

# **NEW BUSINESS**

**4-22-13**

*Incorporated 1669*  
*338 Years of Progress*



CRANBERRY CAPITAL  
OF THE WORLD



**Town of Middleborough**  
**Massachusetts**

508-947-4095

ZONING BOARD OF APPEALS

April 5, 2013

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

Re: Re-appointments

Dear Honorable Board:

The Zoning Board of Appeals would like to request that Dorothy Pulsifer of 376 Plymouth Street, Middleborough, MA 02346 be reappointed to the Zoning Board of Appeals with a term to expire ~~April~~ 2018.

*June 30, 2018*

Please contact the Zoning Office if you need any further information.

Sincerely,

Bruce G. Atwood, Chairman  
Zoning Board of Appeals

COMMONWEALTH OF MASSACHUSETTS  
TOWN OF MIDDLEBOROUGH  
BOARD OF SELECTMEN (BOARD OF HEALTH)

NOTICE OF BETTERMENT AGREEMENT April 8, 2013  
NOTICE OF BETTERMENT

TO THE REGISTER OF DEEDS OF PLYMOUTH COUNTY

NOTICE is hereby given that the Board of Selectmen of the Town of Middleborough acting as a Board of Health pursuant to General Laws, Chapter 111, Section 127B 1/2 entered into a Betterment Agreement

Dated November 20, 2012 with Jeffrey J. Shorey  
(insert date) (insert name(s) of property owner(s))

with respect to real estate located at 84 Highland Street  
(insert address of property)

in Middleboro, Massachusetts and described in a deed recorded in the Plymouth County Registry of Deeds in Book 23429, Page 14  
(insert book and page)

or filed as Document Number \_\_\_\_\_ with the Plymouth  
(insert document number of deed)

District of the Land Court. The purpose of the Betterment Agreement is to authorize and enable the aforesaid property owner(s) to cause the said property to be serviced properly

by a septic system funded by financial assistance from the Town of Middleborough in the sum of up to and not exceeding

Twelve Thousand One Hundred &.00/100 Dollars (\$ 12,100.00 )  
(insert amount in writing) (insert amount in numbers)

The aforesaid property owner(s) shall be responsible to pay the Town of Middleborough for all funds advanced to the owner(s) pursuant to the Betterment Agreement together with interest.

The Betterment Agreement and this Notice shall be subject to the provisions of Chapter 80 of the General Laws relative to the apportionment, division, reassessment and collection of Assessment, abatement and collections of assessments and to interest. The lien for betterment under Chapter 80, the Betterment Agreement and this Notice of Betterment Agreement shall take effect by operation of law on the day immediately following the due date of such assessment or apportioned part of such assessment.

This Notice of Betterment Agreement shall be a betterment under Chapter 80.

\_\_\_\_\_  
Alfred P. Rullo Jr., Chairman

\_\_\_\_\_  
Allin Frawley, Vice Chairman

\_\_\_\_\_  
Steven P. Spataro

\_\_\_\_\_  
Ben Quelle

\_\_\_\_\_  
Stephen J. McKinnon

Board of Selectmen  
Town of Middleborough

**Commonwealth of Massachusetts  
County of Plymouth**

**On This \_\_\_\_\_ day of \_\_\_\_\_ 20 \_\_\_\_\_ before me the  
undersigned Notary Public, personally appeared \_\_\_\_\_, proved  
to me through satisfactory evidence of identification which was \_\_\_\_\_  
to be the person whose name is signed on the preceding or attached document, and  
acknowledged to me that he/she signed it voluntarily for its stated purpose(s).**

\_\_\_\_\_  
**Signature of Notary  
Jacqueline M. Shanley**

**(Seal)  
My commission expires:**



Allison J. Ferreira  
Town Clerk

**TOWN OF MIDDLEBOROUGH**  
**Town Clerk's Office**  
*Bank Building, 20 Centre Street*  
*Middleborough, Massachusetts 02346-2250*  
*508-946-2415 phone*  
*508-946-2308 fax*

**MEMORANDUM**

**TO:** Board of Selectmen

**FROM:** Allison J. Ferreira, Town Clerk

**DATE:** April 17, 2013

**RE:** *Certificates of Registration for Fuel Storage – 2013*

Attached please find a list of Certificates of Registration for Fuel Storage to be renewed for 2013. I have included the name of the facility, address of the tanks and the owners on the attached spreadsheets.

