Novelty, Other Miscellaneous Stores and Electronics.

Opportunity Gap (Sales Leakage)

The retail categories with high sales leakage may suggest opportunity for local businesses (existing and/or new businesses). To determine the feasibility of capturing the leakage, it is necessary to evaluate the strength of the competing businesses outside of the trade area that are currently attracting resident expenditures.

In categories showing little or no leakage, it does not necessarily mean that there is no opportunity. There might be opportunity depending on the ability of local businesses to attract expenditures from non-resident market segments (i.e., employees and visitors) and/or overtake trade from existing competition by offering more desirable products or services.

Negative Sales Leakage (Surplus)

Categories with negative sales leakage indicate that businesses are currently meeting more than just local demand. Businesses in these categories are generating sales from customers that live outside of the identified trade area which may include employees of nearby businesses or visitors travelling into the district from beyond the immediate area because of attractions or destination businesses.

*Note: Sales leakage calculations include all businesses in the trade area, not just the business in the commercial district.

Est. Sales Leakage - Select Categories	TA1	TA2
Furniture Stores-4421	(\$2.21)	(\$0.87)
Home Furnishing Stores-4422	\$2.65	\$1.79
Electronics and Appliance Stores-443	\$5.49	\$10.70
Paint and Wallpaper Stores-44412	\$0.40	\$0.78
Hardware Stores-44413	\$2.68	\$4.46
Supermarkets, Groc. (Ex Conv)-44511	\$13.28	\$12.66
Convenience Stores-44512	\$0.81	\$1.21
Specialty Food Stores-4452	\$4.26	\$5.03
Beer, Wine and Liquor Stores-4453	\$9.88	\$19.13
Pharmacies and Drug Stores-44611	(\$26.91)	(\$35.15)
Cosmetics, Beauty Supplies-44612	\$1.40	\$2.50
Optical Goods Stores-44613	\$0.51	\$1.35
Other Health/Personal Care Stores-44619	\$0.01	(\$1.32)
Clothing Stores-4481	(\$6.41)	(\$3.27)
Shoe Stores-4482	\$1.06	\$2.10
Jewelry Stores-44831	(\$1.97)	\$2.35
Sporting Goods, Hobby Stores-4511	\$5.21	\$9.83
Book, Periodical and Music Stores-4512	\$0.96	\$1.84
Department Stores Ex Leased Depts-4521	\$20.01	\$18.25
Other General Merchandise Stores-4529	\$25.65	\$43.68
Florists-4531	(\$0.00)	\$0.23
Office Supplies and Stationery -45321	\$2.58	\$3.72
Gift, Novelty and Souvenir Stores-45322	\$1.97	\$4.03
Used Merchandise Stores-4533	\$0.43	\$1.14
Other Miscellaneous Store Retailers-4539	\$2.39	\$5.82
Full-Service Restaurants-7221	\$2.49	\$10.19
Limited-Service Eating Places-7222	(\$3.63)	(\$1.90)
Drinking Places- Alcoholic Beverages-7224	\$1.82	\$0.81

Middleborough Downtown Business District

Market Analysis (cont'd)

Table 4. Additional Demographics Data

Est. Population by Age	TA1	TA2	MA	U.S.
-	22,601	44,761		
Age 0 - 4	1,197	2,190		
Age 5 - 9	1,317	2,407		
Age 10 - 14	1,444	2,828		
Age 15 - 17	944	1,907		
Age 18 - 20	815	1,685		
Age 21 - 24	990	2,144		
Age 25 - 34	2,340	4,833		
Age 35 - 44	2,723	5,531		
Age 45 - 54	3,530	7,601		
Age 55 - 64	3,050	6,457		
Age 65 - 74	2,641	4,603		
Age 75 - 84	1,120	1,809		
Age 85 and over	489	766		

Est. Households by Size	TA1	TA2	MA	U.S.
-	8,506	15,459		
1-persons	1,911	2,986		
2-persons	2,946	5,191		
3-persons	1,536	2,904		
4-persons	1,256	2,614		
5-persons	570	1,191		
6 or more	286	574		

Est. Households by Income	TA1	TA2	%	MA %	U.S. %
< \$15,000	647	996	8	6	12
\$15,000 - \$24,999	474	803	6	5	9
\$25,000 - \$34,999	576	915	7	6	8
\$35,000 - \$49,999	905	1,491	11	10	11
\$50,000 - \$74,999	1,916	3,160	23	20	16
\$75,000 - \$99,999	1,327	2,531	16	16	13
\$100,000 - \$124,999	981	1,963	12	13	10
\$125,000 - \$149,999	750	1,499	9	10	7
\$150,000 - \$199,999	576	1,311	7	8	5
\$200,000 - \$249,999	176	403	2	3	2
\$250,000 - \$499,999	157	341	2	2	4
\$500,000+	21	46	0	0	2
Med. Household Income	71,541	78,597			67,928
					53,706

Avg. Length of Residence (Years)

	TA1	TA2	MA	US
Homeowners	17	17	19	17
Renters	8	8	9	8

Est. Population 16+ by Employment Status

	TA1-%	TA2-%	MA %	US %
In Labor Force	70	97	67	64
Employed	63	61	61	58
Self-employed	9	10	9	10
Unemployed	7	6	6	6

Est. Population 16+ by Occupation

	TA1-%	TA2-%	MA %	US %
Architect/Engineer	1	1	2	2
Arts/Entertain/Sports	1	2	2	2
Building Grounds Maint	3	3	3	4
Business/Financial Ops	6	6	6	5
Community/Soc Svcs	1	1	2	2
Computer/Math	3	3	4	3
Construction/Extract	6	6	4	5
Edu/Training/Library	6	6	7	6
Farm/Fish/Forestry	0	0	0	1
Food Prep/Serving	7	6	5	6
Health Practitioner/Tec	7	7	7	6
Healthcare Support	2	3	3	3
Maintenance Repair	4	4	3	3
Legal	0	1	1	1
Life/Phys/Soc Science	1	1	2	1
Management	9	10	11	10
Office/Admin Support	13	13	13	14
Production	6	5	4	6
Protective Svcs	4	3	2	2
Sales/Related	10	10	10	11
Personal Care/Svc	3	4	4	4
Transportation/Moving	7	6	4	6

Est. Population Age 25+ by Education

	TA1-%	TA2-%	MA %	US %
Less than 9th grade		3	3	5
Some High School		5	6	6
High School Grad/GE)		36	34	26
Some College, no degree		21	20	17
Associate Degree		10	10	8
Bachelor's Degree		17	19	22
Master's Degree		6	7	12
Professional School Degree		1	1	3
Doctorate Degree		0	1	2

Table 4. (cont'd) Additional Demographics Data

Est. Hispanic Population by Origin	TA1	TA2	MA	U.S.
-	22,601	44,761		
Not Hispanic or Latino	22,151	43,571	89	82
Hispanic or Latino:	450	1,190	11	18
Mexican	72	140	6	63
Puerto Rican	204	424	42	9
Cuban	28	44	2	3
Other	146	583	50	25

Est. Population-Asian Alone by Category	TA1	TA2	MA	U.S.
-	22,601	44,761		
Not Asian Alone	22,383	44,330	94	95
Asian Alone	218	431	6	5
Chinese, except Taiwanese	14	52	35	22
Filipino	142	147	3	17
Japanese	1	3	2	5
Asian Indian	28	57	21	19
Korean	3	37	7	10
Vietnamese	17	28	13	11
Cambodian	2	57	8	2
Hmong	2	3	0	2
Laotian	0	1	1	1
Thai	1	3	1	1
Other	8	44	9	10

Est. Population by Ancestry	TA1	TA2	MA	U.S.
-	22,601	44,761		
Arab	115	319	0.9	0.5
Czech	0	11	0.1	0.3
Danish	0	8	0.1	0.2
Dutch	32	143	0.3	0.8
English	2,544	4,593	6.3	5.5
French (exc. Basque)	1,067	2,089	4.7	1.6
French Canadian	813	1,449	3.2	0.5
German	1,094	1,982	4.4	10.4
Greek	57	164	0.4	0.3
Hungarian	11	11	0.0	0.2
Irish	4,758	9,118	16.1	6.8
Italian	3,290	5,918	10.1	4.2
Lithuanian	150	268	0.6	0.1
U.S./American	1,112	2,118	3.8	6.7
Norwegian	53	116	0.3	0.9
Polish	756	1,358	3.2	2.0
Portuguese	1,314	3,090	3.7	0.3
Russian	170	344	0.8	0.6
Scottish	419	839	1.9	1.1
Scotch-Irish	69	322	0.7	0.8
Slovak	0	0	0.1	0.1
Subsaharan African	208	377	0.8	0.9
Swedish	352	778	1.7	0.8
Swiss	41	85	0.2	0.2
Ukrainian	0	7	0.0	0.2
Welsh	0	5	0.0	0.3
West Indian (exc. Hisp groups)	52	283	0.6	1.7
Other ancestries	2,214	5,205	26.3	40.7

= Cultural Concentrations

C. Sub-segments and Non-Resident Market Segments

The Downtown has several other potential market segments that offer opportunities for downtown businesses. The working group collaborated with FinePoint to obtain information about these segments and discuss potential opportunities.

1. Employees of Area Businesses

In addition to the residential customer base, there is a daytime population of employees who work in close proximity to the business district. This segment represents an opportunity for meal and snack purchases as well as other convenience goods and services purchased before and after work. This segment might be interested in goods and services such as dry cleaning, tailoring, hair and nail services, dental services, banking services, coffee, snacks, breakfast, lunch, prepared foods, cards & gifts, etc.

We estimate there are over 500 employees working in the downtown area. Some of the larger employers include: High Point Treatment Center, the Town (government, police, library, etc.) and Massasoit Community College. It should be noted that High Point has an internal cafeteria which may compete for meal and snack purchases.

We surveyed downtown employees and received 126 responses. The results are summarized in the following charts. A few highlights are included below.

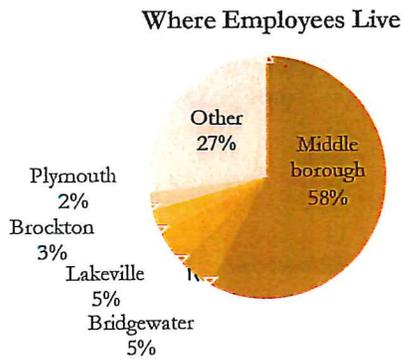
- 40% of employees go to Downtown establishments several times per week. 28% go once per week and 28% go less than once per week. The most frequently visited establishments include restaurants, Benny's and the Post Office.
- The respondents were least satisfied with the physical appearance of Downtown and the goods and services available.
- Respondents offered up a long list of establishments they would like to see in Downtown. The most frequent response, by far, were restaurants, followed by gift/card shops, entertainment & recreation establishments (movie theater, bowling, yoga, arcade, live music, fitness), bookstores (books, comics), clothing & accessories stores and more. Respondents that cited restaurants often indicated they were looking for more variety in dining options. They most frequently mentioned "sit-down", "nice" restaurants, and also often cited fast casual restaurants (soup, sandwich, salad), Asian restaurants (Chinese, Thai), coffee shops and pub style establishments.
- Based upon survey responses concerning consumer behavior, it appears that employees in the downtown area may be spending over \$1.5 million per year on coffee and meal purchases, during and after their work day. However, they are currently making the vast majority of these purchases elsewhere (not at downtown establishments) which could represent a potential market opportunity. Plus, employees might increase their meal purchasing if more options were available.

Table 5. Estimated Employee Work Day Food Purchases and Market Opportunity (Based on Survey Results)

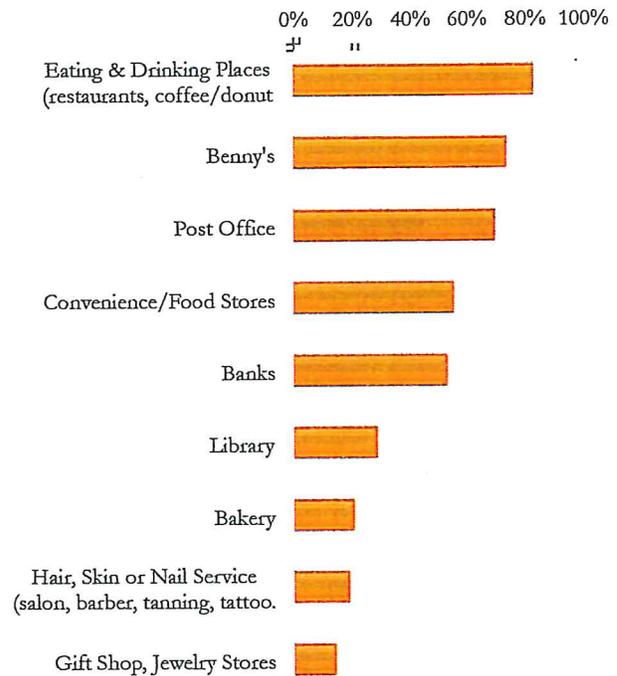
	Estimated Employee Spending at Restaurants and Carryout Places Before, During or After Work		Opportunity	
	Current Annual Estimated Work Day Expenditures by Downtown Area Employees (assuming 500 employees)	Estimated % Being Spent Elsewhere (Not at Downtown Businesses)	Estimated \$ Being Spent Elsewhere (Not at Downtown Businesses)	
Breakfast/Coffee	\$311,760	69%	\$215,114	
Lunch	\$446,457.50	74%	\$330,379	
Dinner	\$750,476.25	83%	\$622,895	
Total	\$1,508,694	77%	\$1,168,388	

Figure 7. Downtown Employee Survey Results (Residency, Patronage & Satisfaction) Survey Conducted July 2016

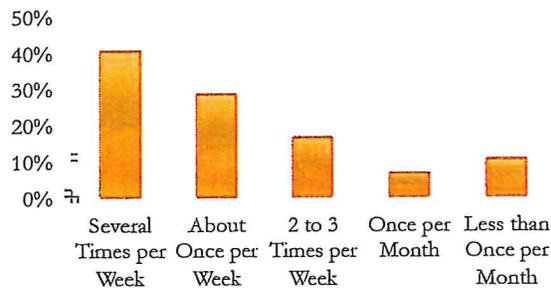
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% of Employees that Have Visited Establishments (within last 3 months)



