

## CORRESPONDENCE

6-27-16

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2	T-Mobile	First Amendment to Steeple
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6	Town Counsel	Septic Replacement Program - 308 Tispaquin St

Jaime Meserve  
83 River Street  
Middleborough, MA 02346

June 24, 2016

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

RE: A Plus Waste and Recycling, LLC, 88 River Street

Members of the Board,

Please consider this to be written notice informing the Board of nuisance structure.

I am asking the Board to act under the law and send a letter to the owner of the dilapidated, collapsed, and dangerous structure at 88 River Street, demanding demolition. If the owner of the building does not respond appropriately by demolishing the structure, I am asking the Board to start the hearing process to do so. The Board of Selectmen have the power granted to them under MGL Ch. 139 S1.

*"Section 1. The aldermen or selectmen in any city or town may, after written notice to the owner of a burnt, dilapidated or dangerous building or other structure, or his authorized agent, or to the owner of a vacant parcel of land, and after a hearing, make and record an order adjudging it to be a nuisance to the neighborhood, or dangerous, and prescribing its disposition, alteration or regulation. The city or town clerk shall deliver a copy of the order to an officer qualified to serve civil process, who shall forthwith serve an attested copy thereof in the manner prescribed in section one hundred and twenty-four of chapter one hundred and eleven, and make return to said clerk of his doings thereon."*

The Owner had reassured the town that it would be demolished by the end of summer 2015, according to the town manager, Robert Nunes. We exhausted ourselves last year, trying to get a fence put up around the collapsed portion. The building inspector, Robert Whalen said that it didn't need one. We had to go through the Town Manager's office to get a fence put up. The owner has had ample time to fix or tear down this structure. We have been forced to explain it to neighbors and it even causes passing cars to stop. We have seen people on ATV's cutting through the structure, employees cutting through, children riding bikes around the piles of metal inside the building, and have seen pieces come off in storms. It makes a lot of noise. We believe that this collapsed building to the north and the noisy, dilapidated portion to the east are negatively affecting the values of our homes on River Street and under the law, constitute a nuisance.

**Nuisance:**

Any physical condition or occupancy of any premises or its appurtenances considered an attractive nuisance to children, including, but not limited to, abandoned wells, shafts, basements, excavations, and **unsafe fences or structures; or**

(3)

Any premises that has unsanitary sewerage or plumbing facilities; or

(4)

**Any premises designated as unsafe for human habitation; or**

(5)

Any premises that is manifestly capable of being a fire hazard, **or is manifestly unsafe or insecure so as to endanger life, limb, or property;**

Please, for the safety and appearance of our rural neighborhood, we are asking for the Board of Selectmen to demand in writing, the demolition of this building according to law and if need be, start the hearing process. Thank you.

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T-Mobile Northeast LLC, a wholly owned subsidiary of T-Mobile USA, Inc.

12920 SE 38<sup>th</sup> Street, Bellevue, WA 98006  
Telephone: (877) 373-0093  
Attn: Property Management

June 9, 2016

**VIA OVERNIGHT MAIL**

Town of Middleborough  
Town Hall / Board of Selectman  
10 Nickerson Avenue  
Middleborough, MA 02346

**RE: First Amendment to Steeple (the "First Amendment"), between Town of Middleborough acting by and through its Board of Selectmen (the "Landlord") and T-Mobile Northeast LLC (the "Tenant")**

**Site Address: 4BS0712B**  
**T-Mobile Site No.: 10 Nickerson Avenue, Middleborough, MA**

Dear Sir or Madam:

Please be advised that T-Mobile is providing notice that the above-referenced Agreement has commenced on May 18, 2016, effective as of the start of construction.

A check representing the rent will be sent under separate cover. Please note that all rent checks are issued under the name "T-Mobile."

*T-Mobile's preferred method of payment is direct deposit using an electronic funds transfer (EFT) service. Please go to [www.paymode.com/t-mobile](http://www.paymode.com/t-mobile) to enroll, or call Paymode-X toll free at 1-866-252-7366. We strongly encourage you to take advantage of this free electronic service.*

To process any further requests in a timely manner please include the Site number on all communications. The Site number can be found on all T-Mobile correspondence.

