HEARINGS, MEETINGS, LICENSES

9-16-13

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, September 16, 2013 at 7:30 PM to accept the layout of Veronica Lane and all rights and easements in said way in Middleborough, MA, on such terms as the Selectmen shall determine for the purposes of a Town way, such property being shown on a plan entitled "As-Built-Street Acceptance Plan – Veronica Lane – Acorn Ridge Subdivision, Middleborough, Mass" dated February 2, 1993, revised August 28, 2013, 2013, prepared by Michael J. Koska & Associates, Inc., which plan is on file with the Town Clerk's Office. Anyone wishing to be heard on this matter should appear at the date and time specified.

BOARD OF SELECTMEN
Stephen J. McKinnon
Allin Frawley
Ben Quelle
Leilani Dalpe
John M. Knowlton

Publish: September 5, 2013

Town of Middleborough

Massachusetts

PLANNING DIRECTOR
Ruth McCawley Geoffroy

Planning Board

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

September 10, 2013

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

Re: Veronica Lane Road Layout

Honorable Board:

The Planning Board, at their regularly scheduled meeting held on September 10, 2013, voted to recommend layout and acceptance of Veronica Lane by the Town on the condition that the roads will be completed by the Town, in conformance with the construction standards of the Middleborough Subdivision Rules and Regulations, funded by a combination of subdivision surety and the assessment of betterments. The layouts are shown on a plan entitled "As-Built Street Acceptance Plan, 'Veronica Lane – Acorn Ridge Subdivision', Middleborough, Mass" consisting of one (1) sheet, dated February 2, 1993 revised through August 28, 2013, prepared by Michael J. Koska and Associates, Inc.

Veronica Lane located off of Wood Street was permitted and approved under the Subdivision Control Law on February 7, 1989. Unfortunately, the developer of Acorn Ridge Estates, Bar-Joe, Inc., Joseph Abbanato and Barry Oliviera (deceased), has defaulted on completing road construction in accordance with the Middleborough Planning Board's approval and their Form H Covenant. The Planning Board notified the developer in a certified letter dated June 22, 1998 that the subdivision was in default and that the Board will send Acorn Ridge Estates out to bid. The Board of Selectmen approved the Planning Board's expenditure of the surety money on August 12, 2013.

The Planning Board, using surety money, retained Michael J. Koska & Associates, Inc. to finish their original roadway as-built plan and provide a layout plan for the Town's use; the end result was a combination roadway as-built and layout acceptance plan. The Planning Department has prepared a schedule of work/cost estimate, attached hereto, that remains to be done or that needs to be repaired or replaced due to degradation. To create this schedule numerous discussions and site inspections were held with representatives of the Water Department, Town Manager, Town Counsel and

the subdivision residents to evaluate options for completing the various components of the road. This was particularly difficult because the amount of surety being held was inadequate for the level of work that was required to be done. The Planning Board and the residents have been aware that the residents would be required to participate in the cost of completion and that the agreed upon approach would be to use betterments.

As everyone is aware, the Planning Board has not certified Acorn Ridge Estates, including Veronica Lane, complete as it has not been completed in accordance with the Subdivision Control Law. However the Board is in favor of the Town's Layout and Acceptance of this road as a public way as it will be completed by the Town, in conformance with the construction standards of the Middleborough Subdivision Rules and Regulations, funded by a combination of subdivision surety and the assessment of betterments.

If you should have any questions regarding this, please do not hesitate to contact the Planning Department.

Sincerely,

Peter A. Reynolds, Senior Clerk
Middleborough Planning Board

Enclosure

TOWN OF MIDDLEBOROUGH PLANNING DEPARTMENT

Acorn Ridge Estates - Estimate to Complete the Subdivision for Roadway Acceptance

Date: October 26, 2011, Revised: August 11, 2013

TOTAL COST ESTIMATE SUMMARY TABLE:

Descriptions: Parts A to F	Project Total Cost
A. Enigineering:	$ 8,100
B. Legal Work	$ 402
C. Roadway Repairs:	
1. Drainage Structures:	$ 3,138
2. Pavement (Travelway):	$ 9,960
3. Pavement (Sidewalk):	$ 8,932
D. Landscaping & Miscellaneous Site Work	
1. Landscaping:	$ 14,598
3. Signage:	$ 400
9. Clean Site & Structures:	$ 2,050
12. Utilities:	$ 2,415
E. Misc. Filing Fees to Complete Project:	$ 1,033
F. Engineering - Inspection & Testing: (Included Below)	
Total Cost Estimate for Part A to F Includng Payouts & Work that Can Be Performed By the Residents:	$ 51,028
10% Contingency:	$ 5,103
20% Bid Document Preparation & Engineering Construction Inspection & Testing Services Fees:	$ 10,206
Total:	$ 66,336

SAY: $ 67,000

MONEY HELD BY THE TOWN:

Surety Acct: 89.2632.00 Original: $6,000	Amount Remaining as of 7/23/13:	$ 9,507.04
TEC Prepayment Account #		n/a
TOTAL AMOUNTS HELD BY THE TOWN:		**$ 9,507.04**

$ 9,507

Additional Money Required Above Surety: $ 58,000

R.S. Means 2006 Data Adjusted for Inflation — Use: 1.158 Inflation Factor

TEC: Indicates Cost Based on Tibbetts Eng. Estimated Date 3/7/07

MHD: WBP = Mass Highway Department: 2009 Weighted Bid Prices

PB: Planning Board

BOS: Board of Selectmen

F&C, F&G: Frame & Cover, Frame & Grate

PRD: Plymouth Registry of Deeds

WBP: Weighted Bid Prices

Work that can be Performed by the Residents: Landscaping & Misc. Line Items #D.1c, D.1i, D.1j, D.1k, D.1l, D.1m, D.1o, D.2a, D.2b, D.2c & D.3a	$ 6,000
10% Contingency:	$ 600
20% Bid Document Preparation & Engineering Construction Inspection & Testing Services Fees:	$ 1,200
Total:	$ 7,800

TOWN OF MIDDLEBOROUGH PLANNING DEPARTMENT

Acorn Ridge Estates - Estimate to Complete the Subdivision for Roadway Acceptance

Date: October 26, 2011, Revised: August 11, 2013

Item No.	Project Type	Description of Work	Source of Estimate	Amt	Unit	Price/Unit	Project Total Cost
A. Engineering: Roadway Layout & As-Built Preparation							
1	Roadway As-Built & Layout Plan	Michael J. Koska & Assoc. Est.: Update Plan, Survey incl. Set 2 Granite Monuments @ radii points & topo drainage basin & structures Previous Outstanding Invoice from M. Koska: $7,600.00	M. Koska 2/2/10 Revised 12/17/12 Est.	1	LS	$ 7,600.00	**$ 7,600**
2	Roadway Layout Plan	Included under Item #1 above.	PD Est.	0	LS		**$ -**
3	Drainage Easement Adjustment Plan	Prepare Plan: To be determined necessary once drainage basin is field surveyed	PD Est.	1	LS	$ 500.00	**$ 500**
4	Utiltiy Easement on Lot 4 for Hydrant	Prepare Plan - Do not locate hydrant per 12/20/12 tel com. w/ Joe Silva - Easement Plan not necessary	PD Est.	0	LS	$ 500.00	**$ -**
	Subtotal						**$ 8,100**
B. Legal Work							
1	Easement Plans: Recording	Drainage Easement Adjustment Plan as required & Utiltiy Easement Plan on Lot 4 for Hydrant not required	PRD Fee Schedule 5/3/10	1	LOT	$ 128.00	**$ 128**
2	Mortgage Assent: Fees	Drainage Easement Adjustment Plan as required & Utiltiy Easement Plan on Lot 4 for Hydrant	PD Est.	1	EA	$ 273.75	**$ 274**
3	Create Homeowner's Association			0	LS	$ -	**$ -**
	Subtotal						**$ 402**
C. Roadway Pavement Repairs							
1	**Drainage Structures:**						
1a	Drainage Struct.: F&G/C Adjusted ≤6"	CB @ sta 0+00 (Lt/Rt) Align. w/ gutter-line & 4+25 (Lt/Rt) and DMH @ sta 1+85, 4+50 to be reset (MHD: 220. Drainage Stuct. Adjusted)	MHD: WBP 9/6/11	6	EA	$ 290.00	**$ 1,740**
1b	Drainage Struct.: F&G/C Bolted	CB @ sta 0+00 (Lt/Rt) & DMH @ sta 4+50 to be bolted	Planning Dept Est 9/6/11	3	EA	$ 100.00	**$ 300**
1c	Drainage Struct.: Rebuilt	CB @ sta 7+12 (Lt/Rt) (MHD: 220.2 Drainage Struct. Rebuilt) Use Maximum Cost	MHD: WBP 9/611	2	FT	$ 200.00	**$ 400**
1d	Drainage Struct.: Misc. Repairs	DMH @ sta 4+50 inlet pipe damaged, DMH @ sta 6+91 regrout joint & recut end of pipe	Planning Dept Est 9/6/10	2	LS	$ 199.00	**$ 398**
1e	Rip-Rap: Repair	Drainage Basin: Modified Rip Rap 18" min Thickness - Hand Chinked (MHD: 983.11, M2.02.4) Use maximum unit value (Estimated 10 C.Y. of Material)	Planning Dept Est 9/6/11	5	L.C.Y.	$ 60.00	**$ 300**
	Subtotal						**$ 3,138**

Amount Remaining as of 7/23/13: 9507

2	**Pavement (Travelway):**						

TOWN OF MIDDLEBOROUGH PLANNING DEPARTMENT

Acorn Ridge Estates - Estimate to Complete the Subdivision for Roadway Acceptance