Frequency of Downtown Patronage



Employee Satisfaction Level with Downtown Attributes

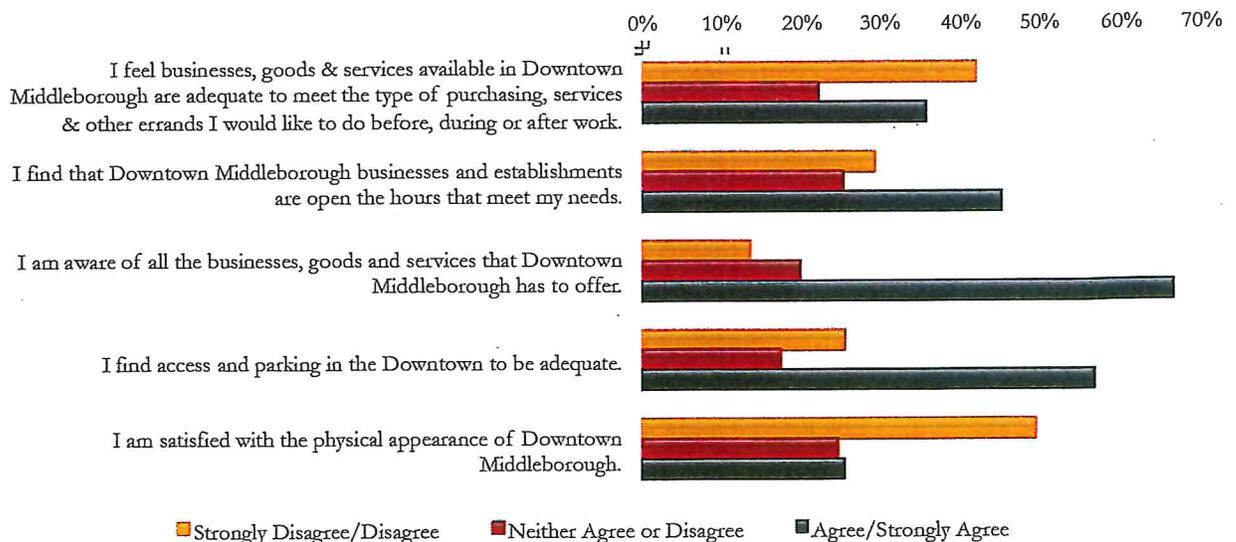
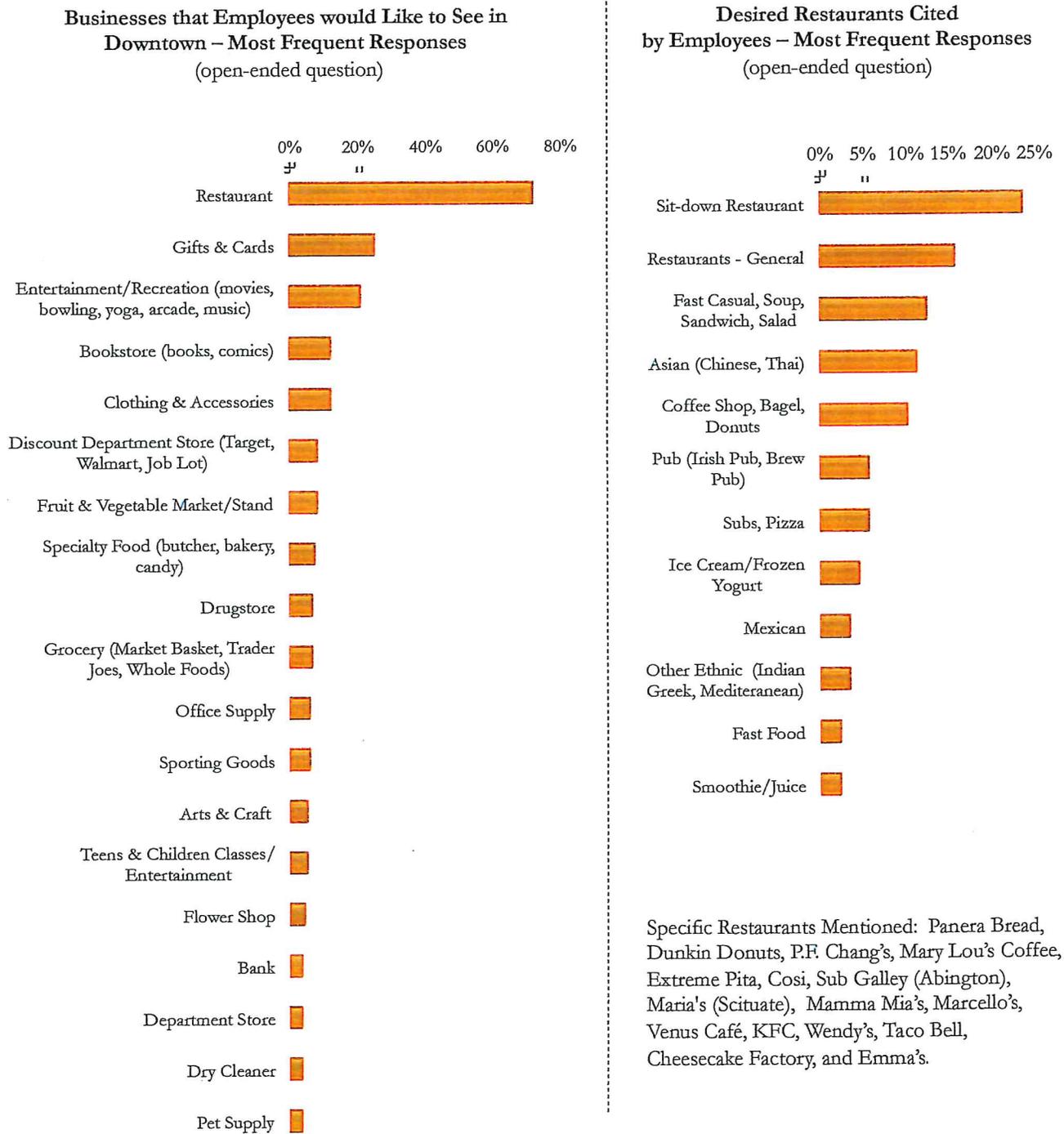


Figure 8. **Downtown Employee Survey Results (Desired Businesses)** Survey Conducted July 2016



C. Sub-segments and Non-Resident Market Segments (cont'd)

2. Massasoit Community College Students

Massasoit Community College (MCC) has 500 students with enrollment growing each semester. Daytime students comprise the largest group with classes from 9am until 2pm., mostly 18 – 22 year olds. Evening students attend classes from 5:50pm until 10 pm. This group is mostly adult learners who work full time with a small portion of daytime students taking an occasional evening class. Most drive, but there are a few who walk, bike or take the Gatra bus. According to MCC representatives, this population likes cheap and fast food, because they do not have a lot of expendable income, and are very busy.

Goods/services of potential interest if available Downtown:

- Place to buy books for classes and Massasoit swag such as t-shirts, etc. (Massasoit Brockton uses Barnes & Noble.)
- Local *affordable, quality* sandwich/sub shop
- Entertainment (bowling, Dave & Buster-type)
- Downtown Food Court with 3-4 options and free wifi
- Food Truck Rotation in the Town Hall Parking Lot

Ideas to capture more of the College Student market segment include:

- Massasoit Student Incentive Program – Students receive discounts or special student coupons for their patronage when they present their Massasoit ID
- Market Saturday Farmer's Market to Massasoit Saturday students.
- Distinctive environment, more social gathering spots/atmosphere.
- Direct marketing efforts

3. Visitors/Users/Attendees of Nearby Attractions and Events

People are drawn to events and attractions that bring them in or within very close proximity to downtown. This creates potential opportunities for downtown restaurants, retailers and service providers. Market segments are described below.

Attendees of Performances at the Alley Theater

Two local theater companies perform at the Alley Theater along with comedy and musical acts, fundraisers and student productions. Nemasket River Productions puts on 3 shows per year (7 performances) and Theater One Productions also puts on 3 shows per year (2 weekends each). A representative from Theater One indicated that 40% of the audience comes from out of town and most attendees go out to dinner before or after the show (not necessarily in Middleborough) and close to 100% of the actors and crew go out after each show (often at Central Café or The Hideaway).

Visitors to the Robbins Museum of Archeology and the Middleborough Historical Museum

The Robbins Museum is open Wednesdays and Saturdays (in addition to events) and hosted close to 1,000 visitors last year with an estimated 80% from outside of Middleborough. The Middleborough Historical Museum is open seasonally from July to September (Wednesdays and Saturdays) and had 245 visitors last year, about 35% were from out of town.

Users of the Downtown Athletic Field/Pierce Playground

The Middleborough Cobras, a semi-pro football team, play about 7 games per year at Battis Field, typically at 7:30 on Saturday evenings. The athletic fields and playgrounds are also actively used by 10-20,000 children and parents each year during daytime and some evening hours throughout the week. Attendees of the football games as well as the young families might be potential customers for Downtown eating and drinking establishments.

C. Sub-segments and Non-Resident Market Segments (cont'd)

Ideas to capture more of the Visitor/Attendee market segment include:

- More eating establishments
- Restaurant guide/marketing material
- Better way-finding signage for parking and directory of businesses
- Improve the lighting so the downtown looks more vital and safer during evening (stores with lights on)
- Advertise with the Parks department
- Promotion (Yankee magazine, AAA newsletter)

4. Resident Sub-segment - Oak Point Residents

The residents of Oak Point comprise a sub-segment worth noting because this “Over 55” community contains a somewhat homogeneous concentrated population of about 1,400 residents, (about one-half are in their 70s and one-quarter are in their 60s). Many residents moved from other communities as they approached or entered retirement and may still have consumer patterns associated with their previous location. Representatives of this population indicate this group shows a preference for name-brand restaurants (e.g., Applebees, Olive Garden, Dunkin Donuts, McDonalds) and it takes referrals from friends and neighbors to get new residents to try local spots. The residents currently patronize some downtown businesses such as the Post Office, Benny’s, The Hideaway, Egger’s Furniture and hair salons. Many were loyal customers of Maria’s gift shop and miss that type of store now that it has closed. This customer group would like to see a wider variety in the businesses in downtown in order to give them more options.

Ideas to capture more of this market segment include:

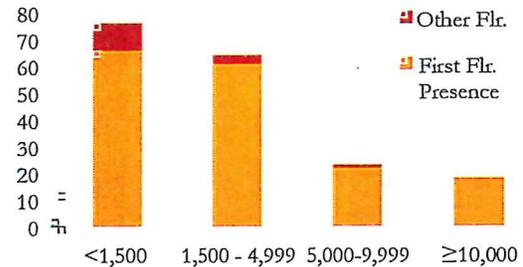
- Driving at night is an issue so early bird dining specials may be appealing to this group
- Product demonstrations, classes, and pop-up sale events held at Oak Point to acquaint potential customers to businesses (For example, a workshop on “Tips for Home Decorating” put on by The Custom Decorator or Egger’s Furniture, a pop-up sale booth featuring gifts by Dymond Treasures or demonstration by downtown hair salon.)
- Sponsorship or providing food for Oak Point events (e.g., charity events organized by residents, social events)
- Providing additional services such as delivery and direct marketing for special in-store sales/events

Part II. Analysis of Business District Conditions and Commercial Mix

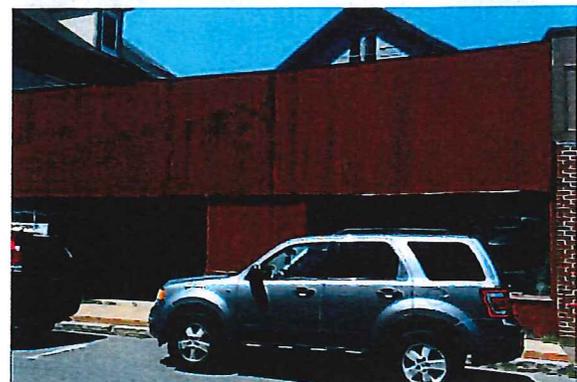
A. Real Estate Overview

- In total, downtown Middleborough contains close to 738,000 s.f. of commercial space “under roof”. To put this in perspective, this is more space than Wareham Crossing and about 28% less than Silver City Galleria in Taunton. Approximately three-quarters of the commercial space is located on the first floor.
- There are 181 commercial units within the district; 167 have a first floor presence and 14 are located entirely on other floors. Median unit size is around 1,700 s.f.
- At the time of the inventory (July, 2016), approximately 19% of the square footage and about 19% of the units were vacant, including 31 units that contain first floor space and 4 units with no first floor presence. (*Vacancy rates fluctuate and can change quickly.*) This includes 1 prime retail space at the intersection of Main Street and Center Street which is not available for lease but is not actively occupied. For many years, a gift and card shop was operated at this location; since then it was leased with plans for opening a children’s consignment shop, however, after many months, the business has not opened.
- We contacted Commercial Realtors and property owners to get an understanding of the leasing environment. It appears that commercial lease rates in Downtown are around \$7 – 8 per square foot for most spaces and \$10 per square foot for newly renovated space. Owners appear to be willing to be somewhat flexible in order to get tenants in.
- When we asked about the obstacles to leasing space, we heard the following:
 - A large impediment to leasing space in Downtown is the number of vacancies and how empty it currently looks.
 - The Town is not perceived as business friendly. We heard complaints about the time it takes to get all of the necessary approvals (e.g., up to 6 months) and about the lack of a “welcoming, how can we help you make this work” attitude. One property owner said that, over the past few months, at least six potential tenants have been discouraged and lost interest after they approached Middleborough Town Departments, and he does not have this experience when leasing property in Bridgewater which he perceives to be much more business friendly.

Figure 9. Establishments by Size (s.f.)



Vacant Properties on Center Street



- One Realtor indicated that lately there has been interest from a few restaurants, specialty food, catering, nail salons and a brewery. She leased space to a flower shop that will open in October and is currently working with a potential pub restaurant tenant. And, on the bright side, this is the first time in 7 years that 48 Center Street, a multi-tenant building in the heart of the district has been fully leased.
- The tax rate for commercial property in Middleborough is \$16.94 per \$1,000 in valuation which ranks close to the middle among the cities and towns in Massachusetts. Compared to the surrounding communities, Middleborough's tax rate is somewhat higher than most, except for Taunton.
- The District can be viewed as comprised of three subareas – the Downtown Core Area, Western Section and Eastern Section as illustrated by the Downtown Sub Area Map. The Downtown Core Area has the largest amount of commercial units. It is the most compact, walkable node with the highest commercial density. The Western Section contains about one-third as many commercial units as the Core Area, more sparsely located and mixed in with residential units and churches. The Eastern Section also contains about one-third as many units as the Core and the uses tend to be more production or office spaces with less walk-in trade businesses along Wareham Street and athletic fields and school facilities on Jackson Street and North Main.

Figure 10. Commercial Tax Rate Analysis

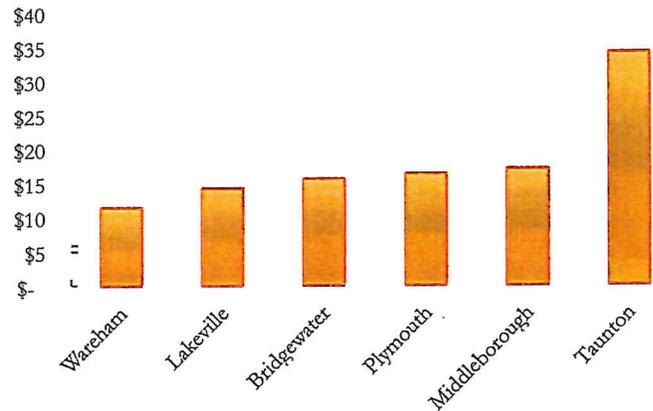


Figure 9. Downtown Sub Areas



Leased but Inactive Storefront on Center Street

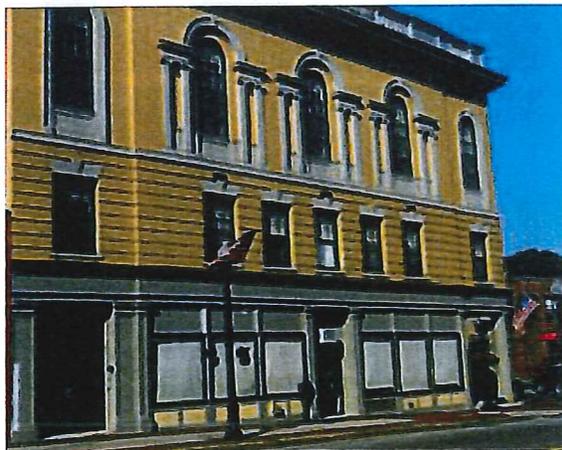


Table 6. Units & Establishments by Sub Area

	Commercial Units				Estabs
	#	Avg. sf	Median sf	Vacant	#
Core	111	3,757	1,765	19	92
Western	36	4,994	1,807	10	26
Eastern	34	4,144	1,600	6	28
All	181	4,076	1,700	35	146

Notes: 1.) Square footage is *estimated* gross leasable area (GLA).
 2.) Inventory results may be less complete for commercial space and businesses not located on the first floor due to difficulty obtaining data

B. Establishment Characteristics

- Downtown Middleborough is home to approximately 146 establishments including retail, restaurants, services, contractors, public and non profit entities. For the purposes of this study, we define “establishment” as any non residential entity. Some of the more well-known and high customer-count establishments include: Massasoit Community College, Benny’s, Central Café, Hideaway Restaurant, Burt Wood School for the Performing Arts & Alley Theater, the Library, Post Office and Rockland Trust.
- A few businesses are active in e-commerce. In fact at least 2 businesses appear to sell exclusively online (e.g., All Things Dutch, Jessa-Loop Designs).
- Most of the establishments (64%) are independently-owned, single location businesses. Chains and franchises comprise about 10% of the establishment mix including national multi-location businesses (e.g., Rockland Trust, Santander Bank), regional chains (e.g., Benny’s, Gas Depot), local chains (e.g., Coffee Milano, Savas Liquor) and franchises (e.g., Honey Dew Donuts). About one-quarter of the establishments are public entities and nonprofits.
- There is not much consistency in operating hours among the establishments. Closing times vary substantially. Slightly over one-quarter are open after 6 PM (one or more nights per week). Many are closed on Sundays as well as one or more weekdays (e.g., Monday/Tuesday). There are a few businesses which appear to be operating on a part-time basis and/or are open by appointment only (e.g., tattoo business, leather goods shop).