Our office mailed reminder notices with the Certificate of Registration forms and Workers' Compensation Insurance Affidavits to all the owners. Kindly vote to renew the Certificates of Registration for Fuel Storage subject to the receipt of all required documentation being filed with the Town Clerk's office.

Should you have any questions or concerns, please do not hesitate to contact me.

# CERTIFICATES OF REGISTRATION FOR FUEL STORAGE 2013

FACILITY	ADDRESS OF TANKS	OWNER
A.L. Prime Energy	414 West Grove Street	414 West Grove Street Trust
A.L. Prime Energy	26 High Street	A.L. Prime Energy Consultant
Amerigas	413 Wareham Street	Petrolane Division of Quantum Chemical
W.L. Byrne, Inc.	210 Wood Street	W.L. Byrne, Inc.
Chickering Trucking	164 Everett Street	David and Alan Chickering
Christmas Tyee Shops, Inc.	64 Leona Drive	Terry Ryan
Coletti Bros. Oil	576 Wareham Street	Peter and Anthony Coletti
Cumberland Farms, Inc.	200 Centre Street	Eclipse Division
Cumberland Farms, Inc.	87 East Grove Street	Eclipse Division
Cumberland Gulf	150 South Main Street	Eclipse Division
E. Briggs Oil Co., Inc.	144 Everett Street	E. Briggs Oil Co., Inc.
EKS Corporation	157 South Main Street	Trickett Realty Trust
F.G. Adams Co., Inc.	188 East Grove Street	F.G. Adams Co., Inc.
Gas Depot	5 Station Street	Raheel Gafoor
Gates, Shane	43R Smith Street	Shane Gates
Gerson Co.	15 Sumner Avenue	Steven Crowell
Harju, Kenneth	253 France Street	Kenneth Harju
J&J Car Center	760 Centre Street	Adib Khairallah
Jim's Automotive	355 Wareham Street	James R. Walker
Kitchen, Nancy	609 Wareham Street	Nancy Kitchen
KVMG, Inc.	407 Wareham Street	Kostas Geroukos
Logan, William	113 East Grove Street	William Logan
Middleboro Shell Food Mart	63 Bedford Street	Arslan & More, Inc.
Middleborough Gas & Electric	1 Vine Street	Town of Middleborough
New England Farms	47 Harding Street	Delta Realty
Nemasket Healthcare Center	314 Marion Road	Atrium Nursing Center, LTD.
New England Farms	447 Wareham Street	Delta Realty
Nichols Trucking	34 Vine Street	John and Barbara Nichols
Ocean Spray Cranberries, Inc.	Bridge & Wood Street	Patricia Gallagher
Roby's Propane Gas, Inc.	100 West Grove Street	Roby's Propane Gas, Inc.
Rock Village Cranberry Co.	26 Highland Street	Jarnes Paduch
Russell Lawton Cranberries	221 Thomas Street	Russell and Mark Lawton

# CERTIFICATES OF REGISTRATION FOR FUEL STORAGE 2013

FACILITY	ADDRESS OF TANKS	OWNER
Super Petroleum	381 West Grove Street	ASD Realty Trust
Super Petroleum	554 West Grove Street	John and Deanne Dupuis
Shell Oil Co.	2 West Grove Street	Colbea Enterprises, LLC
Standish Oil Co. (On Traxx, LLC)	62 Cambridge Street	John and Helen Lucas
Standish Oil Co. (Debbie's Office Complex, LLC)	66 Cambridge Street	John and Helen Lucas
Staples Savard Oil	228 Bedford Street	Weathermark Investments, Inc.
Stop and Save	160 Centre Street	Badat, Inc.
Tribou Commercial Realty Trust	101 Sprout Street	Tribou Commercial Realty Trust
Middleboro Petroleum	99 West Grove Street	United Gas
Verizon New England	15 Jackson Street	Verizon New England
Woods Pond Cranberry	154 Thomas Street	Lawrence Pink

