

HEARINGS, MEETINGS, LICENSES

7-28-14



The Board of Selectmen will hold a public hearing in the Selectmen's Meeting Room at the Town Hall, 10 Nickerson Avenue, Middleborough, MA on Monday, July 28, 2014 at 7:30 PM, for the purpose of discussing an application filed by GAF Engineering, Inc. on behalf of Wankinquoah Rod & Gun Club, Inc., for a Special Permit under the Water Resource Protection District By-law to allow for the removal and relocation of the existing backstop at the existing range, add three target stations, construct a concrete pad under the existing pavilion, add two new shooting stations and pathway to the target stations. Portions of the range will be re-graded to provide positive drainage across the range. All areas disturbed during construction will be re-vegetated. The area where the backstop currently exists will be restored with New England Environmental (NEE) seed mix, approximately 5,190 square feet at 88 & 92 Pine Street, Assessors Map 103, Lots 965 & 1884, Zoning District – General Use, WRPD District Z4. Anyone wishing to be heard on this matter should appear at the time and place designated.

Allin Frawley
Leilani Dalpe
John M. Knowlton
Diane Stewart
Stephen J. McKinnon
BOARD OF SELECTMEN

Publish: July 17th & July 24th, 2014

Private party responsible for payment

Town responsible for payment

Please provide Selectmen's office with amount due.
Advertiser #300074



July 23, 2014

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

**Re: Initial Engineering Review
WRPD Application – Wankinquoah Rod & Gun Club – Pine Street
ADE Project #2518.28**

Dear Board Members:

Atlantic Design Engineers, Inc. (ADE) has completed our initial engineering review of site plans for the above referenced project relative to a Special Permit request under the Water Resource Protection District (WRPD) bylaw. The plans are revised dated 7/8/14 and are prepared by GAF Engineering, Inc. for the Wankinquoah Rod & Gun Club of Middleborough, MA.

We have the following comments:

1. The project involves proposed construction (other than wetland restoration) within the 25-foot WRPD 25-foot no work zone and within wetland areas. This is not allowed by the WRPD by-law as it does not appear to meet any of the exceptions listed in Section H.3.d. of the bylaw.
2. The plan should reference the WRPD zone on which the site is located (Z4).
3. An Order of Conditions from the Conservation Commission is required.

We suggest that a condition of the WRPD Special Permit (if granted) should be that if plan revisions are required by the Commission, the revised plans should be provided to the Board for review.

4. As part of the removal of the existing backstop, what precautions/procedures will be used to remove existing lead shot from the material before re-using it for the new backstop?
5. During the restoration of the existing backstop area, will any procedures be used to clean up/remove lead shot from the surrounding area resulting from ricochets?

6. The horizontal limits of the impervious liner should be clarified on the plans. It is recommended that it be extended beyond the limits of the berm/backstop to account for ricochets or errant shots.

7. The DEP and the Massachusetts Lead Shot Initiative encourages firing ranges to develop best management practices (BMPs) using EPA and National Shooting Sports Foundation guidance. It is recommended that the applicant provide a list/plan of BMPs for review and the Board may wish to have a condition that requires such BMPs to be put in place with periodic reporting to the Board.

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

Sincerely,

ATLANTIC DESIGN ENGINEERS, INC.



Richard J. Tabaczynski, P.E.
Vice President



Town of Middleborough

CONSERVATION COMMISSION

20 CENTRE STREET
MIDDLEBOROUGH, MASSACHUSETTS 02346

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

MEMORANDUM

TO: Board of Selectmen

CC: Ruth Geoffroy, Town Planner
Jeanne Spalding, Health Officer
Robert Whalen, Building Commissioner

FROM: Patricia Cassady, Conservation Agent 

DATE: July 23, 2014

RE: W.R.P.D. Application: 88 & 92 Pine Street (Map 103, Lots 965 & 1884)

The Middleborough Conservation Commission at their July 17, 2014 meeting voted to approve the proposal to: “remove and relocate the existing backstop at the existing range, add 3 target stations, construct a concrete pad under the existing pavilion, add two (2) new shoot stations and pathway to the target stations. Portions of the range will be re-graded to provide positive drainage across the range. All areas disturbed during construction will be re-vegetated. The area where the backstop currently exists will be restored with New England Environmental (NEE) seed mix, approximately 5,190 square feet.” The Commission is also allowing the alteration of 1,715 square feet of wetland with the replacement of 4,695 square feet of wetland for the new backstop area.

A Memorandum of Understanding is also being drafted to allow for the mowing of the existing shooting range wet meadow/managed wetland area. The mowing will only be allowed when the area is dry and stable.

The existing backstop area had to be removed because it was shown as a wetland change on the current Department of Environmental Protection (DEP) wetland change map. The existing backstop area was never permitted by the local Conservation Commission or the DEP.

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

pjc



Town of Middleborough

Massachusetts

Board of Selectmen

MEMORANDUM

TO: Ruth Geoffroy, Planning Director
Patricia Cassady, Conservation Commission Agent
Robert Whalen, Building Commissioner
Jeanne Spalding, Health Officer
Chris Peck, DPW Director

FROM: Jackie Shanley
Executive Assistant to the Board of Selectmen

DATE: July 14, 2014

SUBJECT: **W.R.P.D. Application – Wankinquoah Rod & Gun Club, Inc.**
88 & 92 Pine Street
Map 103, Lots 965 & 1884

Attached is an addendum just filed by the applicant re the above referenced matter.

This application will be heard by the Board of Selectmen at its meeting on **July 28, 2014 at 7:30 PM.**

Please provide **remarks or concerns** regarding the request to the Selectmen's Office **by, or before, Noon on Wednesday, July 23rd.**

Thank you.

Attachments



ENGINEERING,
INC.

ENGINEERS
SURVEYORS

July 14, 2014

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

RE: Wankinquoah Rod & Gun Club, Inc.
Off Pine Street
Middleborough, MA 02346
G.A.F. Job No. 12-7884

Honorable Selectmen,

Attached please find 2 full size prints and 5 reduced size plans of the Wankinquoah Rod and Gun Club (WRGC) range.

The revised plans include separate existing conditions plans along with a maintenance mowing plan. WRGC is requesting that a portion of the wet meadow range be managed by bi-annual mowing. The bi-annual mowing will result in clear sight lines from the shooting bench at the pavilion to the target stations. Sheet 2 has been revised to include the areas in square feet of the various components of the project which occur in the wetlands, 100' buffer zone and water resource protection 25' wetland setback.

We trust the foregoing is sufficient for your immediate needs, feel free to call with any questions.

Very truly yours,

William F. Madden, P.E.

WFM/jld

Cc: WRGC – Robert Wing

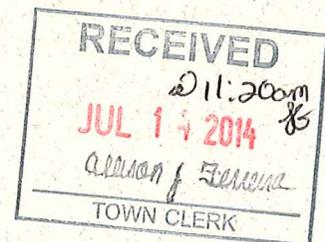
Enc.

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

gaf@gaf-eng.com

RECEIVED

JUL 14 2014
BOARD OF SELECTMEN
MIDDLEBOROUGH, MA





ENGINEERING,
INC.