Figure 12. Ownership Characteristics

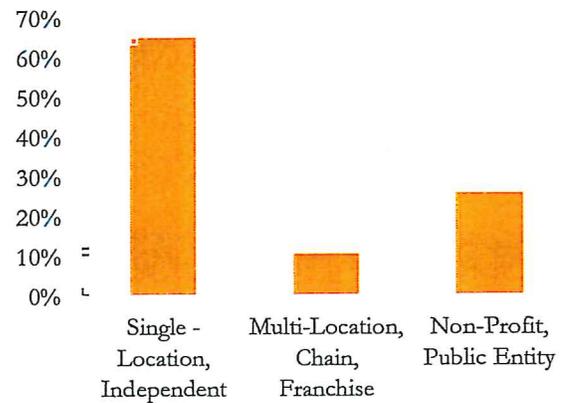
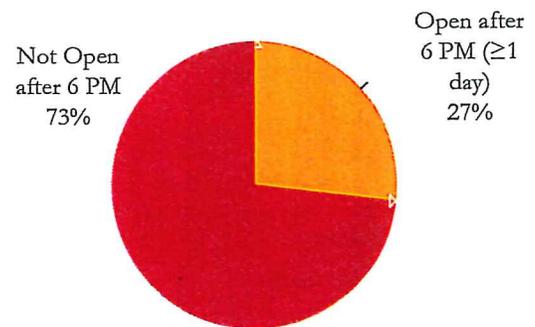


Figure 13. Operating Hours



Middleborough Downtown Business District

Business District Assessment (cont'd)

- Most of the establishments are small with the median size at around 1,600 s.f., however, downtown also contains several large medical, financial and community institutions.

Over 20,000 s.f.

- High Point Treatment Center
- Middleborough Early Childhood Center
- Middleborough Public Library
-

15,000 – 19,999 s.f.

- Town Hall
- Rockland Trust
- Church of Our Saviour Episcopal
- Massasoit Community College
- Town Hall Annex
-

10,000 – 14,999 s.f.

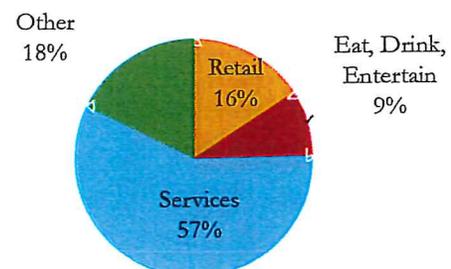
- Elks Lodge
- Robbins Museum of Archaeology
- Meeting House Baptist Church
- Enterprise Design
- Eggers Furniture
- Fire Dept.
- R.E.A.D.S. Academy
- United Methodist Church
-



Table 7.

Establishment Type	#	S.F.
Retail	23	49,500
Motor Vehicle & Parts	1	1,626
Furniture & Furnishings	3	12,421
Electronics & Appliances	0	-
Building Mat. & Garden Equip	1	2,000
Food & Beverage Stores	3	5,186
Health & Personal Care Stores	0	-
Gasoline Stations	3	5,150
Clothing and Accessories	2	3,692
Sporting Goods, Hobby, Books	0	-
General Merchandise Stores	1	5,611
Misc. Retail Stores	9	13,814
Eating, Drinking & Lodging	13	38,876
Arts, Entertainment & Recreation	4	22,653
Accommodation	0	-
Eating and Drinking Places	9	16,223
Services	84	368,258
Finance & Insurance	5	26,790
Real Estate and Rental/Leasing	7	11,114
Professional, Scientific & Tech.	8	13,013
Educational Services	9	90,863
Health Care & Social Assist.	8	80,456
Repair & Maintenance	6	9,595
Personal Care & Laundry	21	24,725
Relig., Grant, Civic, Prof. Orgs.	20	111,702
Other	26	139,092
Agric., Forest, Fishing, Mining	1	1,166
Util., Const., Mfg., Wholesale	14	37,603
Transport, Postal & Warehouse	2	11,900
Information	3	30,017
Admin./Sup. & Waste Mgmt	1	1,600
Public Administration	5	56,806
Total	146	595,726

Figure 14. Composition of Uses (# of establishments)



C. Business District Composition Assessment

- More than one-half of the establishments (57%) in downtown are services, 16% are retailers, 9% are restaurants and 18% other.
- The most represented industry subsectors (based on the number of establishments include: 1)Personal Care, 2)Religious, Grant, Civic & Professional Organizations, and 3)Utilities, Construction, Manufacturing & Wholesale.

Creative Economy Cluster

There is a substantial cluster of arts and culture related industries and facilities located in the downtown.

Historic Sites/ Museums

- Middleborough Historical Society Museum
- Robbins Museum of Archaeology

Performing Arts Theaters, Arts Instruction, Theater Companies, Art Gallery, Artists

- Burt Wood School for the Performing Arts & Alley Theater
- Town Hall Theater/Event Space
- Rachel Park Dance Studio
- Theater One (performs at Alley Theater)
- Nemasket River Productions (performs at Alley Theater)
- True Grit Art Gallery
- Otto's Underground (band & rehearsal studio)
- Blue Anchor Studios (artist shows work at True Grit Art Gallery & hosts paint party nights)
- Jennifer Prisco Photography
- Captured Memories (photographer)

Artisan/ Craft Businesses

- Jessa-Loop Designs
- Monstor Kolor Studio

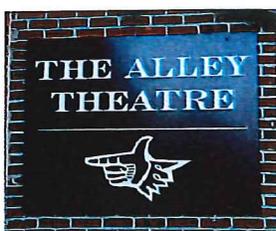
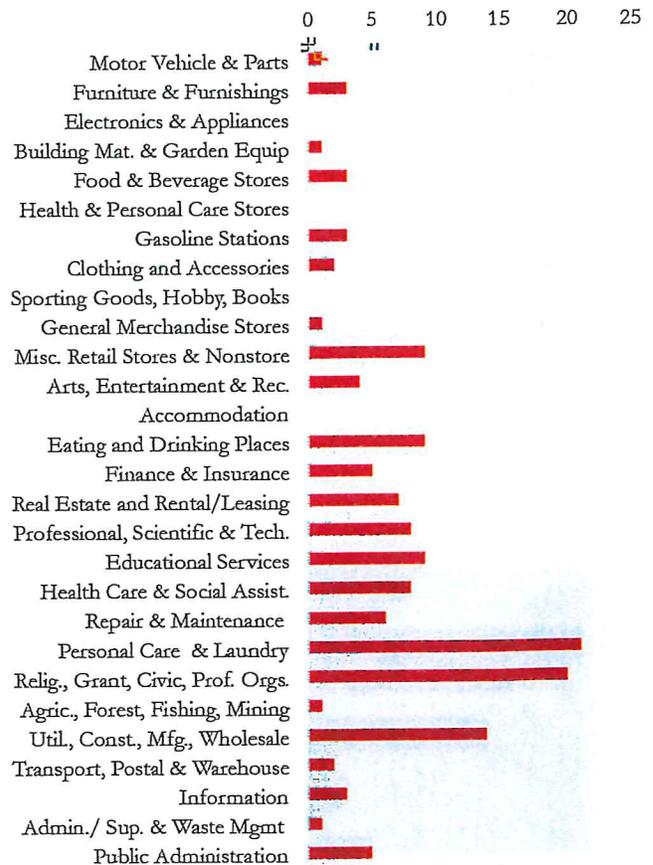


Table 8.

Top Ten Most Frequently Found Establishments

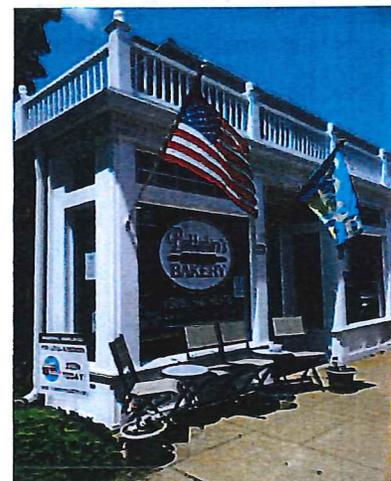
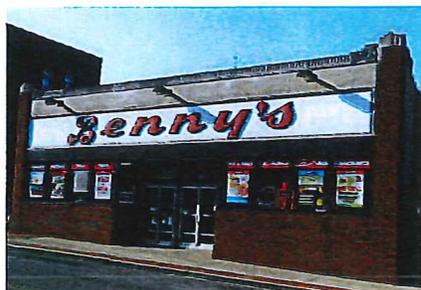
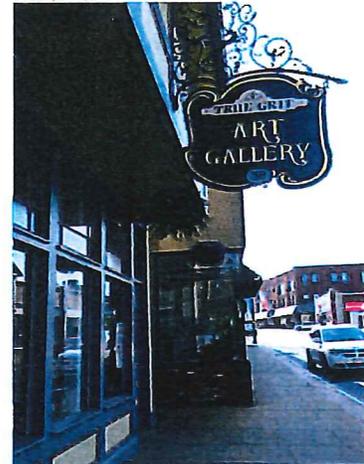
Rank	Industry Subsector	No.
1	Personal Care & Laundry	21
2	Religious, Grant, Civic & Prof. Organizations	20
3	Utilities, Construction, Mfg, Wholesale	14
4	Misc. Retail	9
5	Eating and Drinking Places	9
6	Educational Services (incl. arts education)	9
7	Professional, Scientific & Tech.	8
8	Health Care & Social Assist.	8
9	Real Estate and Rental/Leasing	7
10	Repair & Maintenance	6

Figure 15. Commercial District Business Mix



Retail Establishments

- The Downtown is home to 23 retail establishments.
- Benny's is a well known regional chain general store offering home & garden products, automotive supplies, hardware, toys and more.
- There are 3 furnishings stores including the long time Downtown retailer, Egger's Furniture, a window treatment store and a fairly recent addition of a store that sells new, used and refurbished home accessories (Dymond Treasures). There is also an auction house that handles furnishings, as well as collectibles and other items. (During auction events, bids are received from onsite customers as well as online and telephone bidders.)
- The district hosts 2 specialty food stores (a seafood store and a bakery) along with a liquor store and convenience store. The bakery serves coffee and tea in a café atmosphere, in addition to offering custom baked goods, and is planning an expansion and move to a new site on Wareham Street.
- The True Grit Art Gallery showcases original artwork.
- There are no clothing stores. There is a jewelry store (Gregory Scot Jewelers) and a leatherworks store open part time that has some custom products and also specializes in repair.
- The downtown has a small cluster of thrift and second time around shops.
- Monster Kolor sells screen printed t-shirts and other apparel for businesses, teams, schools, etc.
- There are two gift retailers which sell only online.



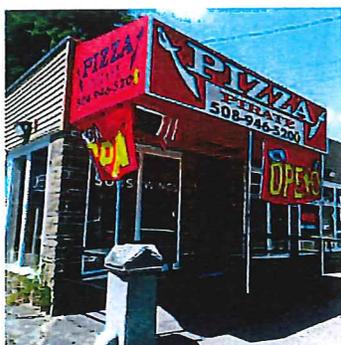
Restaurants, Entertainment & Recreation

- There are 9 eating and drinking places in the district, ranging from pizza and coffee shops to full service dining plus Battistini's which serves as a bakery and café. Except for a few pizza places, there is no ethnic cuisine.
- There are only 2 "full service" restaurants where customers can enjoy a meal with table service. 5 of the eating places offer more casual dining options and fall into the category of "limited service", meaning that customers order and/or pay at a counter rather than at a table.
- There are 3 establishments that serve alcohol, one that is primarily a bar and 2 restaurants where customers have the option to get a meal with a glass of wine or cocktail.

Table 9.

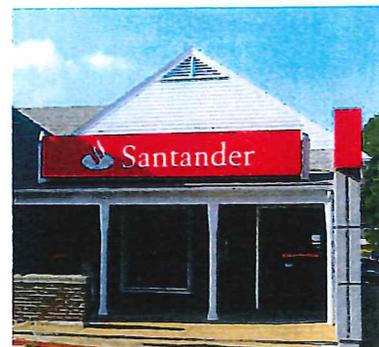
Eating & Drinking Establishment Type	#
Full Service Restaurants	2
Limited Service Restaurants	5
Snack & Non-Alcoholic Beverage Bars	1
Bars (Alcoholic)	1
Establishments that Serve Alcohols	3

- The Alley Theater associated with the (Burt Wood School of Performing Arts) hosts many events (student performances, comedy nights, fundraisers, etc.) and shows performed by two Theatre companies (i.e., Theater One and Nemasket River Productions).
- In addition, at least one restaurant occasionally offers live music and entertainment (e.g., Central Cafe).
- With regard to recreation, there is a performing arts school, dance school and 2 martial arts studios (categorized under educational services) as well as Town recreational facilities and Parks Department programming. The downtown has no fitness centers.



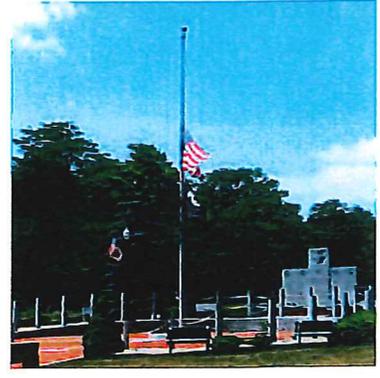
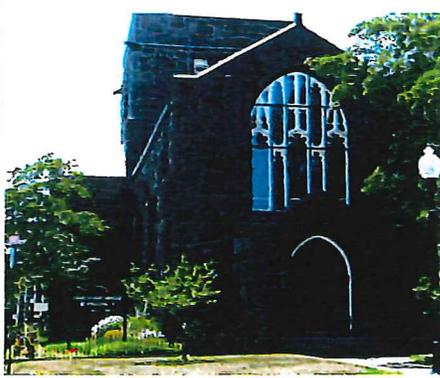
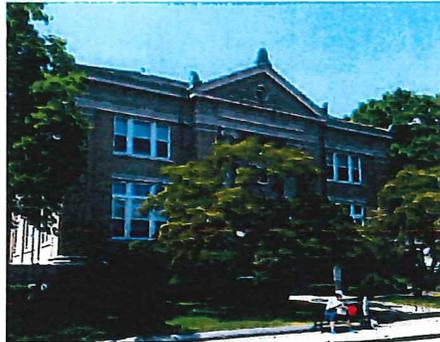
Service Establishments

- There are 84 service establishments in the business district including a large array of personal services. In all, there are 19 businesses that offer hair, skin, massage and nail services along with a laundry and tailor shop.
- There are 9 gas and auto service businesses.
- There is also a very strong compliment of professional services including 2 major banks, 2 insurance agencies, 7 real estate companies, 3 legal firms, 2 accounting/billing firms and 3 others (photography, web design).
- 8 establishments offer healthcare services (e.g., dentist, acupuncture) and social assistance (e.g., autism services, counseling, senior home care) plus the High Point Treatment Center, an in-patient facility for the treatment of substance abuse.
- Downtown features a host of educational services including Massasoit Community College, Middleborough Early Childhood Center, and READS Academy. Other educational services include tutoring, performing arts, dance, martial arts, and driving.



Community Institutions and Other Establishments

- Downtown is home to several community institutions and government offices including the Town Hall, Town Hall Annex, Library, Post Office and several churches.
- There are many non-traditional uses in downtown including 14 manufacturing enterprises, contractors or wholesalers, 3 information related establishments, 2 transportation enterprises, 1 administration support and 1 agriculture enterprise.



