

CORRESPONDENCE

9-14-15

| | | |
|---|-------------------------|--|
| 1 | Conservation Commission | NOI-Water department re 130 E. Main Street |
| 2 | Conservation Commission | COC re 7 Paradise Lane |
| 3 | Conservation Commission | Violation Notice re 25 Thompson Street |
| 4 | Conservation Commission | 32 Purchase Street |
| 5 | Treasurer/Collector | Foreclosed Properties |
| 6 | E911 Coordinator | New Taunton Street Gas Regulator Station |
| 7 | Decas, Murray, Decas | Law Budget-FY16 |

Notification to Abutters Under the Massachusetts Wetlands Protection Act

In accordance with the second paragraph of Massachusetts General Laws Chapter 131, Section 40, you are hereby notified of the following.

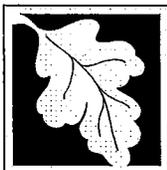
- A. The name of the applicant is Town of Middleborough
c/o Christopher Peck, Director of Public Works
- B. Property is owned by: Town of Middleborough Water Department
- C. The applicant has filed a Notice of Intent with the Conservation Commission for the municipality of Middleborough, Massachusetts seeking permission to remove, fill, dredge or alter an Area Subject to Protection Under the Wetlands Protection Act (General Laws Chapter 131, Section 40).
- D. The address of the lot where the activity is proposed is 130 East Main Street
Middleborough, MA 02346
- E. Assessors Map and Lot Number: Map 51 Lot 1155
- F. Copies of the Notice of Intent may be examined at Middleborough Conservation Commission between the hours of 9:00 a.m. and 4:30 p.m. Monday through Friday.
- G. Brief description of project: Install two satellite water supply wells and an iron and manganese treatment facility at the existing well site.
- H. Copies of the Notice of Intent may be obtained from either (check one) the Applicant or the applicant's representative X, by calling this telephone number 508-304-6354 between the hours of 8:00 AM and 5:00 PM on the following days of the week:

- I. Information regarding the date, time, and place of the public hearing may be obtained from the Middleborough Conservation Commission by calling 508-946-2406 between 8:00 a.m. and 5:00 p.m. Monday through Friday.

NOTE: Notice of the public hearing, including its date, time, and place, will be Published at least five (5) days in advance in the Middleborough Gazette.

NOTE: You may contact the Department of Environmental Protection Regional office at 508-946-2800 for more information.

BAB (2)



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands
WPA Form 8B – Certificate of Compliance
Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

DEP File Number:
SE220-845
Provided by DEP

A. Project Information

Important:
When filling out forms on the computer, use only the tab key to move your cursor - do not use the return key.



1. This Certificate of Compliance is issued to:

Russell Coletti
Name
7 Paradise Lane
Mailing Address
Middleborough MA 02346
City/Town State Zip Code

2. This Certificate of Compliance is issued for work regulated by a final Order of Conditions issued to:

Russell Coletti
Name
October 2, 2003 SE220-845
Dated DEP File Number

3. The project site is located at:

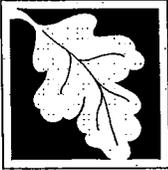
593 Wareham Street (now Paradise Lane) Middleborough
Street Address City/Town
Map 102 Lot 296
Assessors Map/Plat Number Parcel/Lot Number

the final Order of Condition was recorded at the Registry of Deeds for:

Russell Coletti
Property Owner (if different)
Plymouth 45839 118
County Book Page

Certificate

4. A site inspection was made in the presence of the applicant, or the applicant's agent, on:
August 18, 2015
Date



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

DEP File Number:

WPA Form 8B – Certificate of Compliance
Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

SE 220-845
Provided by DEP

B. Certification

Check all that apply:

- Complete Certification:** It is hereby certified that the work regulated by the above-referenced Order of Conditions has been satisfactorily completed.

- Partial Certification:** It is hereby certified that only the following portions of work regulated by the above-referenced Order of Conditions have been satisfactorily completed. The project areas or work subject to this partial certification that have been completed and are released from this Order are:

- Invalid Order of Conditions:** It is hereby certified that the work regulated by the above-referenced Order of Conditions never commenced. The Order of Conditions has lapsed and is therefore no longer valid. No future work subject to regulation under the Wetlands Protection Act may commence without filing a new Notice of Intent and receiving a new Order of Conditions.

- Ongoing Conditions:** The following conditions of the Order shall continue: (Include any conditions contained in the Final Order, such as maintenance or monitoring, that should continue for a longer period).

Condition Numbers:

C. Authorization

Issued by:

Middleborough
Conservation Commission

9/8/15
Date of Issuance

This Certificate must be signed by a majority of the Conservation Commission and a copy sent to the applicant and appropriate DEP Regional Office (See <http://www.mass.gov/eea/agencies/massdep/about/contacts/find-the-massdep-regional-office-for-your-city-or-town.html>).