Sincerely,

T-Mobile, Property Management

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*The Commonwealth of Massachusetts*  
*Executive Office of Energy and Environmental Affairs*  
100 Cambridge Street, Suite 900  
Boston, MA 02114

Charles D. Baker  
GOVERNOR

Karyn E. Polito  
LIEUTENANT GOVERNOR

Matthew A. Beaton  
SECRETARY

Tel: (617) 626-1000  
Fax: (617) 626-1181

June 14, 2016

Patricia J. Cassady, Agent  
Conservation Commission  
20 Centre Street, 2<sup>nd</sup> Floor  
Middleborough, MA 02346

Re: Pratt Farm, Self-Help #5

Dear Ms. Cassady:

It has come to the attention of this office that a Healing Garden may be constructed at Pratt Farm. There is some concern as to whether this use is compatible with the requirements of the Self-Help Grant Program. This letter serves to clarify some of these questions.

Pratt Farm was acquired in 1986 by the Town of Middleborough with the partial financial assistance of a Self-Help grant. The Self-Help Grant Program (now called the LAND Grant Program) requires that land subject to the grant be held by the Conservation Commission and be dedicated to passive recreation purposes under M.G.L. Chapter 40, Section 8C. These restrictions are perpetual and are stipulated in the project agreement that the town and Commonwealth signed at the time of the grant award.

Passive recreation includes those that require no significant alteration to the natural state of the land. Activities such as hiking, non-motorized boating, and snow shoeing are considered to be passive recreation. As currently conceived, the Healing Garden is not compatible with a passive recreation use as it will require landscaping and other disturbances to the land. This type of project may be best suited to land dedicated to active recreation under M.G.L. Chapter 45, Section 3 or 14.

Please be in touch if you have any other questions.

Sincerely,

A handwritten signature in cursive script that reads "Melissa Cryan".

Melissa Cryan  
Grant Programs Supervisor

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**SERSG DPW Supplies  
Contract Award**

The Awarding Authority of the Town of Middleborough hereby awards a contract to:

<i>winning vendor</i>	<u>Estimated Quantity</u>	<u>Bid Price</u>	<u>Estimated Value</u>
<b>10. Sodium Hypochlorite (15 gal pail)</b> NBC Distributors, Fairhaven, MA	600	27.3000 per pail	16,380.00
		<b>Total Estimated Value \$</b>	<b>16,380.00</b>

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*Town of Middleborough*  
*Historical Commission*

Centre Street Bank Building  
20 Centre Street  
Middleborough, Massachusetts 02346-2250

**TO:** The Honorable Board of Selectmen

**FROM:** Jane Lopes, Chairman

**DATE:** June 14, 2016

**RE:** **Green School**

Following a public meeting discussion on April 26, 2016, the Historical Commission voted to request to use the newly renovated Green School as the new home for the Historical Commission meetings and records.

Please let us know when the building is available for use.

④

**Jacqueline Shanley**

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**From:** decas.murray.decas@verizon.net  
**Sent:** Tuesday, June 21, 2016 2:14 PM  
**To:** Robert G. Nunes  
**Cc:** Judy MacDonald; Catherine Hassett; Jacqueline Shanley  
**Subject:** Septic Replacement Program

June 21, 2016

Robert G. Nunes, Town Manager (*via email*)

Town of Middleborough

RE: Septic Replacement Program

Dear Mr. Nunes:

A septic system betterment notice for the following was recorded on June 17, 2016:

<b>OWNER(S):</b>	<b>PROPERTY:</b>	<b>BOOK/PAGE</b>
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Anabela Braddock

308 Tispaquin St.

47063/30

Very truly yours,

Daniel F. Murray

Town Counsel

DFM/k

97-351-2

cc: Judy MacDonald, Treasurer & Collector *(via email)*

Catherine Hassett, Health Department *(via email)*

Board of Assessors *(c/o Jackie Shanley - via email)*