Business Listing by Category

Furnishings & Furniture

Eggers Furniture
Dymond Treasures
The Custom Decorator

Food & Beverage

Battistini's Bakery
Mike Carver's Sea Food
Savas Liquor

Gifts

All Things Dutch
Jessa-Loop Designs

Clothing, Jewelry & Shoes

Gregory Scot Jewelers
Jen's Leatherworks

General Merchandise, Used Goods & Other Retail

Benny's
Middleborough Smoke Shop
Monstor Kolor
Nearly New/Our Savior Thrift Shop
Sacred Heart Thrift Shop
True Grit Art Gallery
Twice As Nice
White's Auctions

Eating & Drinking Places

Crown Café
Central Café
Coffee Milano
Hideaway Restaurant
Honey Dew Donuts
Lindo's Pizza
Main Drag Café
Middleboro House of Pizza
Pizza Pirate

Banks, Mortgage & Other Credit

Rockland Trust
RMS Mortgages
Santander Bank

Insurance & Real Estate

Roger Keith & Sons Insurance
AEC Property Management
Carey Real Estate
Chace Real Estate
Fieldstone Property Management
P&S Preferred Properties
T.M. Ryder Insurance Agency
Uptown Realtors
Value Tech

Legal Services

Adam Bond Atty. At Law
Decas Murray & Decas Atty at Law
Stewart Dube Atty at Law

Accounting, Tax & Other Services

Balanced Books Bookkeeping
Bridgewood, Benoit & Co., CPA
Captured Memories
EV Event
Jennifer Prisco Photography
Shot Gun Flat Studio

Academic & Other Educational

Massasoit Community College
Middleborough Early Childhood Center
R.E.A.D.S. Academy
T&C Driving School
Tutoring

Arts & Recreation Educational

Burt Wood School for the Performing Arts & Alley Theater
Brazilian Jiu Jitsu
Rachel Park Dance Studio
Shaolin Martial Arts

Artists

Blue Anchor Studios
Otto's Underground

Museums

Middleborough Historical Society Museum
Robbins Museum of Archaeology

Healthcare Services

Brewster Ambulance
Family Acupuncture and Herbals
High Point Treatment Center
Peter Messier & Assoc., Dentistry

Hair, Skin & Nail Services

Anna & Company
Body Zonez massage
Center Street Tattoos
Corsini's Hair Salon
Crafty Cuts
Darkside Kustoms
David Alan Salon
Denny's Barber Shop
Head Quarters
Lucky Nails
Marra's
New Concepts Hair Salon
Old Ghosts Tattoos
Peaceful Escape
Pushin Ink Tattoo
Rachel's Hair
Salon Amour
Serenity Hair Salon
Sun-Sational Sun Tanning

Dry Cleaning, Laundry, Tailor

The Empty Hamper
Middleborough Alterations

Auto & Gas

AL Prime Gas
Gas Depot
Mattie Tire
Auto Glass Centre
Stop n Save
Willy's Auto Parts

Public/Government Institutions

Fire Dept.
Middleborough Public Library
Parks Dept./Town Pool
Police Station
Town Hall and Town Hall Annex
US. Post Office

5. Business Listing by Category

Civic/Community Organizations

American Legion
Church of Our Saviour Episcopal
Cranberry Country Chamber of Commerce
Elks Lodge
EMS Council
First Unitarian Universalist Church
Fr. Shea Community Center
Horizons for Homeless Children
Meeting House Baptist Church
Methodist Church Rectory
Middleborough VFW
Middleborough Youth Building
Nathan Hale Foundation
New Life Baptist Church
Our Savior Community Building
Sacred Heart Church
Sacred Heart Church Rectory

Willow Spring
Wood working & Re-wine it

Social Assistance

Associated Home Care
Middleborough Counseling
Piece of Mind Counseling
Piecing The Puzzle

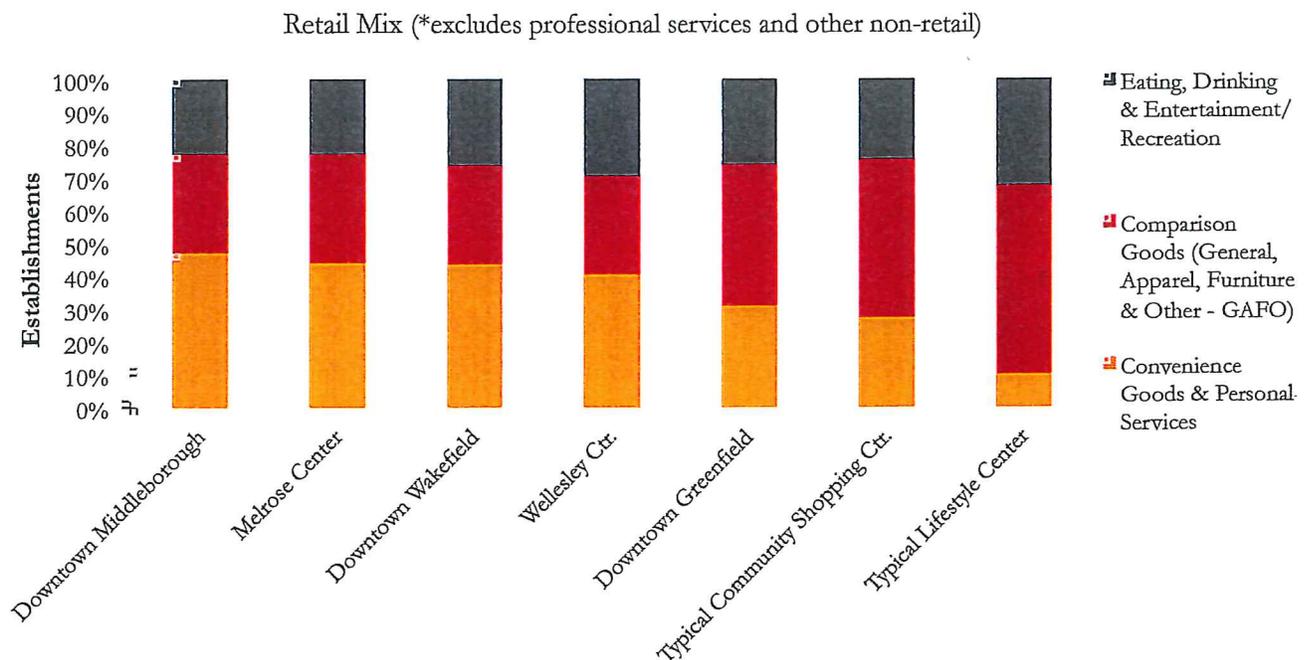
Other

Winnetuxet Cranberry Co.
Abair Plumbing
AEC-PEM Manufacturing
Atlantic Carpentry
Automotion
Brian's Auto
Budge It Drains
City Wide Auto Glass
DMI Marine
Egger Funeral Home
Enterprise Design
Eric Guertin
Middleborough Electric Light Station
Northern Pine Woodworkers
RHS Roofing Systems
Safer Places
Sage Renovations
Under Pressure
Under Pressure Hood Cleaning
Verizon

D. Comparative Business Mix Analysis

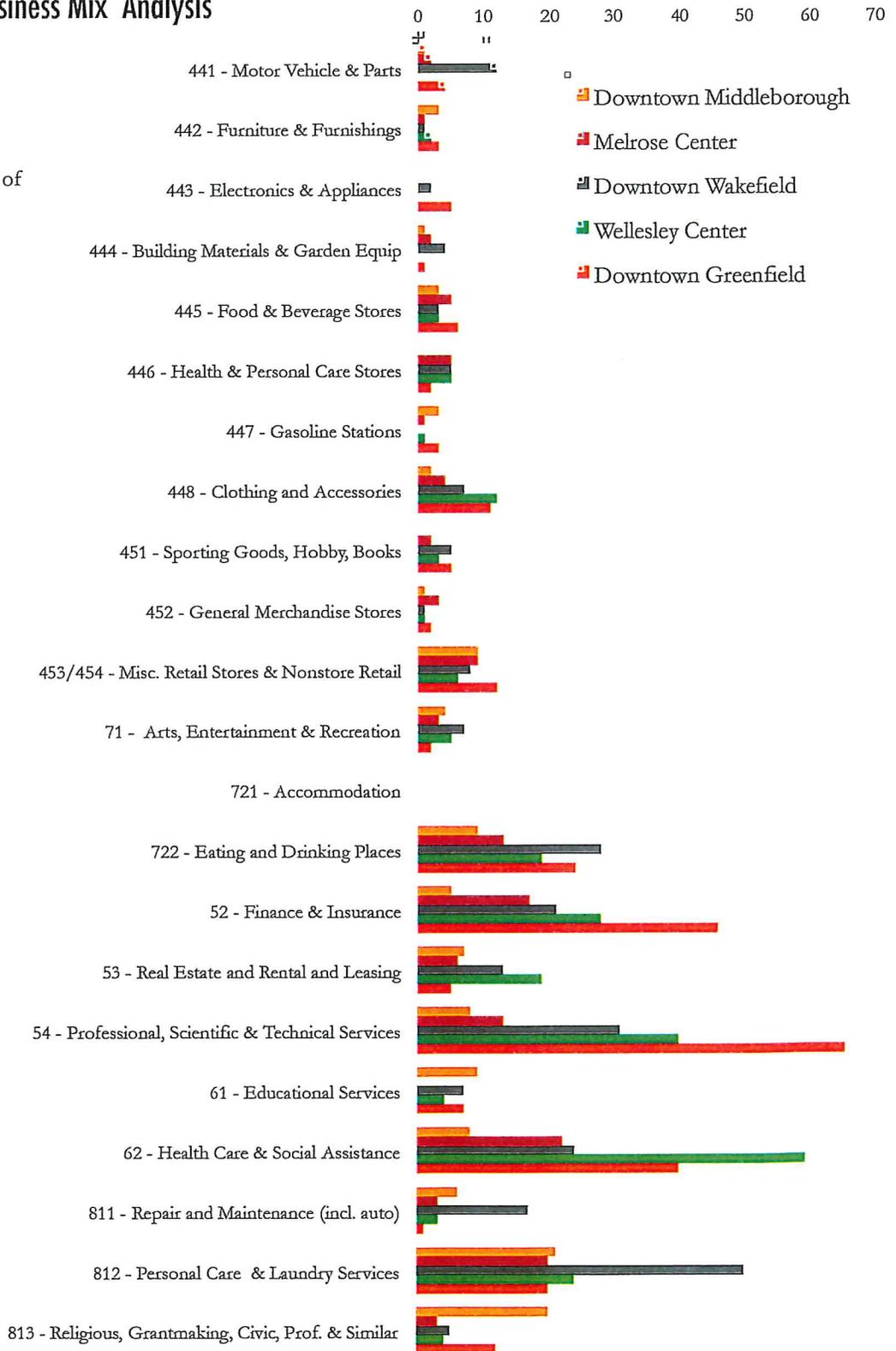
- A few downtown centers were used for comparison. When analyzing only the retail component (not including professional office and other), downtown Middleborough has a slightly larger proportion of convenience goods and personal services and a slightly smaller portion of comparison goods (such as apparel, furnishings, and electronics) and eating, drinking entertainment and recreation compared to most of the other downtown commercial centers.
- Compared to typical shopping centers, Downtown Middleborough has a much smaller portion of comparison goods stores, and compared to typical lifestyle centers, a much smaller portion of comparison goods stores and eating places, entertainment and recreation.
- Figure 15 illustrates the number of establishments in selected categories among the downtowns selected for analysis. A few significant differences are apparent. In comparison, downtown Middleborough has less of the following:
 - Health & Personal Care Stores
 - Clothing and Accessories
 - Sporting Goods, Hobby, Books
 - Eating and Drinking Places
 - Finance & Insurance
 - Professional, Scientific & Technical Services
 - Health Care

Figure 16.
Comparison with Shopping Centers and Commercial Districts (by number of establishments)



C. Comparative Business Mix Analysis

Figure 17. Comparison with Other Commercial Centers (Selected Categories by Number of Establishments)



Part III. Recommendations for Consideration

Given the findings of the market analysis and business district assessment, we offer the following suggestions for consideration. These are recommendations from the consultant and have not been sanctioned by any authority.

Overview

1. Designate/Establish an Entity to Focus on Revitalization of the Downtown with Dedicated Staff Assistance
2. Market the Downtown and Assist in Recruiting Businesses
 - Create a marketing campaign and materials that focus on the advantages of Downtown as a business location
 - Focus on expanding the existing creative economy cluster, restaurants, recreation/entertainment and other targeted niches.
 - Activate and improve the appearance of vacant properties in the short term with temporary uses.
3. Ensure that Middleborough is Business Friendly for Small and Large Businesses and Promote a Positive Image
 - Assess and improve municipal approvals and permitting process.
 - Create a “Middleborough Welcomes Business” or at least “For Businesses” page on the town website.
 - Cultivate a cooperative partnership with downtown property owners and real estate brokers.
 - Celebrate and promote the new quality tenants that landlords successfully sign.
4. Improve the Aesthetic Appeal of Downtown
 - Implement a storefront improvement financing program.
 - Develop incentive programs to promote redevelopment and renovation.
5. Increase Foot Traffic/Potential Customers in Downtown
6. Work with SRPEDD to Evaluate Potential Downtown Tools and Funding Sources

Recommendation #1: Designate/establish an Entity to Focus on Revitalization of the Downtown with Dedicated Staff Assistance

There are several organizations that are involved in Downtown revitalization activities in some way (e.g., Middleborough on the Move, Middleborough Friends, Cranberry Chamber of Commerce, Tourism Committee, Cultural Council, Middleborough Downtown Business Coalition, etc.), however, there does not appear to be one Downtown committee/task force/organization that serves as a lead entity and coordinating body focusing specifically on Downtown.

- Create/designate a single committee or task force with established leadership that can work to develop a Downtown strategy and coordinate its implementation. This entity could include representatives from key organizations, Massasoit Community College as well as business and property owners and should have a clear specific mission.
- Middleborough’s Director of Community and Economic Development has recently left and the position has not yet been filled. When this position is filled, the Town should dedicate a portion of the Director’s time specifically to Downtown activities and to providing staff assistance to staffing this entity.

Recommendation #2: Market the Downtown and Assist in Recruiting Businesses.

Create a marketing campaign and materials that focus on the advantages of Downtown as a business location. Simple marketing materials can be provided to property owners and Realtors. The following represents five locational advantages that could be promoted along with business recruitment goals, who to contact and other information.

Top 5 Reasons to Locate your Business in Downtown Middleborough

1. **Gain Access to a Growing Resident Market with Above Average Incomes.** 23,000 people live within a 4-mile trade area and the population is growing at a significantly higher rate than Massachusetts overall. Median household income is above the statewide level, in fact close to one-third of the households earn over \$100,000 per year. Residents spend over \$260 million per year at stores and restaurants.
2. **Capitalize on the Opportunity to Serve Other Market Segments – Nearby Employees, College Students & Visitors to Downtown Attractions.** Downtown Middleborough has an estimated 600 employees that represent potential market for meal and snack purchases as well as other shopping before, during and after work hours. Massasoit Community, located right in Downtown has 500 students with enrollment growing each semester. There are also several attractions in Downtown that attract visitors to the area including the Alley Theater with numerous musical, drama, comedy and student performances, two museums and an athletic field that hosts a semi-professional football league as well as student teams.
3. **Be Part of an Expanding Creative Economy Cluster.** Join the many performing artists, visual artists, art schools, musicians, craftsman and other creative professionals that have found a home in Downtown Middleborough. Creative synergy abounds with a performing arts school, two theater companies, two performance/event spaces, an art gallery, band rehearsal space, dance school, photographers, painter studio and other artisan businesses.
4. **Operate your Business in an Nationally Recognized Historic District.** The Downtown Area is home to many attractive historically significant structures and is listed on the National Register of Historic Places. Qualifying rehabilitation costs may be eligible for Federal Historic Tax Credits.
5. **Enjoy Lower Development and Utility Costs.** All of the Downtown properties are serviced by Town sewer and water eliminating the need for on-site waste water treatment. Municipally-owned gas and electric make for lower utility costs.

Focus on expanding the existing creative economy cluster, restaurants, recreation/entertainment and other targeted niches.

- Additional arts and culture establishments would help to build the cluster (e.g., art/artisan cooperative with locally made products, artisan work space, etc.)
- There appears to be some opportunity for additional eateries, illustrated by sales leakage within the resident market segment (for full service sit-down restaurants) as well as the employee segment. In addition, 72% of the Employee Survey respondents indicated they wanted to see more restaurants and a wider variety of dining options in Downtown.
- Other establishment categories which might make good business recruitment targets (because they appear under-represented compared to other commercial centers and/or show sales leakage) include: gifts, entertainment/recreation including fitness facilities (yoga, gym), specialty food, sporting goods/hobby, pet grooming/supplies, additional health care and additional professional office (professional, technical, financial services).
- Another potential opportunity uncovered during the market research was the need for a business that could take on the role of a bookstore for Massasoit Community College handling the selling of textbooks as well as college t-shirts and other items. At the Brockton Massasoit Campus, the local Barnes & Noble plays this role. Perhaps, a local artisan cooperative could be developed to sell local products as well as play this role for Massasoit.

Activate and improve the appearance of vacant properties in the short term with temporary uses. Businesses, especially restaurants, services and retailers, want to locate in a bustling Downtown. The large number of obvious vacancies in Downtown is impeding the attraction of new businesses. One Realtor called it the “ghost town” effect. Temporary uses could include exhibits, art displays, temporary pop-up retail businesses, anything that would bring some vitality. In Turners Falls and other communities, temporary downtown art galleries have been set up using empty store windows for displays of pottery, paintings and other creative exhibits. This could help build the brand for Downtown as an arts and cultural center. Plus, it would give local residents and visitors (attending events held at the Alley Theater or visiting museums) a reason to walk around downtown. Perhaps local art associations, Massasoit Community College, Middleborough Tourism Committee or other cultural groups might be willing to curate exhibits.

