

HEARINGS, MEETINGS, LICENSES
5-9-11

FY2012 Five-Year Capital Plan Draft - 5/4/2011

Department/Category	FY2012	FY2013	FY2014	FY2015	FY2016
POLICE DEPARTMENT:					
Police Vehicles (replacement of 3 vehicles)	\$90,000				
Police Vehicles (replacement of 3 vehicles)		\$90,000			
Police Vehicles (replacement of 3 vehicles)			\$90,000		
ATV's (replaces 2)			\$12,800		
Police Vehicles (replacement of 3 vehicles)				\$90,000	
Police Vehicles (replacement of 3 vehicles)					\$90,000
TOTAL POLICE DEPARTMENT	\$90,000	\$90,000	\$102,800	\$90,000	\$90,000
FIRE DEPARTMENT:					
Engine #1 (replaces 1986)	\$400,000				
FP Vehicle (replaces 2000)		\$37,000			
Engine #2 (replaces 1989)		\$400,000			
Forrestry #2 (replaces 1967)			\$200,000		
Command (replaces 2005)			\$55,000		
Support/Tow 1 (replaces 1998)			\$40,000		
Tanker 1 (replaces 1989)				\$200,000	
Forestry #1 (replaces 1984)				\$300,000	
Deputy/Code (replaces 2003)				\$30,000	
Engine #4 (replaces 1999)					\$400,000
Dive (replaces 1972)					\$35,000
TOTAL FIRE DEPARTMENT	\$400,000	\$437,000	\$295,000	\$530,000	\$435,000
PARK DEPARTMENT					
Maintenance Garage					\$120,000
TOTAL PARK DEPARTMENT	\$0	\$0	\$0	\$0	\$120,000
DEPARTMENT OF PUBLIC WORKS:					
Sander (replaces H-8 1989 10 wheel dump)	\$172,000				
6 Wheel Dump Truck/Sander (replaces S-6 1984)		\$130,000			
Loader (replaces L-3 1978 loader)		\$135,000			
Street Sweeper (replaces M-9 street sweeper)		\$120,000			
4 x 4 Dump Truck (replaces H-2 1987 4 x 4 dump)			\$52,000		
Pickup/Plow (replaces H-14 1996 pickup with plow)			\$52,000		
Pickup (replaces H-16 1987 pickup)			\$34,000		
6 Wheel Dump Truck/Sander (replaces S-2 1985 6 wheel dump/sander)			\$135,000		
Asphalt Roller (replaces 1986 roller)				\$22,000	
Dump Truck/Sander (replaces H-21 1990 dump/sander)				\$140,000	
6 Wheel Dump Truck/Sander (replaces S-7 1987 6 wheel dump/sander)				\$140,000	
Loader (replaces L-1 1996 loader)				\$140,000	
Backhoe (replaces BH-1 1986 backhoe)				\$75,000	
4 x 4 Dump Truck (replaces H-4 1998 4 x 4 dump)					\$56,000
10 Wheel Dump Truck (replaces H-5 1990 10 wheel dump)					\$160,000
6 Wheel Dump Truck/Sander (replaces S-1 1988 6 wheel dump/sander)					\$140,000
Sidewalk Plow (replaces B-1 sidewalk plow)					\$125,000
Tractor (replaces 1999 tractor)					\$40,000
Pickup (replaces H-24 2005 pickup)					\$30,000
TOTAL DEPARTMENT OF PUBLIC WORKS (HIGHWAY)	\$172,000	\$385,000	\$273,000	\$517,000	\$551,000
WASTEWATER DEPARTMENT:					
Utility Truck (replaces W18 2000 utility truck)	\$40,000				
Utility Truck (replaces W8 administrative vehicle)	\$45,000				
6 Wheel Truck (replaces W10 6 wheel truck)		\$80,000			
TOTAL WASTEWATER DEPARTMENT	\$85,000	\$80,000	\$0	\$0	\$0
WATER DEPARTMENT:					
Van (replaces W-3 1996 van)	\$30,000				
Utility Truck (replaces W-4 1995 utility truck)		\$45,000			
TOTAL WATER DEPARTMENT	\$30,000	\$45,000	\$0	\$0	\$0

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Department/Category	FY2012	FY2013	FY2014	FY2015	FY2016
TRASH:					
Rubbish Truck (replaces R3 old 1998 rubbish)				\$185,000	
Recycling Vehicle (replaces RC-1 1994 recycle)					\$185,000
TOTAL TRASH	\$0	\$0	\$0	\$185,000	\$185,000
COUNCIL ON AGING:					
Parking lot expansion engineering and permitting		\$27,000			
TOTAL COUNCIL ON AGING	\$0	\$27,000	\$0	\$0	\$0
TOWN HALL AND TOWN HALL ANNEX:					
Repair/replacement of Town Hall cupola	\$125,000				
Exterior repair to Annex Building	\$10,000				
Window replacement in Annex Building		\$10,000			
Insulation of Town Hall Attic			\$100,000		
TOTAL TOWN HALL	\$135,000	\$10,000	\$100,000	\$0	\$0
LIBRARY:					
Re-pointing of the original 1903 Building	\$9,200				
Replace asphalt shingled roof		\$35,000			
Replace boiler			\$30,800		
Replace membrane on flat roof				\$19,500	
Replace wooden windows on addition					\$40,000
TOTAL LIBRARY	\$9,200	\$35,000	\$30,800	\$19,500	\$40,000
INFORMATION TECHNOLOGY TOWN:					
HARDWARE					
Database Server	\$4,700				
Exchange Mail Server		\$4,302			
Domain Controller Replacement		\$2,235		\$3,680	\$7,360
Replace Remaining CRT monitors with LCD monitors	\$1,200			\$1,200	
LCD Monitors	\$3,200	\$4,320	\$4,800	\$5,636	\$9,044
LCD Monitors - Mapping	\$8,400			\$8,400	
CPU Upgrades	\$32,645	\$16,200	\$9,540	\$6,900	\$15,715
Laptop Replacements	\$9,000	\$18,000	\$9,000		
Thin Client		\$8,560	\$2,350	\$2,350	\$1,800
Switches		\$12,390	\$10,710		\$3,860
Printers	\$11,482	\$15,232	\$10,062	\$10,958	\$29,354
Wiring and Installation	\$1,500		\$2,000		\$1,500
Off-site Backup Configuration	\$3,268	\$1,280	\$568	\$360	\$325
IBM P520 Upgrades	\$2,700	\$10,500	\$2,700	\$2,700	\$2,700
SUBTOTAL HARDWARE	\$78,095	\$93,019	\$51,730	\$42,184	\$71,658
SOFTWARE					
Windows Server 2010		\$3,640	\$2,800	\$2,800	\$2,800
Windows 7 Upgrade		\$5,319	\$5,319	\$5,319	
Microsoft 2010 Upgrade		\$14,463	\$14,463	\$14,463	
Ecopy Licenses	\$8,775			\$8,775	
Cash Register Software	\$7,650				
Help Desk Software			\$18,890	\$12,854	\$6,056
Tracking Software	\$3,688	\$2,695	\$3,567	\$3,789	\$3,231
GIS Standardization - topography, orthogonal			\$20,000	\$20,000	\$20,000
Miscellaneous Software		\$7,000	\$7,000	\$7,000	\$7,000
Miscellaneous Software Upgrades		\$3,400	\$3,400	\$3,400	\$3,400
SUBTOTAL SOFTWARE	\$20,113	\$13,095	\$52,857	\$55,818	\$39,687
TOTAL INFORMATION TECHNOLOGY	\$98,208	\$106,114	\$104,587	\$98,002	\$111,345

FY2012 Five-Year Capital Plan Draft - 5/4/2011

Department/Category	FY2012	FY2013	FY2014	FY2015	FY2016
SCHOOL DEPARTMENT:					
ELEMENTARY COMPLEX:					
Replacement of (1957) windows at Mary K. Goode - subject to 49% state reimbursement grant	\$500,000				
Partial work to enlarge (grading) and repaving at the Mary K. Goode/Henry B. Burkland Schools	\$20,000				
Replacement of HVAC rooftop units at the Burkland School (2 units @ \$50,000 HBB Cafeteria)		\$100,000			
Replacement of HVAC rooftop units (3 units @ \$50,000 HBB Auditorium)		\$150,000			
Replace three (3) burners at complex at Mary K. Goode (17,000 each)			\$51,000		
Install central computer controlled HVAC system at Mary K. Goode			\$200,000		
Replacement of HVAC rooftop units (1 units @ \$50,000 HBB office)			\$50,000		
Upgrade lunch tables at Elementary Schools (20) at \$1,000			\$20,000		
Replace two (2) burners at complex (\$17,000 each) at Burkland				\$34,000	
Install central computer controlled HVAC system at Burkland				\$200,000	
Complete repaving at the Mary K. Goode/Henry B. Burkland Schools				\$50,000	
ELEMENTARY COMPLEX TOTALS	\$520,000	\$250,000	\$321,000	\$284,000	\$0
NICHOLS MIDDLE SCHOOL:					
NICHOLS MIDDLE SCHOOL TOTALS	\$0	\$0	\$0	\$0	\$0
MIDDLEBOROUGH HIGH SCHOOL:					
Partial replacement of floor tiles	\$30,000	\$30,000	\$30,000	\$30,000	
Replace/upgrade fire alarm systems		\$15,000			
Upgrade interior lighting for new lighting requirements (T12 bulbs will not be manufactured after 2012 being replaced with T8s)		\$100,000			
Reconstruction of walkway and supporting structure(s) (study complete)			\$275,000		
Replacement of first floor and locker room windows				\$150,000	
Install central computer controlled HVAC system					\$200,000
Gymnasium floor (poured)					\$200,000
MIDDLEBOROUGH HIGH SCHOOL TOTALS	\$30,000	\$145,000	\$305,000	\$180,000	\$400,000
MEMORIAL EARLY CHILDHOOD CENTER:					
Emergency Generator					\$50,000
MEMORIAL EARLY CHILDHOOD CENTER TOTALS	\$0	\$0	\$0	\$0	\$50,000
LINCOLN D. LYNCH SCHOOL:					
Basement Waterproofing		\$30,000			
Replacement of roof (1991)			\$225,000		
LINCOLN D. LYNCH SCHOOL TOTALS	\$0	\$30,000	\$225,000	\$0	\$0
SCHOOL STREET SCHOOL:					
Basement Waterproofing		\$30,000			
SCHOOL STREET SCHOOL TOTALS:	\$0	\$30,000	\$0	\$0	\$0

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Department/Category	FY2012	FY2013	FY2014	FY2015	FY2016
SCHOOL SYSTEM-WIDE:					
Security Cameras, DVRs and Monitors - Elementary Schools	\$35,000				
Security Cameras, DVRs and Monitors - Middle School	\$35,000				
Security Cameras, DVRs and Monitors - High School	\$35,000				
Access Control Card Readers - All Schools	\$35,000				
Replacement of special needs vehicle - 20 Passenger Bus	\$45,000				
Replacement of (1991) maintenance vehicle and plow (1 Ton, 4WD)		\$50,000			
Replacement of special needs vehicle - 12 Passenger Van		\$30,000			
Replacement of special needs vehicle - 20 Passenger Bus w/ wheelchair lift			\$55,000		
Replacement of special needs vehicle - Two (2) 12 Passenger Vans @ \$30,000				\$60,000	
Replacement of special needs vehicle - 20 Passenger Bus					\$45,000
SCHOOL SYSTEM-WIDE TOTALS	\$185,000	\$80,000	\$55,000	\$60,000	\$45,000
INFORMATION TECHNOLOGY SCHOOLS:					
Computers, Printers, Fileserver Replacement for Staff/Classrooms	\$125,000	\$125,000	\$125,000	\$125,000	\$125,000
Instructional Technology/LCD Projectors	\$25,000	\$25,000	\$25,000	\$25,000	\$25,000
Computer Network Infrastructure (Network Switching Equipment)	\$25,000	\$25,000	\$25,000	\$25,000	\$25,000
INFORMATION TECHNOLOGY SCHOOLS TOTALS	\$175,000	\$175,000	\$175,000	\$175,000	\$175,000
TOTAL SCHOOL	\$910,000	\$710,000	\$1,081,000	\$699,000	\$670,000
TOTAL TOWN	\$1,019,408	\$1,215,114	\$906,187	\$1,439,502	\$1,532,345
Total Capital Projects	\$1,929,408	\$1,925,114	\$1,987,187	\$2,138,502	\$2,202,345

Funding Sources	FY2012	FY2013	FY2014	FY2015	FY2016
Tax Levy/Borrowing	\$1,239,295	\$1,617,019	\$1,776,530	\$1,747,684	\$1,842,658
Free Cash	\$295,113	\$183,095	\$210,657	\$205,818	\$174,687
Grant Funds (School Windows and Cupola)	\$280,000				
Enterprise Funds	\$115,000	\$125,000	\$0	\$185,000	\$185,000
Total Funding	\$1,929,408	\$1,925,114	\$1,987,187	\$2,138,502	\$2,202,345
Total Capital Projects	\$1,929,408	\$1,925,114	\$1,987,187	\$2,138,502	\$2,202,345

Town of Middleboro
OFFICE OF THE TOWN ACCOUNTANT
20 CENTRE STREET
MIDDLEBOROUGH, MA 02346-2252

Memorandum

TO: Board of Selectmen

FROM: Steve Dooney, Town Accountant

RE: FY 11 March Financial Report.