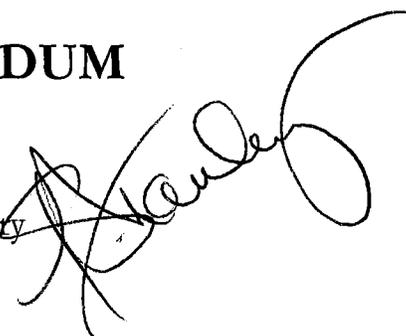


**Town of Middleborough  
Massachusetts**

**BOARD OF SELECTMEN**

**MEMORANDUM**

TO: Board of Selectmen

FROM: Jackie Shanley, Confidential Secretary 

DATE: April 22, 2013

RE: **Second Hand/Pawnbroker/Junk Dealer/Old Metals Licenses**

Attached please find a list of businesses with the above referenced licenses to be renewed for 2013.

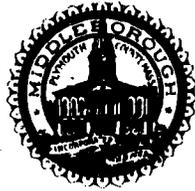
I have mailed renewal forms to each of the licensees. Please vote to renew, subject to receipt of all required documentation being filed with the Selectmen's office.

Thank you.

## Second Hand/Pawnbroker/Junk Dealer/Old Metals Licenses

Effective 5/1/13 - 4/30/14

Store Name	Location	Contact Name	License Type	Hours of Operation
Gregory Scot Jewelers, Inc.	45 Centre Street	Scot Dean	Pawnbroker and "Junk Dealer/2nd hand/ Old Metals"	M-Sat 10 am - 6 pm
Alco Jewelry & Antique's	19 S. Main St.	Robert Cohen	2nd Hand	M-Sun 9 am - 6 pm
Exchange				
Twice As Nice	749 Centre St.	Mary Donofrio	2nd Hand	T-F 10 am - 6 pm Sat 10 am - 4 pm
One Horse Shay Antiques	380 Center St.	Nancy Nevens	2nd Hand	M-Sun 10 am - 5 pm
Ragz	370 Center Street	Kim Henderson	2nd Hand	M-T 10:30 am - 6 pm Th-Fri 10:30 am - 7 pm Sat 10 am - 4 pm Sun 11 am - 4 pm
Sarah's Closet	63 Anderson Ave.	Christine Mailloux	2nd Hand	Tues 9 am - 5 pm Wed 10 am - 5 pm Fri 2 pm - 6 pm Sat & Sun 9 am - 1 pm
Boutique Azaleia	465 Center St.	Donna Rapchan	2nd Hand	T-F 11 am - 5 pm Sat 10 am - 5 pm Sun 10 am - 2 pm



**Town of Middleborough**

**Massachusetts**

**BOARD OF SELECTMEN**

**MEMORANDUM**

**TO:** Board of Selectmen

**FROM:** Jackie Shanley, Confidential Secretary

**DATE:** April 22, 2013

**RE:** Automatic Amusement Device "Seasonal" Licenses

Attached please find a list of businesses with the above referenced license to be renewed for 2013.

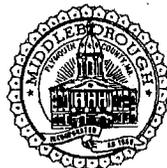
I have mailed renewal forms to the licensee. Please vote to renew, subject to receipt of all required documentation being filed with the Selectmen's office.

Thank you.