Develop a business directory, map and kiosk. A kiosk in the the downtown with a map showing attractions such as the two museums, Massasoit Community College, etc. and possibly including a business listing could help increase the image of Downtown as a destination and awareness of the goods and service available in Downtown.

Recommendation #3: Ensure that Middleborough is Business Friendly for Small and Large Businesses and Promote a Business Positive Image

Assess and improve municipal approvals and permitting process.

The amount of time and difficulty involved in receiving approvals needed to open a business in Middleborough was cited as one of the obstacles to leasing space in Downtown. In particular, small independent businesses and start-up enterprises like the kind that would be potential tenants for Downtown, are likely to need more assistance with navigating the approval process. They also need to be assured that the process will be speedy, with clear rules and the outcomes easily predicted. If business prospects are discouraged by initial encounters with Town regulatory entities or if the outcomes are very unpredictable, potential business owners may decide that pursuing the location is not worth the risk.

- Have a private sector panel review the approvals and permission process and make recommendations for improvement.
- Designate a staff person that can serve as a business ombudsmen that can help shepherd potential businesses through the process.
- Provide simple instructions regarding a list of permits and approvals that will be needed and information about where to go and what to do to get them. Summarize this information in a simple, easy to follow document.

Create a “Middleborough welcomes Business” or at least “For Businesses” page on the town website.

Currently, the only information for businesses is a link to the Cranberry Chamber of Commerce and under “Department Listing” there is a listing for Community Development but not Office of Economic and Community Development. Provide information about doing business in Middleborough (requirements, obtaining approvals, etc.), available business incentive and financing programs, relevant Town Departments, civic organizations, state agencies and designated Downtown revitalization committee/task force along with other other helpful information.

Cultivate a cooperative partnership with downtown property owners and real estate brokers.

Convene a meeting(s) with downtown landlords and real estate professionals. Seek participation and cooperation while reaching out to show that the Town is willing to help. Inquire about their goals and perceived obstacles in recruiting quality tenants that would be good for the whole Downtown. Identify ways that property owners and Middleborough’s Office of Economic and Community Development might work together.

Celebrate and promote the new quality tenants that landlords successfully sign.

Send a press releases to Middleborough Gazette and Wicked Local Middleborough online newspaper to get publicity for new businesses and help to promote the Downtown to customers and prospective business tenants.

Recommendation #4: Improve the Aesthetic Appeal of Downtown.

Implement a storefront improvement financing program. Many of the storefronts and facades in the downtown appear tired looking or are in need of repair. Current conditions might be impeding the attraction of businesses and customers. A storefront/façade improvement program that provides a matching grant or forgivable loan could help entice property owners to make an investment that could benefit the entire area. This type of program might also serve as an enticement for new businesses considering locating in the district.

Develop incentive programs to promote redevelopment and renovation.

Consider creating a redevelopment district in downtown and offer incentives for projects that will have significant impact. Middleborough's commercial tax rate is somewhat higher than most of the surrounding communities with the exception for Taunton, tax incentives could help to motivate investment (e.g., stabilizing taxes for a period of time after renovation, partial tax abatement for a specified period). Contact local banks to explore the potential for their participation in creating special targeted financing programs to entice redevelopment. There appears to be interest among at least one business owner to expand their business and redevelop an eyesore property. CDBG funding could be explored to provide low interest loan in situations such as this.

Recommendation #5: Increase Foot Traffic/Potential Customers in Downtown.

Bringing more people into downtown helps existing businesses as well as increase the attractiveness of the area to new businesses. Strategies could include the following:

- Continue to promote residential development in and near Downtown. More residents nearby will create additional market potential for Downtown businesses.
- Continue to sponsor existing events (e.g., Krazy Days, Ghost Tour, Holiday Pop-Up) and increase the amount of events in the Downtown that attract customers for businesses and increase the awareness of goods and services available in Downtown.
- Develop a historic walking tour in and around Downtown that shows historic sites and properties with basic information and a map that could be reproduced in hard copy as well as posted online.

Recommendation #6: Work with SRPEDD to Evaluate Potential Downtown Tools and Funding Possibilities.

The Southeastern Regional Planning and Economic Development District (SRPEDD) has committed to provide technical assistance as a follow-up to this Market Analysis and Business District Assessment. It would be very helpful if one of the services provided by SRPEDD would be to provide a description and evaluation of various tools and funding programs that can be used to encourage reinvestment and attract businesses to downtowns, along with an evaluation of appropriateness (pros and cons) for Middleborough. These tools and financing source might include the following, as well as others:

- 40Q DIF (District Improvement Financing Tax Incentive)
- Pre-permitting properties
- 40R development
- 43D Expedited permitting
- Urban Renewal District
- Cultural District Designation
- Community Benefit District
- Zoning Bonuses
- Community Development Block Grant Funding



A hearing will be held in the Selectmen's Meeting Room at the Town Hall, 10 Nicker-son Avenue, Middleborough, MA on **Monday, September 12, 2016 at 7:45 pm** for the purpose of discussing an application filed by Foresite Engineering, Inc. on behalf of the Brockton YMCA for an Earth Removal Permit for property located 375 Wareham Street, Assessors Map 073, Lot 5813, Middleborough, MA. The reason for this request is for the removal of approximately 20,000 to 25,000 cubic yards of soil as shown on plan dated July 1, 2016, prepared by Foresite Engineering, Inc. Anyone desiring to be heard on this matter should appear at the time and place designated.

Diane C. Stewart
Stephen J. McKinnon
John M. Knowlton
Leilani Dalpe
Allin Frawley
BOARD OF SELECTMEN
September 1, 2016
The Middleboro Gazette Newspaper

Continued to 9/26/16
" 10/24/16



September 29, 2016

Board of Selectmen
Town Hall Building
10 Nickerson Avenue
Middleborough, MA 02346

**Re: *Engineering Review
Earth Removal Permit Application
Camp Yomechas
375 Wareham Street – Middleborough, MA
ADE Project #2518.49***

Dear Board Members:

Atlantic Design Engineers, Inc. (Atlantic) has completed our initial engineering review of the site plans and application materials for the above-referenced project relative to an application for a permit under the Earth Removal bylaw. The plans and application materials are dated 7/1/16 and are prepared by Foresight Engineering, Inc. for Old Colony YMCA of Middleboro, MA.

We have the following comments for consideration of the Board:

1. The abutter's names are not labeled on the site plans.
2. 100 foot buffers to property lines have not been provided.
3. The buffer adjacent to Lot 80-1093 is labeled as a vegetated buffer yet there is no existing vegetation and no plantings are proposed.
4. The buffer adjacent to Lots 80-185, 80-931, and 80-938 is labeled as a vegetated buffer 50 feet wide yet the existing vegetation is not 50 feet wide and additional plantings are not shown.
5. No improvements are shown at the entrance onto Rte. 28. The plans should demonstrate that adequate width, radii, and site lines exist for the gravel removal truck traffic and show proposed improvements as needed.
6. The plans show that the northwestern corner of the existing paved access road at the entrance to Rte. 28 encroaches on the #373 Wareham Street property. This situation should be corrected.
7. Have the wetlands shown been flagged and surveyed? If not, they should be flagged and surveyed to confirm the 100 foot and 25 foot buffer zones.



8. Grading is needed at the new access road off of the existing paved road. It appears this grading may require adjustment to the limit of work/Erosion Barrier and may result in work within the 100 foot buffer zone.
9. No stormwater management measures are proposed.
10. The erosion barriers should be extended behind the New Horizon buildings.
11. The grading is incorrect and a 92 foot contour is missing at the Parking Lot/Gravel Road.
12. The proposed tree line is missing at the northeastern limit of work.
13. North arrows are missing on all sheets except Sheet 2.
14. The Construction pad detail should show the width to be the full width of the access road.
15. Show the proposed grading for Phase I.
16. Provide erosion control measures for all stockpile areas.
17. The contractor notes on Sheet 5 should include notification to the Board of Selectmen's earth removal agent for all inspections.
18. Show/label the distances from Wareham Street to the proposed work (200 foot minimum is required).
19. Label the distances from the limit of excavation to the property lines of abutters.
20. The approximate volumes and truckloads for each phase are required on the Phasing Plan or in the Project Plan.
21. Test pits indicate possible high groundwater at 30 inches. Proposed cuts are upwards of 8 feet. Please provide dewatering methods and other means to control intercepted groundwater during and after construction.
22. The project plan should indicate safety measures to be put in place as the access road is to be shared by a day camp and the proposed gravel removal activities are immediately adjacent to a day camp.
23. The SWPPP required for construction activities and compliance with the NPDES program, 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.

A handwritten signature in black ink, appearing to read 'Richard J. Tabaczynski', written in a cursive style.

Richard J. Tabaczynski, P.E.
Vice President

From: Rich Tabaczynski
Sent: Friday, September 23, 2016 1:11 PM
To: Colleen Lieb
Cc: Selectman Diane C. Stewart
Subject: RE: Earth Removal - 375 Wareham

Colleen,

I have the plans and have started the review but will not have anything complete until early next week – Tues/Wed.

Richard J. Tabaczynski, P.E.
Vice President
Atlantic Design Engineers, Inc.
P.O. Box 1051
Sandwich, Massachusetts 02563
P: (508) 888 – 9282
F: (508) 888 – 5859
C: (508) 274 – 1712
www.atlanticcompanies.com



Town of Middleborough

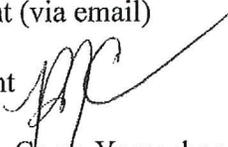
CONSERVATION COMMISSION

20 CENTRE STREET
MIDDLEBOROUGH, MASSACHUSETTS 02346

PHONE: 1-508-946-2406
FAX: 1-508-946-2309

MEMORANDUM

TO: Board of Selectmen (via email)
Ruth Geoffroy, Planning Director (via email)
Robert Whalen, Building Commissioner (via email)
Christopher Peck, DPW Superintendent (via email)

FROM: Patricia J. Cassady, Conservation Agent 

RE: Earth Removal Application – YMCA – Camp Yomechas, 375 Wareham Street
(Map 73, Lot 5813)

DATE: September 2, 2016

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

I have the following comments regarding this site:

- 1) The area where the proposed earth removal is taking place is within a Zone II Wellhead Protection Area.
- 2) This area is *not* in a floodplain or mapped under the Division of Fisheries & Wildlife Natural Heritage & Endangered Species Program.
- 3) There are bordering vegetated wetlands with a 100-foot buffer zone at the site on the other side of the entrance road. These may be potentially far enough from the project however we would be interested in how they will be protected during the removal of earth through truck traffic.
- 4) There are isolated wetlands near the proposed earth removal area and should be further examined as they may be potential vernal pools and it should be determined through calculations if any of them qualify as Isolated Land Subject to Flooding under the Wetlands Protection Act.
- 5) I would recommend that the applicant and their representative speak with the Conservation Department prior to the commencement of any activity pertaining to the proposed earth removal.

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

Thank you

pjc



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

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

September 7, 2016

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

RE: Earth Removal Permit for Brockton YMCA for a Special Permit located at 375 Wareham Street, Assessor's Map: 073 Lot: 5813, Zoning District Residential Rural, WRPD District Z2.

Honorable Board,

I have reviewed the plan submitted for Brockton YMCA designed by Darren Michaelis of Foresight Engineering for an Earth Removal permit for the property located on 375 Wareham Street. This property is the subject of a Special Permit from the Middleborough Zoning Board of Appeals. The applicant would need to apply to the Z.B.A. and receive approval before any of the proposed improvements take place.

Respectfully submitted,

Robert J. Whalen
Building Commissioner
Zoning Enforcement Officer

RJW/d



Town of Middleborough

Massachusetts

BOARD OF SELECTMEN
APPLICATION FOR LICENSE (PLEASE TYPE OR PRINT CLEARLY)

DATE 7-15-16
NAME OF APPLICANT Old Colony YMCA - Frank McDonald
ADDRESS OF APPLICANT 601 EAST GROVE ST
ASSESSORS MAP & LOT 073-5813
DAYTIME TELEPHONE 508-958-6662 cell 508-947-1390
NAME OF BUSINESS Old Colony YMCA - Camp Yomechas
OWNER OF PROPERTY TO BE LICENSED Old Colony YMCA
ADDRESS OF PROPERTY TO BE LICENSED 375 Wareham St.
ASSESSORS MAP & LOT 073-5813

TYPE OF LICENSE REQUESTED (Check One)

2nd Hand _____ WRPD _____
Class I Automobile Dealer License _____ Earth Removal Permit X
Class II Automobile Dealer License _____ Liquor License _____
Class III Automobile Dealer License _____ Junk Dealer _____
Entertainment _____ Other _____

Anticipated Start Date for Business: SEPTEMBER 6, 2016
Days & Hours of Operation: M-F, 8-4 PM

Has the applicant previously held a similar license in the Town of Middleborough or elsewhere?
If yes, explain:

Signature Frank McDonald

DATE OF HEARING: _____

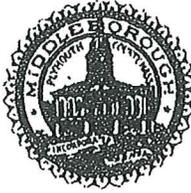
Please bring to the Treasurer/Collector's office @ the Town Hall Annex, 20 Center Street, 3rd floor to obtain confirmation/signature that no outstanding taxes/municipal charges exist.

Dear 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

Frank McDonald



Town of Middleborough

Massachusetts

**BOARD OF SELECTMEN
APPLICATION FOR LICENSE (PLEASE TYPE OR PRINT CLEARLY)**

DATE 7-15-16
 NAME OF APPLICANT Old Colony YMCA - Frank McDonald
 ADDRESS OF APPLICANT 61 EAST GROVE ST
 ASSESSORS MAP & LOT 073-5813
 DAYTIME TELEPHONE 508-958-6662 cell 508-947-1390

NAME OF BUSINESS Old Colony YMCA - Camp Yomechas
 OWNER OF PROPERTY TO BE LICENSED Old Colony YMCA
 ADDRESS OF PROPERTY TO BE LICENSED 375 Wareham St.
 ASSESSORS MAP & LOT 073-5813

TYPE OF LICENSE REQUESTED (Check One)

2nd Hand _____ WRPD _____
 Class I Automobile Dealer License _____ Earth Removal Permit X
 Class II Automobile Dealer License _____ Liquor License _____
 Class III Automobile Dealer License _____ Junk Dealer _____
 Entertainment _____ Other _____

Anticipated Start Date for Business: SEPTEMBER 6, 2016
 Days & Hours of Operation: M-F, 8-4 PM

Has the applicant previously held a similar license in the Town of Middleborough or elsewhere?
If yes, explain:

Signature Frank McDonald

DATE OF HEARING: _____

Please bring to the Treasurer/Collector's office @ the Town Hall Annex, 20 Center Street, 3rd floor to obtain confirmation/signature that no outstanding taxes/municipal charges exist.

Dear 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? _____

Foresight Engineering

518 County Road
(Wishbone Way)
West Wareham, MA 02576
508-245-2148

July 1, 2016

Town of Middleborough
Board of Selectmen
20 Centre Street
Middleborough, MA 02346

RE: **Project plan**, 375 Wareham Street, Middleborough, MA

1. **Purpose of Project:** The proposed project will include widening of existing gravel roadways within the camp, removal of gravel to create a level area for a proposed baseball field, batting cages, basketball court, concession stand, gravel parking area and spectator walkway surrounding the proposed sports complex area.
2. **Description of site prior to work:** The property is located at 375 Wareham Street in Middleboro and is the location of Camp Yomechas. This is a summer camp ground and day camp for individuals and families. The septic system was upgraded in 2001. The property abuts Tispaquin Pond to the North and East and Residential properties to the South and West. The proposed work area is located to the Southern portion of the camp and abuts residential homes located on Wareham Street. This area is currently used for multiple camp functions and activities. The area has recently been cut and partially cleared.
3. **Reasons for Earth Removal Permit:** The applicant, the Old Colony YMCA, Middleboro Branch, is a non-profit organization that supports family and youth activities in Middleboro. The Middleboro Branch has two main properties, the main Branch at 61 E.Grove St., and Camp Yomechas at 375 Wareham St.. The Middleboro Branch serves around 12,000 members a year, and Camp Yomechas which serves approximately 1500 children throughout the summer. Between 500-600 children attend camp on a scholarship. The earth removal permit applies to the Camp Yomechas site and program. The current facilities at camp are very outdated (basketball court), are not large enough or built according to official specs (baseball/soccer fields), and/or don't exist, e.g., track. The earth removal would enable the Y to improve their program delivery and serve more campers, members and community members, e.g., outreach programs with Middleboro Schools. The earth removal permit would allow the Y to build a sports complex that would feature a ballfield suitable for youth baseball and softball, two youth sized soccer fields, an air-nasium, that is a seasonal steel building with a roof that

would have a rubber playing surface, large enough for high school basketball court that would allow for basketball, volleyball, floor hockey, gymnastics, and more. Lastly, there would be a track along the circumference of the sports complex as well as a concession stand with bathroom(s) that campers, youth and families could use. The earth removal project will be of no charge to the YMCA as the removed soils will be sold to pay for the site work.