DATE: May 3, 2011

Enclosed please find the Financial Report of the period ending March 31, 2011. This report includes local receipts, all revenues including local receipts and departmental salaries and expenditures.

Local receipts are largely on target with some weakness in other dept revenue, permits and investment income. Decrease in tonnage is affecting royalties, slow economy is still affecting all building related permits, and historically low interest rates are affecting interest income.

Overall revenues are on track relating to budget estimates except were local receipts are lagging. Overall departmental expenditures are within budget with the exception of the following:

Park department, which is seasonal.
Law Department, to be addressed at the S.T.M.
D.P.W., which reflects the snow deficit.
Veterans Department, to be addressed at S.T.M.

I will be at your Monday evening meeting to answer any questions you may have.

CLASSIFICATION	BUDGETED	ACTUAL	ACTUAL	Variance	
	PER 11 RECAP	3/31/2010	3/31/2011		
1.	MOTOR VEHICLE EXCISE	2,311,562.00	1,884,444.00	1,852,940.00	(31,504.00)
01.4150.00	MOTOR VEHICLE		1,884,444.00	1,852,940.00	
2.	OTHER EXCISE	293,091.00	146,521.00	272,465.00	125,944.00
01.4161.00	BOAT EXCISE		6,916.00	5,785.00	
01.4162.00	FARM ANIMAL		4,404.00	4,071.00	
	ALL OTHER TAXES		-	-	
01.4696.00	MEALS TAX		-	18,992.00	
01.4697.00	ROOM OCCUPANCY TAX		135,201.00	243,617.00	
3.	PENALTIES AND INTEREST	374,754.00	251,002.00	202,395.00	(48,607.00)
01.4171.00	COSTS AND INTEREST		53,941.00	63,217.00	
01.4172.00	COSTS/INTEREST RE/PP		185,333.00	127,564.00	
01.4165.00	I/E NON RETURN PENALTY		11,400.00	11,450.00	
01.4166.00	I/E NON RETURN PENALTY TAX TITLE		328.00	164.00	
4.	PAYMENTS IN LIEU OF TAXES	40,774.00	34,720.00	6,951.00	(27,769.00)
01.4370.13	ASSESSORS IN LIEU OF TAX		34,720.00	6,951.00	
8.	CHARGES FOR SERVICES - TRASH DISPOSAL	-	-	-	-
01.4336.00	TRASH BAG STICKERS		-	-	
01.4337.00	CURBSIDE TRASH FEES *		-	-	
01.4337.08	TRASH ADDED TO REAL*		-	-	
01.4337.09	TRASH ADDED TO REAL*		-	-	
01.4370.17	RESIDENTIAL LANDFILL BULKY PERMITS*		-	-	
01.4338.00	TRASH TAX TITLE		-	-	
9.	OTHER CHARGES FOR SERVICES	736.00	496.00	289.00	(207.00)
01.4322.00	SERVICE CHARGES		496.00	289.00	
10.	FEES	123,972.00	96,431.00	81,733.00	(14,698.00)
01.4323.00	FILING FEES		9,941.00	4,790.00	
01.4324.00	CERT. OF MUN. LIENS		25,395.00	32,005.00	
01.4326.00	ZONING & PLANNING FEES		15,960.00	6,800.00	
01.4327.00	ASSESSORS FEES		2,313.00	2,658.00	
01.4329.00	DOG POUND FEES		195.00	685.00	
01.4334.00	NON-RENEWAL REGISTRY FEES		19,020.00	19,380.00	
01.4330.00	EARTH REMOVAL INSPECTIONS		21,200.00	13,100.00	
01.4332.00	CABLEVISION FRANCHISE FEES		2,407.00	2,315.00	
11.	RENTALS	212,556.00	143,149.00	139,701.00	(3,448.00)
01.4370.15	ALL OTHER RENTAL INCOME		32,488.00	37,533.00	
01.4370.07	SCHOOL ST. PROPERTY RENTAL		2,385.00	2,567.00	
01.4370.08	TRAILER		108,276.00	98,292.00	
	TOWN HALL		-	1,309.00	
01.4370.19	CUPOLLA RENTAL		-	-	
12.	DEPARTMENTAL REVENUE - SCHOOLS	132,631.00	65,147.00	148,223.00	83,076.00
01.4842.00	SCHOOL MISCELLANEOUS		-	-	
01.4856.00	REIMBURSEMENT SCHOOL MEDICAID		65,147.00	148,223.00	
13.	DEPARTMENT REVENUE - LIBRARIES	-	-	-	-
01.4774.00	LIBRARY MISCELLANEOUS		-	-	
16.	OTHER DEPARTMENTAL REVENUE	346,943.00	260,671.00	215,526.00	(45,145.00)
01.4370.04	HIGHWAY ROAD OPENINGS		1,460.00	2,120.00	
	LANDFILL MISC		-	-	
01.4801.00	MISC TWN CLERK RECEIPTS		17,329.00	24,849.00	
01.4802.00	POLICE ADMIN		9,342.00	11,246.00	
01.4805.00	POLICE MISCELLANEOUS		13,318.00	15,876.00	
01.4841.00	FIRE MISCELLANEOUS		28,993.00	15,406.00	
01.4370.20	LANDFILL MONITOR		46,943.00	47,565.00	
01.4370.21	LANDFILL ROYALTIES		143,286.00	98,464.00	
17.	LICENSES AND PERMITS	644,279.00	445,139.00	403,969.00	(41,170.00)
01.4325.00	DOG LICENSES		28,305.00	28,187.00	
01.4410.00	ALCOHOLIC BEVERAGES LIC.		41,280.00	41,655.00	
01.4421.00	OTHER LICENSES/PERMITS		13,900.00	11,885.00	
01.4426.00	BUILDING PERMITS		161,017.00	128,803.00	
01.4427.00	LANDFILL PERMITS		39,150.00	37,795.00	
01.4431.00	FIRE PERMITS		-	680.00	
01.4450.00	PLUMBING PERMITS		25,785.00	18,071.00	
01.4451.00	GAS PERMITS		13,858.00	11,126.00	
01.4452.00	WIRING PERMITS		26,454.00	22,955.00	
01.4453.00	HEALTH DEPARTMENT PERMITS		87,449.00	95,416.00	
01.4455.00	WEIGHTS & MEASURES		7,941.00	7,396.00	
	SIDEWALK OBSTRUCTION PERMIT		-	-	
18.	SPECIAL ASSESSMENTS	33,335.00	32,282.00	42,639.00	10,357.00
01.4750.00	SPECIAL ASSESSMENTS		32,282.00	42,639.00	
19.	FINES AND FORFEITS	106,060.00	79,036.00	65,574.00	(13,462.00)
01.4695.00	COURT FINES		58,569.00	47,691.00	
01.4774.00	LIBRARY FINES		15,893.00	14,179.00	
01.4773.00	FINES FOR RETURNED CHECKS		1,975.00	1,260.00	
01.4777.00	DRUG RELATED FINES		200.00	100.00	
01.4847.00	PARKING TICKETS		2,399.00	2,344.00	
20.	INVESTMENT INCOME	161,307.00	116,329.00	84,534.00	(31,795.00)
01.4820.00	EARNINGS ON INVESTMENTS		116,329.00	84,534.00	
	PREMIUM ON NOTES		-	-	

21.	MISCELLANEOUS RECURRING	60,000.00	60,923.00	32,458.00	(28,465.00)
01.4804.00	MISCELLANEOUS		11,290.00	8,221.00	
	SALES OF INVENTORY				
01.4875.00	DP SAFETY REIMB				
	SMHG MEDICARE D REIMB		49,633.00	24,237.00	
	REIMBURSEMENT UCC FILINGS				
22.	NON-RECURRING MISCELLANEOUS	-	73,367.00	80,339.00	6,972.00
01.4849.00	PRIOR YEAR REIMBURSEMENT				
01.4806.00	REIMBURSEMENT INSURANCE		-	-	
01.4807.00	SALE OF TOWN OWNED PROPERTY		-	-	
	NON-RECURRING MISC FIRE TRUCK				
01.4807.01	SALE OF LAND DEPOSIT				
01.4807.02	SURPLUS PROP/EQUIP SALES		4,934.00		
01.4807.03	PRECEINCT STREET PROPERTY SALE				
01.4807.04	SALE OF LAND- CHESTNUT ST				
01.4807.05	SALE OF LAND-HILLSIDE AVE				
01.4807.06	SALE OF LAND-OFF PLYMPTON ST				
01.4807.07	SALE OF LAND-OFF WALL ST				
01.4807.08	SALE OF LAND-OFF WALNUT ST				
01.4807.09	X-DUTY FIRE ADJUST			7,724.00	
01.4807.10	OCC ED TRANS REIMB		-	-	
01.4807.11	SBA REIMB REP ROOFS				
01.4873.00	PRIOR YEAR REIMB				
	FEMA REIMBURSEMENT FOR FLOOD			72,606.00	
	COURT JUDGEMENT - LANDFILL		-	-	
	COURT JUDGEMENT - MBTE SETTLEMENT		68,433.00	9.00	
	GAS/ELECTRIC DEPT. LEASE BUY-OUT		-	-	
01.4852.00	FEMA REIMBURSEMENT FOR SNOW		-	-	
	TOTAL	4,842,000.00	3,689,657.00	3,629,736.00	(59,921.00)
	MINUS NON RECUR		3,616,290.00	3,549,397.00	(66,893.00)

TOWN OF MIDDLEBOROUGH FINANCIAL REPORT

REVENUES

YTD 3/31/2011

PERCENT

CLASSIFICATION MAR 10

BUDGETED

ACTUAL

CLASSIFICATION	BUDGETED	ACTUAL	PERCENT
PP & REAL ESTATE	30,371,737.00	15,424,851.00	51%
TAX LIENS		312,107.00	#DIV/0!
TAX POSSESSIONS	2,311,562.00	1,852,940.00	80%
MOTOR VEHICLE EXCISE	293,091.00	272,465.00	93%
OTHER EXCISE	374,754.00	202,395.00	54%
PENALTIES AND INTEREST	40,774.00	6,951.00	17%
IN LIEU OF TAX	-	-	#DIV/0!
CHARGES FOR SERVICES - TRASH DISPOSAL	736.00	289.00	39%
OTHER CHARGES FOR SERVICES	123,972.00	81,733.00	66%
FEES	212,556.00	139,701.00	66%
RENTALS	132,631.00	148,223.00	112%
DEPARTMENTAL REVENUE - SCHOOLS	346,943.00	215,526.00	62%
OTHER DEPARTMENTAL REVENUE	644,279.00	403,969.00	63%
LICENSES AND PERMITS	33,335.00	42,639.00	128%
SPECIAL ASSESSMENTS	106,060.00	65,574.00	62%
FINES AND FORFEITS	161,307.00	84,534.00	52%
INVESTMENT INCOME	60,000.00	32,458.00	54%
MISCELLANEOUS RECURRING	-	80,339.00	#DIV/0!
NON-RECURRING MISCELLANEOUS			
STATE AID	19,148,393.00	14,381,201.00	75%
School Building Assistance	1,456,732.00	1,456,732.00	100%
mid school			
TRANSFERS	5,886,503.00	5,886,503.00	100%
enterprise, g/e ,cap proj, trust			
REVENUE	61,705,365.00	41,091,130.00	67%
EXPENDITURES		45,988,841.00	
DIFF		(4,897,711.00)	

(Town Seal)

A hearing will be held in the Selectmen's Meeting Room at the Town Hall, 10 Nickerson Avenue, Middleborough, MA on Monday, May 9, 2011 at 7:45 PM, for the purpose of discussing an application filed by GAF Engineering, Inc. on behalf of W. L. Byrne, Inc. for an Earth Removal Permit for property located at Chestnut Street, Assessors Map 062, Lot 2726, Middleborough, MA. The reason for this request is for the construction of cranberry bogs as shown on plan dated 3/22/11. Anyone desiring to be heard on this matter should appear at the time and place designated.