**2013 AUTOMATIC AMUSEMENT DEVICE "SEASONAL" LICENSES**

<b>ISSUED TO</b>	<b>Map/Lot</b>	<b>ADDRESS</b>	<b>DEVICES</b>	<b>VALID</b>
Boston/Cape Cod KOA	041/2235	438 Plymouth Street P.O. Box 616	6 Video Games	5/1 - 12/31

*Incorporated 1669*  
*344 Years of Progress*



CRANBERRY CAPITAL  
OF THE WORLD



**Town of Middleborough**  
*Massachusetts*

CHARLES J. CRISTELLO  
Town Manager

508-947-0928  
FAX 508-946-2320

April 18, 2013

Ms. Rita Garbitt  
Town Administrator  
Town of Lakeville  
346 Bedford Street  
Lakeville, MA 02347

Dear Rita,

The Middleborough Board of Selectmen requests that the Lakeville Board of Selectmen support the McMahon and Associates design alternative for the Rotary.

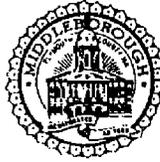
With new sources of transportation funding winning initial approval in both houses of the legislature it is important that we finalize the design for the rotary improvements so that construction funding can be scheduled. At a luncheon in Taunton recently, Transportation Secretary Richard Davey stated that he values the opinions of the local communities that must use the transportation system every day. The MassDOT design permanently closes one leg of the rotary forcing local traffic in Middleborough, Lakeville and Bridgewater to use interstate 495 to travel on Route 44 west. The McMahon and Associates alternative keeps the rotary open to all traffic. While the McMahon and Associates design is likely to be more expensive it is not likely to be as expensive as MassDOT suggests.

I have attached some additional information for your Board to review. Please feel free to contact me if you have any questions.

Sincerely,

Charles J. Cristello  
Town Manager  
Town of Middleborough

c. Board of Selectmen  
Ruth Geoffroy



*Town of Middleborough*  
*Massachusetts*

PLANNING DIRECTOR  
Ruth McCawley Geoffroy

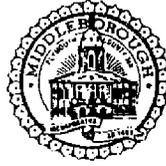
Planning Board

Telephone (508) 946-2425  
Fax (508) 946-1991

MEMORANDUM

To: Charles Cristello, Town Manager  
From: Ruth McCawley Geoffroy, Planning Director  
Date: March 28, 2013  
Re: MassDOT Rotary Design Comments

1. Unacceptable that Middleborough, Lakeville and Bridgewater residents and businesses would be prevented from easily accessing Rte. 44 west and be required to travel onto and off of I-495 to reach Rte. 44 west of the rotary. This is both inconvenient and dangerous.
  - a. Middleborough and Lakeville land extends to the west side of 44 and residents live there.
  - b. Middleborough and Lakeville business are located on the west side.
  - c. Middleborough & Lakeville police, Fire and EMS will be required to travel on and off of I-495 to respond to emergencies within the parts of town west of the Rotary, increasing response time to incidents and to Morton Hospital.
  - d. Many elderly find traveling on Interstate highways to be intimidating, especially entering and exiting. Requiring elderly Town residents to use 495 to reach the west side of Town is a problem. Not only will the residents be required to merge onto 495 but also they must immediately merge back onto 44 west bound, see #2 below.
2. The diversion of local traffic onto I-495 to reach Rte. 44 west requires two merges into high speed traffic, one onto 495 and the second back on to Rte. 44. Once a flyover is constructed over the Rotary, there will no longer be an impediment to traffic travelling at 60+ miles per hour from the east until these vehicles hit the traffic merging off of I-495 west to Rte. 44.
3. Economic development in Middleborough will be seriously impacted by the MassDOT alternative.
  - a. Warehouse and distribution companies in the DO District industrial parks will be required to send their tractor trailer trucks on and off of I-495 to travel west to Taunton. Middleborough has 1.55 million square feet of existing warehouse, distribution and manufacturing space in the industrial parks on Rte. 18/28 north of the Rotary. This type of circuitous routing may be an impediment in locating these types of businesses to Middleborough in the future.
  - b. Other businesses such as medical office buildings, service and retail businesses will also be impacted by this design. Patrons travelling to the Middleborough facilities will use straightforward routes travelling



## Town of Middleborough Massachusetts

PLANNING DIRECTOR  
Ruth McCawley Geoffroy

Planning Board

Telephone (508) 946-2425  
Fax (508) 946-1991

The purpose of this memorandum is to describe the two alternatives developed for the Route 44 Middleborough Rotary. It is excerpted from the 11/13/12 Memorandum from FST to MassDOT.