4. **Describe past earth removal activities and compliance issues that may have occurred:** There have been no past earth removal activities on this site.
5. **Project Phase Timelines:** Please refer to Sheet 3 of 3 of the project plans for detailed construction processes. Phase 1- Widening of existing gravel roads, entrance pad construction, removal of stumps and brush.(one Week) Phase 2- Excavation of proposed work area and rough grading, relocation of utility poles, and stock piling in proposed parking area.(two Weeks) Phase 3-All final grading for all proposed projects. Planting of groundcover for all sloped areas.(two Weeks) Phase 4- All final loam and seed spread. All sports areas are constructed as shown on plan. Walkway is completed. Gravel parking area drainage installed. Proposed Concession Stand and septic area are to be left undisturbed until Concession Stand is constructed. (three Weeks). Total Project timeline = 24Months.
6. **Time Duration Requested for Permit:** The applicant is requesting a 3 year time frame period for this permit. The applicant also understands that they may request an extension for up to one year thereafter at the discretion of the Board of Selectmen. The Earth Removal portion of this project is projected to take 12 weeks.
7. **Contractor Goals:**
 - A. Please refer to item 5 above for a description of the phases and associated timelines. We have estimated 20,000 to 25,000 cubic yards of soil will be removed to offsite locations. The loading and trucking of materials will be from the site to various locations The truck types will vary from small dump trucks to tractor trailers, and would use Wareham Street for access to the site. The daily truck trips estimated for the project are 40-50 trucks per day maximum. This is approximately 12 trucks entering and exiting the site per hour for an 8 hr work day.
 - B. A minimum of a 50' buffer will be maintained on all property boundaries abutting the work area.
 - C. The only material to be stockpiled on site will be done so in the proposed gravel parking area.
 - D. All proposed sloping on the southern property line is 2:1 and 3:1 as shown on the plan.
 - E. Contractors shall take steps to minimize the amount of dust generated on the site including those procedures contained below: the contractor shall ensure that all surfaces to be excavated are wet prior to, and if necessary, during excavation. Please refer to Sheet 2 of 3 for more procedures.
 - F. All disturbed areas are to be loamed and seeded as soon as possible to prevent washout and erosion.
 - G. Screening Equipment will only be used for all soils to be removed.

H. Multiple pieces of equipment will remain on site daily. These vehicles are to be left near the proposed parking area.

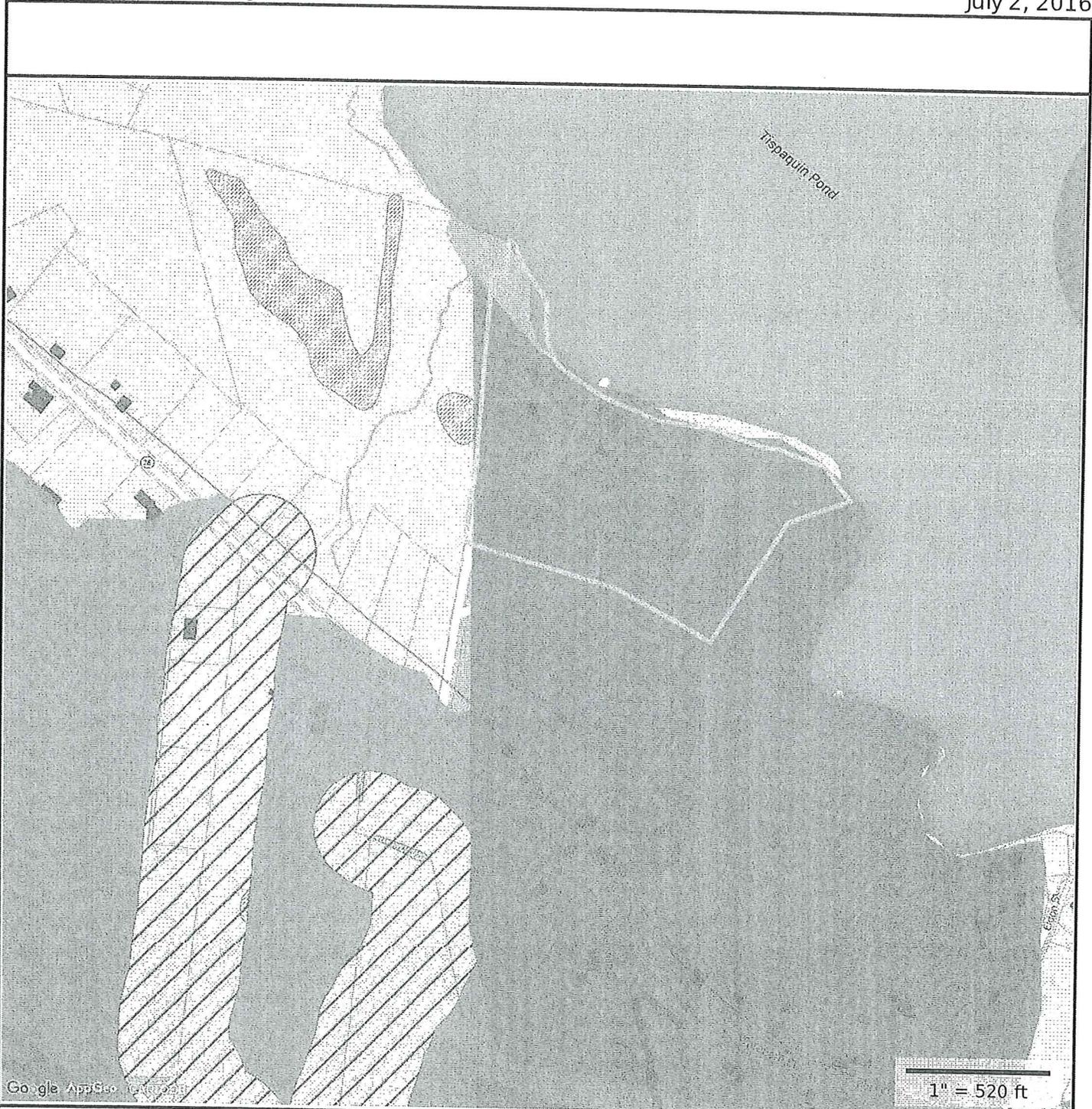
8. As- built plans will be submitted as Phase 4 comes to a completion.

We look forward to presenting the project to the Board and discuss our application. If you should have any questions, please contact my office.

Sincerely,



Darren Michaelis
Design Engineer



Property Information

Property ID 073-5813
Location 375 WAREHAM ST
Owner BROCKTON YMCA

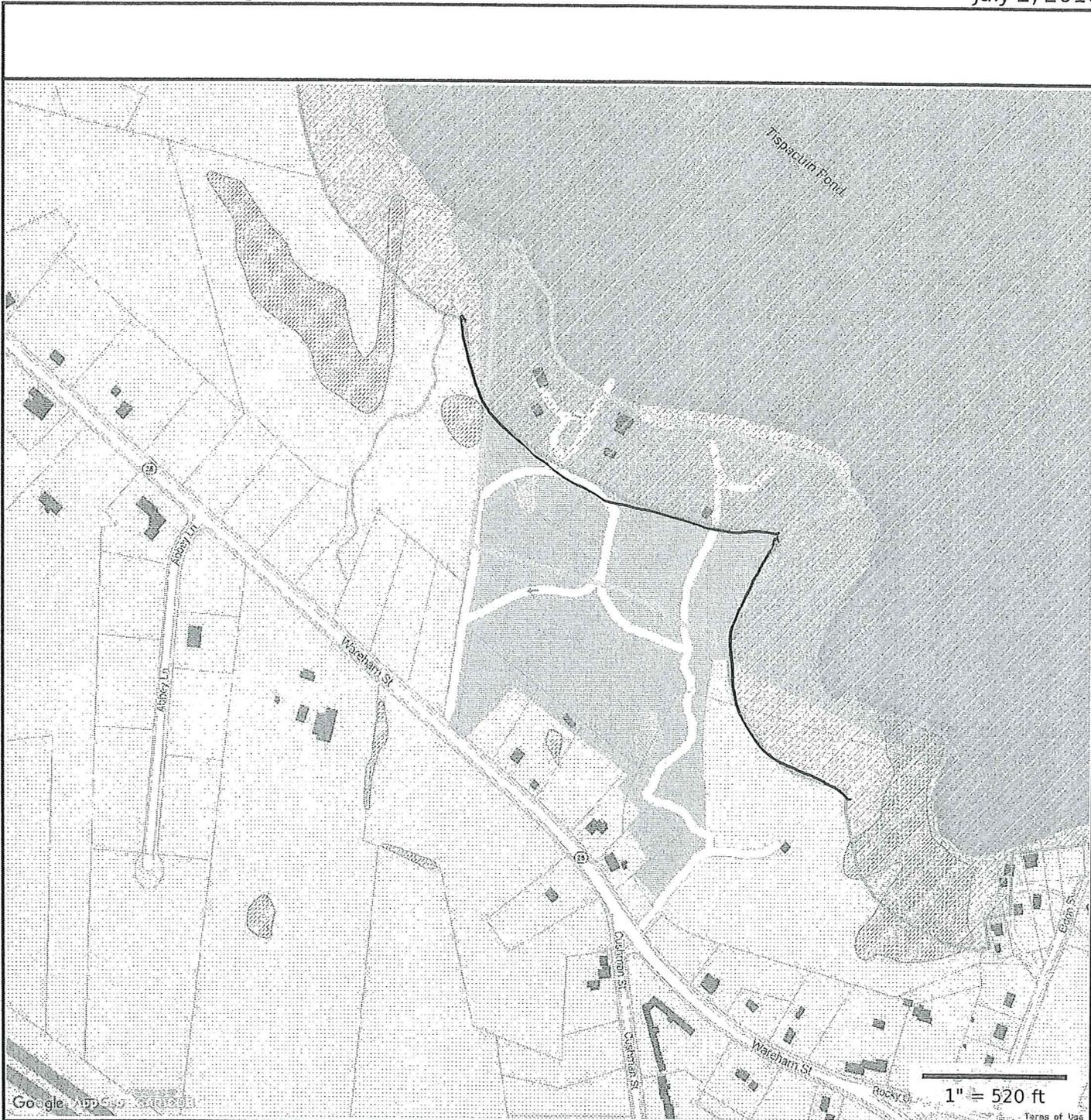


MAP FOR REFERENCE ONLY
 NOT A LEGAL DOCUMENT

Town of Middleborough, MA makes no claims and no warranties, expressed or implied, concerning the validity or accuracy of the GIS data presented on this map.

Parcels updated 9/1/2015
 Properties updated 10/1/2015

WRPO
 ZONE II



Property Information

Property ID 073-5813
Location 375 WAREHAM ST
Owner BROCKTON YMCA



MAP FOR REFERENCE ONLY
 NOT A LEGAL DOCUMENT

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Parcels updated 9/1/2015
 Properties updated 10/1/2015

NHESP

Map Theme Legends

Natural Resource Protection

NHESP Certified Vernal Pools



NHESP Priority Habitats of Rare Species

NHESP Estimated Habitats of Rare Wildlife



Areas of Critical Environmental Concern



Massachusetts DCR, Natural Heritage and Endangered Species Program



MAP SCALE 1" = 500'



NFIP

PANEL 0451J

FIRM
 FLOOD INSURANCE RATE MAP
 PLYMOUTH COUNTY,
 MASSACHUSETTS
 (ALL JURISDICTIONS)

PANEL 451 OF 650
 (SEE MAP INDEX FOR FIRM PANEL LAYOUT)

CONTAINS:
 COMMUNITY NUMBER 250275
 MIDDLEBOROUGH, TOWN OF 0451 J

Notice to User: The Map Number shown below should be used when placing map orders; the Community Number shown above should be used on insurance applications for the subject community.

MAP NUMBER
 25023C0451J
 EFFECTIVE DATE
 JULY 17, 2012



Federal Emergency Management Agency

This is an official copy of a portion of the above referenced flood map. It was extracted using F-MIT On-Line. This map does not reflect changes or amendments which may have been made subsequent to the date on the title block. For the latest product information about National Flood Insurance Program flood maps check the FEMA Flood Map Store at www.msc.fema.gov

BOARD OF SELECTMEN
EARTH REMOVAL BY-LAW REGULATION – OUTSIDE CONSULTANTS

- SECTION 1. The Board of Selectmen (hereafter the Board) may employ outside consultants to assist the Board in carrying out its responsibilities under the Earth Removal By-Law. The Board may require an applicant for an earth removal permit under said By-Law to pay to the town reasonable fees for the employment by the Board of outside consultants to assist the Board with respect to its responsibilities under law and arising out of or in connection with an application for an earth removal permit or the grant of an earth removal permit.
- SECTION 2. Upon receipt by the Board of an application for an earth removal permit, the Board may send a bill to the applicant for the estimated cost of reasonable fees for employment by the Board of outside consultants. The Board may send a bill to the applicant for the cost of reasonable fees for employment by the Board of outside consultants if the amount in a bill for the estimated costs is not sufficient to pay for employment of outside consultants or if a bill for estimated costs has not been sent by the Board. The applicant shall pay all bills sent by the Board within thirty days of the date of the bill.
- SECTION 3. The Board shall notify the applicant in writing of the Board's selection of each consultant. The applicant shall have an administrative appeal from the selection of any consultant. The appeal shall be to the Board. The grounds for such appeal shall be limited to claims that a consultant has a conflict of interest or does not possess the minimum required qualifications. The minimum qualifications shall consist of either an educational degree in or related to the field at issue or three or more years of practice in the field at issue or a related field. The required time limits for action upon an application by the Board shall be extended by the duration of an administrative appeal. In the event that no decision is made by the Board within one month following the filing of an appeal, the selection made by the Board shall stand. All appeals shall be in writing and filed with the Town Clerk not later than fourteen days after the date of the notice to applicant of the selection of a consultant.
- SECTION 4. The Treasurer shall establish a separate special account into which all fees received from applicants with respect to consultants shall be deposited. The special account including interest, if any, shall be expended at the direction of the Board without further appropriation provided that such funds shall be expended only in connection with carrying out the Board's responsibilities under law. Any excess amount in the account attributable to a specific project including accrued interest, if any, shall be paid to the applicant or to the applicant's successor in interest, if applicable, at the completion of the project. The Board shall provide a final report of the account attributable to the project to the applicant or to the applicant's successor in interest, if the successor in interest is entitled to receive any excess. The Board may require proof that an applicant's successor in interest is entitled to receive any excess amount before authorizing payment of any excess to a successor in interest.

AUTHORITY FOR REGULATION; General Laws, Chapter 122 of Acts of 2012

REGULATION ADOPTED BY THE BOARD OF SELECTMEN – September 10, 2012

**TOWN OF MIDDLEBOROUGH
EARTH REMOVAL PERMIT
APPLICATION PACKAGE**

*** * * ***

BOARD OF SELECTMEN

*** * * ***

EFFECTIVE MAY 1, 2003

Revised February 2, 2009

TABLE OF CONTENTS

Existing Process

- General
- Earth Removal Bylaw and Amendment
- Rules and Regulations
- Permitting Process
- Conservation Commission
- Farm Plan
- Town Taxes and Municipal Financial Obligations

Application Process

- General
- Checklist
- Project Plan

Appendix

- A. Project Plan
- B. Plan Check List
- C. Earth Removal By Law
- D. Inspection Checklist
- E. Typical Order of Conditions
- F. Application Form

EXISTING PROCESS

General

Proponents of earth removal permits are required to submit an application form through the Board of Selectmen's office that outlines the applicant's: name, address, Owner of property; location of property by referencing the Assessor's map and page number; number of acres of the property; and number of cubic yards of material to be removed.

The reasons for the permit request are to be outlined, along with proposed traffic route. Conservation Commission Order of Conditions are mentioned, along with identification of the engineer whom prepares the plan; the expected date of project start and completion and if this is a new application or renewal.

The earth removal application also requires listing of the abutter's property's name, address and assessor's map and page number. Included in Appendix A is a paper providing suggestions on how to be effective in dealing with Town Boards for your use.