ENGINEERS
SURVEYORS

May 23, 2014

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

RE: Wankinquoah Rod & Gun Club, Inc.
Pine Street
Middleborough, MA 02346
G.A.F. Job No. 12-7884

Honorable Selectmen,

Enclosed please find an application for a WRPD Special Permit submitted on behalf of our client, the Wankinquoah Rod and Gun Club, Inc. The applicant desires to relocate the backstop at the existing range, construct 3 new target stations as well as to construct a cart path to access the target stations from the pavilion. Other site improvements include placing of a concrete slab under the existing pavilion and placement of two (2) 5'x10' concrete pads for shooting stations set at 50 and 75 yards. Also included is a brief project narrative describing the project and project plans.

Due to the existing site constraints we are seeking a Special Permit authorizing the placement of the backstop within 5 feet of the existing Bordering Vegetated Wetland (BVW). The proposed backstop has been reduced in size relative to that which currently exists. It is also more progressive in design providing 3 sheltered target areas and corrects substandard conditions.

The portions of the project subject to the WRPD By-law are in harmony with the purpose and intent of the by-law, and are appropriate to the natural topography soils and other site characteristics. The project will not, during construction or thereafter, have an adverse environmental impact on the aquifer, recharge area or water resources of the Town or adversely affect existing or potential water supplies. The project also restores 5,190 square feet of disturbed land, enhancing the neighboring BVW.

We look forward to discussing their project with the Board. Please feel free to contact this office with any questions you may have.

Very truly yours,


William F. Madden, P.E.

WFM/jld

Cc: WRGC – Robert Wing
Enc.



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

gaf@gaf-eng.com

Range Backstop Project Narrative
for
Wankinquoah Rod & Gun Club, Inc.
Pine Street
Middleborough, MA

Prepared for:
Town of Middleborough
Board of Selectmen
20 Centre Street
Middleborough, MA 02346

Prepared by:
G.A.F. Engineering, Inc.
266 Main Street
Wareham, MA 02571

May 23, 2014

I. Project Purpose

The purpose of the project is to relocate the existing backstop at the shooting range and to restore the land area on which it currently sits. The relocation area is located outside the boundary of the adjacent Bordering Vegetated Wetlands (BVW) within the area of the existing range. The existing range is previously altered land and is graded in a manner that created a ponding area in front of the existing backstop. The new backstop and minor site grading will result in a relatively uniform slope across the range whereby all surface water runoff will be directed to the BVW along the southerly side of the range.

II. Water Resource Protection District (WRPD)

The Purpose of the WRPD is to:

1. Promote the health, safety and general welfare of the community by ensuring an adequate quality and quantity of drinking water for the residents, institutions and businesses of the Town of Middleborough.
2. Preserve and protect existing and potential sources of drinking water supplies.
3. Prevent temporary and permanent contamination of the environment.
4. Protect, preserve, conserve and maintain the water and natural resources of the Town and prevent their pollution.

III. Backstop Relocation

1. The project is located in the WRPD Z4 and is also subject to a Conservation Restriction (CR). It will be required to work within 25 feet of the BVW in order to implement the project. Implementation of the project will result in the relocation of the existing backstop and restoration of approximately 5,190 square feet of BVW. The restoration of the disturbed land will match the elevation of the adjacent grades and will not result in the removal of a substantial volume of soils. The finish grade will mimic the natural topography.
2. The new backstop will be provided with three (3) target stations with a fine textured soil rear slope. This slope will receive projectiles fired and will embed within this soil.
3. The entire backstop will be placed on a 40 mil. polyethylene liner providing separation between the backstop sub-grade and ground water table. This liner will prevent any adverse environmental impact to the aquifer or recharge area.
4. The isolation of the backstop from the environment prevents existing and potential adverse impacts to existing or potential water supplies.

IV. Miscellaneous

1. The project does not involve the removal of naturally occurring undisturbed soil other than the existing backstop and soil for the wetland replacement area.
2. The project does not involve the storage of hazardous materials, chemicals, fertilizers and as such there will be no adverse impact to groundwater or water supplies.

PETITION APPLICATION FOR A WRPD SPECIAL PERMIT

Five (5) complete paper sets of the petition application, including **all required documents**, such as engineering plans, must be filed with the Town Clerk at 20 Centre Street (former Eastern Bank building), 1st floor, Middleborough, MA. The Town Clerk's office will forward all petitions for a Special Permit to the Board of Selectmen's office.

I/We hereby petition your Board for a public hearing for a Special Permit, which is subject to Board of Selectmen approval under the **Water Resource Protection District** By-law.

A. Location of property in question:

Street address: 88 & 92 Pine Street
Map & Lot Map 103, Lots 965 & 1084
Zoning District Residential Rural

(General Use, Business, Industrial, Residence A, Residence B, or Residence Rural)

WRPD District Z4
(Z1, Z2, Z3, Z4)

B. To allow for:

To remove and relocate the existing backstop at the existing range, add 3 target stations, construct a concrete pad under the existing pavilion, add two (2) new shooting stations and pathway to the target stations. Portions of the range will be re-graded to provide positive drainage across the range. All areas disturbed during construction will be re-vegetated. The area where the backstop currently exists will be restored with New England Environmental (NEE) seed mix, approximately 5,190 square feet.

(As shown on the attached plan)

Example: To allow for an addition of 12' x 20' to the building at 1234 Nickerson Avenue, Map #, Zoning district, WRPD District (A or B), presently used as a residence for the purpose of a dental office by the owner occupant. There will be a maximum of three employees.

C. Submitted by:

William F. Madden, P.E.
Printed full name (Individual)

William F. Madden

Signature (Individual)

266 Main Street, Wareham, MA 02571
Address

508-295-6600
Daytime telephone

G.A.F. Engineering, Inc.
Printed company name/engineering firm

Signature (company/engineering rep.)

wfmadden@gaf-eng.com
Email address

CHECKLIST FOR SITE PLANS

(Applicant must initial each item or the application/petition will not be accepted.)

No.	Description	Initial	N/A
1.	One (1) electronic version of the site plans must be filed with the Board of Selectmen's office via email at jshanley@middleborough.com .	<u>WFM</u>	_____
2.	Five (5) paper copies of the site plan must be filed with the Town Clerk's office, along with five (5) paper sets of the petition application (see top of "Petition Application" form).	<u>WFM</u>	_____
a.	Show locus to reasonable scale (use corner of the site plan page).	<u>WFM</u>	_____
b.	Show existing and proposed street lines, number & name.	_____	<u>N/A</u>
c.	Show existing and/or proposed building, including accessory buildings.	_____	<u>N/A</u>
d.	Show driveway and driveway openings.	_____	<u>N/A</u>
e.	Show natural waterways (if any).	_____	<u>N/A</u>
f.	Show distance from structure to wetlands.	<u>WFM</u>	_____
g.	Show the location of all wetlands, which must be determined by a wetland's specialist, i.e., flagged on site plans, the area which is within twenty-five (25) feet of the wetland, the total area and location of the portion of any lot within one hundred (100) feet of any wetland and the land disturbing activity or activities proposed within the one hundred (100) and twenty-five (25) foot zones.	_____	_____
h.	Show setback dimensions or distances from street and abutters.	<u>WFM</u>	_____
i.	Show the footage for all lines of the property and the total area (either in square footage or acreage).	_____	<u>N/A</u>
j.	Show topography, wetland delineations, local storm water discharge points, on site drainage systems and septic systems.	<u>WFM</u>	_____
k.	Show details for work done or proposed for any component outlined in No. 1(j) (above).	<u>WFM</u>	_____
l.	The plan is stamped by BOTH a registered Land Surveyor and a Civil Professional Engineer.	<u>WFM</u> <u>P.E. ONLY</u>	_____

Note: If the site has no approval required other than a home lot, then a Land Surveyor stamp will be accepted.