Date: October 26, 2011, Revised: August 11, 2013

Item No.	Project Type	Description of Work	Source of Estimate	Amt	Unit	Price/Unit	Project Total Cost
2a	Sweeping - Streets & Sidewalks:	(MHD: Section 106.86 Highway Cleaning) n/a	R.S. MEANS 2006	0.5	Day	$ 463.20	**$ 232**
2b	Saw Cut Roadway Pavement:	CB @ sta 0+00 (Lt/Rt), sta 4+25 (Lt/Rt) & sta 7+12 (Lt/Rt) and DMH @ sta 0+25, 1+85, 4+50 and Misc. Fatigue Cracks (MHD: Section 482.3 Sawing Asphalt Pavement)	MHD: WBP 9/6/11	125	LF	$ 2.00	**$ 250**
2c	Roadway Paving Removal	(MHD: Section 129.3 Old Pavement Excavation) Use maximum value	MHD: WBP 4/1/11	5	CY	$ 186.75	**$ 934**
2d	Thermal Crack Repair:	Sta 0+25, 0+35, 1+60, 2+70, 3+90, 4+25, 4+50, 4+75, 6+91 & 7+00 (MHD: Section 482.20 Hot Poured Joint Sealer	MHD: WBP 9/6/11	260	FT	$ 17.00	**$ 4,420**
2e	Fatigue Crack Repair	(MHD: Section 482.15 Hot Appl. Asphaltic Crack Filler (Polyester Fibers, M3.05.0) Assume: 25 gal $8.00/gal x 25 gal = $200	TEC	100	LF	$ 2.50	**$ 250**
2f	Infrared Bituminous Concrete Restoration:	2 tons of Bit Conc. Included; Assume 1 day (If Needed)	Felix A. Marino Co. 5.20.09	1	Day	$ 3,200.00	**$ 3,200**
2g	Roadway Pavement:	CB @ sta 0+00 (Lt/Rt), sta 4+25 (Lt/Rt) & sta 7+12 (Lt/Rt) and DMH @ sta 0+25, 1+85, 4+50 and Misc. Fatigue Cracks **Total:** 110±sf x 0.33 ft = 1.35 cy = 2.7 tons (MHD: 472. HMA for Misc Work) Use maximum value	MHD: WBP 9/6/11	3	Ton	$ 225.00	**$ 675**
	Subtotal						**$ 9,960**

3	**Pavement (Sidewalk & Driveway Aprons):**						
3a	Saw Cut Sidewalk Pavement:	At Street Tree Roots, Misc. Damage (MHD: Section 482.3 Sawing Asphalt Pavement)	MHD: WBP 9/6/11	100	LF	$ 2.00	**$ 200**
3b	Saw Cut Driveway Pavement:	Driveway apron Keyway at cape-cod-berm & roadway layout: 8 - 24 lf ea. drive (MHD: Section 482.3 Sawing Asphalt Pavement)	MHD: WBP 9/6/11	192	LF	$ 2.00	**$ 384**
3c	Paving Removal	(MHD: Section 129.3 Old Pavement Excavation) Use maximum value	WBP 4/1/11	5	CY	$ 186.75	**$ 934**
3d	Thermal Crack Repair	(MHD: Section 482.20 Hot Poured Joint Sealer	MHD: WBP 9/6/11	20	FT	$ 17.00	**$ 340**
3e	Fatigue Crack Repair	(MHD: Section 482.15 Hot Appl. Asphaltic Crack Filler (Polyester Fibers, M3.05.0) Assume: 25 gal $8.00/gal x 25 gal = $200	TEC	300	LF	$ 2.50	**$ 750**
3f	Tack Coat	Applied at a rate of 0.05 gal/sy x 3084 sy = 154 gallons (MHD: Section 464. Bitumen for Tack Coat)	MHD: WBP 9/6/11	154	Gal	$ 6.00	**$ 924**
3g	Sidewalk 5' x 5' Turnarounds	To be placed every 200 ft o.c. where driveways are not available - F&I 6' L x 1.5' W x 8" D gravel base material & compact	Planning Dept Est 10/25/11	3	LS	$ 150.00	**$ 450**

TOWN OF MIDDLEBOROUGH PLANNING DEPARTMENT

Acorn Ridge Estates - Estimate to Complete the Subdivision for Roadway Acceptance

Date: October 26, 2011, Revised: August 11, 2013

Item No.	Project Type	Description of Work	Source of Estimate	Amt	Unit	Price/Unit	Project Total Cost
3h	Sidewalk Resurfacing & Turnarounds:	Provide 1 1/2" Top Coat to raise & correct surface: Total: 590 ft x 4 ft x 0.125 ft = 10.93 cy = 22 tons (MHD: 472. HMA for Misc Work) Use maximum value	MHD: WBP 9/6/11	22	Ton	$ 225.00	$ 4,950
	Subtotal						$ 8,932