Earth Removal Bylaw and Amendment

The Town's Earth Removal Bylaw (ERB) outlines definitions and the scope of the permitting process. The bylaw is provided in Appendix B. In order for a permit to be issued by the Board of Selectmen (BOS), an application must be filed and a public hearing conducted. Based on information provided, the Board of Selectmen may grant or deny an application. The ERB was passed by Special Town Meeting in May, 1970 and amended in 1992. The ERB amendment states that no 'other' work can be performed at the site, once the Earth Removal Permit Application has been submitted to the Board of Selectmen.

Exemptions are provided from the ERB based on the volume to be removed, or when a subdivision plan is reviewed and approved by the Town's Planning Board.

There is no time frame provided for when an ERB permit must be issued by the Board of Selectmen in regards to the process of application, final approval or denial.

Rules and Regulations

Rules, regulations and forms utilized by the Board of Selectmen or their Agent are provided in Appendix D that outlines site inspection review requirements and quarterly fees.

Permitting Process

The present permitting process takes into account various reviews and approvals that have been added by the BOS over the years. A review by the Conservation Commission for site conditions that could impact water resource areas is required.

Conservation Commission

The Conservation Commission is required by statutory law to review any proposed work within one hundred feet (100 feet) of any water resource area. The Town's Conservation Commission's agent should be contacted and appropriate documentation provided. An ERB permit will not be issued unless the required permit application is submitted and approved.

Farm Plan

A farm plan outlines the property agricultural needs and can be prepared professionally by a private, local, state or federal entities. It is recommended that the applicant contact the Cape Cod Cranberry Growers Association for guidance on preparing a farm plan for submittal with the Middleborough Earth Removal request or upon completion of the permitting and earth removal process to be submitted with the Certificate of Completion or to be made part of the applicant's final package.

Town Taxes and Municipal Financial Obligations

The Town, through the Board of Selectmen and Town Tax Collector request an update of tax debt, by a proponent, with the application process. Information regarding the status of any existing property tax or other legal obligations to the Town monies that may be owed on the property is required to be submitted.

APPLICATION PROCESS

General

The process for submittal of an application for an ERB permit is as follows:

1. Applicant receives an application package from the BOS and is advised that the complete process, if it includes Conservation Commission hearings, may take up to eight (8) weeks.

The application package is available through email, by the BOS's Secretary. Please contact the BOS office for email address.

2. Applicant is advised to prepare a civil engineering plan that meets with the ERB permitting and project plan requirements to the Conservation Commission, along with Notice of Intent or other required forms.

Conservation Commission hearings require notification of abutters.

ConCom may require at least twenty one (21) days from receipt of a notice to schedule a hearing (recheck this out with Rosemary). And fourteen (14) days after the hearing the Order of Conditions may be issued.

3. If there are not any Conservation Commission requirements, proceed to No. 5.
4. Upon completion of required Conservation Commission public hearings and issuance of any Order of Conditions or finding - proceed to No. 5
5. Submit six (6) completed or revised plans, Project Plan and Order of Conditions to the Board of Selectmen's office and request a public hearing, along with a check for three hundred dollars (\$ 300.00), made out to the Board of Selectmen – Town of Middleborough.
6. Abutters are required to be notified by registered mail by the proponent.
7. The Board of Selectmen will submit a form for sign off and review by the Town Tax Collector/Treasurer for a check on whether property taxes, water, sewer or other financial obligations are current.

The BOS will review the application for completeness and advise that a public hearing can be advertised. The applicant is responsible for costs associated with advertisements.

8. A public hearing will be scheduled conducted by the Board of Selectmen at a regularly or specially scheduled meeting.
9. The Board of Selectmen will complete the public hearing and provide an Order of Conditions, if acted upon favorably no later than three (3) weeks after hearing.

Checklist

The town's representative will conduct quarterly inspections of the project and utilizes a checklist. This project checklist is included in the Appendix of this Application Package.

Project Plan

As part of the Application Package submittal, a project plan is required. The town's representative will review this proposed project schedule and work outline for compliance. The applicant can review with the town's representative and adjust if necessary - as site conditions warrant - with the expressed approval of the town's representative. Approval of any change to the project plan will be noted on the quarterly checklist.

APPENDIX A

PROJECT PLAN

APPENDIX A
PROJECT PLAN

The purpose of the project plan is to provide a written description of the property, Past activities, state permit requirements and how the project will move through construction. The project proponent is encouraged to 'paint a picture' of how the project will proceed over the requested permit time period. The following items must be included in the project plan.

1. Purpose of project
2. Description of site and prior work
3. Reasons for earth removal permit
4. Describe past earth removal activities and compliance issues that may have occurred.
5. How project will be constructed with phases and time lines provided
6. Time duration requested for permit
7. **Describe:**
 - a. The phases, associated time lines and anticipated (**volumes, yardage and daily truckloads**) to be removed each year.
 - b. Describe the buffer zones that are to be maintained from the site excavation or pond limits to the property lines, keeping in mind that a treed buffer zone is desired by the Board of 100 feet from individual property lines, and 200 feet from town roadways.
 - c. Any specific site conditions that require special attention.
 - d. Proposed dewatering system for the area should include the abutters who have overburden wells in the area (2000 feet in circumference).

Note that there may be a requirement of determining hydrological affects if abutters complain of insufficient waters in their wells.
 - e. If ponds -reservoirs - tailwater recovery systems are to be constructed, please utilize the Soil Conservation Service - Pond Specifications for Excavated Ponds, contained in the Appendix as guidelines.
 - f. Estimated volume of material to be excavated and removed from site.
 - g. Estimated volume and site location of materials to be kept on site
 - h. Maximum sloping
 - i. Show volume of pond required for bog size.

- j. Criteria for excavation of ponds and water storage areas
- k. Dust Control measures
- l. Erosion Control measures
- m. Final topsoil and plantings
- n. Is there proposed rock crushing?
- o. Is there proposed screening equipment?
- p. Is there additional equipment requested for the site?

8. Record Plans

Once the project is completed or permit times have been exhausted, the approved applicant is required to submit Completed record plans to receive the Town's Certificate of Completion and release any bond that has been secured for the project.

APPENDIX B
PLAN CHECK LIST

APPENDIX B

PLAN CHECKLIST

PLEASE COMPLETE CHECKLISTS FOR PLANS AND PROJECT PLAN AND INITIAL:

PLANS	Check	Initials
A. Cover page that shows:		
1. Name of project:	<u>X</u>	_____
2. General directional and town locus:	<u>X</u>	_____
3. Water Resource Protection District limits	<u>X</u>	_____
4. Engineering Firm Name and address	<u>X</u>	_____
5. Flood Map limits (if applicable)	<u>X</u>	_____
6. Zoning District limits	<u>X</u>	_____
B. Civil Drawing Sheet 1 - that show at a minimum:		
1. Existing streets	<u>X</u>	_____
2. Property lines and names of adjacent properties/abutters	<u>X</u>	_____
3. Existing tree lines	<u>X</u>	_____
4. Existing and proposed topographical contours (5' foot minimum)	<u>X</u>	_____
5. Town roadways	<u>X</u>	_____
6. Proposed treed buffer zones between edges of excavation and abutters	<u>X</u>	_____
7. Proposed buffer zones between property excavation and town street(s)	<u>X</u>	_____
8. Distances of proposed reservoir or excavations from property lines of abutters.	<u>X</u>	_____
9. Location and type of proposed excavation and work	<u>X</u>	_____
10. Locations of stockpiling of materials	<u>X</u>	_____
11. Proposed reservoir volume, slopes and bottom elevations	<u>NA</u>	_____
12. Site of proposed dewatering pond, discharge and overflow structure	<u>NA</u>	_____
13. Any proposed buildings, structures or utilities	<u>X</u>	_____
14. Roadway systems and gates, and proposed paving areas	<u>X</u>	_____
15. Proposed areas of agricultural uses	<u>NA</u>	_____
16. Indications of phased operations	<u>X</u>	_____
17. Areas to be seeded	<u>X</u>	_____
18. Existing and proposed slopes with limits of final grading	<u>X</u>	_____
19. Locations of ditches	<u>NA</u>	_____
20. Wetlands and water resource areas	<u>X</u>	_____
21. Elevations of water (high, low) as applicable	<u>X</u>	_____
22. Drainage patterns with directional arrows showing flow	<u>X</u>	_____
23. Fencing	_____	_____
24. Professional Engineers Civil stamp	<u>X</u>	_____

25. Date of preparation _____
Other information as appropriate to good engineering design _____

X _____

C. Civil Drawing Sheet Number 2 (as applicable)

1. Pond specifications with erosion controls
2. Erosion controls
3. Side Flow Profile

NA _____
X _____
NA _____

APPENDIX C

EARTH REMOVAL BYLAW (S)

APPENDIX D

INSPECTION CHECKLIST

APPENDIX E
TYPICAL ORDER OF CONDITIONS

APPENDIX E

TYPICAL ORDER OF CONDITIONS

Board of Selectmen Conditions

1. Construction of the Ballfield shall be as outlined in the Project Plan required under **Section C - Permit Conditions** of this permit, and approved by the Town's Agent.
2. Existing tree lines, natural land topography and vegetative buffer zones shall be maintained, a minimum of one hundred feet (100 ft.) from all property lines. In the absence of treelines on the property(ies), then the natural vegetated buffer shall be maintained for the same distances and trees planted.
3. A dewatering system, if required will be outlined in the Project Plan. Monitoring wells may be required to determine groundwater levels that could impact adjacent residential overburden and bedrock wells. Note condition 31, under **Section C - Permit Conditions**.

If neighboring overburden wells are determined to be potentially affected by the dewatering operation, work will cease, monitoring wells shall be installed, and an evaluation made from a qualified hydrologist on the dewatering operation, prior to commencement of work. The Town's Agent shall determine if work shall continue, after consultation with the Board of Selectmen.
4. The applicant has prepared OR WILL PREPARE a Farm Plan that meets standards set forth from the United States government's - Natural Resource Conservation District (NCRS) and the Massachusetts Department of Food and Agriculture.
5. Blasting on site is discouraged. Special permission shall be provided by the Board of Selectmen, prior to permitting application to the town Fire Department.

General Conditions

1. The Permittee shall submit to the Board of Selectmen's Agent and the Conservation Commission Agent a written **Project Plan** that will outline the planned activities and goals for each quarter of the Phase 1 construction work for each year of the permit. A Construction Sequence plan has been submitted for review by the Board of Selectmen's Agent for review and concurrence. The following sections are applicable under this permit:
 - a. General Conditions
 - b. Standard Conditions and Site Requirements
 - c. Special Conditions
 - d. Inspection Fees and Bonding

a, General Conditions

1. All Phase 1 work consisting of regrading shall be completed and any required plantings shall be 'growing' prior to any application for a future earth removal permit. No cutting, clearing or grubbing of areas not included under this phase of the work shall be done for any future work.

If any aforesaid described work is done in unpermitted areas, prior to submittal of an earth removal permit then future earth removal requests may be forfeited. The Town of Middleborough's Earth Removal Bylaw, as amended should be reviewed by the project proponent.

2. This permit is valid for **three (3) years** OR for a lesser time approved by the Board of Selectmen at the time of application and hearing - and may be renewed for up to one (1) year thereafter at the discretion of the Board of Selectmen.

3. Hours of operation are limited from 7:30 A.M. to 4:30 P.M. Operation is allowed Monday through Friday. Motors of earth removal equipment, including trucks hauling material to and from the site, are not to be started or run until before 7:30 A.M and after 4:30 pm.

4. No operation is allowed on Saturday, Sunday or Town Hall observed holidays, which are as follows:

New Year's Day	Labor Day
Martin Luther King Day	Columbus Day
Presidents Day	Veteran's Day
Patriots Day	Thanksgiving Day
Memorial Day	Christmas Day
Independence Day	

5. All excavated areas not part of the bogs will be topsoiled and planted per the specification on the plan or at the direction of the Board of Selectmen or through their Agent. All top and subsoil shall be stripped from the operation area and stockpiled for use in restoring the area after the removal operation has ceased. minimum of four inches of topsoil must be put back in place.

6. The permit holder is not permitted to spot excavate to remove better material here and there on the site.

7. Excessive erosion is to be controlled as determined by the Board of Selectmen's Agent or the Town's Conservation Commission's Agent.

8. No refining or screening of material is allowed on the permitted property except the screening of sand and loam to be used for on-site cranberry bogs, gravel for on-site roadways and loam for final on-site grading and seeding.

Any utilized screening plant shall be no larger than 150 to 200 yards per hour.

The permit holder shall provide a written description, time frame and proposed volume of material to be screened for approval by the Town's Agent.

9. The permit holder is allowed use of an onsite screening facility for processing and sorting out of materials for removal from the site.

b. Standard Conditions and Site Requirements

1. Standard highway signs warning of heavy trucks entering the street shall be erected as directed by the Board of Selectmen or their Agent and be in place prior to commencement of removal operations.

2. The Board of Selectmen, Conservation Commission, Town Manager or their Agents shall be free to inspect the premises at any time during normal working hours with or without prior notice to the permit holder.

3. The permit holder shall adhere to all State laws pertaining to covering loads and weight loads.

4. Any spillage on public ways or private property shall be cleaned up immediately by the permit holder or its agent.

5. The Board of Selectmen may, following a public hearing, revoke the permit, modify or revise the conditions of the permit and/or impose a fine if they find that the permittee, or any agent of the permittee violates any condition of this permit.

6. The Town Manager is authorized to act as the Board of Selectmen's Agent in the administration and enforcement of this permit.

7. All loaded vehicles must be covered to prevent dust and contents from spilling or blowing from the property.

8. The haul road and loading area must be watered regularly to keep dust from blowing from the property. Gravel may be required to be added to the haul road by the Board of Selectmen's Agent to assist in dust control.

9. This permit is not transferable, except by vote of the Board of Selectmen. Notice of a pending sale or transfer must be provided to the board. The Board of Selectmen may, in its discretion, hold a public hearing to consider the transfer of this permit to the prospective buyer of the property.

10. During operations, where the excavation working face will have a depth of more than 15 feet with a slope in excess of 1:1, a fence at least three (3) feet high shall be erected to limit access to that excavation.

11. No area shall be excavated so as to cause accumulation of freestanding water, except in conjunction with a storage pond for cranberry bogs as shown on the record plans. Permanent drainage shall be provided as needed in accordance with good conservation practices. Drainage shall not lead directly into or from streams or ponds, except as shown in the plans.

12. No excavation shall be closer than 200 feet to an existing public way unless specifically permitted by the Board of Selectmen at a publicly scheduled hearing. Natural vegetation shall be left and maintained on the undisturbed land for screening and noise reduction purposes.

13. Bog pumps will be powered electrically, or in the alternative, mufflers will be installed on pumps to reduce noise.

14. Gates will be installed on the haul road to prevent unauthorized access to the property.

15. Two by Three foot signs will be erected every 500' along the property line. The signs will display the permit number, the name and phone number of the permit holder's agent and the name and phone number of the Board of Selectmen's Agent, together with the words "NO TRESPASSING-EARTH REMOVAL IN PROGRESS".

16. All trucks hauling from the site must display a sign on the rear of the truck in an area that will be unobstructed and clearly in view displaying the words "TOWN OF MIDDLEBOROUGH PERMIT # 03 - ____".

17. A copy of this Earth Removal Order of Conditions shall be filed with the Registry of Deeds by the Permit holder as a notice to all that these conditions restrict work on the lot under the permit.

18. A Certificate of Compliance will be issued by the Board of Selectmen when the project is completed. The Certificate of Compliance will operate to release the lot from the conditions of the permit and terminate the permit. The Certificate of Compliance must also be filed with the Registry of Deeds by the permit holder.

19. Monitoring well(s) for water levels, if required, are to be measured every seven (7) days, and the results kept in a daily log.

20. The Plan shall be modified to include the general location (no survey required) of the monitoring well.

21. No standing trees are to be cut, trimmed or removed from the site, except for those areas shown on the approved plan. Violation shall result in a fine being imposed, in accordance with Earth Removal Bylaw §6, and/or revocation of the Permit.

If any tree needs to be trimmed, cut or removed, prior approval shall be provided by the Board of Selectmen's Agent.

22. No rock crushing is authorized. Any proposed rock crushing may be authorized by the Board of Selectmen following a public hearing on a request for an Earth Removal Permit modification.

23. Excessive noise levels, as determined by the Board of Selectmen's Agent, shall result in onsite equipment modification within one (1) week of notification.