CHECKLIST FOR PROJECT WRITTEN NARRATIVE

No.	Description	Initial	N/A
1.	Provide a written narrative explaining how you see the project complying with the WRPD bylaws and regulations.	<u>WFM</u>	_____
2.	The submittal contains a Certified Abutter's list obtained from the Assessor's office, Town Hall, 10 Nickerson Ave.	<u>WFM</u>	_____
3.	If your petition requests alterations or additions to a building, or structure, you should bring detailed plans which show the proposed alterations or additions.	<u>WFM</u>	_____
4.	The submittal contains calculations for any proposed on-site stormwater retainage, storage tanks and spill containment, on site drainage and recharge.	_____	<u>N/A</u>
5.	The submittal contains a statement that the project has been designed to minimize large scale lot disturbances and has implemented methods to encourage infiltration of site runoff and preservation of groundcover.	_____	<u>N/A</u>
6.	The submittal contains a statement that there will be no removal of soil closer than four (4) feet to the groundwater table, as determined through Title 5 Soil Evaluation methods.	<u>WFM</u>	_____
7.	The submittal contains a statement that if there is to be storage of hazardous wastes, sludges, deicing chemicals, fertilizers, or oil, that the appropriate methods have been provided to contain any spillage.	_____	N/A
8.	The submittal contains a statement that outside stored material will have no impact to the groundwater.	_____	<u>N/A</u>



Town of Middleborough
Massachusetts

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

DATE April 28, 2014
NAME OF APPLICANT Wankinguoah Rod & Gun Club
ADDRESS OF APPLICANT P.O. Box 307, Middleborough, MA 02346
ASSESSORS MAP & LOT _____
DAYTIME TELEPHONE 508-291-2975

NAME OF BUSINESS Wankinguoah Rod & Gun Club
OWNER OF PROPERTY TO BE LICENSED _____
ADDRESS OF PROPERTY TO BE LICENSED 88 & 92 Pine Street, Middleborough, MA 02346
ASSESSORS MAP & LOT Map 103, Lots 965 & 1884

TYPE OF LICENSE REQUESTED (Check One)

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

Anticipated Start Date for Business: _____
Days & Hours of Operation: _____

Has the applicant previously held a similar license in the Town of Middleborough or elsewhere?
If yes, explain:
No

Signature [Handwritten Signature]

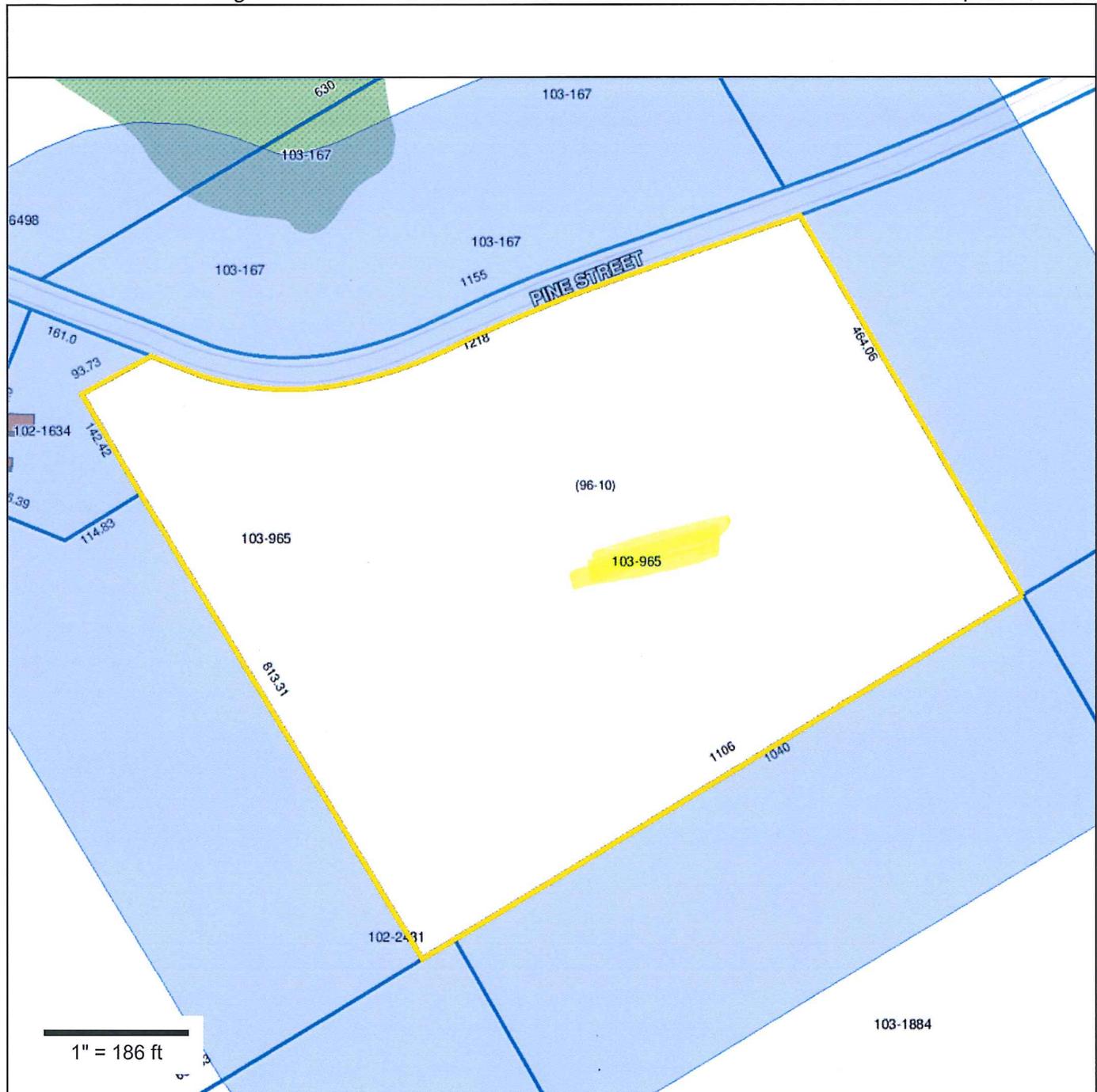
DATE OF HEARING: _____

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

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

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

[Handwritten Signature]