D. Landscaping and Miscellaneous							
1	**Landscaping:**						
1a	Street Tree Root Removal	Cleanly cut & remove roots from directly under sidewalk as necessary	Planning Dept Est 10/25/11	1	LS	$ 300.00	$ 300
1b	Street Tree Removal	Remove Street Trees in grass island of the cul-de-sac 7+75 Rt & 8+50 Rt (MHD: 103. Tree Removed <24" Dia) Adjusted	Planning Dept Est 9/6/11	2	EA	$ 100.00	$ 200
1c	Root Shields for Street Trees: F&I	Use a Ditch Witch to install 10' L x 18" D - 40 mil Rigid Ethylene Root Barrier @ Street Trees adjacent to sidewalk (20 trees total - 2 trees will not be provided/replaced = 18)	Planning Dept Est 10/25/11	18	EA	$ 100.00	$ 1,800
1d	Tree/Brush Removal	Drainage Basin: 125'x105'=13,125 sf (0.3 ac) (MHD: 102. Selective Clearing and Thinning) **(Performed by Residents)**	MHD: WBP 9/6/11	0	Acre	$ 5,000.00	$ -
1e	Stump Removal	Drainage Basin: 3 stumps (MHD: 105. Stump Removed) **(Performed by Residents)**	MHD: WBP 4/1/11	0	EA	$ 350.00	$ -
1f	Street Tree: Replacement	trees missing: 1+55 Rt, 3+90 Rt, 4+70 Lt & 5+85 Rt; tree replacement: 2+90 Rt, 3+70 Lt, 4+90 Rt, 7+75 Rt & 8+50 Rt (MHD: 776.527 Maple 'Armstrong' 3-3.5" Caliper or Approved Equal)	MHD: WBP 9/6/11	8	EA	$ 700.00	$ 5,600
1g	Street Trees: Maintenance	(MHD: 107.12 Maintenance & Care of Nursery Stock - data not available)	Planning Dept Est 9/6/11	28	EA	$ 65.00	$ 1,820
1h	Drainage Basin Plantings: Maintenance	Japanese Green Barberry (Bergeris Thunbergi) (MHD: 107.12 Maintenance & Care of Nursery Stock - data not available)	Planning Dept Est 10/25/11	1	LS	$ 150.00	$ 150
1i	Grading:	Shoulders: between sta 1+00 & 2+50 Lt, sta 3+50 & 5+50 Rt (Utility Easement) 300 sy, cul-de-sac island to meet x-sect. (MHD: Section 170. Fine Grading & Compaction) **(To Be Performed by Residents?)**	MHD: WBP 9/6/11	300	SY	$ 3.00	$ 900
1j	Loam: Provide	Roadway grass strips & shoulders, Utility & Drainage Easements as required for stabilization (20 total cy - 10 cy = 10 cy) (MHD: 751. Loam Borrow) **(To Be Performed by Residents?)**	MHD: WBP 9/6/11	10	CY	$ 40.00	$ 400
1k	Loam: Spread	Reshape Roadway grass strips & shoulders, Slopes & Drainage Easements per Approved Plan (20 total cy - 10 cy = 10 cy) (MHD: 752. Topsoil Rehandled and Spread) **(To Be Performed by Residents?)**	MHD: WBP 9/6/11	10	CY	$ 25.00	$ 250

TOWN OF MIDDLEBOROUGH PLANNING DEPARTMENT

Acorn Ridge Estates - Estimate to Complete the Subdivision for Roadway Acceptance

Date: October 26, 2011, Revised: August 11, 2013

Item No.	Project Type	Description of Work	Source of Estimate	Amt	Unit	Price/Unit	Project Total Cost
1l	Application of Limestone	Applied 1 pounds per Square Yard = 300 pounds (MHD: 765.61 Application of Limestone - data not available) Substitute: (MHD: 766. Refertilization) Use Median Value **(To Be Performed by Residents)**	MHD: WBP 2/6/13	300	SY	$ 2.00	**$ 600**
1m	Application of Fertilizer for Grass	Applied 800 pounds per acre (4,840 SY) = 133 pounds (MHD: 765.62 Application of Fertilizer - data not available) Substitute: (MHD: 766. Refertilization) Use Median Value **(To Be Performed by Residents)**	MHD: WBP 2/6/13	300	SY	$ 2.00	**$ 600**
1n	Slope Stabilization: Jute Fabric	Shoulders: between sta 3+50 & 5+50 Rt (Utility Easement): 140' x 22' = 3080 sf (350 sy total) (MHD: 698.1 Geotextile Fabric for Stabilization)	MHD: WBP 10/25/11	350	SY	$ 4.08	**$ 1,428**
1o	Grass Seed: Provide & Spread	Roadway grass strips & shoulders, Drainage Easements as required for stabilization (50 lbs/Acre Min) Assume: 0.5 Acres = 25 lbs (MHD: 765.1 Seeding - data not available) Substitute: (MHD: 765.2 Seed for Erosion Control) **(To Be Performed by Residents?)**	MHD: WBP 9/6/11	25	LB	$ 34.00	**$ 850**
	Subtotal						**$ 14,598**