BOARD OF SELECTMEN

Alfred P. Rullo

Stephen J. McKinnon

Steven P. Spataro

Allin Frawley

Ben Quelle

Publish: April 21, 2011

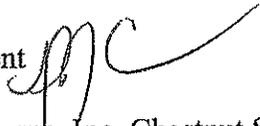


Town of Middleborough

CONSERVATION COMMISSION

MEMORANDUM

TO: Board of Selectmen

FROM: Patricia J. Cassady, Conservation Agent 

RE: Earth Removal Application – W. L. Byrne, Inc. Chestnut Street (Map 62, Lot 2726) - UPDATE

DATE: May 5, 2011

This memorandum is an updated to the memorandum sent dated April 25, 2011. Since that memorandum I have conducted a site visit with Mr. Donald Gallant, Vice President of W. L. Byrne, Inc. and Mr. William Madden, P.E. with G.A.F. Engineering, Inc. We conducted the site visit on May 3, 2011.

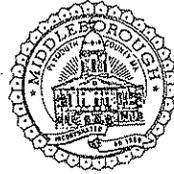
During the site inspection the distance from the edge of the wetlands to the proposed cranberry bog project was measured using a measuring wheel. The project was determined to be more than 100 feet away from the edge of the wetlands. Also observed was a natural berm between the project and the wetland which will naturally protect the wetland resource area.

In conclusion, W. L. Byrne, Inc. will not need to come before the Conservation Commission to file a permit application under the Massachusetts Wetlands Protection Act (M.G.L. Ch. 131, Section 40) at this time. If however there are any changes to the proposed project that then cause it to be within 100-feet of the wetland then the applicant will need to come before the Commission.

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

Thank you,

pjc



Town of Middleborough

CONSERVATION COMMISSION

MEMORANDUM

TO: Board of Selectmen

FROM: Patricia J. Cassady, Conservation Agent *PJC*

RE: Earth Removal Application – W. L. Byrne, Inc. Chestnut Street (Map 62, Lot 2726)

DATE: April 25, 2011

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

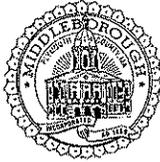
After reviewing the plan dated March 22, 2011 by G.A.F. Engineering, Inc. it appears the project is outside of the 100-foot buffer zone to a bordering vegetated wetland, however we do not have a filing confirming and approving this wetland line.

I would like to meet with the applicant to conduct a site visit of this wetland line to see if they will need to file with the conservation commission.

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

April 19, 2011

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

RE: Earth Removal Application Location: Chestnut Street, Assessor's Map 062, Lot 2726

Honorable Board,

I have reviewed the plan submitted by William F. Madden, Professional Engineer of G. A. F. Engineering for W. L. Byrne, Inc. the application is for the earth removal for a proposed cranberry bog located on Chestnut Street.

I have no comment.

Respectfully submitted,

Robert J. Whalen
Building Commissioner

RJW/d



**Town of Middleborough
Massachusetts**

BOARD OF SELECTMEN

MEMORANDUM

TO: R. Geoffroy, Town Planner
P. Cassady, Conservation Commission Agent
R. Whalen, Building Commissioner
A. Bagas, DPW Director

FROM: Jackie Shanley
Confidential Secretary to the Board of Selectmen

DATE: 4/14/11

SUBJECT: **Earth Removal** Application - W. L. Byrne, Inc.
Chestnut Street (Map 62, Lot 2726)

Attached is an application for an E.R. permit.

The Selectmen will consider this request at its meeting scheduled for 5/9/11.

Please submit all remarks or concerns regarding the request to the Selectmen's Office no later than **Monday, May 2nd**.

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

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

Attachments

cc: Board of Selectmen
Town Manager

Apr. 14. 2011 9:52AM

Town Manager Middleborough



Town of Middleborough Massachusetts

BOARD OF SELECTMEN

APPLICATION FOR LICENSE (PLEASE TYPE OR PRINT CLEARLY)

DATE March 22, 2011

NAME OF APPLICANT W.L. Byrne, Inc.

ADDRESS OF APPLICANT P.O. Box 410, 210 Wood Street

ASSESSORS MAP & LOT Map 62 Lot 2726

NAME OF BUSINESS W.L. Byrne, Inc.

OWNER OF PROPERTY TO BE LICENSED W.L. Byrne, Inc.

ADDRESS OF PROPERTY TO BE LICENSED Chestnut Street

ASSESSORS MAP & LOT Map 62 Lot 2726

TYPE OF LICENSE REQUESTED: (Check One)

2nd Hand Furniture _____
Class I License _____
Class III License _____
Common Victualer _____

2nd Hand Clothing _____
Class II License _____
Liquor License _____
Other Earth Removal _____

Anticipated Start Date for Business On-going

Hours requested: 7:30 am to 4:30 pm Monday through Friday

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

Earth Removal Permit #06-7

Signature _____

DATE OF HEARING 5/9/11

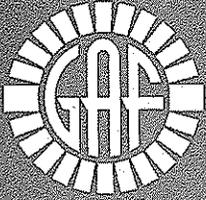
APPROVED/DENIED

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

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

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

[Handwritten Signature]
[Handwritten Initials]



ENGINEERING
INC.

ENGINEERS
SURVEYORS

April 1, 2011

Town of Middleboro
Board of Selectmen
Town Hall
Middleboro, MA 02346

Re: Earth Removal Permit Application
W.L. Byrne, Inc.
Chestnut Street (Map 062, Lots 2726)
Middleboro Earth Removal Permit
G.A.F. Job No. 10-7652

Dear Members of the Board

On behalf of our client, W.L. Byrne, Inc., G.A.F. Engineering, Inc. respectively submits an Application for Earth Removal in the Town of Middleboro at the above referenced site.

G.A.F. Engineering, Inc. has enclosed for your review eleven (11) copies of the following supporting documentation, along with the filing fee in the amount of \$300.00 and \$78.49 ad fee.

1. Earth Removal Permit Application
2. Application for License
3. Copy of Earth Removal Permit #06-7
4. Copy Deed
5. Copy of Water Management Registration No. 9P4-4-25-182.04
6. Certified Abutters List
7. Assessor's Location Map
8. Locus Map
9. Traffic Route Map
10. Site Plans and checklist

Thank you for your anticipated consideration of this request and should the Board have any questions, please feel free to contact our office.

Very truly yours,

G.A.F. Engineering, Inc.


William F. Madden, P.E.

Copy to: W.L. Byrne, Inc.
Middleboro Conservation Commission

Enc.

H:\DOCUMENTS\Sec1\WINWORD\7600\7652-BYRNES\Earth Removal\Cvr Ltr.doc

266 MAIN ST.
WAREHAM, MA
02571
TEL 508.295.6600
FAX 508.295.6634

gaf@gaf-eng.com

TOWN OF MIDDLEBOROUGH
EARTH REMOVAL APPLICATION
and renewal form

1. General Information

Name of Applicant: W. L. Byrne, Inc.

Address of Applicant: P.O. Box 410, 210 Wood Street

Town or City: Middleboro, MA 02346-0410

Owner of Property: W. L. Byrne, Inc.

Location of Property: Chestnut Street

Property Assessor's Parcel and Map Numbers: Map 062 Parcel 2726
Map _____ Parcel _____
Map _____ Parcel _____

2. Permit Status

New Application or Renewal: New Application

Existing Permit Number: #06-7

Parcel(s) Acreage: 437.4± Acres

Estimated Number of Cubic Yards to be removed: 881,200 cubic yards

Requested Time Frame of Operation (Maximum 3 years): 3 years

Brief Project Description and Reason for Request:

Construction of cranberry bogs.

GAF ENGINEERING INC.
266 MAIN STREET
WAREHAM, MA 02571

THIS CHECK IS IN PAYMENT OF THE FOLLOWING

PAY Three Hundred Dollars DOLLARS



CHECK AMOUNT

DATE	TO THE ORDER OF	CHECK NO.	DESCRIPTION	DISCOUNT
3/11	Town of Middleboro	9576	7652	

\$ 300.00

C481

 **Eastern Bank**

Robert J. ... MP

3. Project Plan

Has a Project Plan being submitted with this application? Yes

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

4. Planning Information

a. **Proposed traffic Route** from site to unloading materials.

Beginning at the entrance of the site at the intersection of Thomas Street and Chestnut Street, then proceed westerly on Thomas Street to Sachem Street. Turn right on to Sachem Street to Wood Street and the Byrne facility.

b. Has a plan and Notice of Applicability (NOA) or Intent (NOI) been submitted to the Town of Middleborough's Conservation Commission? No, work is outside of buffer zones to resource areas.

c. Has Order of Conditions by the Conservation Commission been issued: if so what is project number and date of conditions: All activities will take place outside the 100' buffer zone to the neighboring BVW.

d. Provide 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? Yes

Permit No. #9P4-25-182.04 Registration No. #425182.29

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

g. Expected Date of Project Completion: 3 years

5. Engineering General Information

Engineering Firm Name: G.A.F. Engineering, Inc.

Engineer's Contact/Name: William F. Madden, P.E.

Street: 266 Main Street

Town/City: Wareham, MA 02571

Phone Number: 508-295-6600

7. Financial Obligation

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

_____ yes √ no

8. Authorization of Application

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

 √ yes _____ no

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

William F. Madden 3/21/11
Signature of Agent for Applicant

William F. Madden
Printed Name of Applicant

Phone Number: 508-295-6600

PROJECT PLAN

W.L. BYRNE
OFF CHESTNUT STREET
MIDDLEBORO, MA
EARTH REMOVAL PERMIT 06-7
G.A.F. JOB NO. 10-7652

- Project Purpose:** Removal of sand and gravel associated with the construction of cranberry bogs
- Site Description:** The site is presently used for cranberry cultivation and sand and gravel removal (Permit #06-7). Over the years sand and gravel has been removed from the site and cranberry bog and water supply systems constructed.
- Removal of earth is required for the construction of approximately 18 acres of cranberry bog as well as additional work and staging areas.
- Past Activities:** The site has been subject to earth removal permits for many years. Over the last 8 years the earth removals and subsequent cranberry bog construction have taken place in substantial compliance with conditions for earth removal, issued by the Board of Selectmen.
- Proposed Activities:** The project involves the removal of 881,200 cubic yards of material over three year time frame. Phasing is not currently proposed. It is expected that no more than 300,000 cubic yards of material will be removed in any year.
- The earth removal activities will not take place within 100 feet of adjacent wetlands. The project is not subject to the provisions of the Wetland Protection Act (WPA).
- The 100 foot buffers to the residential properties will consist of an undisturbed vegetated buffer.