Property Information

Property ID 103-965
 Location 88 PINE ST
 Owner WANKINQUOAH ROD & GUN CLU

300 ft. Abutters

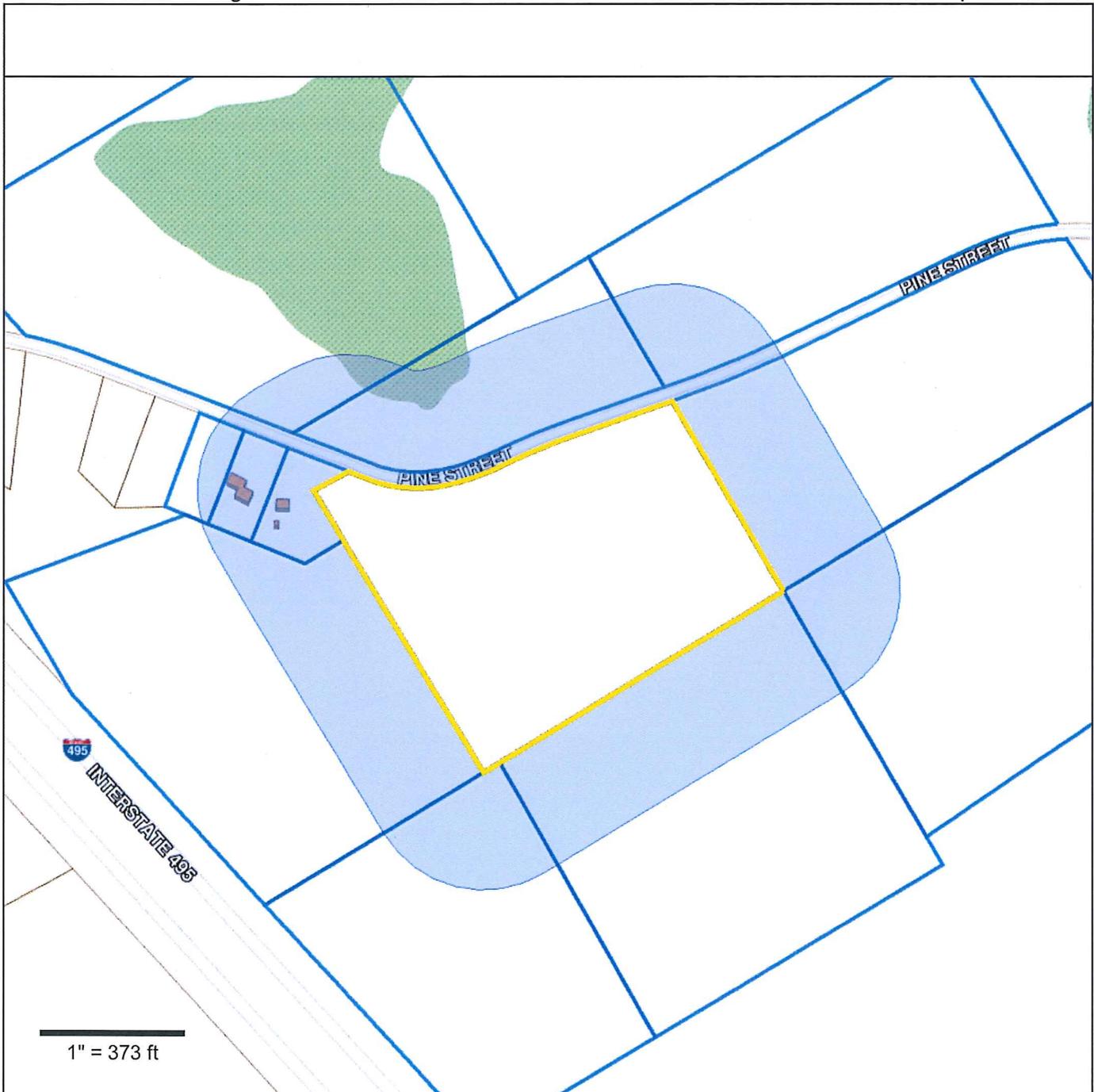


**MAP FOR REFERENCE ONLY
 NOT A LEGAL DOCUMENT**

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

Parcels updated 12/31/2012





Property Information

Property ID 103-965
Location 88 PINE ST
Owner WANKINQUOAH ROD & GUN CLU



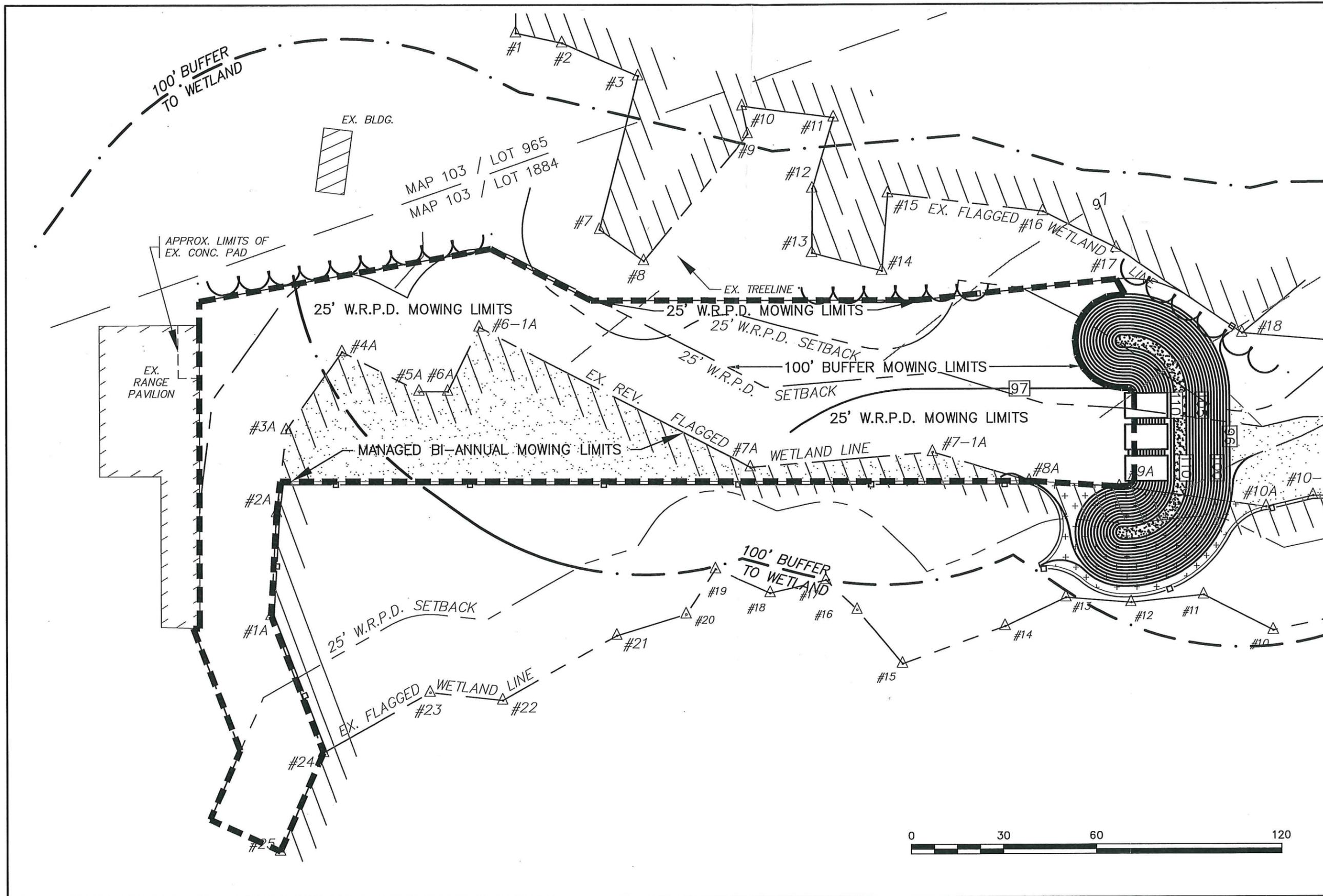
**MAP FOR REFERENCE ONLY
NOT A LEGAL DOCUMENT**