2	**Signage:**						
2a	Street Sign:	(MHD: 874.11 Street Sign w/out Post) **(To Be Performed by Residents)**	Planning Dept Est 9/6/10	1	EA	$ 100.00	**$ 100**
2b	Dead End Sign:	(MHD: 874.11 Street Sign w/out Post) **(To Be Performed by Residents?)**	Planning Dept Est 9/6/10	1	EA	$ 100.00	**$ 100**
2c	Stop & Street Sign:	(MHD: 877. Remove & Reset) **(To Be Performed by Residents?)**	MHD: WBP 9/6/11	2	EA	$ 100.00	**$ 200**
2d	No Parking Signs:	(MHD: 877.3 Sign Post 2.5") (2 total)	by DPW MHD: WBP	0	EA	$ 120.00	**$ -**
	Subtotal						**$ 400**

3	**Clean Site & Structures:**						
3a	Misc. Site Cleanup	**(To Be Performed by Residents?)**	Planning Dept Est 9/6/11	1	LS	$ 200.00	**$ 200**
3b	Catch Basins: Inspect & Clean	CB @ sta 0+00 (Lt/Rt), sta 4+25 (Lt/Rt) & sta 7+12 (Lt/Rt) (MHD: 226.4 Cleaning Catch Basin)	MHD: WBP 9/6/11	6	EA	$ 100.00	**$ 600**
3c	Drain Manholes: Inspect and Clean	DMH @ sta 0+25, 1+85, 4+50	Planning Dept Est 9/6/11	3	EA	$ 50.00	**$ 150**
3d	Oil & Grit Separators Inspect and Clean	Sta 6+91 (Rt)	Planning Dept Est 9/6/10	1	EA	$ 100.00	**$ 100**

TOWN OF MIDDLEBOROUGH PLANNING DEPARTMENT

Acorn Ridge Estates - Estimate to Complete the Subdivision for Roadway Acceptance

Date: October 26, 2011, Revised: August 11, 2013

Item No.	Project Type	Description of Work	Source of Estimate	Amt	Unit	Price/Unit	Project Total Cost
3e	Drain Pipes: Inspect & Clean	Between Headwall, MH/Separator, CB's @ Sta 7+12 & DMH @ Sta 4+50	Planning Dept Est 10/24/11	1	EA	$ 1,000.00	$ 1,000
	Subtotal						**$ 2,050**
4	**Utilities:**						
4a	Hydrant:	Properly Prepare & Paint per DPW & Fire Dept. Requirements	Planning Dept Est 9/6/11	3	EA	$ 100.00	$ 300
4b	Hydrant: Relocate	Relocated hyd. at end of cul-de-sac to behind sidewalk (MHD: 376.2 Hydrant - Removed & Reset)	MHD: WBP 9/6/11	0	EA	$ 2,000.00	$ -
4c	Hydrant: Bollards	Provide 6" dia. sch 40 st'l bollards filled w/ conc. placed 3' high & 4' in ground on both sides of hydrant at cul-de-sac. Distance to Hyd. To be determined by Fire Dept. (MHD: 707.8 Steel Bollard)	MHD: WBP 2/6/13	2	EA	$ 750.00	$ 1,500
4c	Water Service Boxes:	Lots 4 & 5: Provide new box at layout line, keep original in roadway, include cleanup (MHD: 381. Service Box) Use Maximum Value	MHD: WBP 2/5/13	2	EA	$ 307.50	$ 615
	Subtotal						**$ 2,415**
E.	**Misc. Filing Fees to Complete Project**						
1	Abutters lists	Fees for PB & BOS Hearings	From PD Est 6/8/07	1	PG	$ 25.00	$ 25
2	Hearings Notifications Fees	Certified Mailings for PB & BOS Hearings (17 @ $5.50 ea) x 2	From PD Est 6/15/07	34	EA	$ 5.50	$ 187
3	Advertising Fee	PB & BOS	From PD Est 6/8/07	2	EA	$ 300.00	$ 600
4	Municipal Lien Certificate(s)	Fees	PRD: Fee Sch 5/3/10	1	EA	$ 67.00	$ 67
5	Recording Fee	Certificate of Completion at Plymouth County Registry of Deeds	PRD: Fee Sch 5/3/10	1	EA	$ 77.00	$ 77
6	Recording Fee	Layout Plans at Plymouth County Registry of Deeds	PRD: Fee Sch 5/3/10	1	PG	$ 77.00	$ 77
	Subtotal						**$ 1,033**
F.	**Engineering:Observations & Testing**						
1	Engineering Observations	24 hrs @ $110	Planning Dept Est. 9/6/11	0	LS	$ 2,640.00	$ -
	Subtotal						**$ -**

TOWN OF MIDDLEBOROUGH PLANNING DEPARTMENT

Acorn Ridge Estates - Estimate to Complete the Subdivision for Roadway Acceptance