Signatures:

Adam Guaraldi

Jacqueline Schmidt

John Neely

Diane C. Stewart

John Medeiros

Steven Ventresca

Janet Miller



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands
WPA Form 8B – Certificate of Compliance
Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

DEP File Number:
SE220-845
Provided by DEP

D. Recording Confirmation

The applicant is responsible for ensuring that this Certificate of Compliance is recorded in the Registry of Deeds or the Land Court for the district in which the land is located.

Detach on dotted line and submit to the Conservation Commission.

To: _____

Middleborough
Conservation Commission

Please be advised that the Certificate of Compliance for the project at:

593 Wareham Street (now Paradise Lane) SE220-845
Project Location DEP File Number

Has been recorded at the Registry of Deeds of:

Plymouth
County

for:

Property Owner

and has been noted in the chain of title of the affected property on:

Date Book Page

If recorded land, the instrument number which identifies this transaction is:

If registered land, the document number which identifies this transaction is:

Document Number

Signature of Applicant



3

Town of Middleborough

CONSERVATION COMMISSION

20 CENTRE STREET
MIDDLEBOROUGH, MASSACHUSETTS 02346

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

VIOLATION NOTICE

September 10, 2015

TO: Joe Padula
25 Thompson Street
Middleborough, MA 02346

FROM: Town of Middleborough Conservation Commission

RE: Site location: 25 Thompson Street, Middleborough, MA (Map 6, Lot 1053)

Certified Mail No. 7011 3500 0001 3784 5858

The Conservation Commission of Middleborough has information that you or your agents may have violated the Massachusetts Wetlands Protection Act, G.L. c.131 §40 and its regulations at 310 CMR 10.00. The following activities may have impacted wetland resource areas and/or associated buffer zones: **Possible filling, vegetation clearing, construction of a barn in a bordering vegetated wetland in violation of a valid Order of Conditions under DEP File # SE220-1144.** In order to determine whether a violation has occurred please do the following:

Cease and desist from the following activities: **filling, cutting, clearing, constructing a barn in a wetland and/or buffer zone.** These areas were witnessed to be taking place on the southern side of the property off Thompson Street.

Take the following measures to stabilize the site and prevent future violations of the Wetlands Protection Act by installing hay bales or wattles along the southern edge of where the barn is currently constructed.

Submit plans that have been prepared by a professional land surveyor or engineer by **September 30th, 2015.** The plans should identify and quantify existing resource areas as well as identify and quantify resource areas that have been altered.

Contact the Conservation Commission by September 15, 2015 at 508-946-2406 to arrange a site visit and **attend the next Conservation Commission public meeting on September 17, 2015** at the Town Hall Selectman's Meeting room, 10 Nickerson Avenue.

Violation Notice (September 10, 2015)
25 Thompson Street DEP File # SE220-1144

If you do not understand the requirements of the Wetlands Protection Act, the Conservation Commission will provide information to assist you in complying with the law. The Wetlands Protection Act provides that:

“No person shall remove, fill, dredge or alter any area subject to protection under this section without the required authorization, or cause, suffer or allow such activity, or leave in place unauthorized fill, or otherwise fail to restore illegally altered land to its original condition, or fail to comply with an enforcement order issued pursuant to this section. Each day such violation continues shall constitute a separate offense except that any person who fails to remove unauthorized fill or otherwise fails to restore illegally altered land to its original condition after giving written notification of said violation to the conservation commission and the department shall not be subject to additional penalties unless said person thereafter fails to comply with an enforcement order of order of conditions.

Whoever violates any provision of this section (a) shall be punished by a fine of not more than twenty-five thousand dollars or by imprisonment for not more than two years, or both such fine and imprisonment; or (b), shall be subject to a civil penalty not to exceed twenty-five thousand dollars for each violation.”

Issued by: *Patricia J. Cassidy*

Printed Name: Patricia J. Cassidy

Date: 9/11/2015

Cc: Middleborough Board of Selectmen
Robert Nunes, Town Manager
Middleborough Building Department
Department of Environmental Protection – Wetlands & Waterways Dept.

September 10, 2015

To: All Departments

From: Amy Dowler, E911 Database Coordinator
(508) 946-2451 ext. 121

Re: New Taunton Street Gas Regulator Station

Please be advised of the following address changes:

No map or lot number, just "Road Right of Way" at the end of Taunton Street along Route 495 will be 2 Taunton Street for the new gas department regulator station.

Please call if you should have any questions or concerns.

5

Jacqueline Shanley

From: decas.murray.decas@verizon.net
Sent: Tuesday, September 08, 2015 2:07 PM
To: Robert G. Nunes; Jacqueline Shanley
Subject: outside counsel billing

September 8, 2015

Town Accountant
Middleboro Town Offices
20 Centre Street
Middleboro, MA 02346

RE: Law Department Budget – Fiscal Year 2016

To The Accountant:

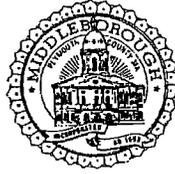
Enclosed please find invoice from Collins, Loughran & Peloquin, P.C. dated 9/3/15 in the amount of \$8,507.50 for service rendered through August 31, 2015.