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Parcels updated 12/31/2012

300 ft. Abutters





REV.	DATE	BY	APP'D	DESCRIPTION

DATE: JULY 8, 2014
 DRAWN BY: JH
 CHECKED BY: WFM

JOB NO.: 12-7884
 SCALE: 1" = 30'

G.A.F. ENGINEERING, INC.
 PROFESSIONAL ENGINEERS & LAND SURVEYORS
 266 MAIN STREET - WAREHAM, MA 02571
 TEL: (508) 295-6600 FAX: (508) 295-6634
 E-MAIL: gcf.eng@verizon.net or info@gaf-eng.com

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MAINTENANCE MOWING PLAN

PREPARED FOR:
WANKINQUOAH ROD & GUN CLUB

92 PINE STREET MIDDLEBORO, MA.
 92 PINE STREET MIDDLEBORO, MA.

DWG.
 1 OF 1



**TOWN OF MIDDLEBOROUGH
HEALTH DEPARTMENT**

20 Center Street

Jeanne Spalding
Health Officer

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

MEMO

TO: Board of Selectman

FROM: Jessica Gardner, Middleboro Health Department

DATE: July 7, 2014

RE: Hearing request for Board of Health Order letter for property 30 Rocky Meadow Street, Middleborough MA 02346. This hearing is being requested by Doris Muirhead, property owner.

The Middleboro Health Department conducted a comprehensive Housing Inspection on June 11, 2014 for property 30 Rocky Meadow Street at the request of Dominic Roman, occupant. On June 23, 2014, the Middleboro Health Department sent property owner, Doris Muirhead an Order letter to correct violations of State Sanitary Code Chapter II observed during the inspection conducted on June 11, 2014. Mrs. Muirhead requests a hearing regarding some of the noted violations.

Please see attached copy of Order Letter dated June 23, 2014 and copy of written request for Board of Selectman hearing from Mrs. Muirhead.

If you need any additional information please contact me, 508-946-2408.

D. Muirhead
522 Wareham ST P.O.B 1373
Middleboro, MA

Middleboro Health Department
Jenne Spaulding
Health Officer

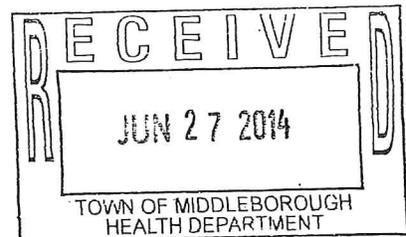
RE: 30 Rocky Meadow St Middleboro M
Health code violations

I am requesting a hearing to be heard
in regard to this matter.

Furthermore, I would like to have copies
of relevant inspection reports, notices and any
other documentary information in the possession
of this Board.

Very truly yours,

Dan G. Muirhead



Incorporated 1669



CRANBERRY CAPITAL
OF THE WORLD



Town of Middleborough
Massachusetts

HEALTH DEPARTMENT
508-946-2408

20 CENTRE STREET
MIDDLEBOROUGH, MA 02346

June 23, 2014

*Doris J Muirhead
22 Wareham Street
Middleborough, MA 02346*

*RE: State Sanitary Code Violations at 30 Rocky Meadow Street, Middleborough MA
Map 044 Lot 3759*

Mrs. Muirhead,

The Health Department conducted an inspection on June 11, 2014 at the above referenced location in response to a complaint. On the occasion of the inspection the following conditions were observed, which are violations of the State Sanitary Code Chapter II.

410.100: Kitchen Facilities

- **Broken handle for kitchen draw.**
- **Tape covering piping under kitchen sink.**

(A) Every dwelling unit, and every rooming house where common cooking facilities are provided, shall contain suitable space to store, prepare and serve foods in a sanitary manner. The owner shall provide within this space:

- (1) A kitchen sink of sufficient size and capacity for washing dishes and kitchen utensils; and
- (2) a stove and oven in good repair (*see* 105 CMR 410.351) except and to the extent the occupant is required to do so under a written letting agreement; and
- (3) space and proper facilities for the installation of a refrigerator.

(B) The facilities required in 105 CMR 410.100(A) shall have smooth and impervious surfaces and be free from defects that make them difficult to keep clean, or creates an accident hazard.

410.300: Sanitary Drainage System Required

- **Water utilities and sanitary waste facilities were installed in the basement without proper permits from the Building Department and the Health Department.**

The owner shall provide, for each dwelling, a sanitary drainage system connected to the public sewerage system, provided, that if, because of distance or ground conditions, connection to a public sewerage system is not practicable, the owner shall provide, and shall maintain in a sanitary condition, a means of sewage disposal which is in compliance with 310 CMR 15.00: *Subsurface Disposal of Sanitary Sewage (Title V)*. (*See* 105 CMR 410.840.)

In dwellings that are in compliance with the requirements of M.G.L. c. 186, § 22, the owner may charge the occupants for the cost of sewer service in accordance with M.G.L. c. 186, § 22.

410.180: Potable Water

- **Water utilities and sanitary waste facilities were installed in basement without proper permits from the Building Department and the Health Department.**

The owner shall provide, for the occupant of every dwelling, dwelling unit, and rooming unit, a supply of potable water sufficient in quantity and pressure to meet the ordinary needs of the occupant, connected with the public water supply system, or with any other source that the board of health has determined does not endanger the health of any potential user. (See 105 CMR 410.350 through 410.352).

In dwellings that are in compliance with the requirements of M.G.L. c. 186, § 22, the owner may charge the occupants for actual water usage in accordance with M.G.L. c. 186, § 22. An owner may not shut off or refuse water service to an occupant on the basis that the occupant has not paid a separately assessed water usage charge.

Examination of the water system shall include an examination of the plumbing system and its actual performance. If possible, such examination shall occur at the times and under such conditions as the occupant has identified the system as being insufficient.

410.350: Plumbing Connections

- **Water utilities and sanitary waste facilities were installed in the basement without proper permits from the Building Department and the Health Department.**
- **Upstairs shower unit only has accessible setting; measured at 109-110°F.**

(A) Every required kitchen sink, wash basin and shower or bathtub shall be connected to the hot and cold water lines of the water distribution system (See 105 CMR 410.180) and to a sanitary drainage system (See 105 CMR 410.300) in accordance with accepted plumbing standards.