W.L. Byrne, Inc.
Permit #06-7

Conditions for Earth Removal

W.L. BYRNE, INC.
Chestnut Street
Middleborough, Massachusetts
Assessors Map 062 Lot 2726
240,000 cubic yards

Received & Recorded
PLYMOUTH COUNTY
REGISTRY OF DEEDS
01 MAR 2007 11:17AM
JOHN R. BUCKLEY, JR.
REGISTER
Bk 34186 Pg 201-205

1. This permit is valid for three (3) years and may be renewed for up to one (1) year thereafter at the discretion of the Board of Selectmen.
2. Hours of operation are limited from 7:30 A.M. to 4:30 P.M. Operation is only allowed on 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 7:30 A.M.. Trucks are not to line up before the start time or sit idling. There will be no jake braking.
3. No operation is allowed on Saturday, Sunday or Town Hall observed holidays:

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
July 4 th	
4. 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. 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. A minimum of four inches of topsoil must be put back in place.
5. Excessive erosion is to be controlled as determined by the Board of Selectmen or its agent.
6. An initial review to confirm 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 \$400.00, 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 commencement of work have been accomplished, and the permit holder is ready for the Agent to perform the initial review.

Wail
1

*W.L. Byrne, Inc
P O Box 410
Middleboro, MA 02346*

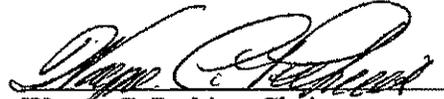
7. Quarterly reviews must be performed by the Board's Agent every three months following commencement of earth removal work. These reviews will include a field review and plan review to determine on-going compliance with the permit. The fee for each such review is \$ 400.00, due and payable to the Town three months after the commencement of earth removal on the lot and every three months thereafter for the duration of the permittal project.
8. The plans, entitled, "Plan to Accompany Earth Removal Application – Chestnut & Rocky Meadow Streets – Middleboro, MA – Prepared for: W.L. Byrne, Inc.", dated November 3, 2006 and revised December 18, 2006 is incorporated herein by reference and is part of this permit, and must be adhered to strictly. Failure to do so constitutes a violation of this condition of the Permit. A copy of the Plan and Order of Conditions must be kept on the lot at all times when the lot is being worked, pursuant to this permit.
9. 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.
10. Standard highway signs warning of heavy trucks entering the highway shall be erected as directed by the Board of Selectmen or their Agent and be in place prior to commencement of removal operations.
11. The 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.
12. The permit holder is advised that no work may commence until he has filed a Notice of Intent under Chapter 131, Section 40, and received an Order of Conditions from the Conservation Commission. A violation of the Order of Conditions issued by the Conservation Commission shall be a violation of this permit.
13. The permit holder shall adhere to all State laws pertaining to covering loads and weight loads.
14. Any spillage on public ways or private property shall be cleaned up by the permit holder or its agent.
15. All access to and from the permitted property will be onto Chestnut Street. The primary route is as follows:
Beginning at the entrance of the site at the intersection of Thomas Street and Chestnut Street, then proceed westerly on Thomas Street to Sachem Street. Turn right onto Sachem Street to Wood Street and the Byrne facility.

16. 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.
17. 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.
18. The Town Manager is authorized to act as the Selectmen's Agent in the administration and enforcement of this permit.
19. 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's Agent to assist in dust control.
20. 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 may, in its discretion, hold a public hearing to consider the transfer of this permit to the prospective buyer of the property.
21. 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.
22. 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 plan.
23. No excavation shall be closer than 200 feet to an existing public way unless specifically permitted by the Selectmen. Natural vegetation shall be left and maintained on the undisturbed land for screening and noise reduction purposes.
24. Bog pumps will be powered electrically, or in the alternative, mufflers will be installed on pumps to reduce noise.
25. Gates will be installed on the haul road to prevent unauthorized access to the property.
26. 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".

27. 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 # 06-7".
28. 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.
30. Monitoring well(s) for water levels, if required, are to be measured every seven (7) days, and the results kept in a daily log.
31. The Plan shall be modified to include the general location (no survey required) of the monitoring well.
32. 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.
33. 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.
34. Excessive noise levels, as determined by the Board of Selectmen's Agent, shall result in onsite equipment modification within one (1) week of notification.
35. 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.
36. 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.

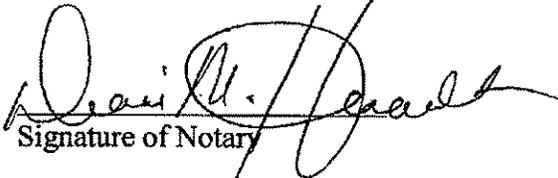


Wayne C. Perkins, Chairman
BOARD OF SELECTMEN

1-8-07
Date

Commonwealth of Massachusetts
County of Plymouth

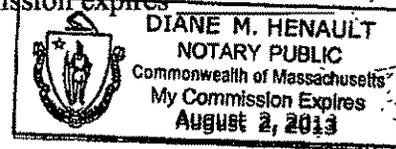
On this 8th day of January 2007, before me the undersigned Notary Public,
personally appeared Wayne C. Perkins, proved to me through
satisfactory evidence of identification which was personal knowledge to be
the person whose name is signed on the preceding or attached document, and
acknowledged to me that he/she signed it voluntarily for its stated purpose(s).



Signature of Notary

(Seal)

My commission expires



Received & Recorded
 PLYMOUTH COUNTY
 REGISTRY OF DEEDS
 30 SEP 1992 01:07PM
 JOHN D. RIORDAN
 REGISTER

I, WILLIAM L. BYRNE,

of Middleborough, Plymouth County, Massachusetts,

in consideration of ---THREE HUNDRED THOUSAND (\$300,000.00) DOLLARS---

grant to W. L. BYRNE, INC., a Massachusetts corporation, having its principal place of business in Middleborough, Plymouth County, Massachusetts, and having a mailing address of P. O. Box 410, Middleborough, MA. 02346

with quitclaim covenants

the land in Middleborough, Plymouth County, Massachusetts situated on and off the southwesterly side of Rocky Meadow Street and more particularly set forth in the following deeds to this grantor:

PARCEL 1: Beginning at the southerly side of Rocky Meadow Street in said Middleborough at the northeast corner of land now or formerly of Korpinen; thence turning and running Southeasterly 310 feet, more or less to a point;

thence turning and running Northwesterly 150 feet, more or less to a point;

thence turning and running Southwesterly 330 feet more or less to a point;

thence turning and running Southeasterly 1,430 feet, more or less to a point at the southwesterly corner of Parcel 2, hereinafter described;

thence turning and running Northeasterly by two courses of 390 feet more or less, and 253 feet more or less, respectively, to the southerly side of said Rocky Meadow Street at the northwest corner of Parcel 2 hereinafter described;

thence turning and running Northwesterly along the said southerly line of Rocky Meadow Street, 1,425 feet more or less to the point of beginning.

Containing 17.9 acres of land, more or less.

Being Parcel I as set forth in the deed of James B. Barron and Patrick F. O'Connor, Trustees of Rocky Gutter Realty Trust, u/d/t dated April 27, 1981. Said deed is dated October 26, 1984, and recorded at Plymouth County Registry of Deeds in Book 6161, Page 36.

PARCEL 2: Beginning at a point on the southerly side of said Rocky Meadow Street at the northeasterly corner of Parcel 1, hereinabove described;

thence turning and running Southwesterly by two courses of 253 feet, more or less and 390 feet, more or less to a point;

thence turning and running Northeasterly 580 feet to the southerly side of Rocky Meadow Street, 1,255 feet, more or less to the point of beginning.

Containing 17.2 acres of land, more or less.

Excluding and excepting Lots #1-21 as shown on a plan recorded at the Plymouth County Registry of Deeds as Plan #347 of 1972 in Plan Book 16, Page 597, entitled as follows: "Subdivision Plan of Land in Middleboro - Mass. Prepared for Elk Range Trust Scale: 1" = 100' March 6, 1972 Lawrence E. Hughes, Registered Land Surveyor Marshfield Mass."

A. T. MADDIGAN LAW OFFICE
 Thatcher's Row
 P.O. Box 72
 Middleboro, MA 02346

Property Address: Rocky Meadow Street
 Middleborough, MA 02346

Being Parcel II as set forth in the deed of James B. Barron and Patrick F. O'Connor, Trustees of Rocky Gutter Realty Trust u/d/t dated April 27, 1981. Said deed is dated October 26, 1984, and recorded at the Plymouth County Registry of Deeds in Book 6161, Page 36.

PARCEL 3: the land in Middleborough, Plymouth County, Massachusetts on the southwesterly side of Rocky Meadow Street, bounded and described as follows:

Starting at a point on Rocky Meadow Street at the corner adjacent to property now or formerly of Chester and Mary K. Hobart, and thence running South $53^{\circ} 04' 07''$ West, 600 feet to a point;

thence North $44^{\circ} 48' 40''$ West, 2,267.35 feet;
 thence North $32^{\circ} 52' 01''$ East, 408.00 feet to a point;
 thence running South $46^{\circ} 28' 36''$ East 191.16 feet to a point;
 thence North $42^{\circ} 50' 40''$ East, 30.00 feet to a point;
 thence South $33^{\circ} 17' 00''$ East, 221.99 feet to a point;
 thence South $35^{\circ} 35' 15''$ East, 95.52 feet to a point;
 thence South $43^{\circ} 53' 29''$ East, 116.09 feet to a point;
 thence North $53^{\circ} 30' 40''$ East, 13 feet to a point;
 thence South $36^{\circ} 29' 20''$ East, 360.00 feet to a point;
 thence South $37^{\circ} 09' 33''$ East, 124.70 feet to a point;
 thence South $40^{\circ} 14' 01''$ East, 132.18 feet to a point;
 thence South $43^{\circ} 36' 35''$ East, 134.97 feet to a point;
 thence South $45^{\circ} 40' 07''$ East, 128.43 feet to a point;
 thence North $44^{\circ} 15' 40''$ East, 250 feet to a point;
 thence South $45^{\circ} 44' 20''$ East, 50 feet to a point along Rocky

Meadow Street;

thence South $44^{\circ} 15' 40''$ West, 254 feet along lot 35 on the below mentioned plan to a point;

thence South $47^{\circ} 38' 53''$ East, 120.07 feet to a point;
 thence South $45^{\circ} 44' 20''$ East, 240 feet to a point;
 thence South $41^{\circ} 48' 40''$ East, 438.87 feet to a point;
 thence North $52^{\circ} 15' 40''$ East, 300 feet to a point on Rocky

Meadow Street;

thence South $45^{\circ} 44' 20''$ East, 57.13 feet to the point of beginning.

Meaning and intending and hereby conveying the land bounded north-easterly by Rocky Meadow Street;

Southeasterly by land now or formerly of Hobart and of Gillchrest, 600 feet more or less;

Southwesterly by said Gillchrest land, now or formerly, 2,267.35 feet, more or less;

Northwesterly by land now or formerly of RM #5 Trust 700 feet, more or less.

Excepting Lots 22 through 41 on a plan of land entitled, "Subdivision Plan of Land in Middleboro, Mass. for Elk Range Trust, Scale 1" = 40' dated August 22, 1972", prepared by C.E. Paul Connolly, recorded in Plymouth County Registry of Deeds as Plan #324 and #325 of 1973.