### *MassDOT Alternative*

The MassDOT Alternative to fix congestion in the Route 44 Rotary includes a grade separation of Route 44 over the Rotary (Figure 1). Under this Alternative, only traffic approaching the Rotary on Route 44 westbound could continue on Route 44 westbound. All other traffic entering the Rotary from the Route 18/28, Route 28, and the Route 18 Rotary approaches destined for either Route 44 westbound or I-495 would be diverted to the I-495 ramp system at Route 18.

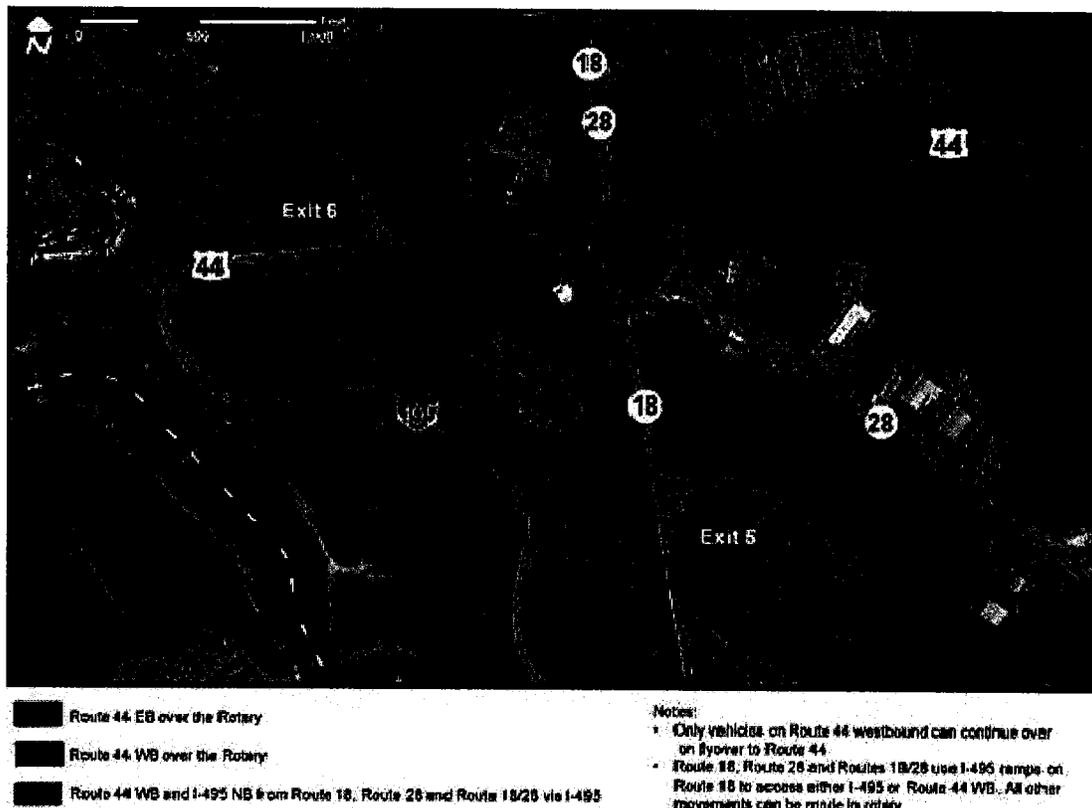


Figure 1 – MassDOT Alternative

Trips destined for I-495 northbound would continue on I-495 while trips originally destined for Route 44 westbound would exit I-495 northbound at Exit 6 and access Route 44 westbound. A traffic signal and an exclusive left-turn lane at the intersection of Route 18 with the I-495 northbound on-ramp would allow this location to operate acceptably. Additionally, an auxiliary lane on I-495 northbound between Exit 5 and Exit 6 would also be provided to address increased traffic demands on this section of I-495 northbound.