24. De-watering operation plans shall be provided in the Project Plan. De-watering may be limited during the Summer months. Siltation barriers will be provided as required by the Board of Selectmen's Agent.

c. Special Conditions

1. _____
2. _____
3. _____
4. _____

d. Inspection Fees and Bonding

Inspection Fees

1. An initial review to confirm compliance with permit conditions and restrictions must be performed by the Board of Selectmen's Agent before the commencement of any earth removal activities.

The fee for this review is \$ 600.00, due and payable at the time the permit holder notifies the Board of Selectmen's Agent that all requirements of the permit which must be done prior to commencement of work have been accomplished, and the permit holder is ready for the Agent to perform the initial review.

2. Quarterly reviews must be performed by the Board of Selectmen's Agent every three months following commencement of earth removal work. These reviews will include a field review and plan review to determine on-going compliance with the permit.

a. The fee for each such review is \$ 600.00, due and payable to the Town three months after the commencement of earth removal on the lot and every three months thereafter for the duration of the permitted project.

b. This report, along with **the Project Plan** will be made available to the public at the Town Manager's Office, upon request.

c. The Board's Agent will include with the quarterly review a written assessment and update of actual activities and goals that were provided under **the Project Plan**.

d. The Boards' Agent will determine **if the Project Plan** is meeting the proposed activities and goals. If **the Project Plan** activities and goals are not met for three (3) consecutive quarters, the project permit shall be suspended and a hearing with the Board of Selectmen shall be held to determine if the permit shall be reissued.

Bond Requirements

1. A bond, or acceptable alternative surety, in the amount of **\$50,000.00** will be required to indemnify the Town for damage to private or Town property and for use by the Town for site closure in the event of abandonment of the project.

APPENDIX F
APPLICATION FORM

APPLICATION FORM

The project proponent must submit the following information as part of the package for the Board of Selectmen. Incomplete packages will not be accepted by the Board's administrative staff.

It is suggested that the application package be completed by a registered civil engineer.

1. Set of Plans with completed checklist
2. Application Information and Project Plan .
3. Additional submittals as identified in the application information .
4. Conservation Commission Order of Conditions
5. **Application Fee of three hundred dollars (\$ 300.00)**

TOWN OF MIDDLEBOROUGH

EARTH REMOVAL APPLICATION
and renewal form

1. General Information

Name of Applicant: Old Colony Ymca - Frank Mc Donald

Address of Applicant: 61 East Grove St Middleboro

Town or City: Middleboro

Owner of Property: Old Colony Ymca

Location of Property: 375 Wareham Street

Assessor's Parcel and Map Numbers Map 073 Parcel 5813

Map _____ Parcel _____

Map _____ Parcel _____

2. Permit Status

New Application or Renewal: New

Request for an Extension of Time for existing permit. _____

Existing Permit Number: _____

Parcel(s) Acreage: _____

Estimated Number of Cubic Yards to be Removed: 20,000 - 25,000 cubic yards

Requested Time Frame of Permit 3 years

Brief Project Description and Reasons for Request:

Widen existing Roadways, removal of gravel to create a level area for a ballfield, sports complex and concession stand.

3. Project Plan

Has a Project Plan being submitted with this Application?

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.

Right onto Route 28, Right onto Wood St Continuing
to Bridge water, Also left onto Route 28 to Route
495

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

c. Has Order of Conditions by Conservation Commission been issued: If so what is project number and date of conditions : _____

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? _____

Permit No. _____ Registration No. _____

f. Has a Farm Plan been completed? _____ Please provide a copy.

g. Expected Date of Project Completion: _____

5. Engineering General Information

Engineering Firm Name: Foresight Engineering

Engineer's Contact/Name: Darren Michaelis

Street: 518 County Road

Town/City W. Wareham

Phone Number: 508-245-2148

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

FRANK D. McDONALD

Printed Name of Applicant

Date 7-15-16

Phone Number: 508-958-6602
508-947-1390

EARTH REMOVAL BY-LAW

ARTICLE 4: Voted by a majority vote to amend the Town's earth removal by-law adopted under Article 7 of the 1970 Special Town Meeting of May 28th, by deleting it in its entirety and substituting therefore the following:

TOWN OF MIDDLEBOROUGH EARTH REMOVAL BY-LAW

Section 1: DEFINITIONS

- A. The term "earth" shall mean all forms of soil, including, but limited to, loam, sand, gravel, clay, peat, hardpan or rock.
- B. The term "removal" shall mean stripping, excavating or blasting earth from one lot and carrying it away from said lot.
- C. The term "lot" shall mean a single parcel of land lying in a single body and separated from contiguous land by property liens, street lines, or Town lines.
- D. The term "property line" shall mean a line separating land in one ownership from land in a different ownership, or from other land in the same ownership. A municipal boundary shall be a property line.
- E. The term "owner" shall mean the owner of the land from which earth is sought to be removed.
- F. The term "Board" shall mean the Board of Selectmen of the Town of Middleborough.

Section 2: SCOPE

This By-law shall apply to all earth removal activities in the Town of Middleborough, except as otherwise limited herein.

Section 3: PERMITS REQUIRED

No earth shall be removed from any lot in the Town of Middleborough unless a permit shall have first been obtained by the owner from the Board pursuant to this By-law, except as otherwise provided herein. All permits granted by the Board shall be subject to conditions which will guarantee, to the satisfaction of the Board, proper and reasonable surface drainage during and after operations and reasonable re-use of available topsoil. The Board shall adopt regulations including, but limited to, exhibits, fees and bond requirements. The Board may impose permit conditions or restrictions on any permit in the best interest of the Town. The conditions or restrictions related to a permit, including the expiration date, shall be clearly set forth on the permit. No such permit shall be issued until an application therefore has been filed with the Board and the Board has held a public hearing on the application. Notice of the filing of an application and the date and time of the public hearing thereon shall be advertised, at the expense of the applicant, in a newspaper in general circulation in the Town, seven days at least before such hearing and by written notice to the Planning Board, the Conservation Commission and the abutters. Following the hearing, the Board may grant, grant in part, or deny the application.

Section 4: EXEMPTIONS

The following are exempted from the provisions of this By-law:

- a.) Any earth removal operations involving 25 cubic yards or less per lot per year.
- b.) Any earth removal operations involving 800 cubic yards or less per acre on lots of 4 acres or less occurring in conjunction with work subject to a valid Building Permit.
- c.) Any earth removal operations in compliance with the requirements of a subdivision plan approved by the Town's Planning Board.

Section 5: LENGTH OF PERMIT

A permit may be issued for a period of up to three (3) years. At the Board's discretion a permit may be extended for up to one (1) year beyond the initial permit period. If an Earth Removal project is not completed following the initial period plus any extension period, the applicant must reapply to the Board for a new permit to complete the project. The applicant must meet all By-law and regulation requirements in effect at the time of reapplication for a new permit. Current valid permits which are in effect prior to August 1, 1992, may continue in operation for up to three (3) years from the adoption of this By-law subject to all conditions and restriction of the permit and Article 7 of the May 28, 1970 Town Meeting By-law requirements without applying for annual renewal. Such existing earth removal project shall be subject to the provisions of this By-law after three years from the adoption of this By-law.

A copy of the earth Removal Order of Conditions must be filed with the Registry of Deeds, at the applicants expense, as a notice to all that the conditions restrict work on the lot under the Permit.

A Certificate of Completion must be issued by the Board of Selectmen at the completion of the project attesting that the project was completed in accordance with the approved plans. Issuance of the Certificate of Completion operates to terminate the permit. The Certificate of Completion must also be filed with the Registry of Deeds at the applicants expense.

Section 6: ENFORCEMENT

The Board of Selectmen shall be responsible for the administration and enforcement of this By-law. A violation of a condition or restriction of the permit shall be a violation of the By-law. The Town Manager shall be the Agent of the Board for enforcement purposes and may issue a written cease and desist order requiring the immediate cessation of all work on the permitted property if the Town Manager believes a violation of any condition or restriction of the permit has occurred. In the absence of the Town Manager the Board of Selectmen may designate another Agent. The Written order shall specify the alleged violation. A copy of the order will be given to the Board members as soon as possible after it is issued. The Board of Selectmen shall, within three (3) weeks of the issuance of the cease and desist order, hold a public hearing to review the facts and to determine whether a violation has occurred. If a violation is found, the Board, in its discretion, may revoke, revise or modify the conditions or restriction of the permit. The penalty for violation of this By-law shall be a fine of up to \$50 for the first offense, \$100 for the second offense and \$200 for each offense after the second offense. Each day of operation in violation of the By-law shall be treated as a separate offense.

Section 7: GENERAL PROVISIONS

An earth removal permit issued under this By-law shall not authorize a use which is not permitted under applicable provisions of the Town of Middleborough Zone By-law. No earth removal permit shall authorize screening or other processing of earth materials in a Residential Zone. This shall not be construed to prohibit screening of earth on a lot which is the subject of an earth removal permit, in a Residential Zone, for use on the same lot to provide gravel for roadways, loam for final grading and/or sand for bogs.

Section 8: SEVERABILITY CLAUSE

The provisions of this By-law are severable; and if any provision or application of such provision to any person or circumstances is held invalid or unconstitutional, this shall not affect the remaining provisions.

**Article 4 of 11/9/92 Special Town Meeting
Approved by Attorney General on 2/18/93**

ARTICLE 25: To see if the Town will vote to amend Section 3. Of its Earth Removal By-law, by adding the following paragraph:

After an Earth Removal Permit Application has been submitted, no tree removal, utility installation, ditching, grading or construction of roads, no grading of land, no excavation except for purposes of soil testing, no dredging or filling, and no construction of buildings or structures shall be initiated on any part of that area in which the proposed earth removal will take place until the application has been received and approved and an Order of Conditions issued as provided for by this By-law, and that all activity, as described above, shall continue to be prohibited throughout the duration of the Earth Removal Permit except for what is permitted and referenced on the approved plan. This paragraph shall not apply to land in active agricultural use including normal maintenance of cranberry bogs.

Adopted at Fall 1996 STM

EARTH REMOVAL RULES & REGULATIONS

Initial Review:

An Initial Review to conform compliance with permit conditions and restrictions must be performed by the Board's Agent before the commencement of any earth removal activities. The fee for this review is due and payable at the time the permit holder notifies the Board's Agent that all requirements of the permit which must be done prior to the commencement of work have been accomplished, and the permit holder is ready for the agent to perform the Initial Review.

Quarterly Review:

Quarterly Reviews must be performed by the Board's Agent following commencement of earth removal work. These reviews will include a field review and plan review to determine on-going compliance with the permit. The fee for each such review is due and payable to the Town three months after the commencement of earth removal on the lot and every three months thereafter for the duration of the permitted project.

Required Reviews and Fees:

The fee for each review (both Initial and Quarterly) is based on the size of the earth removal project as follows:

<u>SIZE OF PROJECT</u>	<u># OF HOURS</u>	<u>HOURLY RATE</u>	<u>FEE</u>
Up to 250,000 c.yds.	10	\$40	\$ 400
250,000-500,000 c.yds.	15	\$40	\$ 600
500,000-750,000 c.yds.	20	\$40	\$ 800
Over 750,000 c.yds.	40	\$40	\$1600

Permit Duration and Commencement of Removal:

The Board of Selectmen may issue a permit for up to three years duration. If the earth removal work and site restoration is not completed within the initial permit period, the Selectmen may vote to extend the permit for one additional year, not to exceed a total of four years. If the Permit expires, either because the three year period ends without completion of the project and the Selectmen do not extend the permit, or, in the event of a one-year extension, the full four year period ends without completion of the project, the Permit Holder/Applicant just reapply to the Board, in the same manner as an Initial Application for a permit to complete the project. A public hearing will be held on the application, and notices to abutters will be required. The applicant must meet all By-law and regulation requirements in effect at the time of reapplication for a new permit.

If the permit period expires and work is not completed and the Permit Holder/Applicant does not reapply or is denied a permit on reapplication, the Board may elect to call any performance bond and use the proceeds to restore the area to a safe conditions, replace topsoil and seed the area.

Following the Initial Review by the Board's Agent, the Agent will file a written report with the Board of Selectmen. If the Agent reports that all permit conditions and restrictions which must be performed prior to commencement of removal have been

accomplished, the Board's Agent will notify the Board of the authorized date of Initial Removal. Said date will become the date of the commencement of earth removal for purposes of determining the duration of the Permit.

If actual earth removal does not commence within six months of the signing of the Earth Removal Order of Conditions by the Selectmen, the date of commencement of earth removal for purposes of determining the duration of the permit will revert to the date of the signing of the Earth Removal Order of Conditions.

COMPLAINCE REVIEW FORM

Standard Conditions:

Special Conditions:

Maintenance of:

- Buffers
- Signs
- Fences
- Slopes
- Dust Control
- Erosion Control

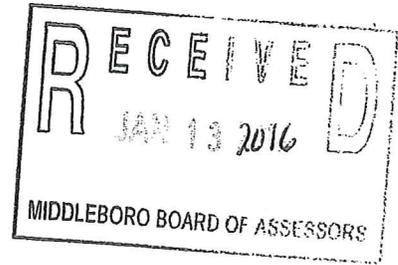
Complaints, if any, including date:

- Corrective action, if any, on complaints

Phone Contact to Abutters:

Construction in Compliance with Plan:

No Balance



CERTIFIED ABUTTERS LIST REQUEST

Date: 1-12-16

LOCUS: Map 73 Lot 5813 Unit _____

Property Address: 375 Wareham St

Board or Office For: Selectmen

Subdivision/Reason for Project: Earth Removal

Owner's Name(s) & Address: Old Colony YMCA

61 E. Grove St

Applicant Name & Address: Middleboro, ma
(if different from Owner)

CONTACT NAME & PHONE #: Sue Okolita 508-947-1390
ext 12

*Selectman's Office, Zoning Board and Planning Board require a certified abutter's list of all abutters within 300' in all directions including across the street. If it is for a Liquor License, all schools and churches within 500' will be included on the list.

*Planning Board also requires a Form E to be included with the submission of the list.

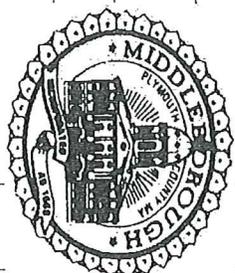
*Road Completion will include every parcel that abuts the roadway (locus lots) and every direct abutter to those lots (non-locus lots). The locus and non-locus lots will be listed on separate pages.

FEES: The Abutters list fee is \$25.00 for the first page or the first 13 abutters and then \$2.00 for each additional abutter on the remaining pages. The first \$25.00 is due with the submission of the request.

NO REFUNDS: Once the abutter's list request is submitted and completed by this office, absolutely no refunds will be given.

THE CERTIFICATION MAY TAKE UP TO 10 WORKING DAYS: The Contact Person will be notified once the certified abutter's list is complete.

parcel ID	Location	Owner name	C/O Owner	Mailing Address	City	State	Zip
072-4015	TISPAQUIN ST	CAMP AVODA, INC	C/O PAUL DAVIS	11 ESSEX ST	LYNNFIELD	MA	01940
072-5695	WAREHAM ST	CAMP AVODA, INC	C/O PAUL DAVIS	11 ESSEX ST	LYNNFIELD	MA	01940
073-4182	WAREHAM ST (OFF)	BROCKTON YMCA		320 MAIN ST	BROCKTON	MA	02401
073-5942	WAREHAM ST (OFF)	BROCKTON YMCA		320 MAIN ST	BROCKTON	MA	02401
079-831	369 WAREHAM ST	HERLIHY, SHAWN P ETAL		369 WAREHAM ST	MIDDLEBORO	MA	02346
079-839	371 WAREHAM ST	BAVIN, MARIE E		371 WAREHAM ST	MIDDLEBORO	MA	02346
080-1093	389 WAREHAM ST	TOWN OF MIDDLEBOROUGH RAMSEY, STEPHEN & MELISSA	WATER DEPT- WELL SITE	10 NICKERSON AVE	MIDDLEBORO	MA	02346
080-141	373 WAREHAM ST	PHELPS, TYLER B & BISSO, GINA M		373 WAREHAM ST	MIDDLEBORO	MA	02346
080-185	377 WAREHAM ST			377 WAREHAM ST	MIDDLEBORO	MA	02346
080-255	WAREHAM ST	BROCKTON YMCA		320 MAIN ST	BROCKTON	MA	02401



LOCUS

MAP 73 LOT 5813
375 WAREHAM STREET

OWNER NAME
OLD COLONY YMCA

APPLICANT NAME
OLD COLONY YMCA

PAGES
1

REASON FOR PROJECT

EARTH REMOVAL

NAME OF BOARD

SELECTMEN

CONTACT #

508 947-1390 X12

DATE

1/13/2016