Set forth in the deed of James B. Barron and Patrick F. O'Connor, Trustees of Rocky Gutter Realty Trust u/d/t dated April 27, 1981. Said deed is dated October 26, 1984, and recorded at the Plymouth County Registry of Deeds in Book 6161, Page 38.

PARCEL 4: the land in Middleborough, Plymouth County, Massachusetts on the southwesterly side of Rocky Meadow Street, bounded and described as follows:

Starting at an iron pipe for a corner in the southwest side of Rocky Meadow Street at a corner of land now or formerly of Clyde B. Stevens;

thence Southwesterly by said Stevens' land about 2,750 feet to a stake being also a corner;

thence South $11^{\circ} 11'$ East, 500 feet to a stake;

thence Southeasterly 1,050 feet more or less to a corner of A.D. Makepeace Company's Round Swamp Bog property, now or formerly;

thence by said Makepeace's land as follows:

North $46^{\circ} 30'$ East 78 feet; North $68^{\circ} 30'$ East 95.5 feet; South $87^{\circ} 45'$ East 237 feet; South 77° East, 265 feet to another parcel now or formerly of A.D. Makepeace Company;

thence along the Northern boundary line of A.D. Makepeace Company, now or formerly, 495 feet along a woods road whose direction is generally South $82^{\circ} 25''$ East;

thence in line of A.D. Makepeace Company, now or formerly, North 72° East, 515 feet, more or less;

thence by land now or formerly of Chester Hobart, North $26^{\circ} 30'$ West 915 feet and North $63^{\circ} 30'$ East 446 feet to Rocky Meadow Street and a stone bound;

PARCEL 4 (con.): thence Northerly and Westerly by Rocky Meadow Street about 2,675 feet to the point of beginning. Containing 123 acres, more or less.

Excluding Lots #22 through #41 on Plans recorded as #324 and #325 of 1973.

Being as set forth in the deed of James B. Barron and Patrick F. O'Connor, Trustees of Rocky Gutter Realty Trust u/d/t dated April 27, 1981. Said deed is dated October 26, 1984 and recorded at the Plymouth County Registry of Deeds in Book 6161, Page 35.

PARCEL 5: the land in Middleborough, Plymouth County, Massachusetts, bounded and described as follows:

Beginning at a stake and stones standing in the division line between the third and fourth division of South Purchase and on a hill called Bullet Hill;

thence Westerly by land now or formerly of G. Cushman to a stake and stones;

thence Southerly by said Cushman's land to a stake and stones;

thence Westerly by said Cushman's land to a stake and stones in the line of land now or formerly of Lewis Harlow;

thence Northerly by said Harlow's land, now or formerly, to the land now or formerly of Eleazer Thomas;

thence North to said division line;

thence Southerly to the bound first mentioned. Containing 4 acres, more or less.

Being parcel #14 in a deed from Winfield G. Gillchrest to Pine Tree Farm Trust, recorded at the Plymouth County Registry of Deeds in Book 3496, Page 686.

Being Parcel 1 as set forth in the deed of James B. Barron and Patrick F. O'Connor, Trustees of Rocky Gutter Realty Trust u/d/t dated April 27, 1981. Said deed is dated October 26, 1984, and recorded at Plymouth County Registry of Deeds in Book 6161, Page 40.

PARCEL 6: Described in the foreclosure deed of Plymouth Cooperative Bank to Arthur D. Benson, et alii, Trustees under the Will of Thomas S. Peirce, dated September 7, 1929, recorded at Plymouth County Registry of Deeds in Book 1580, Page 400, which is located between Purchase Street, Chestnut Street, Tispaquin Street and Rocky Meadow Street, except the portions thereof which have heretofore been conveyed by the Trustees under the Will of Thomas S. Peirce to various purchasers by deeds which have been duly recorded; and the deed of Elk Breeding and Grazing Association, Inc. to Arthur D. Benson, et alii, Trustees under the Will of Thomas S. Peirce, dated April 25, 1930, and recorded at Plymouth County Registry of Deeds in Book 1591, Page 429, which is located between Purchase Street, Chestnut Street, Tispaquin Street and Rocky Meadow Street, except the portions thereof which heretofore have been conveyed by the Trustees under the Will of Thomas S. Peirce to the various purchasers by deeds which have been duly recorded.

Being Parcel 2 as set forth in the deed of James B. Barron and Patrick F. O'Connor, Trustees of Rocky Gutter Realty Trust u/d/t dated April 27, 1981. Said deed is dated October 26, 1984, and recorded at the Plymouth County Registry of Deeds in Book 6161, Page 40.

PARCEL 7: A parcel of land situated in Middleborough, Plymouth County, Massachusetts, shown as Lot No. 2 on a plan entitled, "Plan of Land in Middleborough, Plymouth Co., Mass. Scale: 1" = 40', November 17, 1976, Land Surveyors Incorporated, 1106 Main Street, Brockton, Mass., Owned by M. Victor Sylvia and Marion I. Sylvia", which lot is bounded and described as follows:

SOUTHWESTERLY, by Chestnut Street as shown on said plan for a total distance of 818.85 feet;

NORTHWESTERLY by Lot No. 1, as shown on said plan, 274.31 feet;

NORTHERLY, by said Lot No. 1, 118.97 feet;

WESTERLY, by said Lot No. 1, 87.58 feet;

NORTHWESTERLY, by land now or formerly of Charles A. Bowman, Jr. and Sharon L. Bowman, 213.03 feet as shown on said plan

NORTHEASTERLY, by land now or formerly of Charlotte D. Gillchrest, Trustee, as shown on said plan for a total distance of 672.76 feet; and

SOUTHEASTERLY, by Lot No. 3, as shown on said plan, 511.41 feet.

PARCEL 7 (con.): Said Lot No. 2 hereby conveyed and described above contains 9.59 acres more or less, according to said plan recorded at the Plymouth County Registry of Deeds.

Said premises are subject to a slope easement set forth in a taking made by the Plymouth County Commissioners, affecting Chestnut Street, dated September 10, 1940, recorded at the Plymouth County Registry of Deeds in Book 1793, Page 374.

Said Lot No. 2 being a portion of the premises shown on a decree plan in Land Court Confirmation Case No. 37626, drawn by Roy C. Anderson, Jr., Surveyor, dated August 17, 1972, recorded at Plymouth County Registry of Deeds in Book 4041, Page 130.

Set forth in the deed of James B. Barron a/k/a and Patrick F. O'Connor, Trustees of Rocky Gutter Realty Trust u/d/t dated April 27, 1981. Said deed is dated October 26, 1984, recorded at the Plymouth County Registry of Deeds in Book 6161, Page 39.

All of the above parcels are subject to easements, takings and restrictions of record to the extent the same are not merged and are in full force and effect.

For title reference may be had to the above-described deeds.

PARCEL 8: A certain parcel of land situated on the southwesterly side of Rocky Meadow Street, in Middleborough, Plymouth County, Massachusetts, being shown as Lot "B" on a plan of land entitled, "Division of Land Rocky Meadow Street, Middleborough, Massachusetts, prepared for A.D. Makepeace Company, dated July 13, 1981, Scale 1" = 100', E.J. Flynn Engineers, Inc., 127 Taunton Street, Middleboro, Mass.", recorded at Plymouth County Registry of Deeds in Plan Book 22, Page 603. Said Lot B contains 9.20 acres, and is bounded and described according to said Plan as follows:

NORTHEASTERLY	by Rocky Meadow Street, 776.23 feet;
NORTHWESTERLY	by land now or formerly of Robert Titterington, 411.53 feet;
SOUTHWESTERLY	again by land now or formerly of Robert Titterington, 486.52 feet;
NORTHWESTERLY	by land now or formerly of said Robert Titterington and land of the grantor, 508.68 feet;
SOUTHERLY	by land of A.D. Makepeace Company, 609.32 feet; and
SOUTHEASTERLY	again by land of A.D. Makepeace Company, 643.82 feet.

Together with the benefit of and subject to the right of way running from Rocky Meadow Street to Lot A as shown on said plan.

Being the same premises as set forth in the deed of A.D. Makepeace Company, dated March 23, 1987, recorded at the Plymouth County Registry of Deeds in Book 7570, Page 311.

CANCELED

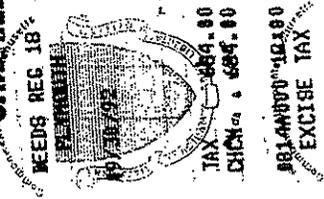
Executed as a sealed instrument this

29th

day of

September 19 92

William L. Byrne



The Commonwealth of Massachusetts

Plymouth

ss.

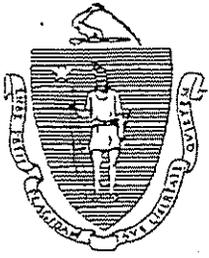
September 29, 19 92

Then personally appeared the above named WILLIAM L. BYRNE

and acknowledged the foregoing instrument to be his free act and deed,

Before me, THOMAS A. MADDIGAN Notary Public - State of Massachusetts
My commission expires July 1, 19 94

← END OF INSTRUMENT →



COMMONWEALTH OF MASSACHUSETTS
EXECUTIVE OFFICE OF ENVIRONMENTAL AFFAIRS
DEPARTMENT OF ENVIRONMENTAL PROTECTION
SOUTHEAST REGIONAL OFFICE

MARGO PAUL CELLUCCI
Governor

JANE SWIFT
Lieutenant Governor

BOB DURAND
Secretary

LAUREN A. LISS
Commissioner

June 16, 1999

William L. Byrne
Chestnut Bogs
210 Wood Street
Middleborough, MA 02346

RE: MIDDLEBOROUGH
Water Management Act Permit
9P4-4-25-182.04

Dear Mr. Byrne:

In response to your application for a permit to withdraw water for your cranberry bogs located in the Taunton River Basin, at Chestnut Street, Middleborough, and after reviewing the information provided by your consultant G.A.F. Engineering, Inc., the Department hereby issues the attached withdrawal permit in accordance with the Water Management Act (M.G.L. 21G).

The permitted volumes shown in Special Condition 1, Authorized Withdrawal Volume, are based on the approximately 0.26 million gallons per day (mgd) that will be needed to cultivate the 58 acres of existing and proposed bog in the Taunton Basin. The volume authorized is relatively less than the amount traditionally authorized for older acreage because of the best management practices and conservation plan which you have confirmed will be placed at this location. The volume authorized is based on the industry standard for bogs using these best management practices, in accordance with the attached Memorandum of Agreement between the Department and the Commission for Conservation of Soil, Water and Related Resources. This permit will be reviewed and revised as necessary when all Taunton Basin water management permits are reviewed.

Because of the uncertainty about the exact amount of water needed for cranberry acreage permitted under the Water Management Act, any transfer of this Water Management Permit for a use other than cranberry cultivation (for example, taking the acreage out of production and

20 Riverside Drive • Lakeville, Massachusetts 02347 • FAX (508) 947-6557 • Telephone (508) 345-2700

This information is available in alternate format by calling our ADA Coordinator at (517) 574-5872.

DEP on the World Wide Web: <http://www.magnet.state.ma.us/dep>

printed on Recycled Paper

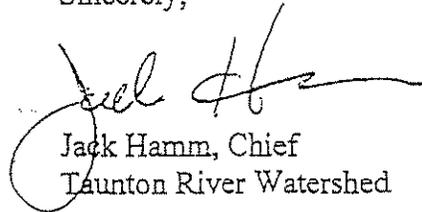
Water Management Act Permit
#9P4-4-25-182.04
William L. Byrne

Page 2

transferring the permit to a new industry, co-generation facility or golf course) will require measuring the actual amount of water used on a particular bog prior to transfer.

If you have any questions regarding this permit, please contact Leslie O'Shea at (508) 946-2837.

Sincerely,



Jack Hamm, Chief
Taunton River Watershed

ENC.