Date: October 26, 2011, Revised: August 11, 2013 ◄

ESTIMATED TOTAL POTENTIAL BETTERMENT COSTS:

Cost Based on Additional Money Required Above Surety:	**$58,000**	
Lot Descriptions	**# of Lots**	**Cost/Lot**
Total # of Buildable Lots:	**8**	**$ 7,250**

ESTIMATED BETTERMENT COSTS:

Worth Factors:	**Values:**	**Comments:**
Interest Rate (i): (%)	5	Estimated - to be Determined
Duration (n): (yrs)	20	Standard
Present Cost (P) per Lot: ($)	$ 7,250	
Annual Betterment Cost (CR) per Lot: ($)	**$ 582**	CR = (A/P,i%,n)*
Future Betterment Cost (USCA) per Lot: ($)	$ 19,245	USCA = (F/A,i%,n)**

Discrete Compounding Discount Factors

* Capital Recovery: CR = (i(1+i)^n)/(((1+i)^n) -1)

** Uniform Series Compound Amount: USCA = (((1+i)^n)-1)/i

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, September 16, 2013 at 7:30 PM to accept the layout of Dona Drive and all rights and easements in said way in Middleborough, MA, on such terms as the Selectmen shall determine for the purposes of a Town way, such property being shown on a plan entitled "Roadway As-Built in Middleborough, MA, Dona Estates Subdivision, Dona Drive" dated 7/24/2013, prepared by AZOR Land Sciences, Inc., which plan is on file with the Town Clerk's Office. Anyone wishing to be heard on this matter should appear at the date and time specified.

BOARD OF SELECTMEN
Stephen J. McKinnon
Allin Frawley
Ben Quelle
Leilani Dalpe
John M. Knowlton

Publish: September 5, 2013

Town of Middleborough

Massachusetts

PLANNING DIRECTOR
Ruth McCawley Geoffroy

Planning Board

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

September 10, 2013

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

Re: Dona Estates - Public Layout

Honorable Board:

The Planning Board, at their regularly scheduled meeting held September 10, 2013, voted to recommend favorable action on the layout and acceptance of Dona Drive by the Town.

The Planning Board, at their public hearing on August 20, 2013, found that the construction of the subdivision road and the installation of the municipal services, as approved August 20, 2013, to be complete, and have been built to the standards of the Town of Middleborough Subdivision Rules and Regulations. The Board, therefore, voted to issue a Certificate of Completion for "Dona Estates".

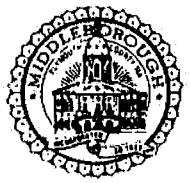
The Planning Board is in receipt of the following plan entitled: "Roadway As-Built in Middleborough, MA, 'Dona Estates Subdivision', Dona Drive, Roadway Layout Plan" dated July 24, 2013, prepared by Azor Land Sciences, Inc., 328 Bedford Street, Lakeville, MA 02347, consisting of three (3) sheets.

If you should have any questions regarding this, please do not hesitate to contact the Planning Department.

Sincerely,

Peter A. Reynolds, Senior Clerk
Middleborough Planning Board

cc: Stephen B. & Mary T. Ramsay



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, September 16, 2013 at 7:30 PM to accept the layout of "Tall Oak Drive" and all rights and easements in said way as a public way of the Town of Middleborough, MA, on such terms as the Selectmen shall determine for the purposes of a Town way, such property being shown on a plan entitled "As-Built Acceptance Plan, Tall Oak Drive, Dated October 21, 1994 and revised on September 8, 1995, By James E. Miller P.E.", which plan is on file with the Town Clerk's Office. Anyone wishing to be heard on this matter should appear at the date and time specified.

BOARD OF SELECTMEN
Stephen J. McKinnon
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Publish: September 5, 2013

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September 10, 2013

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

Re: Tall Oak Drive Layout

Honorable Board:

The Planning Board, at their regularly scheduled meeting held on September 10, 2013, voted to recommend layout and acceptance of Tall Oak Drive by the Town on the condition that the roads will be completed by the developer, Francis A. Souza in conformance with the construction standards of the Middleborough Subdivision Rules and Regulations and the Planning Department's February 15, 2011 Memo, see attached. The items listed in the Planning Department letter were modified by Charles Cristello and agreed to by Mr. Souza as defined in Mr. Souza's July 23, 2013 final punch list, see attached. The layouts are shown on a plan entitled "As-Built Acceptance Plan, 'Tall Oaks Drive', Middleborough, Massachusetts" consisting of Two (2) sheets, dated October 21, 1994 revised September 8, 1995, prepared by James E. Miller, P.E.

Tall Oak Drive located off of Vernon Street was permitted and approved under the Subdivision Control Law on November 15, 1990 and certified complete by the Planning Board on November 12, 1996, however Mr. Souza chose not to submit the subdivision for public layout to the Board of Selectmen and Town Acceptance. Since 1996 the subdivision infrastructure has deteriorated and showed signs of pavement failure resulting in the need for the Planning Board to require additional work to be performed as defined in the February 15, 2011 Memo.