*McMahon/Town of Middleborough Alternative*

The alternative proposed by McMahon Associates (consultant to the Town) is illustrated on Figure 2. The main difference between this Alternative and the MassDOT Alternative is that all traffic from all legs of the Rotary destined for Route 44 westbound can access Route 44 westbound as they do today, by staying in the Rotary. There is no need to divert to I-495 and access Route 44 westbound at Exit 6. However, as with the MassDOT Alternative, all movements entering the Rotary from any approach other than Route 44 westbound that are destined for I-495 northbound must access I-495 from Route 18's intersection with the I-495 northbound on-ramp.

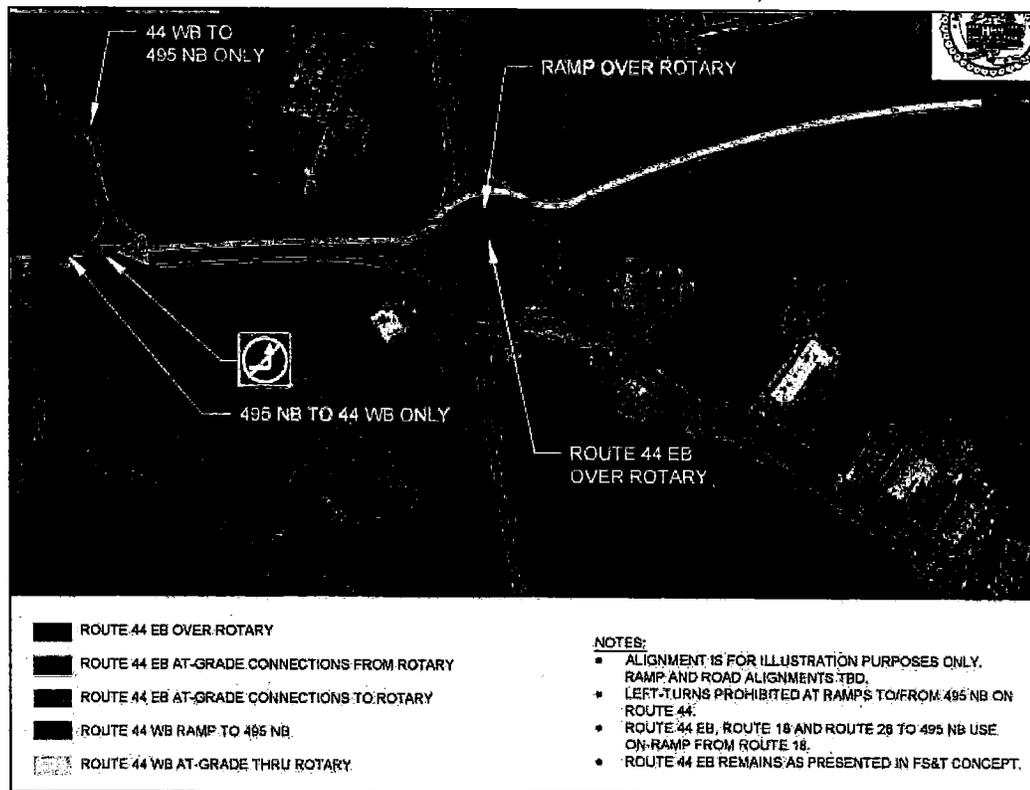


Figure 2 – McMahon/ Town of Middleborough Alternative

The design difference between the two Alternatives is that the McMahon Alternative's westbound Route 44 flyover ties directly into the I-495 northbound on-ramp at Exit 6 and that the existing left-turn access to I-495 northbound from Route 44 eastbound is terminated. Thus, these trips must divert to Exit 5 to access I-495 northbound.