Certified Mail Z 539 133 253

cc: W. Madden
G.A.F. Engineering, Inc.
454 Wareham Street
P.O. Box 953
Marion, MA 02738

Chairperson
Board of Selectmen
10 Nickerson Avenue
Middleboro, MA 02346

Donald S. Rutherford, Sr.
158 Rocky Meadow Street
Middleborough, MA 02346

D. Levangie, DEP/Boston



Middleborough Assessor's Office
10 Nickerson Avenue
Middleborough, MA 02346

ABUTTER'S LIST CERTIFICATION PAGE*

Date: 2/8/2011

BOARD OF SELECTMEN

Board Name for Certification

This is a certified abutter's list for 300 feet in every direction including across the street of

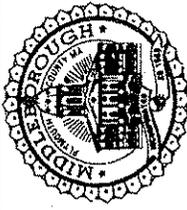
MAP 62 LOT 2726


Leri Rutherford, Junior Clerk
Middleborough Board of Assessors

(This list consists of 12 page with 123 abutter's lots)

*Please note there is no additional charge for this page and it is intended to certify the information on the preceding or attached document (s)

LOCUS	LOCATION	OWNER NAME	APPLICANT NAME	CONTACT #	PAGE	DATE
MAP LOT UNIT	ROCKY MEADOW STREET	BYRNE, W L INC	M L BYRNE INC	508-295-6600	10672	2/8/2011
62 2726	REASON FOR PROJECT	EARTH REMOVAL APPLICATION	NAME OF BOARD	BOARD OF SELECTMEN		
MAP LOT UNIT	OWNER NAME	C/O OWNERS NAME	MAILING ADDRESS	CITY	ST	ZIP
68 1767	LINDSAY, ALAN R & YVONNE M		172 CHESTNUT ST,	MIDDLEBORO	MA	02346
68 986	LINDSAY, ALAN & YVONNE		172 CHESTNUT STREET,	MIDDLEBORO	MA	02346
67 1623	TUCCI, CARL TRUSTEE		PO BOX 777,	CARVER	MA	02330
54 3947	BAILEY, SUSAN L		154 ROCKY MEADOW ST,	MIDDLEBORO	MA	02346
54 4726	WIKSTEN, RALPH		164 ROCKY MEADOW ST,	MIDDLEBORO	MA	02346
54 2296	DOLAN, KATHLEEN E		138 ROCKY MEADOW ST,	MIDDLEBORO	MA	02346
54 4785	CARREAU, RONALD & DARLENE		163 ROCKY MEADOW STREET,	MIDDLEBORO	MA	02346
54 3979	MADDEN, BRIAN M & MICHELLE		158 ROCKY MEADOW ST,	MIDDLEBORO	MA	02346
54 4721	BUCK, ROGER & MOQUIN, PAMELA		160 ROCKY MEADOW ST,	MIDDLEBORO	MA	02346
54 2152	SCHAAF, GEORGE & KENDRA TRUSTEES		128 ROCKY MEADOW STREET,	MIDDLEBORO	MA	02346
54 1374	RICCI, RALPH JR & ROSEMARIE		122 ROCKY MEADOW STREET,	MIDDLEBORO	MA	02346
54 1347	TUITE, DANIEL & SUZANNE		120 ROCKY MEADOW STREET,	MIDDLEBORO	MA	02346



LOCUS	LOCATION	OWNER NAME	APPLICANT NAME	CONTACT #	PAGE	DATE
MAP LOT UNIT	ROCKY MEADOW STREET	BYRNE, W L INC	M L BYRNE INC	508-295-6600	2	2/8/2011
62 2726	REASON FOR PROJECT	EARTH REMOVAL APPLICATION	NAME OF BOARD	BOARD OF SELECTMEN		



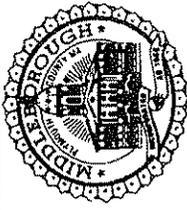
MAP LOT UNIT	OWNER NAME	C/O OWNERS NAME	MAILING ADDRESS	CITY	ST	ZIP
54 1261	PARSONS, RONALD & DARLENE		116 ROCKY MEADOW STREET,	MIDDLEBORO	MA	02346
54 2936	ROMSEY, CHARLES & JANET		134 ROCKY MEADOW ST,	MIDDLEBORO	MA	02346
54 3834	CLEMONS FAMILY TRUST		P O BOX 29,	MIDDLEBORO	MA	02346
54 3862	ROZA, JOSEPH L & CLAIRE		150 ROCKY MEADOW ST,	MIDDLEBORO	MA	02346
54 3975	CLARK, WILLIAM & PATRICIA		156 ROCKY MEADOW STREET,	MIDDLEBORO	MA	02346
54 3983	BUCK, ROGER & PAMELA		160 ROCKY MEADOW STREET,	MIDDLEBORO,	MA	02346
54 252	GIOVANOVI, BRIAN P ETAL TRUSTEES		89 ROCKY MEADOW ST,	MIDDLEBORO	MA	02346
54 264	ST PIERRE, THERESE M		221 OLD POST RD,	NO ATTLEBORO	MA	02760
54 292	KING, THOMAS & PAMELA		95 ROCKY MEADOW STREET,	MIDDLEBORO	MA	02346
54 293	CRITES, EILEEN M		97 ROCKY MEADOW ST,	MIDDLEBORO	MA	02346
54 1162	CINELLI, PAUL & JOANNE		107 ROCKY MEADOW ST,	MIDDLEBORO	MA	02346

<u>LOCUS</u>	<u>LOCATION</u>	<u>OWNER NAME</u>	<u>APPLICANT NAME</u>	<u>CONTACT #</u>	<u>PAGE</u>	<u>DATE</u>
<u>MAP LOT UNIT</u>	ROCKY MEADOW STREET	BYRNE, W L INC	M L BYRNE INC	508-295-6600	2/8/2011	
62 2726	<u>REASON FOR PROJECT</u>	EARTH REMOVAL APPLICATION	<u>NAME OF BOARD</u>	BOARD OF SELECTMEN		



<u>MAP LOT UNIT</u>	<u>OWNER NAME</u>	<u>C/O OWNERS NAME</u>	<u>MAILING ADDRESS</u>	<u>CITY</u>	<u>ST</u>	<u>ZIP</u>
54 1246	DARLING, AMYE E		111 ROCKY MEADOW ST,	MIDDLEBORO	MA	02346
54 398	TINSLEY, KARL & CATHLEEN		106 ROCKY MEADOW ST,	MIDDLEBORO	MA	02346
54 394	MOTTA, ANN & LOWE, MICHAEL	C/O MICHAEL LOWE	104 ROCKY MEADOW STREET,	MIDDLEBORO	MA	02346
54 235	LOTHROP, DOUGLAS B		92 ROCKY MEADOW ST,	MIDDLEBORO	MA	02346
54 3186	BRUNE, CHRISTINE C		10 BRUNEWES CIRCLE,	MIDDLEBORO	MA	02346
54 2195	WILLIAMS, ROGER & ELLEN		132 ROCKY MEADOW STREET,	MIDDLEBORO	MA	02346
54 2159	GEREMIA, JOHN A SR & JUDITH A		130 ROCKY MEADOW STREET,	MIDDLEBORO	MA	02346
54 4748	MIARA, WANDA	C/O MIARA, ROBERT J II	46 GLENSIDE AVE,	BILLERICA	MA	01821-6225
45 5898	CARD, HAROLD WILRENE & HAROLD	C/O HAROLD B. CARD	8 BARSTOW STREET,	LAKEVILLE	MA	02347
45 5819	RULLO, VITO & MARY K		82 ROCKY MEADOW ST,	MIDDLEBORO	MA	02346
54 6425	HARJU, KENNETH & BETTYGENE		253 FRANCE ST,	MIDDLEBORO	MA	02346

LOCUS	LOCATION	OWNER NAME	APPLICANT NAME	CONTACT #	PAGE	DATE
MAP LOT UNIT	ROCKY MEADOW STREET	BYRNE, W L INC	M L BYRNE INC	508-295-6600	5/10/11	2/8/2011
62 2726	REASON FOR PROJECT	EARTH REMOVAL APPLICATION	NAME OF BOARD	BOARD OF SELECTMEN		



MAP LOT UNIT	OWNER NAME	C/O OWNERS NAME	MAILING ADDRESS	CITY	ST	ZIP
54 1294	MCKAY, VICTOR W & RHONDA A		119 ROCKY MEADOW ST,	MIDDLEBORO	MA	02346
54 2036	ANNIS, MARK & TERESA		123 ROCKY MEADOW STREET,	MIDDLEBORO	MA	02346
54 2141	RONDEAU, STEPHEN & DALE		125 ROCKY MEADOW STREET,	MIDDLEBORO	MA	02346
54 2145	NISBET, GORDON A & LUCY R		127 ROCKY MEADOW ST,	MIDDLEBORO	MA	02346
54 2173	GAULIN, PAUL & THERESA		129 ROCKY MEADOW STREET,	MIDDLEBORO	MA	02346
54 2184	NAUJUNAS, CHARLES & SUSAN		131 ROCKY MEADOW STREET,	MIDDLEBORO	MA	02346
54 2922	BOULGER, DANIEL & CONCETTA		133 ROCKY MEADOW STREET,	MIDDLEBORO	MA	02346
54 2929	GIANUNZIO, ROBERT J TRUSTEE		135 ROCKY MEADOW ST,	MIDDLEBORO	MA	02346
54 2956	BOULAY, RENE & BARBARA		137 ROCKY MEADOW STREET,	MIDDLEBORO	MA	02346
54 2996	ANDERSON, JOHN & CAROLYN		141 ROCKY MEADOW ST,	MIDDLEBORO	MA	02346
54 3077	DUTRA, DEBRA A		143 ROCKY MEADOW ST,	MIDDLEBORO	MA	02346

LOCUS	LOCATION	OWNER NAME	APPLICANT NAME	CONTACT #	PAGE	DATE
MAP LOT UNIT	ROCKY MEADOW STREET	BYRNE, W L INC	M L BYRNE INC	508-295-6600	5/12/11	2/8/2011
62 2726	REASON FOR PROJECT	EARTH REMOVAL APPLICATION	NAME OF BOARD	BOARD OF SELECTMEN		
MAP LOT UNIT	OWNER NAME	C/O OWNERS NAME	MAILING ADDRESS	CITY	ST	ZIP
54 3819	BAKER, GARY P		145 ROCKY MEADOW ST,	MIDDLEBORO	MA	02346
54 3883	CHESTNA, STEPHEN & JOANNE		151 ROCKY MEADOW ST,	MIDDLEBORO	MA	02346
54 3895	BUTLER, DENNIS JR & PAMELA		153 ROCKY MEADOW STREET,	MIDDLEBORO	MA	02346
54 1226	VANDERVEEN, PAMELA		5600 WEXFORD RD APT 1A,	BALTIMORE	MD	21209
61 6415	ABRAMSON, GLENN & CAROL		152 CHESTNUT ST,	MIDDLEBORO	MA	02346
68 261	WHEELER, CAROL J TRUSTEE		186 PURCHASE STREET,	MIDDLEBORO	MA	02346
62 4358	WHEELER, CAROL J TRUSTEE		186 PURCHASE STREET,	MIDDLEBORO	MA	02346
61H 2421	RUFO, VALERIE J		13 SHORT BROOK AVE,	MIDDLEBORO	MA	02346
67 854	BENNETT, JAMES A & MARCIA E		236 THOMAS ST,	MIDDLEBORO	MA	02346
61 6333	LEE, STEPHEN & ADELE		149 CHESTNUT ST,	MIDDLEBORO	MA	02346
61 6314	LAWTON, RUSSELL ETAL TRUSTEES		P O BOX 10,	MIDDLEBORO	MA	02346