(B) Every provided toilet shall be connected to the water distribution system (See 105 CMR 410.180) and to a sanitary drainage system (See 105 CMR 410.300) in accordance with accepted plumbing standards.

410.351: Owner's Installation and Maintenance Responsibilities

- **Dishwasher not in good repair.**
- **Counter tops not secure to kitchen cabinets.**
- **Light for basement hallway making crackling noises and blinking excessively when turned on.**
- **Outlet in living room not operating.**
- **Exposed wiring throughout basement.**

The owner shall install or cause to be installed, in accordance with accepted plumbing, gasfitting and electrical wiring standards, and shall maintain free from leaks, obstructions or other defects, the following:

(A) all facilities and equipment which the owner is or may be required to provide including, but not limited to, all sinks, washbasins, bathtubs, showers, toilets, waterheating facilities, gas pipes, heating equipment, water pipes, owner installed stoves and ovens, catch basins, drains, vents and other similar supplied fixtures; the connections to water, sewer and gas lines; the subsurface sewage disposal system, if any; all electrical fixtures, outlets and wiring, smoke detectors and carbon monoxide alarms, and all heating and ventilating equipment and appurtenances thereto; and

(B) all owner-installed optional equipment, including but not limited to, refrigerators, dishwashers, clothes washing machines and dryers, garbage grinders, and submetering devices designed to measure the usage of electricity, gas or water.

410.482 Smoke Detectors and Carbon Monoxide Alarms

410.750 Conditions Deemed to Endanger or Impair Health or Safety (N)

- **Dwelling is missing Carbon Monoxide alarms throughout.**

(A) Owners shall provide, install, and maintain in operable condition smoke detectors and carbon monoxide alarms in every dwelling that is required to be equipped with smoke detectors and carbon monoxide alarms in accordance with any provision of the Massachusetts General Laws and any applicable regulations of the State Board of Fire Prevention (527 CMR), State Board of Building Regulations and Standards (780 CMR), or the Board of Examiners of Plumbers and Gas Fitters (248 CMR).

(B) The board of health shall immediately notify the chief of the local fire department of any violation of 105 CMR 410.482 which is observed during an inspection of any dwelling.

(C) If any dwelling is found by the local fire department to be adequately equipped with smoke detectors and carbon monoxide alarms, the board of health shall not be authorized by 105 CMR 410.482 to impose any additional or differing smoke detector or carbon monoxide alarm requirement beyond that which has been found sufficient by the local fire department.

410.500: Owner's Responsibility to Maintain Structural Elements

- **Hole in wall near slider door.**

- **Broken section of mirror of mirrored door in living room.**

- **Peeling paint around wall mirror of upstairs bathroom.**

- **Gaps around mechanical ventilation fan in downstairs bathroom ceiling.**

- **Nail sticking out of porch step area.**

- **Evidence of chronic dampness throughout basement indicated by positive readings on moisture meter, pooling of water around water filtration system, mold-like substance on areas of wood observed and strong offensive mildew-type odor detected.**

Every owner shall maintain the foundation, floors, walls, doors, windows, ceilings, roof, staircases, porches, chimneys, and other structural elements of his dwelling so that the dwelling excludes wind, rain and snow, and is rodent-proof, watertight and free from chronic dampness, weathertight, in good repair and in every way fit for the use intended. Further, he shall maintain every structural element free from holes, cracks, loose plaster, or other defect where such holes, cracks, loose plaster or defect renders the area difficult to keep clean or constitutes an accident hazard or an insect or rodent harborage.

410.504: Non-absorbent Surfaces

- **Rivets throughout kitchen flooring making it not easily cleanable.**

The owner shall provide:

(A) On the floor surfaces of every room containing a toilet, shower or bathtub and every kitchen and pantry, a smooth, noncorrosive, nonabsorbent and water proof covering. This shall not prohibit the use of carpeting in kitchens and bathrooms, nor the use of wood in the kitchen, provided they meet the following qualifications:

(1) Carpeting must contain a solid, nonabsorbent, water repellent backing which will prevent the passage of moisture through it to the floor below; and

(2) Wood flooring must have a water resistant finish and have no cracks to allow the accumulation of dirt and food, or the harborage of insects.

(B) On the walls of every room containing a toilet, shower or bathtub up to a height of 48 inches, a smooth noncorrosive, nonabsorbent and waterproof covering.

(C) On wall areas above built-in bathtubs having installed shower heads and in shower compartments up to height not less than six feet above the floor level, with a smooth, noncorrosive, nonabsorbent waterproof covering. Such wall shall form a watertight joint with each other and with either the tub, receptor or shower floor.

410.502: Use of Lead Paint Prohibited

- **Children under the age of six occupying this dwelling with no Lead Paint Certificate of Compliance on file.**

No paint that contains lead shall be used in painting any surface of any dwelling. (See 105 CMR 460.000.) ***Owner must provide documentation to the Middleborough Health Department for compliance of this section of the State Sanitary Code.***

410.552: Screens for Doors

- **Screen door not tight fitting around perimeter.**

The owner shall provide a screen door for all doorways opening directly to the outside from any dwelling unit or rooming unit where the screen door will be permitted to slide to the side or open in an outward direction, provided, that in an owner-occupied unit, the owner need provide screens only for those doorways used for ventilation. All new or replacement screens in screen doors shall be of not less than 16 mesh per square inch.

Said screen door:

- (1) shall be equipped with a self-closing device except where the screen is designed to slide to the side; and
- (2) shall be tight-fitting as to prevent the entrance of insects and rodents around the perimeter.

410.602: Maintenance of Areas Free from Garbage and Rubbish

- **Outdoor Jacuzzi type structure in disrepair collecting standing water.**

(A) Land. The owner of any parcel of land, vacant or otherwise, shall be responsible for maintaining such parcel of land in a clean and sanitary condition and free from garbage, rubbish or other refuse. The owner of such parcel of land shall correct any condition caused by or on such parcel or its appurtenance which affects the health or safety, and well-being of the occupants of any dwelling or of the general public.

Please be advised, the Middleborough Fire Department has been notified of the Carbon Monoxide Alarm violations in accordance with State Sanitary Code Chapter II 410.482 (B). You are hereby ORDERED to contact the Middleborough Fire Department to rectify the Smoke Detector and Carbon Monoxide Alarms violations within twenty four hours(24) receipt of this order in accordance to State Sanitary Code 410.750 (N).

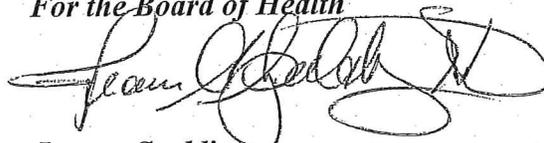
You are hereby ORDERED to bring the remaining above violations into compliance within thirty (30) days of receipt of this order. Owner must contact the Building Department for proper permitting for all kitchen and bathroom facilities installed in the basement. Furthermore, you must contact the Middleborough Health Department with-in ten (10) days of receipt of this order for the scheduling repairs of the basement to remediate the chronic dampness issues including mold remediation. If unoccupied, this dwelling cannot be reoccupied until a re-inspection is conducted and a letter of compliance is issued by this department.