Please process for payment directly to Collins, Loughran & Peloquin, P.C. Payment to be made from “Special Counsel” part of the Law Department Budget.

Very truly yours,

Daniel F. Murray
Town Counsel

DFM/s
82-117
Enclosure
cc: Robert G. Nunes, Town Manager (*via email*)
Board of Selectmen (*via email*)



6

Town of Middleborough

CONSERVATION COMMISSION

20 CENTRE STREET
MIDDLEBOROUGH, MASSACHUSETTS 02346

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

September 9, 2015

John P. Grieco
32 Purchase Street
Middleborough, MA 02346

RE: Follow-up regarding complaint concerning 32 Purchase Street (Map 29, Lot 2765),
Middleborough, MA

Dear Mr. Grieco:

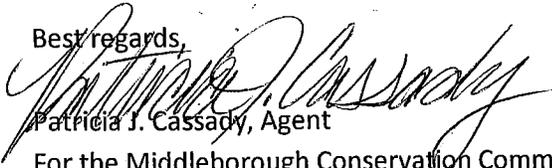
On September 1, 2015 I met with you on-site at 32 Purchase Street to view the pond area in the back of the property due to a complaint our Department received on August 10, 2015.

As we discussed it appears that the area is a man-made pond that is not connected to any other water sources. Also noted was the fact that the pond has fish, which disqualifies it from being a vernal pool.

I observed that the pond has a waterfall and pump system to keep it aerated. You also stated to me that you have the water tested periodically by Analytical Balance. It appears that the pond is non-jurisdictional under the current Wetland Protection Act Regulations. I suggest however that you could have calculations done to see if it qualifies as an Isolated Land Subject To Flooding (ILSF) under the regulations. The Conservation Commission agreed with the findings at their meeting on September 3, 2015.

If you have any questions regarding this matter don't hesitate to contact our office at 508-946-2406.

Best regards,


Patricia J. Cassidy, Agent

For the Middleborough Conservation Commission

Cc: ✓ Board of Selectmen
Robert Nunes, Town Manager
Department of Environmental Protection – Wetlands and Waterways SERO



JUDY M. MACDONALD
TREASURER AND COLLECTOR

Town of Middleborough
Office of the Treasurer and Collector
20 Centre Street, 3rd Floor
Middleborough, MA 02346-2270
email: jmcndld@middleborough.com



TELEPHONE
(508) 946-2420
(508) 946-2421

FAX
(508) 947-5447

September 8, 2015

Board of Selectmen
Town Hall
Middleborough, MA 02346

RE: Foreclosed Properties
Fidelity Financial Inc.
035-155

Dear Honorable Members of the Board,

The Town has foreclosed on the following property making it Town owned as of the respective foreclosure date. Enclosed you will find the decree.

| <u>Assessed Owner</u> | <u>Map & Lot #</u> | <u>Foreclosure Date</u> |
|-----------------------|------------------------|-------------------------|
| Fidelity Financial | 035-155 Land Only | March 13, 2015 |

Very truly yours,

Judy M. MacDonald
Treasurer and Collector

cc: Robert Nunes, Town Manager

JMM/bjd

[SEAL]

COMMONWEALTH OF MASSACHUSETTS
LAND COURT
DEPARTMENT OF THE TRIAL COURT

Case No.: 14 TL 149458



2015 00021519
Bk: 45380 Pg: 347 Page: 1 of 1
Recorded: 03/30/2015 03:19 PM
ATTEST: John R. Buckley, Jr. Register
Plymouth County Registry of Deeds

JUDGMENT IN TAX LIEN CASE

Town of Middleborough

vs.

Fidelity Financial, Inc.

This case came on to be heard and was argued by counsel, and thereupon, upon consideration thereof, it is

ADJUDGED and ORDERED that all rights of redemption are forever foreclosed and barred under the following deed(s) given by and/or the tax taking(s) made by the Collector of Taxes for the Town of Middleborough in Plymouth County and said Commonwealth:

| <u>Land Type</u> | <u>Tax Taking Date</u> | <u>Book No.</u> | <u>Page No.</u> | <u>Document No.</u> | <u>Certificate of Title No.</u> |
|------------------|------------------------|-----------------|-----------------|---------------------|---------------------------------|
| Recorded | 02/15/2008 | 35757 | 145 | | |

By the Court: Deborah J. Patterson

Attest:

A TRUE COPY
ATTEST:

Deborah J. Patterson
RECORDER

Deborah J. Patterson
Recorder

Entered: March 13, 2015

*1 Coppola's Coppola
40 South St
Marblehead, Me 01945.*