LOCUS	LOCATION	OWNER NAME	APPLICANT NAME	CONTACT #	PAGE	DATE
MAP LOT UNIT	ROCKY MEADOW STREET	BYRNE, W L INC	M L BYRNE INC	508-295-6600	179	2/8/2011
62 2726	REASON FOR PROJECT	EARTH REMOVAL APPLICATION	NAME OF BOARD	BOARD OF SELECTMEN		



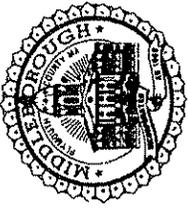
MAP LOT UNIT	OWNER NAME	C/O OWNERS NAME	MAILING ADDRESS	CITY	ST	ZIP
45 5857	CAMARA, CAROL A & MICHAEL J		84 ROCKY MEADOW ST,	MIDDLEBORO	MA	02346
45 5883	DAY, MICHAEL & MARY		86 ROCKY MEADOW STREET,	MIDDLEBORO	MA	02346
67 886	TUCCI, CARL TRUSTEE		P O BOX 777,	CARVER	MA	02330
45 4994	HART, EDWARD J & MARILYN T		75 ROCKY MEADOW ST,	MIDDLEBORO	MA	02346
45 5766	GOULD, DENNIS J & SANDRA L		81 ROCKY MEADOW ST,	MIDDLEBORO	MA	02346
61 4047	VLACO, CAROL L		136 CHESTNUT STREET,	MIDDLEBORO	MA	02346
61 4783	SAMPSON, ALBERT J		140 CHESTNUT ST,	MIDDLEBORO	MA	02346
61 5651	HOGAN, STEVEN M & THERESA L		148 CHESTNUT STREET,	MIDDLEBORO	MA	02346
61 5682	HOGAN, STEVEN & THERESA		148 CHESTNUT STREET,	MIDDLEBORO	MA	02346
61 6452	ABRAMSON, GLENN & CAROL		152 CHESTNUT STREET,	MIDDLEBORO	MA	02346
68 176	SYLVIA, ROY & SUSAN		166 CHESTNUT STREET,	MIDDLEBORO	MA	02346

LOCUS	LOCATION	OWNER NAME	APPLICANT NAME	CONTACT #	PAGE	DATE
<u>MAP LOT UNIT</u>	ROCKY MEADOW STREET	BYRNE, W L INC	M L BYRNE INC	508-295-6600	7612	2/8/2011
62 2726	<u>REASON FOR PROJECT</u>	EARTH REMOVAL APPLICATION	<u>NAME OF BOARD</u>	BOARD OF SELECTMEN		

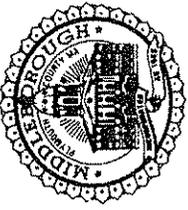


MAP LOT	UNIT	OWNER NAME	C/O OWNERS NAME	MAILING ADDRESS	CITY	ST	ZIP
62	5235	WHEELER, CAROL J TRUSTEE		186 PURCHASE STREET,	MIDDLEBORO	MA	02346
61H	2383	RICHARDSON, MARTIN & LINDA		27 ATWOOD AVENUE,	MIDDLEBORO	MA	02346
61H	3131	JEAN, ALFRED JR & THERESA		23 ATWOOD AVENUE,	MIDDLEBORO	MA	02346
61H	3162	BRODEUR, LINDA J		19 ATWOOD AVE,	MIDDLEBORO	MA	02346
61H	3194	GAY, CATHERINE A		17 ATWOOD AVE,	MIDDLEBORO	MA	02346
62	1336	HARJU, DANA & DEREK		253 FRANCE ST,	MIDDLEBORO	MA	02346
62	3027	BJORNSON, RAGNAR L & KAREN D		244 PURCHASE STREET,	MIDDLEBORO	MA	02346
62	2411	BJORNSON, RAGNAR & KAREN		240 PURCHASE ST,	MIDDLEBORO	MA	02346
61	6447	SPEARS, MARK & JACQUELINE		151 CHESTNUT STREET,	MIDDLEBORO	MA	02346
67	815	GRUNGO, JOHN T & ELEANOR		153 CHESTNUT ST,	MIDDLEBORO	MA	02346
61	5595	BAKER, MARK & PERKINS, PATRICIA M		147 CHESTNUT ST,	MIDDLEBORO	MA	02346

LOCUS	LOCATION	OWNER NAME	APPLICANT NAME	CONTACT #	PAGE	DATE
<u>MAP LOT UNIT</u>	ROCKY MEADOW STREET	BYRNE, W L INC	M L BYRNE INC	508-295-6600	8612	2/8/2011
62 2726	<u>REASON FOR PROJECT</u>	EARTH REMOVAL APPLICATION	<u>NAME OF BOARD</u>	BOARD OF SELECTMEN		
<u>MAP LOT UNIT</u>	<u>OWNER NAME</u>	<u>C/O OWNERS NAME</u>	<u>MAILING ADDRESS</u>	<u>CITY</u>	<u>ST</u>	<u>ZIP</u>
61 4776	LETENDRE, MICHAEL J & MELISSA L		139 CHESTNUT ST,	MIDDLEBORO	MA	02346
61 5513	PERRY, WILLIAM R & EILEEN C TRUSTEE		P O BOX 1791,	ONSET	MA	02558
61 5524	PERRY, WILLIAM R & EILEEN C TRUSTEES		P O BOX 1791,	ONSET	MA	02558
54 5845	RIENDEAU, SCOTT & GERALDINE		175 ROCKY MEADOW ST,	MIDDLEBORO	MA	02346
54 5684	BYRNE, W L INC		210 WOOD ST,	MIDDLEBORO	MA	02346
62 4692	WHEELER, CAROL J TRUSTEE		186 PURCHASE STREET,	MIDDLEBORO	MA	02346
54 5566	GAROFALO, NICHOLAS & EVA M		171 ROCKY MEADOW ST,	MIDDLEBORO	MA	02346
61H 2413	NASH, MARGARET		P.O. BOX 745,	MIDDLEBORO	MA	02346
61H 2412	NASH, MARGARET E		PO BOX 745,	MIDDLEBORO	MA	02346
61H 2411	NASH, MARGARET E		P O BOX 745,	MIDDLEBORO	MA	02346
54 5563	MUIRHEAD, DONALD & BARBARA		167 ROCKY MEADOW ST,	MIDDLEBORO	MA	02346



LOCUS	LOCATION	OWNER NAME	APPLICANT NAME	CONTACT #	PAGE	DATE
MAP LOT UNIT	ROCKY MEADOW STREET	BYRNE, W L INC	M L BYRNE INC	508-295-6600	9608	2/8/2011
62 2726	REASON FOR PROJECT	EARTH REMOVAL APPLICATION	NAME OF BOARD	BOARD OF SELECTMEN		
MAP LOT UNIT	OWNER NAME	C/O OWNERS NAME	MAILING ADDRESS	CITY	ST	ZIP
54 379	BRULE, DEBRA LYNNE		101 ROCKY MEADOW ST,	MIDDLEBORO	MA	02346
61H 2339	HAYES, KARL J		P O BOX 782,	MIDDLEBORO	MA	02346
61H 2333	HAYES, KARL J		P O BOX 782,	MIDDLEBORO	MA	02346
61H 2336	HAYES, KARL J		P O BOX 782,	MIDDLEBORO	MA	02346
62 6296	WHEELER, DONALD S ETAL		214 PURCHASE ST,	MIDDLEBORO	MA	02346
61 6386	FARRELL, KENNETH W		224 THOMAS ST,	MIDDLEBORO	MA	02346
62 2988	UNKNOWN OWNER		SOME STREET,	MIDDLEBORO	MA	02346
62 6067	WHEELER, CAROL J TRUSTEE		186 PURCHASE STREET,	MIDDLEBORO	MA	02346
54 2968	MACKIEWICZ, DAVID M & MARY E		139 ROCKY MEADOW ST,	MIDDLEBORO	MA	02346
54 3898	PENNEY, DAVID & ELLA		155 ROCKY MEADOW STREET,	MIDDLEBORO	MA	02346
45 5812	DEANE, ALAN J		78 ROCKY MEADOW ST,	MIDDLEBORO	MA	02346



LOCUS	LOCATION	OWNER NAME	APPLICANT NAME	CONTACT #	PAGE	DATE
MAP LOT UNIT	ROCKY MEADOW STREET	BYRNE, W L INC	M L BYRNE INC	508-295-6600	16612	2/8/2011
62 2726	REASON FOR PROJECT	EARTH REMOVAL APPLICATION	NAME OF BOARD	BOARD OF SELECTMEN		



MAP LOT UNIT	OWNER NAME	C/O OWNERS NAME	MAILING ADDRESS	CITY	ST	ZIP
61 4754	KOT, MILDRED M		20 CLAREMONT AVE,	HOLYOKE	MA	01040
68 924	ARCHIBALD, RALPH L & MARILYN J		168 CHESTNUT ST,	MIDDLEBORO	MA	02346
61D 1591	MARTINEZ-LAROSA, MARCELA ETAL		2 TERRACEWAY,	MIDDLEBORO	MA	02346
67 848	MAY, RICHARD & ROSE		231 THOMAS STREET,	MIDDLEBORO	MA	02346
67 1662	HELLPAP, CHRISTIAN & MARY		167 CHESTNUT STREET,	MIDDLEBORO	MA	02346
54 4693	THOMPSON, MICHAEL & ROBYN		157 ROCKY MEADOW ST,	MIDDLEBORO	MA	02346
54 1221	KELLY, DANIEL & JACOBSON, MARYANNE		635 CRESCENT STREET,	EAST BRIDGEWATER	MA	02333
54 3072	ROMSEY, CHARLES & PATRICIA		144 ROCKY MEADOW ST,	MIDDLEBORO	MA	02346
67 1692	EINSTEIN, CHARLES J		171 CHESTNUT ST,	MIDDLEBORO	MA	02346
67 884	BOURGET, JOHN J & DAWN M		235 THOMAS ST,	MIDDLEBORO	MA	02346
54 4737	WIKSTEN, RALPH		164 ROCKY MEADOW ST,	MIDDLEBORO	MA	02346