Should you be aggrieved by this order, you have the right to request a hearing before the Board of Health. A request for said hearing must be received in writing in the office of the Board of Health within seven (7) days of receipt of this order. At said hearing you will be given an opportunity to be heard and to present witness and documentary evidence as to why this order should be modified or withdrawn. You may be represented by an attorney. Please be informed that you have the right to inspect and obtain copies of all relevant inspection or investigation reports, notices and other documentary information in the possession of this Board and that any adverse party has the right to be present at the hearing.

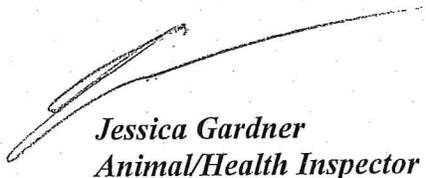
All rights, claims, and defenses are reserved and not waived.

Please contact Animal/Health Inspector, Jessica Gardner at 508-946-2408 if you have any questions. A re-inspection will be scheduled.

*Very truly yours,
For the Board of Health*



*Jeanne Spalding
Health Officer*



*Jessica Gardner
Animal/Health Inspector*

cc: Charles Cristello, Town Manager. Dominic Roman, Occupant

*Certified: 7012 2210 0001 7166 2949
Sent Regular Mail*

*A TRUE COPY ATTEST:
Allison J. Ferrel
TOWN CLERK*



The Board of Selectmen will hold a public hearing in the Selectmen's Meeting Room at the Town Hall, 10 Nickerson Avenue, Middleborough, MA on Monday, May 12, 2014 at 8:40 PM, for the purpose of discussing an application filed by Marcus, Errico, Emmer & Brooks, P.C. on behalf of Cumberland Farms, Inc., for a Special Permit under the Water Resource Protection District By-law to allow for the raze and rebuild of a convenience store and gasoline station at 150 S. Main Street, Assessors Map 581, Lot 4265, Zoning District – General Use, WRPD District Z2. Anyone wishing to be heard on this matter should appear at the time and place designated.

Allin Frawley
Leilani Dalpe
John M. Knowlton
Diane Stewart
Stephen J. McKinnon
BOARD OF SELECTMEN

Publish: May 1st & May 8th, 2014

Payment forthcoming – Advertiser #300074

continued to 6/2, 6/16, 7/14, 7/28

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OF THE WORLD



Town of Middleborough
Massachusetts

CHARLES J. CRISTELLO
Town Manager

508-947-0928
FAX 508-946-2320

MEMORANDUM

To: Board of Selectmen

From: Charles J. Cristello, Town Manager

Date: July 24, 2014

Re: *Hiring Process for a New Town Manager*

In announcing my retirement last week I offered to write a memo with recommendations on a hiring process and timeline for the selection of a new town manager. My main recommendation is that you largely follow the process the Board used six years ago, which I will outline below. As you can see from the timeline it is entirely possible to select a new town manager before my retirement at the end of October.

Advertising, Recruitment and Screening	August 1- September 12
Screening Committee Interviews	September 15- September 27
Candidates Announced	September 29
Board of Selectmen Interviews	October 4
Board of Selectmen Selection	October 6 or 15

The Town Charter defines the role of the town manager. The charter changes approved in 2010 added important budget and negotiation responsibilities to the position. Interestingly, the advertisement used in the last selection process, attached, contemplated those new responsibilities. I have made relatively few changes in the draft advertisement I have attached to this memo and you are certainly free to refine it further.

The two main recruitment vehicles for this position are the International City/County Management Newsletter and the Massachusetts Municipal Association Beacon. The deadline for the next ICMA Newsletter is Friday, August 1 with the first publication on Tuesday, August 6. I recommend running the advertisement in the ICMA Newsletter until the deadline of September 12. The MMA will post positions immediately on their web site. I recommend keeping the position posted until the deadline of September 12th. In addition I would advertise in the next version of The Beacon which will be published on September 2nd. Ms. Shanley can place those ads for you.

I would also use the town web site, not only to post the position, but to also provide information about the town to potential candidates. Publications such as the charter, current budget, recent annual reports and warrants, the current audit and OPEB study are the types of information sought out by candidates. Having that information on the web site will save the office staff from having to respond to repeated requests for the same information. The IT Department will be able to set up a page for this purpose.

This ad contemplates that you again use the services of the MMA Consulting Group to assist in the recruitment and screening of candidates. While I will certainly promote the position among my colleagues I recommend that you use the services of a professional firm to expand your candidate pool. MMACG will also collect the resumes to assure confidentiality and do background checks and screening before turning the resumes over to your screening committee. These services will cost \$7,000 and are well worth the investment. I suggest that you invite Mr. Morse to your next meeting to discuss what you are looking for in a new town manager so that he can use that information in his recruitment efforts.

Six years ago the nine-member screening committee, attached, consisted of two current selectmen, five citizens (including several former selectmen), the school superintendent, and a department head. I think the composition of the committee was very sound and would recommend that you use it again. However, it is important that the Board of Selectmen and Town Manager Screening Committee are on the same page throughout the process. Once you have made the appointments I would recommend that you meet with the committee, review the process and timeline with them, discuss with them what you are looking for in a new town manager, and ask them to give you a certain number of finalists to interview.

I look forward to discussing these recommendations with you on Monday. Please feel free to call me if you have any questions.

Town Manager
Town of Middleborough

DRAFT

The Town of Middleborough, Mass. (Population 23,327) is seeking an effective and experienced professional to serve as its next Town Manager. Two managers since 1984; present manager is retiring. The Town of Middleborough is located 40 miles south of Boston near route 495/24 interchange. The Town Manager reports to a five-member Board of Selectmen elected for three year-terms; manages a \$75 million budget and 150 full-time employees. The Town Manager should have strong communication skills, ability to work with citizens and department heads, and strong financial management and negotiation skills. BA required; MA desirable. Ten years of municipal management experience, or equivalent, required. Salary DOQ – most recent \$157K. EEO. Resume and cover letter by mail to MMA Consulting Group, Inc., 101 Court Street #7, Plymouth, MA 02360 by September 12, 2014. Additional information at www.middleborough.com/townmanagersearch.

CLASSIFIED ADVERTISEMENTS

Continued from page 19

credited university required. Applicants should have at least 7 to 10 years experience in study, permitting, design, construction, and operation and management of municipal water, sewer and other public works areas; and strong public works management experience. Registration as a PE in Massachusetts preferred but not mandatory. Strong survey experience as well as strong understanding of state and federal regulations, requirements and compliance issues. Salary range: \$65,000-\$74,000. Any interested party is encouraged to call Brendan O'Regan, DPS Director, at (978) 465-4464 for a complete job description. Replies are due by March 29.