The Planning Board understands that Mr. Souza is currently performing the necessary repair work and will be complete prior to the October 7, 2013 fall Town Meeting. Although the work is not complete at the time, the Board is in favor of the Town's Layout

and Acceptance of this road as a public way as it will be completed in conformance with the construction standards of the Middleborough Subdivision Rules and Regulations and the modified Planning Department's February 15, 2011 Memo.

If you should have any questions regarding this, please do not hesitate to contact the Planning Department.

Sincerely,

Peter A. Reynolds, Senior Clerk
Middleborough Planning Board

Enclosure

Town of Middleborough

Massachusetts

PLANNING DIRECTOR
Ruth McCawley Geoffroy

Planning Board

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

MEMORANDUM

TO: Ruth Geoffroy, Planning Director
FROM: Paul A. Fellini, Construction Administrator
DATE: February 15, 2011, Revised January 25, 2012
RE: Tall Oaks Estates: Review by the Planning Board for Completion

Recently, at the request of the Town Manager, Tall Oaks was inspected on November 29, 2010 and December 7, 2010 to determine the current condition for Acceptance at Town Meeting. The project was inspected by you, the Town Manager, the Superintendent of Public Works and me on December 3, 2010 to determine what action will be necessary to bring Tall Oak Estates into compliance.

Tall Oak Estates was Certified Complete by the Planning Board on November 12, 1996, however the developer Francis A. Souza chose not to submit the subdivision for public layout to the Board of Selectmen and Town acceptance. Since 1996 the subdivision infrastructure has deteriorated and shows signs of pavement failure resulting in the need for the Planning Board to re-evaluate Tall Oak Estates.

This report is a compilation of the November 29 and December 7, 2010 site inspections.

1. Pavement: (Roadway, Sidewalk & Driveway Aprons)
   a. Pavement cracking and cold joints that have opened should be sealed and back sanded as necessary.
      - The pavement at the entrance of Tall Oak Drive and Vernon Street has opened and the first several feet of pavement on Tall Oak Drive have cracked and should be repaired.
   b. Pavement Around Drainage Structures:
      - The frame and grate and several feet of the pavement surrounding CB-1 Lt (Sta 0+00) has settled and cracked. The catch basin leveling bricks need to be reset as necessary and the surrounding pavement repaired.
      - The pavement around DMH-1 (Sta 0+10), CB-2 Lt & CB-3 Rt at (Sta 3+50), DMH-2 (Sta 3+60), CB-5 Rt (Sta 7+00), CB-6 Lt & CB-7 Rt (Sta 9+75) and DMH-8 (Sta 9+94) has cracked and previous repairs have settled and should be repaired as necessary.
   c. The cape-cod-berm along the right side between station 0+5 and 0+50 is damaged and should be repaired.
   d. The first several hundred feet of roadway pavement show signs of failure due to heaving. The developer should investigate the reasons for the failure and provide the Town with a mitigation plan.

e. A sink hole has formed in front of the driveway at #21 Tall Oak Drive in the middle of the right travel lane. It appears that the sink hole may have formed above the drainage pipe. The developer should investigate the reasons for the failure and provide the Town with a mitigation plan.
f. The driveway apron at #101 Tall Oak Drive has concrete paving blocks placed at the end of the apron which may encroach upon the roadway layout. The blocks within the roadway layout should be removed and replaced with pavement.
g. Sidewalk:
   - The roots of many street trees have grown through the sidewalk pavement. Due to this damage the sidewalk does not comply with ADA guidelines or AAB regulations. The pavement should be saw cut, the roots cleanly cut, root shields installed, the sub-base re-compacted and the pavement replaced.
   - A reciprocating handicap ramp should be provided at the cul-de-sac as required by ADA guidelines and AAB regulations.

2. Drainage Structures:
   a. Catch Basins:
      - CB-1, CB-2 and CB-6: Gas trap hoods should be provided as required by the approved plan.
   b. Drainage Basin:
      - The inlet pipe at the headwall should be cleaned.
      - Debris including but not limited to leaf litter from dumping, brush and overgrowth should be removed.
      - The rip-rap at the basin outlet point has settled and should be reset.
3. Landscaping:
   a. Street Trees:
      - The street tree in front of #101 Tall Oak Drive has a severely damaged trunk and should be replaced.
      - Street trees appear to be missing in front of #92 & #101 Tall Oak Drive.
      - The remaining trees have grown substantially and appear to be in relatively good shape.
      - The trees should be pruned as necessary.
   b. Grass Growth:
      - In general the grass growth appears to be in good condition.
      - The grass within the island of the cul-de-sac has several relatively deep tire tracks which should be re-graded and hydro-seeded as necessary.
4. Street Signage:
   a. In general the street sign posts require painting.
   b. Dead End sign should be installed as required.
   c. Street Name Signs:
      - The signs do not comply with the current standard of MUTCD and should be replaced.
      - Signs are twisted and should be replaced.
      - The anchor post is set too high and should be lowered.
   d. Stop Sign:
      - The post is different from what is typically used and appears to be less rigid than required. The post should be replaced with the correct post system.
      - The anchor post should extend to no more than 6 inches above finished grade as required by MUTCD.