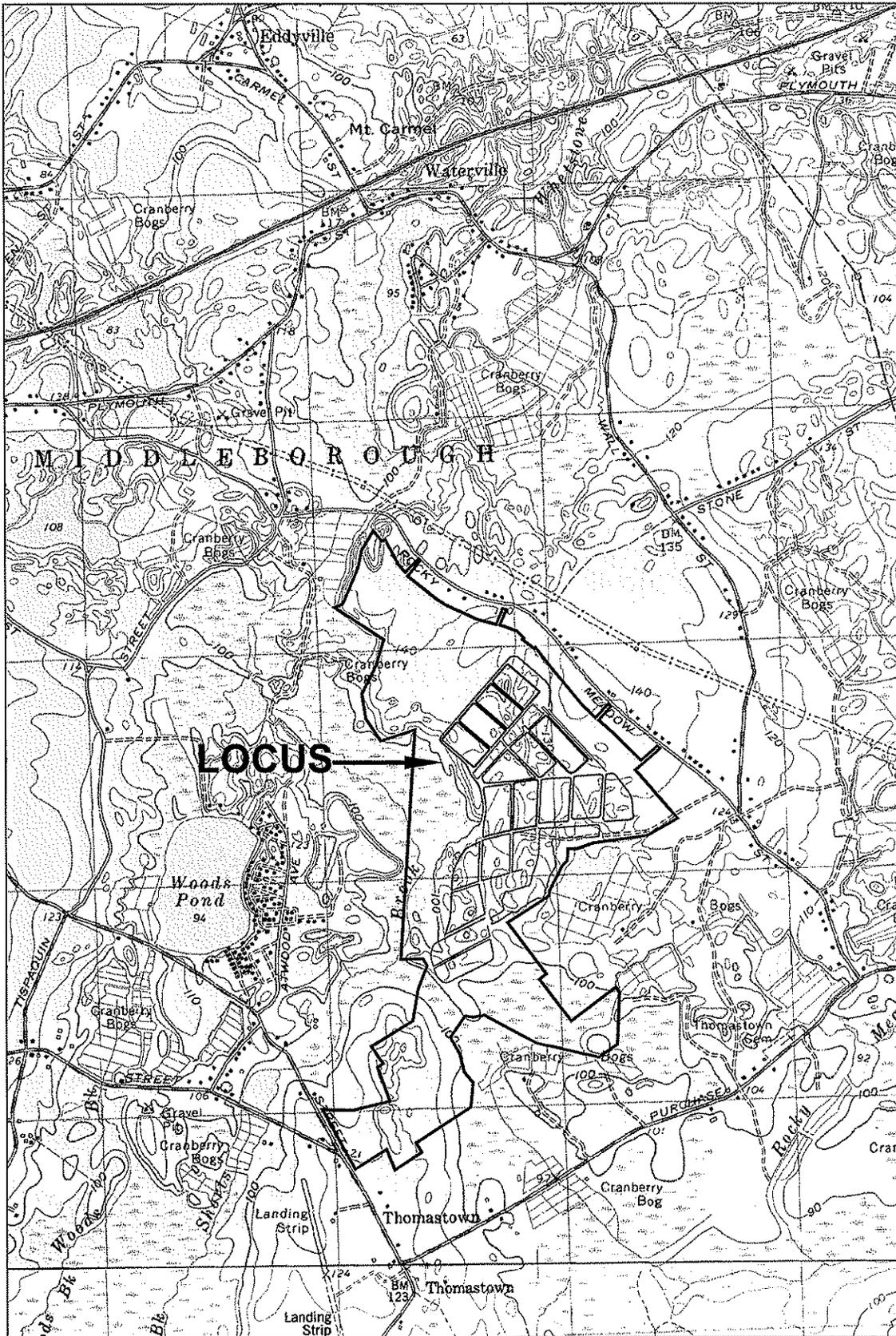
LOCUS	LOCATION	OWNER NAME	APPLICANT NAME	CONTACT #	PAGE	DATE
<u>MAP LOT UNIT</u>	ROCKY MEADOW STREET	BYRNE, W L INC	M L BYRNE INC	508-295-6600	11612	2/8/2011
62 2726	<u>REASON FOR PROJECT</u>	EARTH REMOVAL APPLICATION	<u>NAME OF BOARD</u>	BOARD OF SELECTMEN		



<u>MAP LOT UNIT</u>	<u>OWNER NAME</u>	<u>C/O OWNERS NAME</u>	<u>MAILING ADDRESS</u>	<u>CITY</u>	<u>ST</u>	<u>ZIP</u>
54 4076	WIKSTEN, RALPH		164 ROCKY MEADOW ST,	MIDDLEBORO	MA	02346
62 5966	WHEELER, CAROL J		186 PURCHASE ST,	MIDDLEBORO	MA	02346
61D 735	TISPAQUIN REALTY CORP		1453 PLYMOUTH ST,	BRIDGEWATER	MA	02324
54 342	CROWELL, CHARLES JR & ANDREW, ROLAND		96 ROCKY MEADOW ST,	MIDDLEBORO	MA	02346
54 3119	YUNITS, ROBERT D ETAL		146 ROCKY MEADOW ST,	MIDDLEBORO	MA	02346
54 3855	HOMMEL, JUDITH		149 ROCKY MEADOW ST,	MIDDLEBORO	MA	02346
54 1211	SEVERANCE, PATRICIA S & JAMESON, CRAIG N		108 ROCKY MEADOW ST,	MIDDLEBORO	MA	02346
54 3851	HANDORFF, WAYNE & BARBARA		147 ROCKY MEADOW STREET,	MIDDLEBORO	MA	02346
45 5738	LYNCH, JAMES L III & CHERYL A		79 ROCKY MEADOW ST,	MIDDLEBORO	MA	02346
54 378	LETENDRE, ROBERT G III & MELISSA L		99 ROCKY MEADOW ST,	MIDDLEBORO	MA	02346
54 1262	PERKINS, DAVID S JR & EGAN, LORI J		118 ROCKY MEADOW ST,	MIDDLEBORO	MA	02346

LOCUS	LOCATION	OWNER NAME	APPLICANT NAME	CONTACT #	PAGE	DATE
MAP LOT UNIT	ROCKY MEADOW STREET	BYRNE, W L INC	M L BYRNE INC	508-295-6600	2 of 2	2/8/2011
62 2726	REASON FOR PROJECT	EARTH REMOVAL APPLICATION	NAME OF BOARD	BOARD OF SELECTMEN		
MAP LOT UNIT	OWNER NAME	C/O OWNERS NAME	MAILING ADDRESS	CITY	ST	ZIP
54 1298	FURLONG, DAVID A & KAREN D		121 ROCKY MEADOW ST,	MIDDLEBORO	MA	02346





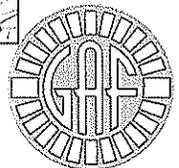
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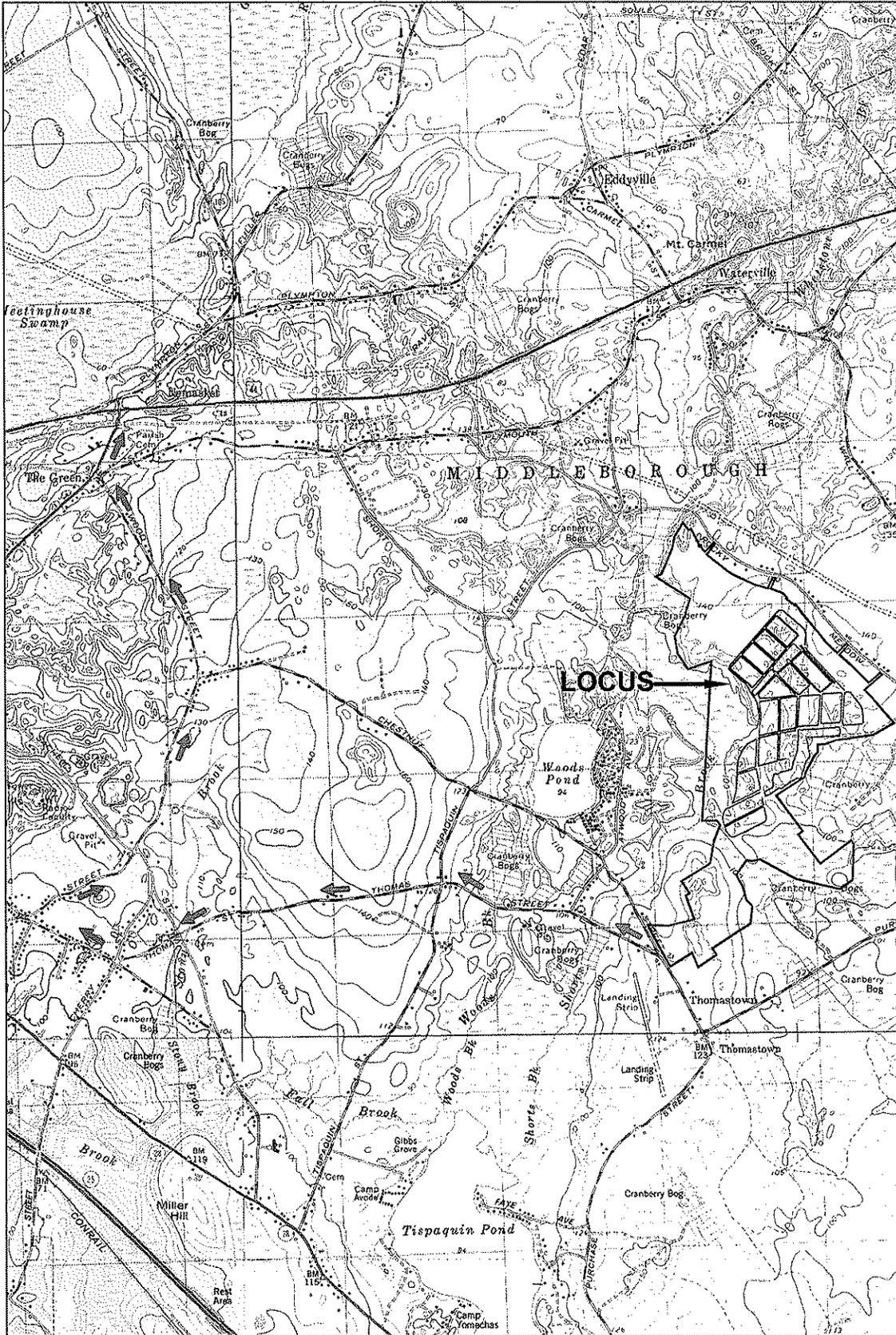
LOCUS MAP

SOURCE: MASS GIS USGS QUAD

M. L. BYRNE, INC.

MIDDLEBOROUGH, MA





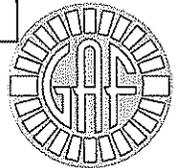
SCALE: 1"=3000'

TRAFFIC ROUTE MAP

SOURCE: MASS GIS USGS QUAD

M. L. BYRNE, INC.

MIDDLEBOROUGH, MA



CHECKLIST

PLEASE COMPLETE CHECKLISTS FOR PLANS AND PROJECT PLAN AND INITIAL

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

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.

Purpose of project

Description of site and prior work

Reasons for earth removal permit

Describe past earth removal activities and compliance issues that may have occurred.

How project will be constructed with phases and time lines provided

Time duration requested for permit

Describe:

The phases, associated time lines and anticipated yardage to be removed each year.

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.

Any specific site conditions that special attention.

Proposed dewatering system for the area should include the abutters who have overburden wells in the area (20000 feet in circumference).

Note that there may be a requirement of determining hydrological affects if abutters complain of insufficient waters in their wells.

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.

Estimated volume of material to be excavated and removed from site.

Estimated volume of materials to be kept on site

Maximum sloping

Show volume of pond required for bog size.

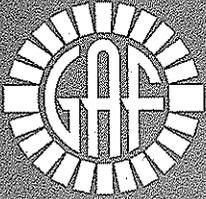
Criteria for excavation of ponds and water storage areas

Dust control measures

Erosion control measures

Final topsoil and planting

Completed record plans are required to receive the Town's Certificate of Completion

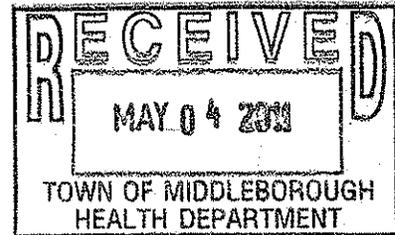


ENGINEERING
INC.

ENGINEERS
SURVEYORS

May 3, 2011

Town of Middleboro
Board of Health
20 Centre Street
Middleboro, MA 02346



Re: Septic System Upgrade
and Variance Request
57 Lake Shore Drive
G.A.F. Job No. 11-7686

Dear Members of the Board of Health:

Enclosed is a Sewage Disposal System Design Plan for the above referenced property.

The following variances pursuant to 310 CMR 15.405 Local Upgrade Approval are necessary.

- Required: S.A.S. shall be constructed 10 feet from a property line.
Provided: S.A.S. is proposed to be constructed 5 feet from the northerly property line.
- Required: S.A.S. is proposed to be constructed 56 feet from the well on lot 249. Note: This is a variance previously approved in 1995 fro the installation of the existing leaching field.

I look forward to discussing the above with the Board of Health at a future meeting. If you have any questions and/or require additional information please contact me.

Sincerely,
G.A.F. Engineering, Inc.


Kevin W. Forgue

KWF/lmf

Cc: David Hannon

266 MAIN ST.

WAREHAM, MA

02571

TEL 508.295.6600

FAX 508.295.6634

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gaf@gaf-eng.com