Director of Veteran's Services and Veteran's Agent

Northeast Quabbin District
Director of Veteran's Services and Veteran's Agent for member towns of the Northeast Quabbin District including: Athol, Petersham, Phillipston, Royalston and Templeton. Position provides information, assistance, and disbursements to veterans and other beneficiaries for education, hospitalization, medical care, pensions and other veterans' benefits. Thirty-two hours per week, starting June 4, 2007. Salary range: \$31,000-\$33,000, plus benefits. Must be a veteran, honorably discharged, with a valid driver's license and own transportation. Mail resume no later than March 30, 2007, to Secretary, NQD, 125 Wallingford Ave., Athol, MA 01331. E-mail: whodoathol@aol.com.

Town Manager

Town of Middleborough
Town of Middleborough, Mass. (population 21,100), is seeking a Town Manager. Salary up to \$130,000. Present Town Manager is retiring. Middleborough is 40 miles south of Boston near route 495/24 interchange. The Town Manager reports to a five-member board of selectmen elected for three-year terms; manages a \$60 million budget and 125 full-time employees. Town Manager should have strong communication skills, ability to work with citizens and department heads, strong financial management skills, and negotiation skills. BA required; MA desirable. Ten years of municipal management experience, or equivalent, required. Resume and cover letter by mail to MMA

Consulting Group, Inc., 41 West St., Boston MA 02111, by April 2. EOE/AA

Conservation Agent

Towns of Ashburnham and Westminster

The towns of Ashburnham and Westminster are accepting applications for the full-time position of Conservation Agent to be shared in accordance with an inter-municipal agreement between the two towns. Conservation Agent provides administrative, technical and advisory assistance in administering Mass. Wetlands and Rivers Protection Act and local wetlands bylaws. Requires a bachelor's degree in natural resources or related field; two years' experience in environmental management, land conservation, or related field, or equivalent combination of education and experience. Job description available from Ashburnham Town Administrator at (978) 827-4104, ext. 109, or Westminster Town Coordinator at (978) 874-7400. Submit letter of interest and resume to Town Administrator, Town Hall, 32 Main St., Ashburnham, MA 01430. Starting salary: mid-40s. Resume screening will begin on March 2, 2007; position will remain open until filled. EOE

Primary Distribution Operator, Water Department

Town of Amesbury
The town of Amesbury is seeking a Primary Distribution Operator to oversee operations of the water distribution system. The PDO exercises direct supervision over employees assigned; responds to resident requests for service and emergency events; monitors work of contractors and maintains accurate records. Experience in public and/or private water distribution system of a Massachusetts Grade D III or higher preferred. Must have Mass Grade D III Drinking Water License and CDL Type B. Starting pay commensurate with experience within Collective Bargaining Unit pay scale. Complete job descriptions can be obtained by calling (978) 388-8116. AA/EOE

Auditor

Town of Weymouth
The town of Weymouth has a challenging opportunity for a Town Auditor. In this position, the selected individual will be responsible for full audit review of all town department receipts and expenditures. Responsibilities

include formulating policies, plans and procedures for audit systems; ensuring the accuracy and efficiency of municipal accounting systems and subsystems; assisting the Town Council with municipal affairs and review; planning, developing and reviewing procedures for periodic field post-audits and special studies of financial transactions, accounts and accounting systems of all municipal departments; and directing investigations of irregularities in accounts or inadequacies in accounting systems of any municipal departments. In order to be considered, candidates should possess a bachelor's degree in accounting, finance or related field and extensive experience in auditing and accounting work. CPA and experience in municipal accounting is preferred. Salary range: \$73,571-\$90,679. Interested candidates should forward a resume and application, no later than Monday, March 12, 2007, to the Human Resources Department, 75 Middle St., E. Weymouth, MA 02189, or fax (781) 682-3561, or e-mail jobs@weymouth.ma.us. The town of Weymouth is an EEO/AA employer.

City Services Manager/Purchasing Agent

City of Haverhill
The City Services Manager/Purchasing Agent will aid the mayor in city management using data and frequent accountability checks to monitor departmental performance and improve city service delivery. Also serves as the Chief Procurement Officer for the city and will direct central purchasing department. Bachelor's degree preferred. For a complete job description, visit www.ci.haverhill.ma.us/departments/hr/job_opportunities.htm. Annual salary range: \$58,145-\$68,129. Send cover letter/application to Mary Carrington, HR Director, City of Haverhill, 4 Summer St., Room 306, Haverhill, MA 01830, or mcarrington@cityofhaverhill.com. Open until filled. ADA/EOE

Economic Development Specialist

City of Haverhill
The Economic Development Specialist will provide assistance in CDBG and/or economic development target areas, will assist in downtown rezoning, the development of Chapter 40R re-development plans and will

work with companies to bring to Haverhill. Applicant must have working knowledge of and past experience with business development, financing, and marketing. Applicant should also have background or familiarity with planning, zoning, or economic development. For complete job description, visit www.ci.haverhill.ma.us/departments/hr/job_opportunities.htm. Annual salary range: \$40,000-\$50,000. Send cover letter and application to Mary Carrington, HR Director, City of Haverhill, 4 Summer St., Room 306, Haverhill, MA 01830, or mcarrington@cityofhaverhill.com. Open until filled. ADA/EOE

Conservation Director

Town of Tyngsborough
The town of Tyngsborough, Mass. (population 11,800), seeks a Conservation Director for 20 to 30 hours per week. Salary range: \$22,000-\$37,000, depending on qualifications and hours worked. Duties include: administers state and local wetlands laws, provides technical assistance to conservation mission and citizens, performs site inspections, coordinates management of open space and budgeting. Qualifications preferred include: BA/BS in related field and prior experience. Job description is available. Send cover letter and resume to Town Administrator Rosemary Cashman, 25 Bryants Lane, Tyngsborough, MA 01879. Position is open until filled. EOE.

Economic Development Officer

Town of Lexington
Town of Lexington, Mass., seeks a professional to develop, coordinate, and implement strategies for attracting and retaining local business within the town and provide assistance to businesses and individuals in obtaining permits. This person will coordinate activities between the local government and Community Boards and Committees, the Chamber of Commerce, merchants associations, and other public, private or nonprofit groups and associations interested in economic development. Minimum qualifications: Bachelor's degree with major course work in planning, urban affairs, economic development, business or public administration, or a related field, and five years' experience in economic development. Valid driver's license required. Salary range:

Shipp, Chair
Kara Andrews
Peg Holzmer

Deborah Hurley, Treasurer
Rob Lorenson
Barbara Chadwick

Permanent Cable Committee

Robert W. Silva, Chairman
Dr. Robert Sullivan
Kevin Franzosa
Ben Mackiewicz
Mark Mobley

Robert Denise
Stephen Callahan
Roger Brunelle
Thomas Tatro

Personnel Board

Kristy M. Fiore, Chairman
Karen Lemieux
Barbara Gomez
Rita Knight
Vacancy

Term Expires 2009
Term Expires 2009
Term Expires 2010
Term Expires 2011

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Harry Pickering, Treasurer
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Neil Rosenthal
Charles J. Cristello

Jane Lopes
James Wiksten
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Donald Boucher
Steven Spataro

Thomas White
Tracy Moquin

Thomas Dexter
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Citizens Environmental Health Impact Committee

Suzanne M. Dubé, Chair
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Perry Little

Edward H. Thomas
Charles J. Cristello

Marsha L. Brunelle
Walter A. Glendye, Jr.