- The post is out of alignment and should be straightened.
- The sign is delaminating and may not meet the current standards for retro-reflection and should be replaced.

e. "No Parking Either Side" signs were not installed as typically required.

5. Utilities:
   a. The utility pedestals are out of alignment and should be straightened.
   b. The permanent electrical meters in front of #21 & #101 Tall Oak Drive appear to be located within the roadway layout and should be relocated outside of the roadway layout.
6. Guardrail at the Headwall:
   a. The posts are beginning to rot. The posts and rails should be replaced to conform to FHWA criteria.
7. The gate for the detention basin access road is sagging and should have additional hinges installed to support the horizontal rail.

July 23, 2013

Mr. Charles J. Cristello
Town Manager
Town of Middleboro
Middleboro, MA 02346

Re: Tall Oak Estates

Dear Mr. Cristello:

I have condensed the letter from Paul A Fellini, Construction Administrator dated February 15, 2011 and your e-mail to Attorney Fulmer dated July 25, 2012. The acceptance of the Road Layout for Tall Oak Drive will go before the Town Meeting in April of 2013.

Included are your notes in a letter to Karen dated April 4, 2013

1. Pavement:

Pavement Around Drainage Structures:

The frame and grate and several feet of the pavement surrounding CB-1 (Sta 0+00) has settled and cracked. The catch basin leveling bricks need to be reset as necessary and the surrounding pavement repaired.

The pavement around DMH-1 (Sta 0+10), CB-2 Lt & CB-3 at (Sta 3+50), DMH-2 (Sta 3+60), DMH-4 CB-5 (Sta 7+00), CB-6 Lt & CB-7 Rt (Sta 9+75) and DMH-8 (Sta 9+94) has cracked and previous repairs by the Town of Middleboro have settled and should be repaired as necessary.

A sink hole has formed in front of driveway at #21 Tall Oak Drive in the middle of the right travel lane. This shall be cut open (6' x 6') compacted and Patched has necessary. Please note that DMH-4 was not included in the memo dated Feb 15, 2011, but it showed up on the July 25, 2012 Memo

(g) Saw cut pavement on sidewall where the roots have grown thru the pavement, clean out the roots and install root shields.

(2) Drainage Structures:

Catch Basins:

CB-1, CB-2 and CB-6, Gas trap hoods should be provided as required by the approved plan. (These traps were provided and installed as per the As Built drawings.) They could have been knocked off when the Town of Middleboro cleaned the basins in the past. Will check to see what the situation is.

Drainage Basin:

CB-1, CB-2 & CB-6 gas trap hoods will be installed.

Clean inlet pipe at head wall

Debris including but not limited to leaf litter from dumping, brush and overgrowth should be removed.

The rip-rap at the basin outlet point has settled and should be reset.

Utilities:

The utilities pedestals being out of alignment can not be straightened by any other than the utilities that own them. A letter shall go out to them and ask them to please try and put them straight. We will level the units ourselves if no reply.

The electrical meter for 21 Tall Oak is 26 ft from the edge off the roadway which puts it 14ft outside of the road layout and the electrical meter for 101 tall oak is 17ft from the edge of the roadway which put that location 5 ft outside of the road layout.

Guardrail at the Headwall:

a. **The posts are beginning to rot; the posts and rails should be replaced to conform to FHWA criteria. It is our intention to replace what is there with 6"x6" pressure treated posts and 3ft x 12" pressure treated rails and add another post.**
b. **The gate for the detention basin access road is sagging and should have additional hinges installed to support the horizontal rail.**

We would like your assurance that (1) you have the authority to bind the Town; and (2) once these items have been completed in a workmanlike manner, there will be no further items to be addressed by us and the road will be submitted to be accepted by the Town meeting in April 2013.

Paul Fellini

From: Charles Cristello
Sent: Thursday, September 05, 2013 11:10 AM
To: Paul Fellini
Subject: FW: Tall Oak Dr
Attachments: Final Punch Letter to TownManage Revised July 23-2013.doc

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From: Charles Cristello
Sent: Tuesday, July 23, 2013 1:31 PM
To: Christopher Peck
Subject: FW: Tall Oak Dr

From: TECAMPS@aol.com [mailto:TECAMPS@aol.com]
Sent: Tuesday, July 23, 2013 1:12 PM
To: Charles Cristello
Cc: madison7171@gmail.com; rkbubba_665@verizon.net
Subject: Tall Oak Dr

Charlie

I double checked the original memo of Feb 15, 2011 and the memo of July 25, DMH-4 was not included in the Feb 15 memo but I guess was added into the July 25 list, I have now included it. I don't find any other item that is missing.

See you at 10:00 am

Frank